**Evaluation Commission’s responses to RFQ related questions, 20 March 2024**

| **No.** | **Question** | **Answer** |
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| **Requests for clarifications that have already been addressed by the Evaluation Commission earlier (however, republished for the convenience of the prospective Applicants)** | | |
| 1 | **Financial Criterion**, page 33: Is it necessary to fulfill all three conditions on the availability of Capital, cash flow and evidence of the availability of sources of financing for the project in the specified amounts? | The Candidate must demonstrate conformity with the financial criterion No 1.1 (Financial Soundness) and at least one of the financial criteria Nos. 1.2-1.4 listed below: - Financial Criterion No.1.2 ─ Equity - Financial Criterion No.1.3 ─ Free Cash Flow - Financial Criterion No.1.4 ─ Evidence of Available Sources of Financing.  Please see the "ANNEX 5. QUALIFICATION CRITERIA", clause No. 1. |
| 2 | **2.3.8**: We understand that in case the Candidate intends to answer the RFQ in the form of a Special Purpose Vehicule (SPV), the Candidate may provide a formal undertaking indicating that the members of the Consortium intend to create a Special Purpose Vehicle to perform the Project, should the Consortium be awarded the Project; such SPV being established at the time of execution of the Agreement. Would you please confirm our understanding ? | Your understanding is not quite correct, you are confusing the SPV with the “Project Company”.  The Special Purpose Vehicle under the RFQ (Clauses 2.3.1 and 2.3.2) is one of the forms in which a Consortium may participate in the Selection Procedure. The SPV is essentially an incorporated Consortium (i.e., a legal entity specifically established by the Consortium Members to submit the Qualification Bid and take part in the Selection Procedure).  If the participants select to respond to the RFQ through SPV (which again, for the sake of clarity, is merely an option), then it should be incorporated (in Armenia or foreign jurisdiction) at the moment of submission of the Qualification Bid. Please refer to Clauses 2.1.2 and 2.4 of the RFQ for more background details on the SPV in this respect. The SPV should provide all documents as part of its Qualification Bid which are required from a Consortium under the RFQ (please see Annex 6 of the RFQ for more details). The Project Company, on the other hand, (please see Clause 2.4) essentially means the future Private Partner, i.e., the Armenia-based legal entity that will implement the Project under the PPP contract. The Project Company will need to be created by the winner of the Selection Procedure (an Applicant that successfully passed the qualification at the RFQ stage and provided the best bid at the RFP stage), after the tender award but prior to conclusion of the PPP contract.  Unlike incorporation of an SPV (which is one of the ways of participating in the tender), establishment of the Project Company is a mandatory requirement for any winning Applicant of the Selection Procedure (whether single-entity or Consortium). The only specific exception in this respect is contained in Clause 2.3.9 of the RFQ, which would allow not to create a Project Company for a winning SPV in case such SPV had already been registered as the Armenia based company and won the Selection Procedure. Even in this case, however, the winning SPV may still choose to establish a separate Project Company, which should be 100%-owned by this SPV, as per requirements of Clause 2.3.9 of the RFQ. At the same time none of the abovementioned precludes the participants from applying though an unincorporated consortium, in which case the Project Company will be established in case such consortium is declared the winner of the tender. In case of applying through a consortium, the members of the consortium should submit a consortium agreement, where they will specify the proportion of shareholding of each participant in the future Project Company (which will be created should the consortium be declared the winner of the tender), and such proportion cannot be changed at the time of signing the PPP agreement. |
| 3 | **RFQ Notice**: The GoA allows an electronic submission of the answer for RFQ on Armeps.am website. In case the candidate decide to submit the answer via armeps website, will the answer with all the documents be visible for other participants ? or they will remain confidential – only available for the GoA officials working on this project ? | (i) up until the Qualification Bids Submission Deadline, the Qualification Bid submitted via ARMEPS will not be available to any persons other than the representatives of the Applicant that submitted (downloaded) such Qualification Bid (incl. other Applicants and members of the Evaluation Commission); (ii) after expiry of the Qualification Bids Submission Deadline, the Qualification Bid submitted via ARMEPS will be opened and reviewed by the Evaluation Commission and it’s advisors in accordance with the requirements of the RFQ (incl. as provided in Clauses 4.4 and 6.2 of the RFQ), without disclosure of such Qualification Bid to any other Applicants. |
| 4 | **Annex 5. Qualification criteria : Financial Criterion n°1.1, 1.2, 1.3, 1.4**: The RFQ has been launched in 2024. The audited accounts for 2023 will not be officially available for the submission of the answer to RFQ in March. Would you please confirm that you will be accepting the audited accounts 2022 to demonstrate candidate compliance ? | The provision of the Candidate's audited financial statements for the last confirmed three (3) financial years is required, among other things, to evidence conformity with the Financial and Economic Capacity Criteria Nos. 1.1-1.3 in accordance with paragraph 2.1 of the section 2 of Annex 6 of the RFQ. The RFQ further clarifies that "the last confirmed financial year shall refer to the last financial year or next to last financial year (if the audit results for the last financial year are not yet available) confirmed with the audit report". Based on this, if the Candidate's audited financial statements for 2023 (as one of the last confirmed three (3) financial years) are not yet available at the time of submission of the Qualification Bid, the Candidate may provide the audited financial statements for 2022 (as next to last financial year), 2021 and 2020 for the purposes of evidencing conformity with the Financial Criteria Nos. 1.1-1.3.  Please refer to paragraph 2.1 of section 2 of Annex 6 of the RFQ for more detailed confirmation requirements for evidencing conformity with the Financial and Economic Capacity Criteria. |
| 5 | Is it possible to submit a Qualification Bid with a non-incorporated Consortium? | Yes, such possibility is enshrined both in the PPP Law, and item 2.1.2. of the RFQ, which specifies that applying through an SPV is an option (prospective Candidates may establish a special purpose company for the purposes of joint participation in the Selection Procedure). |
| 6 | Is it mandatory to found the consortium by Armenian law, or is it sufficient to found it according to German law? | The SPV (if the participants select to apply through it) may be established both in Armenia (i. e. under Armenian law) and foreign jurisdictions (under foreign law). In case the SPV is established in Armenia and wins the tender, it can later choose to skip incorporation of the Project Company (which will be implementing the project) and use the Armenia-based SPV as Project Company (again, this is just an option, and not mandatory). In case the SPV is based in a foreign jurisdiction, a Project Company shall be established in Armenia before signing the PPP agreement if such SPV is declared the winner. For the purposes of participation in the Selection Procedure, non-incorporated Consortia are not "founded" in a sense of establishment of a legal entity – consequently, the rules on the SPV provided in the RFQ do not apply to such Consortia. Such Consortia should still comply with all other ("non-SPV related") requirements to Consortia specified in the RFQ. The key legal document evidencing formation of a non-incorporated Consortium under the RFQ is the consortium agreement. The consortium agreement (which should be provided by any Consortium, both incorporated and non-incorporated, under Annex 6 of the RFQ) may be concluded under any governing law (Armenian law / law of other jurisdiction) chosen by a Consortium, as may be appropriate in each particular case of participation in a Selection Procedure through a Consortium. |
| 7 | It is also stated, that - in any case, after a successful run - the establishment of a Project company is necessary. Is our understanding correct, that in case of an award of a consortium, the (incorporated or non-incorporated) consortium has to found a Project company afterwards? Or: In case a Consortium will be awarded: Is it intended to transfer the award from the consortium to the Project Company? Since a Project Company has its own legal personality, we ask kindly to confirm this. | Please see the answer above. Again, for the avoidance of doubt, in any case an Armenia-based Project Company shall be established by the winning bidder, and such Project Company will be the Private Partner (i.e., sign the PPP agreement). The only exception is that if the winner is an Armenia-based SPV it can (but is not obligated to) skip establishment of a separate Project Company. In that case the SPV will be used as the Project Company and will sign the PPP agreement. |
| 8 | The participation requirements specify four financial criteria that must be satisfied for eligibility in the application selection process. Could you please clarify whether a private partner needs to fulfil only one of the four criteria or if compliance with all four is mandatory for participation? | The Candidate must demonstrate conformity with the financial criterion No 1.1 (Financial Soundness) and at least one of the financial criteria Nos. 1.2-1.4 listed below:  - Financial Criterion No.1.2 Equity  - Financial Criterion No.1.3 Free Cash Flow  - Financial Criterion No.1.4 Evidence of Available Sources of Financing.  Please see the "ANNEX 5. QUALIFICATION CRITERIA", clause No. 1. |
| 9 | We seek clarification on sub-clause 1.2, paragraph 1, specifically regarding the Financial criterion – “Share capital” outlined on page 38 of the “Request for Qualifications” document. We would appreciate clarification on the following points: 1. What does it mean by “The Candidate’s existing long-term Debt/Equity must not be more than 1.5”? 2. Does the requirement of “Equity capital of at least 10,000,000 US dollars” apply exclusively to a private partner in the form of a consortium or to any type of private partner? | 1. As stated in the ANNEX 5. QUALIFICATION CRITERIA, The Candidate’s existing long-term Debt / Equity ratio should not be more than 1.5. “Debt” shall mean the amount of money owed by a Candidate to its lenders along with the interest. "Equity" shall mean the difference between the value of all assets and the value of all liabilities as represented by share capital, retained earnings, reserves and other forms of the Candidate’s equity. If the criterion is not met according to the “ANNEX 6. CONTENT OF QUALIFICATION BID”, clause “2.1.2. Evidence of Compliance with Financial Criterion No.1.2 ─ Equity or Financial Criterion No.1.3 ─ Free Cash Flow”, the Candidate will not be considered as qualified candidate, 2. As stipulated in the ANNEX 5. QUALIFICATION CRITERIA, this requirement applies to any type of the Private Partner (“The Candidate or if the Candidate is a Consortium, the Lead Member and all Consortium Members in aggregate.”). |
| 10 | AArt 2.1 of RFQ states that “The shareholding structure of the Project Company shall at the time of execution of the Agreement correspond to the shareholding structure of such company which was reflected in the Bid of the Applicant determined as the winner of the Selection Procedure. “ and it is not referring to the Qualification Bid   Furthermore Art 2.4.1 states that “ The rules related to the establishment of the Project Company are further clarified in the Request for Proposal intended for Qualified Applicants. “   Finally, share of work between consortium members cannot be determined precisely at this stage ( with draft technical requirements).   **Can you confirm that the consortium agreement whose copy have to be supplied at RFQ stage (including shareholding of each consortium member in the future project Company) may be amended at RFP stage ?** | Changes in consortium agreements that trigger non-compliance with the requirements of the RFQ (including with respect to the shareholding of an Applicant in the future Project Company, or with respect to amendments in composition of the Consortium) will be prohibited at the RFP stage of the Selection Procedure. Note the following requirements of the RFQ in this regard: - The consortium agreement submitted at the RFQ stage should meet the requirements provided in para.1.3 (j) of Annex 6 (Content of Qualification Bid) of the RFQ. One of these requirements is that the consortium agreement should reflect the shareholding of each Consortium Member in the future Project Company, subject to the requirements set in Clauses 2.1.3 and 2.4 of the RFQ. - According to Clause 2.2.4 of the RFQ, a Consortium may change its composition (including adding or excluding any Consortium Members) prior to expiry of the Qualification Bids Submission Deadline. Changes in composition of a Consortium after expiry of the Qualification Bids Submission Deadline are prohibited (this specifically assumes that no changes in Consortia will be allowed at the RFP stage). - Change of Control in Candidate at any stage of the Selection Procedure (until signing of the Agreement in case such Applicant is designated as the winner of the Selection Procedure) resulting in Candidate's non-compliance with general requirements to Applicants set out in Annex 4 (General Requirements to Applicants) and/or Qualification Criteria set out in Annex 5 (Qualification Criteria) of the RFQ is prohibited. Applicants are thus advised to plan and structure their shareholding arrangements in Consortia and the future Project Company carefully so that to achieve compliance with all mandatory requirements for participation in the Selection Procedure established by tender documentation.   However, for the avoidance of doubt, considering that the published technical requirements might be subject to change, RFQ requirements do not limit changes in shareholding structure among different Consortium Members in RFP stage as long as it is compliant with the requirements set in RFQ requirements, notably:- At the RfQ stage the consortium agreement shall point out the members of the consortium entitled to have shareholding in the future SPV. The agreement shall also set out a basic scenario of the shareholding structure of the SPV, at the same time providing that such structure can be adjusted before the RfP stage shall any modifications in the technical requirements relating to the consortium members’ capacities occur (please note that the amendment can affect only the structure (i. e. percentage) of shareholding of each consortium member, however the list of the members of the consortium must be final (no new members can be added or existing members can be excluded at the RfP stage); - Lead member shall hold individually at least 50% of voting rights or equity in the future Project Company, be the largest shareholder of the Project Company and retain effective control over the technical and operational activities of the Project Company. - Each Consortium Member of the winning Consortium other than the Lead Member of such Consortium shall at the time of execution of the Agreement hold no less than 10% of the voting rights or equity in the future Project Company. - And the general requirements to Applicants and the Qualification Criteria are still met.  Please note that at the RfP stage the consortium agreement shall provide the final shareholding structure which cannot be further amended (except after signing the PPP agreement and upon GoA’s approval). |
| 11 | Clarification concerning RFQ Annex 6, Item 2.1.2. (b) - Confirmation of Requirements for Audit Firm (Form G)  While preparing the required documents for the RFQ stage of the Selection Procedure, we were uncertain on how to interpret Form G. Could you please clarify if Form G is addressed at (i) The audit firm responsible for a Candidate’s financial statements that are submitted in Document Part II (Documents demonstration compliance with qualification criteria, Annex 6) during the RFQ stage; or (ii) The audit firm that – in the future – will potentially be in charge of auditing services for the duration of the Project (isn’t it too early for both the audit firm and the Candidate to commit to this at the current stage of the Selection Procedure?) | "Form G. Confirmation of Requirements for Audit Firm" refers to the audit firm responsible for a Candidate’s financial statements that are submitted in Document Part II (Documents demonstration compliance with qualification criteria, Annex 6) during the RFQ stage. |
| 12 | While preparing the required documents for the RFQ stage of the Selection Procedure, we were uncertain on how to interpret Form B (Sample for Power of Attorney Document). The Sample in Form B mentions “Before me, the Notary in this office…”. However, according to item 1.3. (b) of Annex 6 and the requirements set out on p. 1 of Form B, a notarization of the (English) Power of Attorney Documents is not explicitly mentioned as a requirement.   Could you please clarify if a Power of Attorney Document that is originally prepared in one of the Official Languages needs to be notarized? | The power of attorney (as an Authorizing Document) submitted by a Consortium should follow the requirements provided in para. 1.3 of Annex 6 to the RFQ. Para. 1.3(b) of Annex 6 to the RFQ says that “the Authorizing Documents and copies of the identification documents that are originally prepared (issued) in a foreign language (other than any of the Official Languages) shall be submitted together with their notarized translation into any of the Official Languages and verified by apostille”. The Official Languages under the RFQ include Armenian, English or Russian.  Consequently, if a Consortium’s power of attorney submitted as part of a Qualification Bid is originally prepared (issued) in any of the Official Languages, the abovementioned requirement regarding notarized translation into any of the Official Languages and verification by apostille will not apply. Any power of attorney submitted by an Applicant as part of the Qualification Bid should follow the content requirements provided in Form B to Annex 6 of the RFQ. These content requirements are specified in paras. 1-4 of Form B to Annex 6 of the RFQ (indication of information about the Authorized Persons, scope of authority granted to the Authorized Persons etc.). Form B to Annex 6 of the RFQ further provides a non-binding sample of a power of attorney and explicitly says that “this sample form is not mandatory and may be used as an indicative form in cases where the Authorized Persons represent the Applicant based on a power of attorney. In any event, the Applicant’s power of attorney shall correspond to the requirements to content of the power of attorney set out in this Form B above”. Applicants may thus flexibly use a sample form of a power of attorney (including by tailoring/changing its form and contents), ensuring, however, in all cases that the mandatory contents of the power of attorney provided in paras. 1-4 of Form B to Annex 6 of the RFQ are reflected in this document. |
| 13 | Please confirm, that the clause 2.1.4. of the RFQ-document is to be understood in the way, that all requirements (a)-(c) are sufficiently fulfilled by at least two separate contracts in total. | Reference Projects and respective requirements indicated in items (a)-(c) of the clause 2.1 of the "ANNEX 5. QUALIFICATION CRITERIA" should have been completed, in aggregate, under at least two (2) separate contracts. All reference projects combined together shall fully satisfy all applicable qualification requirements. |
| 14 | "(a) Implementation of end-to-end system (software, hardware, and equipment) for ID cards’ and biometric passports’ applications management, biometric data enrolment, biometric identity verification, document personalization, document issuance and document life cycle support. For this Reference Project, the Candidate should be able to demonstrate (upon request) its citizen identity, ID card and passport management software"  Can the requirement be amended to allow to achieve this requirement with reference project with **only** biometric passports or with two separate reference projects, one project for citizens ID cards and one project for Biometric passports? | Reference Projects and respective requirements indicated in items (a)-(c) of the clause 2.1 of the "ANNEX 5. QUALIFICATION CRITERIA" should have been completed, in aggregate, under at least two (2) separate contracts. All reference projects combined together shall fully satisfy all applicable qualification requirements. |
| 15 | Regarding: Reference Project "should be completed no later than the past five (5) years before the publication date of the Announcement"  Can the Contracting Authority please clarify that the correct interpretion is that it should read "within the past five (5) years before the publication date". | Reference Project should be completed no later than the past five (5) years before the publication date of the Announcement (within the past five (5) years before the publication date). If a Reference Project is still ongoing as of the date of submission of a Qualification Bid, the completed part of such Reference Project should cover the scope of work and meet the requirements provided in the description of the relevant Reference Project in items (a)-(c) above. |
| 16 | "For the Reference Project indicated in item (a) of paragraph 2.1 of section 2 of Annex 5 (Qualification Criteria), the Candidate should provide a description of citizen identity, ID card and passport management software."  Can the Contracting Authority clarify if a high level description is sufficient, as the Authority request is to not provide technical offer/information at this stage of the procurement | The detailed descriptions of the suggested IT solution are supposed to be provided for the RFP stage. At the RFQ stage high level description of a description of citizen identity, ID card and passport management software is to be provided as a complimenting evidences related to implementation of the Reference Project indicated in item (a) of paragraph 2.1 of section 2 of Annex 5 (Qualification Criteria) (as defined in "Form E. Experience Table for Reference Projects"). Please also note that upon request the Candidate should be able to demonstrate its citizen identity, ID card and passport management software. |
| 17 | Do you confirm that not all translated documents need to be notarized/apostilled (financial statements, proof of good legal standing)? | Not all translated documents need to be submitted together with their notarized translation. Notarized translation is only applicable to some of the documents indicated in section "Part I ─ Qualification Bid Form and Documents Demonstrating Compliance with General Requirements to Applicants". Please follow detailed the chapter "ANNEX 6. CONTENT OF QUALIFICATION BID" and its section "Part I ─ Qualification Bid Form and Documents Demonstrating Compliance with General Requirements to Applicants" requirements, it provides clear guidelines which documents prepared in other then the Official Languages must be only translated to any of the one of the Official Languages, and which requires notarized translation. |
| 18 | For the financial criteria 1.2 to 1.4 it is written “if the Candidate is a Consortium, the Lead Member and all Consortium Members in aggregate” o Does it mean that the lead member needs to comply alone, as well as the other members together (separate from the lead member)? o If the lead member can comply alone, do the other members still have to comply? o If the lead member cannot comply, can he then use the aggregate of all the resources? | To comply with financial criteria 1.2 - 1.4., if the Candidate is a Consortium, the Lead Member and all Consortium Members in aggregate must comply to criteria together (combined). If the Lead Member can comply alone - it is sufficient, if the Lead Member cannot comply alone, he can rely on recourses of other Consortium Members combined. |
| 19 | Document: 1․ Armenia PPP RFQ - 2024-01-03\_Eng.pdf Page 37 Clause: 1.2 para b Please confirm if a document (for e.g. Form A, B, C or D) is submitted in Armenian language or English & Armenian (bilingual), then these documents are not required to be Apostilled or Legalized? | Documents submitted in the any of the Official Languages do not need to be translated, their translation does not need to be apostilled or legalized. However, please closely follow requirements in "ANNEX 6. CONTENT OF QUALIFICATION BID" for documents to be submitted. Some documents, even if provided in official languages require notarization (e.g., chapter "1.3. Consortia", section "(j) Copy of the consortium agreement in any of the Official Languages, duly notarized and containing (at the minimum) the following provisions, concerning <..>."). |
| 20 | Document: 1․ Armenia PPP RFQ - 2024-01-03\_Eng.pdf Page 37 Clause: 1.2 para b Can the requirement of Apostille / Legalization be waived for Financial & ID documents in view of the time constraints in completing the process? | The Authorizing Documents and copies of the identification documents (as stated in the "ANNEX 6. CONTENT OF QUALIFICATION BID") that are originally prepared (issued) in a foreign language (other than any of the Official Languages) shall be submitted together with their notarized translation into any of the Official Languages and verified by apostille (in case of documents sent from the countries that have ratified the Hague Convention of 5 October 1961 Abolishing the Requirement of Legalisation for Foreign Public Documents; if the country is not a member of the convention, the legalization of the documents shall be done through consular means). The requirements is governed by local PPP regulations and thus can not be waivered. |
| 21 | Document: 1․ Armenia PPP RFQ - 2024-01-03\_Eng.pdf Page 55 Form G. Confirmation of Requirements for Audit Firm Since we are already submitting audited balance sheets, may we kindly request to remove this requirement of submitting a letter from an audit firm. The decision to issue such a letter is not in the control of a Candidate hence request if this requirement can be made optional to submit. | Since Contracting Authority must have an evidence that audited financial statements are confirmed by a reputable audit firm, letter of confirmation from the Audit Firm (or Audit Firms) on compliance with requirements for an Audit Firm under Form G (Confirmation of Requirements for Audit Firm) of this Annex 6 (Content of Qualification Bid) must be provided together with copies of the Candidate's financial statements for the last confirmed three (3) financial years signed by the Audit Firm (or Audit Firms) under national or international accounting standards (including IFRS, IAS or US GAAP). |
| 22 | In the Form C of the document ‘1․ Armenia PPP RFQ - 2024-01-03\_Eng.pdf’, it is requested to provide the ‘Current list of the Candidate's / Lead Member's Related Companies’. Do we understand correctly that this current list concerns only the related companies involved in the project ? | This involves all Related Companies of a single-entity Candidate / Lead Member, not only the Related Companies involved in submission of a Qualification Bid. Please refer to the definition of "Related Companies" provided in Annex 9 of the RFQ.  Please also note, should the number of related legal entities exceed 10, the Lead Member may provide the total number of related companies, provide the required information about the 10 most significant of them and provide an affidavit confirming that none of the related legal entities are involved in another bidding structure. For more details please see the amended Request for Qualification document: "Form C. Basic Information Form" |
| **Requests for clarifications that have not been addressed by the Evaluation Commission earlier** | | |
| 23 | RFQ Annex 6, Form C AS per answer to question 13 from Minutes of Second Open Meeting regarding the Qualification Bids for the PPP Project : It is requested to list in Form C all related companies of the Lead member as per definition provided in Annex 9 of the RFQ : That is to say Parent Company AND legal entities Controlled by the Lead Member AND legal entities which are Controlled by the same Parent Company that Controls the Lead Member.   It has been mentioned during the conference that purpose was to identify and check that there were not Related companies involved in few different Applications ( RFQ Submissions). In case of bidder being part of a worldwide group, this may correspond to hundreds of subsidiaries to list. In order to fulfill the requirement, Would you accept instead an affidavit confirming that no Related companies are involved in another bidding structure. | Should the number of related legal entities exceed 10, the Lead Member may provide the total number of related companies, provide the required information about the 10 most significant of them and provide an affidavit confirming that none of the related legal entities are involved in another bidding structure. For more details please see the amended Request for Qualification document: "Form C. Basic Information Form" |
| 24 | RFQ Annex 6, Form C From our understanding, objective of Form C is to detail consortium composition as it includes §1 related to the Lead member and §2 related to other Consortium Members. Consequently, could you confirm you expect only one Form C per consortium, please? As such, could you confirm Form C has to be signed by the lead member only, please? | It is possible to either provide one Form C for all consortium members, indicating the required information about the lead member and each relevant consortium member, or separate form C for each consortium member. In both cases, form(s) C should be signed by the lead member, who should be authorized to submit the qualification bid and all documents being part of such qualification bid on behalf of the entire consortium. Additional signatures from other consortium members may (but not necessarily should) be added to form(s) C submitted by a consortium. |
| 25 | RFQ - Page 39 (f) For each non-resident Consortium Member, copy of the official document issued by the competent authority in the Consortium Member’s jurisdiction or by the Consortium Member’s secretary not earlier than thirty (30) days before submission of the Qualification Bid and confirming good legal standing of the non-resident Consortium Member, in any of the Official Languages. Could you explain what document we should provide? | A document confirming good legal standing refers to an official document issued with respect to a legal entity, which confirms that such entity exists and is legally allowed to do business in its relevant jurisdiction. The specific contents, form and the procedure for issuance of this document may vary depending on applicable regulatory requirements of each domicile.  Good standing documents are typically issued by the authorized public authorities of an entity’s jurisdiction. Alternatively, a good standing document can also be issued by an entity’s corporate secretary or other corporate body authorized to verify and confirm the good standing details of such entity.  Applicants are advised to consult with their advisors/other competent authorities and experts on the specifics of preparation and issuance of a good standing document in compliance with regulatory requirements of their jurisdictions. |
| 26 | Annex 4., page 31, Point 10. b) [Current document] Proved evidence of non-performance or improper performance" of material agreements in relation to state owned property or assets shall refer to (i) final and effective court decisions which have legal effect as of the Qualification Bid submission date […]  [Comments] Would the currently ongoing - but constantly postponed - hearing (related to tax stamps tender in Armenia) be a legal obstacle? | Contracting authority will take decision on the compliance to the qualification requirement during the bid evaluation process. |
| 27 | Annex 5., page 34, 2.1 (c) [Current document] Designing, producing, and personalizing ICAO 9303 compliant machine-readable biometric passports, including eMRTD with fingerprint management protected by EAC (Extended Access Control) as per European regulation. Biometric passports issued in the scope of the contract must be/ have been used in real-life scenarios by citizens of a particular country.  [Comments] In the case of an ICAO standard document, why is fingerprint management required under EU regulation? This excludes all other references, and ICAO is worldwide.  Please delete EU (in addition to the separation of contemporaneous experience in designing, producing and personalizing of passports). | Please see the amended RFQ. The requirement 2.1 (c) is updated in the following way: "(c)Designing, producing, and personalizing ICAO 9303 compliant machine-readable biometric passports, including eMRTD with fingerprint management protected by EAC (Extended Access Control) as per international standards. Biometric passports issued in the scope of the contract must be/ have been used in real-life scenarios by citizens of a particular country." |
| 28 | Annex 5., Page 34-35. Points 4., 5., 6., 7. [Current document] Reference Projects indicated in items (a)-(c) […]  [Comments] All these points refer to the contents of paragraph 2.1 above and expect references. However, the possibility that Consortium members can provide a reference together does not match what is expected here. There is no competition if the same applicant is required for design & production of a document as well as for personalization. After all, companies are formed to Consortia for this purpose (meeting jointly the production and personalization requirements), especially in the case of passports. | To comply with technical and professional capacity criteria, if the Candidate can comply alone - it is sufficient, if the Candidate cannot comply alone, he can rely on recourses of Consortium Members combined. If the Candidate is a Consortium, the Lead Member and all Consortium Members in aggregate must comply to criteria together (combined) |
| 29 | Given the intricacy of the documents required to submit, the reliance on external resources such as translation and notary services, as well as our commitment to partnering with the best possible collaborators to ensure project quality, we kindly request extending the submission deadline by three (3) weeks. | Prospective Applicants are invited to provide the Qualification Bids until 18:00 (Yerevan Time) on April 11, 2024 either (1) electronically via Armenian electronic procurement system (ARMEPS) or (2) in-hand delivery of paper-based Qualification Bid. |
| 30 | I would like to ask for the extension of the deadline for PPP Project on Biometric Passports and National ID Cards Issuance Services Request for Qualification in order to be able to prepare all required documents together with the consortium partners.  We would highly appreciate if the deadline would be extended by 4 weeks. |
| 31 | Not that there are problems in the portal to reactivate the procedure, I would like to inform you that the RFQ in the ARMEPS  portal is not yet up to date regarding the new submission date (11.04.2024) | Please be informed that according to the PPP legislation, the official site for the PPP announcement is the Ministry of Economy Website. The Biometric Passports and ID Cards PPP project announcement and related materials can be found through the following link:  https://mineconomy.am/en/page/3032.  ARMEPS is for submitting the bids, but GoA will also place the updated PPP materials bidders' comfort. Updated link of ARMEPS is the following:  https://armeps.am/epps/cft/prepareViewCfTWS.do?resourceId=10263753 |
| 32 | In anticipation of the original submission deadline on 14 March 2024, as well as the original Announcement Date of 3 January 2024, we have prepared, signed and finalized our qualification bid documents. In some of these documents, the (original) Announcement Date had to be filled in (e.g. Form A and Form B).  It is our understanding that – with the Request for Qualification Amendment Notice dated March 12, 2024 – there now exists a new Announcement Date.  Would it be sufficient to hand in our finalized documents mentioning 3 January 2024 as the (original) Announcement Date or is it necessary to now adapt the qualification bid documents and retrieve new signed versions from all Consortium Members? | Specific requirements for the date of signing / issuance of the document is set in only to very specific cases (e.g., they relate to the official good standing documents like no-bankruptcy records etc.). For these, the issuing dates were extended to accommodate for the new RFQ announcement date. Please refer to the updated requirements in ANNEX No. 6.  However, since 12 March 2024 is considered to a new announcement of RFQ according to local legislation, in case of references to the announcement date in the Form A and Form B, the applicants **need to change this date and reissue such documents reflecting on the actual announcement date 12 March 2024**. |