*Translation from Ukrainian into English*

**Lviv Municipal Enterprise**

**Convention Bureau**

|  |  |
| --- | --- |
|  |  |
|  | **APPROVED** | |
|  | By decision of the Competitive Bidding Committee dated \_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_2016  **Chairman of the Competitive Bidding Committee** | |
|  |  | |
|  | **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ L. Ostapchuk** | |

SEAL

|  |
| --- |
| **COMPETITIVE BIDS** |

**for procurement of:**

**ДК 016:2010 71.11.2 – Architectural Services for Buildings;**

**ДК 021:2015 71241000-9 – Technical Feasibility Study, Advisory Services, Analysis**

*(Technical feasibility study and draft Business Plan for a multifunctional complex (conference centre and exhibition hall) in Lviv)*

|  |
| --- |
| **COMPETITIVE BIDDING DOCUMENTATION** |
|  |

**Lviv – 2016**

**Competitive Bidding Documentation**

|  |  |  |
| --- | --- | --- |
| **I. General Provisions** | | |
| 1 | 2 | |
| **1. Terms used in competitive bidding documentation** | | Competitive bidding documentation is prepared to meet the requirements of the [Law](http://search.ligazakon.ua/l_doc2.nsf/link1/ed_2010_07_10/T102289.html) of Ukraine “On State Procurement” (hereinafter referred to as the “Law”). The terms used in this competitive bidding documentation shall have the meaning defined by the Law. |
| **2. Information on the Employer** | |  |
| Full name | | Convention Bureau, Lviv Municipal Enterprise |
| Location (address) | | 1 Rynok Square, 79006 Lviv, Ukraine  67 Levytskoho Str., 79017 Lviv, Ukraine (legal address) |
| Employer’s official responsible for communication with the Bidders | | Andriy Petrovych Pavliv – Secretary of the Competitive Bidding Committee  1 Rynok Square, Room 415, 79006 Lviv, Ukraine  Tel.: (032) 254-60-30  [pap@lvivconvention.com.ua](mailto:pap@lvivconvention.com.ua) |
| **3. Information on procurement items** | |  |
| Name of procurement items | | ДК 016:2010 71.11.2 – Architectural services for buildings;  ДК 021:2015 71241000-9 – Technical feasibility study, advisory services, analysis (technical feasibility study and draft Business Plan for a multifunctional complex (conference centre and exhibition hall) in Lviv) |
| Type of procurement items | | Services |
| Location, quantity, scope of delivery of goods (services, works) | | Lviv |
| Delivery of goods (services, works) | | 180 days following the execution of the agreement |
| **4. Procurement procedure** | | Open bidding |
| **5. Non-discrimination** | | Domestic and foreign Bidders shall take part in the procurement process on equal terms. |
| **6. Information on the currency (currencies), in which tender offers shall be calculated and indicated** | | Ukrainian hryvnia |
| **7. Information on the language(s), in which tender offers shall be compiled** | | All documents prepared by the Bidders shall be submitted in Ukrainian**\***.  **\* *Note***  *This requirement shall not apply to originals or copies of original documents issued by public authorities, organizations (companies, institutions) of foreign countries (these documents shall be submitted with a Ukrainian translation by a duly certified translation agency).* |
| **II. Procedure for amendments to and clarifications of bidding documentation** | | |
| **1. Procedure for clarifications to bidding documentation** | | Individuals/legal entities shall be entitled to address the Employer for clarifications to the bidding documentation not later than 10 (ten) days before the expiry of the tender offers. The Employer shall give a clarification for each request within 3 (three) days of its receipt.  The Employer may, on its own initiative or as a result of requests, amend the bidding documentation by extending the deadline for the opening of tender offers for no less than 7 (seven) days, and notify all persons who were issued the bidding documentation in writing within one working day of the date of its decision to introduce the said amendments.  If the Employer is delayed in submitting clarifications to the bidding documentation, or fails to make amendments in due time, the Employer shall extend the deadline for the opening of tender offers for no less than 7 (seven) days, and notify all persons who were issued the bidding documentation.  This information shall be provided by the Employer in accordance with [Article 10 of the Law](http://search.ligazakon.ua/l_doc2.nsf/link1/ed_2010_07_10/an/170/T102289.html#170). |
| **2. Procedure for meetings in order to clarify requests regarding bidding documentation** | | If meetings are held in order to clarify any requests regarding bidding documentation, the Employer shall ensure that minutes of each meeting are kept in order to provide clarifications for all the requests.  This information shall be disclosed by the Employer in accordance with [Article 10 of the Law](http://search.ligazakon.ua/l_doc2.nsf/link1/ed_2010_07_10/an/170/T102289.html#170). |
| **III. Preparation of tender offers** | | |
| **1. Formalization of tender offers** | | Tender offers shall be submitted in writing, signed by a Bidder’s authorized official, stitched together, numbered and affixed by a seal\* in a sealed envelope.  Procurement Bidders may only submit one tender offer.  All pages of tender offers submitted by a Procurement Bidder shall be numbered and signed by the Bidder’s authorized official and affixed by a seal\*.  The authority to sign bidding documents submitted by a Procurement Bidder shall be confirmed by an extract from the minutes of the General Founding Assembly, an order of appointment, a power of attorney, an instruction or any other document confirming the authority of the Bidder’s official to sign the documents (one of these documents).  Tender offers shall be submitted in a sealed envelope, which shall be affixed with the Bidder’s seal on sealed areas of the envelope\*.  The following information shall be on the envelope:  1) full name and location (address) of the Employer;  2) name of procurement items in accordance with the announcement of open bidding;  3) full name (first name, patronymic, family name) of the Procurement Bidder, location (place of residence), EDRPOU Identification Code/taxpayer’s registration card number (ID code) \*\*, contact telephone numbers;  4) labelling: “Do not open before **12:00 on August 31, 2016**”.  ***\*Note (applies to the entire text of the bidding documentation, which contains the word “seal” in any case)***  *This requirement shall not apply to Bidders that carry out their activities without a seal under existing legislation (such Bidders shall provide a letter, in which this is noted); with the exception of originals, documents that are duly legalized or certified with apostille, or notarized documents issued to the Bidder by other organizations (companies, institutions, etc.).*  *\*\* Series and number of passport (for individuals who, by reason of their religious beliefs have refused to take out a taxpayer’s registration card number, have reported it to the relevant supervisory authority, and have a relevant note in their passport).* |
| **2. Content of Bidder’s tender offers** | | **Tender offers submitted by Procurement Bidders shall include the following:**  **1.** Tender Offer form, compiled in accordance with Annex 3 to this bidding documentation;  **2.** Full list of documents in accordance with Annex 1 to this bidding documentation;  **3.** Confirmation of agreement on substantial terms and conditions of the Agreement (Annex 2 to this bidding documentation).  **4.** Estimate of the offer (*VAT payers – “VAT inclusive”, and for non-payers – “VAT exclusive”*).  The contract price shall be firm.  The tender offer (contract price) price **shall be accompanied by the confirmation estimates** on a stage-by-stage basis: A (Study and preliminary analysis of available data and recommendations with respect to the functions and dimensions of the site), B (Initial functional purpose concept for the Lviv multifunctional complex (conference centre and exhibition hall)), and C (technical feasibility study and draft business plan for the multifunctional complex (conference centre and exhibition hall) in Lviv)  The Bidder’s tender offer price shall refer to the amount, for which the Bidder proposes to execute the order for the provision of all services stipulated in the Employer’s technical requirements.  The tender offer price, for which the Bidder agrees to execute the order, shall be calculated on the volume based on regulatory requirements for human and logistical resources needed to perform the order and current prices.  The Bidder shall define the cost of all services in the tender offer.  The total final value of the price shall correspond to the price specified in the Tender Offer form under Annex 3 to this bidding documentation.  The tender offer and all other prices shall be clearly determined.  The estimate of the tender offer shall not include any costs incurred in the procurement and signing process of the agreement.  Tender offers shall be submitted in hard copy executed in a current version as of the date of the opening.  Each Bidder may only submit one tender offer.  Each tender offer shall be entered into the relevant register by the Employer.  ***\*Note***  *To confirm its agreement to the substantial terms and conditions of the Agreement, the Bidder shall submit a certificate of consent including the substantial terms and conditions of the Agreement (Annex 2 to this bidding documentation) on its company letterhead (if available), signed by the Bidder’s authorized person and affixed with a seal.* |
| **3. Guarantees for tender offers** | | Not required |
| **4. Terms and conditions for return or non-return of tender offers** | | - |
| **5. Term of validity of tender offers** | | Tender offers shall be valid for 120 days. By the end of this period, the Employer shall have the right to ask the Bidders to extend the validity of their tender offers.  Bidders shall have the right to:  1) reject the request;  2) accept the request and extend the validity of their tender offers. |
| **6. Qualification criteria for Bidders** | | Procurement Bidders shall submit documents proving their compliance with qualification criteria included in Annex 1 as part of their tender offers. |
| **7. Information on required technical, qualitative and quantitative characteristics of procurement items** | | As part of the tender offers, Procurement Bidders shall provide documents confirming compliance of the Bidder’s tender offers with technical, qualitative, quantitative and other requirements to the procurement items specified by the Employer in technical specifications (Annex 5) in the manner stipulated in Paragraph 2 of Section III of the documentation “Content of Bidder’s Tender Offers”. |
| **8. Information on subcontractor (subcontractors)** | | The Procurement Bidder shall note the full name and location of each business entity that it plans to engage in the provision of services as a subcontractor for not less than 20 percent of the procurement agreement (*this information shall be provided in the manner specified in Annex 1 to this documentation*). |
| **9. Description of the individual part (parts) of the procurement items (lot), for which tender offers may be submitted** | | Not provided |
| **10. Changes to or withdrawal of tender offers by the Bidder** | | Bidders shall have the right to change or withdraw their tender offer before the expiry of its submission without forfeiting their guarantee for tender offers (if required). Such changes or requests for withdrawal of tender offer shall be considered on the condition the Employer receives them before expiry of the tender offers. |
| **IV. Submission and opening of tender offers** | | |
| **1. Manner, place and deadline for submission of tender offers:** | |  |
| Manner for submission of tender offers | | Personally or by post |
| Place of submission of tender offers | | 1 Rynok Square, Room 415, 79006 Lviv, Ukraine |
| Deadline for submission of tender offers (time, date) | | 10:00 on August 31, 2016  Tender offers received by the Employer after the deadline shall not be opened, and shall be returned to the Bidders who submitted them unopened.  At the Bidder’s request, the Employer shall confirm receipt of the tender offer with indication of time and date within one business day of the day of receipt of the said request. |
| **2. Place, time and date of tender offers** | |  |
| Place of tender offers | | 1 Rynok Square, Room 415, 79006 Lviv, Ukraine |
| Time and date of tender offers | | 12:00 on August 31, 2016  The Employer shall allow all Bidders or their authorized representatives to take part in the opening of tender offers. Additionally, participation in the process of the opening of tender offers and the process of evaluation of tender offers and the selection of the successful bidder shall be open to all the members of the working group set up under Resolution No. 450 by the Executive Committee of the Lviv City Council dated June 21, 2016 with the purpose of approving the tender documentation and the successful bidder. The absence of a Bidder or its authorized representative during the opening procedure shall not be grounds for refusing to open or examine or reject its tender offer. The authority of the Bidder’s representative shall be confirmed by an extract from the minutes of the General Founding Assembly, an order of appointment, a power of attorney, an instruction or any other document confirming the authority of the Bidder’s official to participate in the opening of tender offers (any of these documents). Representatives shall present their passport to confirm their identity. The presence or absence of all documents required by bidding documentation, as well as each Bidder’s name and location/address, and the price of each tender offer shall be verified during the opening. This information shall be entered into the minutes of the opening of tender offers. The minutes shall be recorded on the day of the opening of tender offers in the manner prescribed by the Authorized Body. The minutes of the opening shall be signed by all the members of the Competitive Bidding Committee and Bidders taking part in the opening of tender offers. The minutes signed by the Chairman of the Competitive Bidding Committee and affixed by the Employer’s seal shall be transmitted to any Bidder at its request within one business day of the date of receipt of the this request.  The minutes of the opening of shall be recorded in accordance with [Article 10 of the Law.](http://search.ligazakon.ua/l_doc2.nsf/link1/ed_2010_07_10/an/170/T102289.html#170) |
| **V. Evaluation of tender offers and announcement of the successful bidder** | | |
| **1. List of criteria and evaluation methods for evaluating tender offers with an indication of the specific criteria weight** | | Tender offers shall be evaluated according to certain criteria – ***Price*** (specific criteria weight constitutes 100 percent).  Evaluation method:  The maximum possible score for the ***Price*** shall be ***100 points***.  The number of points for the Price shall be defined as follows. Tender offers that have the optimal (lowest) Price shall be assigned the maximum number of points. The number of points for the remaining tender offers shall be determined as follows:  Scalc = Pmin / Pcalc \* 100, where:  Scalc = number of points calculated (S = score);  Pmin – lowest Price;  Pcalc – value of this tender criterion, the points for which are calculated;  The Employer shall have the right to approach the Bidders in order to clarify the content of the tender offers so as to facilitate the examination and evaluation of offers.  The Employer and Bidders may not initiate any negotiations with respect to modifications to the content or to the price of the submitted tender offers. |
| **2. Correction of arithmetical errors** | | The Employer shall have the right to correct arithmetical errors resulting from arithmetic operations, identified in the submitted tender offers during their evaluation in the manner specified in the bidding documentation, subject to the written consent of the Bidder who has submitted the tender offer.  Errors shall be corrected by the Employer as follows:  a) if there is a difference in the amounts stated in letters and figures, the amount in letters shall prevail;  b) if there is a difference between the price per unit and the total price obtained by multiplying the price per unit by the number, the price per unit shall prevail, and the total price shall be corrected. If the Employer deems that the price per unit shows decimal point displacement, the total price shall prevail, and the price per unit shall be corrected.  If the Bidder does not agree with the correction, its tender offer shall be rejected. |
| **3. Other information** | | Not provided |
| **4. Rejection of tender offers** | | The Employer shall reject tender offers in the following cases:  1) If the Bidder:  does not meet the qualification requirements specified in [Article 16 of the Law](http://search.ligazakon.ua/l_doc2.nsf/link1/ed_2010_07_10/an/246/T102289.html#246)  disagrees with the correction of arithmetical errors identified by the Employer;  has not guaranteed the tender offer where such a guarantee was required by the Employer;  2) if there are grounds that are specified in [Article 17](http://search.ligazakon.ua/l_doc2.nsf/link1/ed_2010_07_10/an/256/T102289.html#256) and [Part Seven of Article 28 of this Law](http://search.ligazakon.ua/l_doc2.nsf/link1/ed_2010_07_10/an/440/T102289.html#440);  3) if the tender offer does not meet the terms and conditions of the bidding documentation.  Information on the rejection of the tender offer and reasons for such a rejection shall be sent to the Bidder, whose offer was rejected, within 3 (three) working days of the date of approval of this decision, and made public in accordance with [Article 10 of this Law](http://search.ligazakon.ua/l_doc2.nsf/link1/ed_2010_07_10/an/170/T102289.html#170). |
| **5. Cancellation of tenders or recognition of them as null and void by the Employer** | | The Employer may cancel tenders in the following cases:  there is no further need for the procurement of goods, works, and services;  inability to eliminate violations that arose through violations revealed in public procurement legislation;  detection of collusion among Bidders;  breach of the procedure for announcing the procurement and acceptance processes, announcing procurement results in accordance with this [Law](http://search.ligazakon.ua/l_doc2.nsf/link1/ed_2010_07_10/T102289.html);  submission of less than two tender offers;  rejection of all tender offers in accordance with this [Law](http://search.ligazakon.ua/l_doc2.nsf/link1/ed_2010_07_10/T102289.html);  if offers of less than two Bidders were accepted for evaluation.  Any cancellation of the procurement procedure for such reasons shall be clearly indicated in the bidding documentation.  The Employer shall have the right to acknowledge the tenders as null and void in the following cases:  if the sum of the most advantageous tender offer exceeds the amount that the Employer allocated for financing the actual purchase;  if procurement was impossible due to force majeure;  if expenditures on procurement have been reduced.  The Employer shall send notifications of bidding cancellation or of its acknowledgement as null and void to all the Bidders within 3 (three) working days of the date of approval of this decision by the Employer. |
| **VI. Conclusion of the procurement agreement** | | |
| **1. Timeframe for the conclusion of the agreement** | | On the day the successful bidder is announced, the Employer shall accept the tender offer selected as the most cost-effective after evaluation results.  The Employer shall enter into a procurement agreement with the Bidder, whose tender offer was accepted, not later than 30 (thirty) days of the date of acceptance of the offer pursuant to the requirements of the bidding documentation and the accepted offer, but not earlier than 10 (ten) days of the date of publication of the acceptance of the tender offer on the website of the Authorized Body. |
| **2. Substantial terms and conditions that shall be included in the procurement agreement** | | The procurement agreement shall be concluded in writing in accordance with the provisions of the Civil Code of Ukraine and the Commercial Code of Ukraine with specifications defined by the Law.  The procurement agreement shall include the following ***substantial terms and conditions:***  1. The Contractor shall guarantee the quality of provided services, achieved objectives, as specified in the agreement and (or) technical requirements for the site: ДК 016:2010 71.11.2 – Architectural services for buildings;  ДК 021:2015 71241000-9 – Technical feasibility study, advisory services, analysis (Technical feasibility study and draft business plan for a multifunctional complex (conference centre and exhibition hall) in Lviv).  2. If the Contractor is delayed in providing the services due to documented and objective circumstances, the Parties shall agree to introduce amendments to the agreement, whereby a new date shall be fixed for the commencement of services. These circumstances shall be as follows: natural disasters, fires, military activities, popular unrest, mass or local unrest, or actions initiated by state authorities and local governments.  3. If the provision of services does not commence in a timely manner due to the Contractor’s fault, the Employer shall be entitled to terminate the agreement.  4. The Contractor shall guarantee quality and proper delivery of services.  5. Budgetary obligations under the agreement shall arise between the Parties in the event of and within respective budgetary allocations.  6. The agreement shall enter into force upon signature of the text and all annexes thereto, and shall remain in force until the complete performance of their obligations by the Parties.  7. The Contractor shall be responsible for licenses and/or permits required for the provision of services as prescribed by regulations.  8. The Contractor shall take necessary measures to protect the environment throughout the course of the provision of services.  The terms and conditions of the procurement agreement shall not differ from the tender offer (including price per unit of goods) submitted by the successful bidder. The substantial terms and conditions of the procurement agreement may not be amended after its signing until the Parties have fulfilled their obligations in full, except in cases specified in Part 5 of Article 40 of the Law of Ukraine “On State Procurement” (as amended and supplemented).  If the Parties fail to agree upon all the substantial terms and conditions, the procurement agreement shall be deemed to not be concluded. If the Bidder has initiated any actions for the performance of the agreement, the legal consequences of such actions shall be defined in accordance with the Civil Code of Ukraine. |
| **3. Actions to be undertaken by the Employer if the successful bidder refuses to sign the procurement agreement** | | If the successful bidder presents a written refusal to sign the procurement agreement in accordance with the requirements of the bidding documentation, or the procurement agreement has not been concluded within the period defined by the [Law](http://search.ligazakon.ua/l_doc2.nsf/link1/ed_2010_07_10/T102289.html) due to the Bidder’s fault, the Employer shall select the most economically advantageous tender offer of those, the validity of which have not yet expired. |
| **4. Guarantee for performance of the procurement agreement** | | Not required |

**ANNEX 1**

**LIST OF DOCUMENTS REQUIRED FOR VERIFICATION OF CONFORMITY OF TENDER OFFERS UNDER THE EMPLOYER’S QUALIFICATION REQUIREMENTS AND OTHER REQUIREMENTS**

**Information on how the Bidders may provide documented evidence of compliance with Article 17 of the Law of Ukraine “On State Procurement” (hereinafter referred to as the “Law”)**

|  |
| --- |
| (***ATTENTION!*** The Bidder shall submit the information set out below ***in Paragraphs 1-7 of Annex 1*** (under paragraphs 11, 3, 4, and 5 of Part 1 (except for Paragraph 1 And paragraph 6) and Paragraphs 1, 2, and 3 of Part 2 of Art. 17 of the Law), as **a single document in the form of an information sheet (itemized data)**, as well as other information provided in Annex 1 on its letterhead (if available) with the date, reference registration number, signed by the Bidder’s authorized person with indication of the Bidder’s authorized person’s position, family name, initials, and seal (if available). *If there is no seal (for individuals), the documents shall be certified by the Bidder’s signature.)*  1. Information in any form on whether the legal entity’s (the Bidder’s) was/was not registered in the unified state register of persons who committed corruption or corruption-related offenses.  2. Information in any form on the presence of an anti-corruption program and the legal entity’s authorized person in charge of the implementation of the anti-corruption program where required under the law, or information in any form, with reference to the article of the law, on absence of an anti-corruption program and the legal entity’s authorized person charged with the implementation of the anti-corruption program where they are not mandatory by law.  3. Information in any form on whether the Bidder **has been/has not been prosecuted** in the past three years for violation of Paragraph 4 of Part 2 of Article 6, and Paragraph 1 of Article 50 of the Law of Ukraine “On Protection of Economic Competition”, namely for participation in anticompetitive concerted actions that lead to a distortion of bidding results (tenders).  4. Information in any form on whether the Bidder’s official authorized by the Bidder to represent it during the procurement process/physical person being the Bidder **(specify first name, patronymic, family name\*) has been/has not been convicted** of a crime committed for mercenary motives, and whose sentence has not been suspended or cancelled in accordance with the law.  \****it is necessary to specify the Bidder’s official (authorized) person, who has been authorized by the Bidder to represent it during the procurement process, namely, if the Bidder has authorized three different persons to sign the tender offer, attend the opening of tender offers, and sign the procurement agreement, specify all of these persons, and if there is only one and the same person, specify only that person.***  5. Information in any form on whether the Bidder **is/is not in arrears** of taxes and fees (mandatory payments) (*submitted by Bidders, legal entities, and entrepreneurs*).  6. Information in any form on whether the Bidder **carries out/does not carry out** its business operations in accordance with the charter (with reference to the relevant section (part, paragraph, etc.) of founding documents) – to be submitted by Bidders and legal entities.  7. Information in any form on whether the Bidder **is/is not registered** in an offshore zone. The list of offshore zones is drawn up by the Cabinet of Ministers of Ukraine.  **Information for Bidders.** The Employer shall independently verify all information on the Bidder contained in public registers, with reference to the following paragraphs of Article 17 of the Law:   1. Paragraph 2 of Part 1 (**the Bidder’s official who is authorized by the Bidder to represent it during the procurement procedure, or the individual who is the Bidder has been/has not been prosecuted** in accordance with the law for committing corruption offenses in the domain of public procurement) - <http://corrupt.informjust.ua/index.php>; 2. Paragraph 7 of Part 1 (**the Bidder has/has not filed for bankruptcy** in accordance with the law, and **liquidation proceedings have been/have not been opened)** - [***https://kap.minjust.gov.ua/services/registry***](https://kap.minjust.gov.ua/services/registry)***;*** 3. Paragraph 8 of Part 1 (**available/not available information** in the Unified Register of Legal Entities and Individual Entrepreneurs provided for by Article 17 of the Law of Ukraine “On State Registration of Legal Entities and Individual Entrepreneurs” **on the final beneficial owner (controller) of the legal entity - resident of Ukraine, who is the Bidder** - [***https://usr.minjust.gov.ua/ua/freesearch***](https://usr.minjust.gov.ua/ua/freesearch)***.***   The Employer shall seek additional information on the Bidder to confirm its compliance with the requirements under: 1) Paragraph 3 of Part 1 of Article 17 (the Bidder has been/has not been prosecuted in the past three years for violation of Paragraph 4 of Part 2 of Article 6, and Paragraph 1 of Article 50 of the [Law of Ukraine “On Protection of Economic Competition”](http://zakon5.rada.gov.ua/laws/show/2210-14), namely for participation in anticompetitive concerted actions that lead to a distortion of bidding results (tenders).  - <http://www.amc.gov.ua/amku/control/main/uk/publish/article/104485> |
|  |

8. **Information sheet with general data about the Bidder:**

**GENERAL DATA ABOUT THE BIDDER**

|  |  |  |
| --- | --- | --- |
| No. | Name | Bidder’s information |
| 1 | Bidder’s full name (for legal entities) or first name, patronymic, family name (for individuals) |  |
| 2 | Legal and actual addresses (for legal entities) or place of residence (for individuals) |  |
| 3 | Postal address |  |
| 4 | EDRPOU Identification Code (taxpayer’s registration card number) |  |
| 5 | Bank details (account, bank, MFO (bank code)) |  |
| 6 | Registration number of the certificate of value added tax payer or Extract from Register of VAT payers and individual tax number *–* for Bidders who are value added tax payers |  |
| 7 | Telephone, fax, e-mail |  |
| 8 | Data on the Bidder’s director – legal entity  (first name, patronymic, family name, contact telephone number) |  |
| 9 | First name, patronymic, family name, for legal entities – job position of person (persons) authorized to sign tender offers on behalf of the Bidder |  |
| 10 | First name, patronymic, family name, for legal entities – job position of person(s) authorized to sign the procurement agreement following the results of the procurement process |  |
| 11 | Ownership and legal status, organizational and legal form (for legal entities) |  |

9. **Documents proving the legality of the Bidder’s representative:**

9.1. The authority to sign the Bidder’s documents related to tender offers shall be confirmed by an extract from the minutes of the General Founding Assembly, an order of appointment, a power of attorney, an instruction or any other document confirming the authority of the Bidder’s official to sign the documents (original or copy of one of these documents).

9.2. The authority of the Bidder’s representative to participate in the opening of tender offers shall be confirmed by an extract from the minutes of the General Founding Assembly, an order of appointment, a power of attorney, an instruction or any other document confirming the authority of the Bidder’s official to participate in the opening of tender offers (any of these documents or a certified copy shall be submitted by the Bidder’s representatives in person if the Bidder’s representative is present at the opening, and shall also be submitted along with other documents as part of the offers).

9.3. The authority of the Bidder’s representative to conclude the procurement agreement shall be confirmed by a certified copy of the minutes of the General Founding Assembly, a copy of the order of appointment by the company director to this position, a copy of the power of attorney, a copy of the instruction or any other document.

10. A letter of consent in any form agreeing to the correction of arithmetical errors if revealed.

***Information for Participants***

Formal (minor) errors are those related to the process of submission of tender offers and do not affect the content of the offer, namely, absence of pagination, signatures, and seals on separate documents, technical errors and other errata:

- certification/unnecessary certification of a single page with the Bidder’s signature and/or seal;

- incorrect (incomplete) certification and/or non-certification by the Bidder of copies of the documents as required by documentation;

- spelling and mechanical errors in words and phrases;

- incomplete and/or incorrect names of the document prepared by the Bidder if the content of this document is fully compliant with documentation requirements;

- incomplete list of information in a certain document, contrary to documentation requirements, if such information is fully reflected in another document submitted as part of the offer by the Bidder;

- incomplete or incorrect numbering of pages/sheets if this is due to a mechanical error.

The Employer reserves the right not to reject a tender offer if formal, but minor errors are revealed, as described above, and the Employer shall guarantee compliance with all principles set out in Article 3 of the Law.

The decision to consider the Bidder’s error as a formal (insignificant) one shall be approved collectively at a meeting of the Competitive Bidding Committee.

11. A certificate of consent to the substantial terms and conditions of the agreement shall be included in the procurement agreement (Annex 2).

12. A copy (or original) of the certificate or extract from the Unified State Register of Legal Entities and Individual Entrepreneurs and Public Groups or a certificate of state registration (for legal entities and entrepreneurs).

13. A copy (or original) of the certificate or extract or information from EDRPOU (for legal entities).

14. A copy of the certificate of the identification number/taxpayer’s registration card number (for individuals) (*instead of this document, a letter outlining the reasons for the absence of such a document*).

15. A copy of the passport certified by an individual (for Bidders that are individuals).

16. Information on the availability of skilled workers who have the knowledge and experience required for preparing the technical feasibility study and draft business plan for a multifunctional complex (conference centre\*\* and exhibition hall) according to a proposed form:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| No. | Position | Qualifications: education/professional experience | Work experience (expertise), number of years | Note |
|  |  |  |  |  |

17. Proof of experience in performing similar agreements for the provision of services over **the preceding 5 (five) years** (preparing the technical feasibility study and draft business plan for a multifunctional complex (conference centre\*\* and exhibition hall)) to be provided in the form of the following table:

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| No. | Name of site | Price of agreement | Name and details of the Employer (address, telephone number, director) | Deadline for the provision of services (works) | Scope of rendered services (works) in percentage or performance numbers | Note |
|  |  |  |  |  |  |  |

*\*\* conference centre shall refer to a multifunctional, multisectional, specialized venue for conferences, training courses, workshops, presentations, business meetings, and corporate events designed for up to 1,000 people, outfitted with modern equipment required for such activities.*

18. A copy of the balance statement for the last interim (quarterly) reporting period or for a year, if the annual reporting period is scheduled at the time of tender offers (for legal entities).

19. A copy of the financial statement for the last interim (quarterly) reporting period or for a year, if the annual reporting period is scheduled at the time of tender offers (for legal entities).

20. A copy of the cash flow report for the previous reporting period (for legal entities).

21. A certificate from the designated bank (banks) about the absence (presence) of outstanding loans (or a notarized copy thereof) issued not later than 30 (thirty) days prior to the opening of tender offers.

22. Information (full name and address) of each business entity that the Bidder plans to engage in the provision of services as a subcontractor for not less than 20 percent of the price of the procurement agreement. **If the Bidder does not plan to engage any subcontractors, a letter indicating this intention should be duly submitted.**

23. A letter of consent agreeing to personal data processing as follows:

**Letter of Consent for Personal Data Processing**

We (I), the undersigned, \_\_\_\_\_\_\_ (*specify the Bidder’s name*), represented by \_\_\_\_\_\_\_\_ (*indicate position, name of authorized person*), in order to participate in the bidding process, as well as civil, legal and economic relations, hereby give our (my) consent for the processing, storage, use, distribution, and access to the data submitted in tender offers according to the Law of Ukraine “On State Procurement” and other existing legislation. The above information may also be shared with third parties.

*Position, name, and signature of the Bidder’s authorized person and affixed with a seal*

24. Calculation of the tender offer price on a stage-by-stage basis: A (Study and preliminary analysis of available data and recommendations with respect to the functions and dimensions of the site), B (Initial functional purpose concept for the Lviv multifunctional complex (conference centre and exhibition hall)), and C (technical feasibility study and draft business plan for the multifunctional complex (conference centre and exhibition hall) in Lviv), see Section III (Preparation of Tender Offers), Part 2 (Content of Bidder’s Tender Offers).

***Notes:***

***- to meet the requirements for the submission of documents provided for in Annex 1 of the bidding documentation, non-resident Bidders shall provide documents that take into account the specificity of the laws of the country, in which the Bidder is registered (similar documents legalized in accordance with the prescribed procedure). If such a document is submitted, the non-resident Bidder shall provide a Ukrainian translation by a duly certified translation agency, and a letter indicating, which document it has replaced with another. In the absence of a similar document, the non-resident Bidder shall submit a letter outlining the reasons for the absence of such a document (certified with the Bidder’s authorized person’s signature and seal (if available)), where the Bidder cites legal reasons for non-submission the above documents.***

*- subject to Part 7 of Article 28 of the Law, the Employer shall be entitled to ask for confirmation of the information submitted by the Bidder to government bodies, enterprises, institutions, and organizations according to their competence. If case of receipt of reliable evidence regarding the grounds specified in Part 1 of Article 17 of this Law, or the provision of any incorrect information, which is essential in determining the results of the procurement process, as part of the tender offer, the Employer shall reject the Bidder’s tender offer.*

*- copies of the Bidder’s documents (excluding original documents issued by other institutions) shall be affixed with a seal or certified by the words “Copy corresponds to the original” (or “True Copy”), signed by the authorized person of the company with the indication of their position, family name, and initials, and affixed with the Bidder’s seal (if available); if there is no seal (for individuals), the documents shall be certified by the Bidder’s signature (such Bidders shall submit a letter indicating that they carry out their activities without a seal in accordance with applicable law).*

*- documents not provided for by law and the terms and conditions of the bidding documentation issued to the Bidders shall not be submitted by them as part of a package of documents.*

*- documents not provided for by law for individual Bidders, including individual entrepreneurs, shall not be submitted by them as part of the tender offer; such Bidders shall submit a written explanation specifying the legal grounds for the absence of such documents.*

*- If originals or copies of original documents issued by public authorities, organizations (companies, institutions) of foreign states are submitted in foreign language, they shall be accompanied by a Ukrainian translation by a duly certified translation agency.*

*- if the Bidder’s financial statements* ***do not contain a cash flow report****,* ***such Bidder shall submit a letter of explanation*** *with reference to the rules of the relevant legislative acts of Ukraine on the fact that its financial statements do not contain any reports. In this case, the Employer* ***shall not reject*** *the tender offer, which does not contain the cash flow report (in accordance with clarifications provided for by the letter of the Ministry of Economic Development and Trade of Ukraine dated July 7, 2011).*

*- with regard to the document mentioned in Paragraph 14 of this Annex, individuals who, by reason of their religious beliefs, have refused to take out a taxpayer’s registration card number, have reported it to the relevant supervisory authority, and have a note on this in their passport, shall submit a letter of explanation.*

***- with regard to the documents mentioned in Paragraph 4 and Paragraph 9 of this Annex, the Bidder’s official authorized by the Bidder to represent it during the procurement process, and namely, if the Bidder has authorized three different persons to sign the tender offer, attend the opening of tender offers, and sign the procurement agreement, appropriate documents shall be submitted for each of these persons, and if it is only one and the same person – only for that person.***

*- if, during the preparation of tender offers, amendments are made to legislation on documents mentioned in this Annex (place, procedure for issuance/receipt, form of document, liquidation or reorganization of the authorized body, etc.), the Bidder shall submit the document taking into account such legislative amendments or a letter of explanation stating that it is impossible to submit the document due to amendments to the legislation.*

*- the Employer shall not object to receiving any additional documents from the Bidder at its request.*

*- to take part in competitive bidding, the Bidder shall submit the documents specified in Annexes 1, 2, and 3.*

**ANNEX 2**

(Annex for the Bidder)

**CERTIFICATE OF CONSENT**

**TO THE SUBSTANTIAL TERMS AND CONDITIONS OF THE AGREEMENT**

(***Attention!*** The form shall be submitted by the Bidder on its letterhead (if available) with the date, reference registration number, signed by the Bidder’s authorized person with indication of the Bidder’s position, family name, initials, and seal (if available). If there is no seal available (for individuals), the documents shall be certified by the Bidder’s signature. The Bidder shall not derogate from this form).

1. The procurement agreement shall be executed in writing under the provisions of the Civil Code of Ukraine and the Commercial Code of Ukraine taking into account specifications defined by the Law.

2. The terms and conditions of the procurement agreement shall not differ from the content of the successful Bidder’s tender offer and shall not be amended after the execution of the procurement agreement until full performance of their obligations by the Parties, except if the scope of purchases has been reduced, depending on the actual financing of costs and the reduced price agreed to by the Parties.

3. The substantial terms and conditions of the procurement agreement may not be amended after its execution and performance of their obligations by the Parties in full, except in the following cases:

1) reducing the scope of purchase, in particular taking into account the Employer’s actual expenditures;

2) changing the price per unit by no more than 10 percent in case of fluctuation in the market price of the product provided that these changes do not lead to an increase in the amount specified in the agreement;

3) improving the quality of the purchased product provided that such improvements will not increase the amount specified in the agreement;

4) extending the agreement and the obligations regarding the transfer of goods, performance of works, and provision of services in the case of documented objective circumstances that have led to such an extension, including force majeure, delays in the financing of expenses by the Employer provided that such changes will not increase the amount specified in the agreement;

5) reducing the agreed price (without changing the quantity (scope) and quality of goods, works, and services);

6) changes in price due to changes in tax rates and fees in proportion to changes in rates;

7) changes in the inflation index established under the law by the State Statistics Bureau; changes in foreign exchange or Platts indicators if the procedure for price change has been provided for by the procurement agreement depending on changes in this currency exchange or in these indicators, changes in stock quotes, regulated prices (tariffs), and standards used in the procurement agreement;

8) amendments to the terms and conditions in connection with the application of the provisions of Part 6 of Article 40 of the Law (The validity of the procurement agreement may be renewed for a period enabling a procurement procedure early in the following year in an amount not exceeding 20 percent of the amount specified in the agreement concluded in the previous year, if spending for this purpose has been approved in accordance with the prescribed procedure).

4. During the conclusion of the agreement, the successful Bidder of the procurement procedure shall provide a permit or a license for a certain type of business activity if such authorization or license is prescribed by law for the relevant activity.

5. In providing services for the product specified in the Agreement, the Contractor shall comply with all applicable laws on environmental protection.

6. The procurement agreement shall include substantial terms and conditions indicated in Paragraph 2 of Section VI of the bidding documentation (Conclusion of the Procurement Agreement).

**Note:** If the Bidder agrees to the substantial terms and conditions of the agreement, it shall sign the said document and shall affix its seal to it.

**Director or the authorized person (job position, family name, signature, seal (if available) of the Bidder SEAL**

**ANNEX 3**

(Annex for the Bidder)

*The Tender Offer shall be submitted as set out below.*

*The Bidder shall not derogate from this Form. This Form shall be submitted by the Bidder on its letterhead (if available) with the date, reference registration number, signed by the Bidder’s authorized person with indication of the Bidder’s authorized person’s position, family name, initials, and seal (if available). If there is no seal (for individuals), the documents shall be certified by the Bidder’s signature.*

##### TENDER OFFER

(Form to be submitted by the Bidder on its letterhead (*if available*))

We (I), the undersigned, \_\_\_\_\_\_\_\_\_ (specify the Bidder’s name), submit our (my) proposal to participate in the competitive bidding for the purchase of ДК 016:2010 71.11.2 – Architectural services for buildings; ДК 021:2015 71241000-9 – Technical feasibility study, advisory services, analysis (technical feasibility study and draft business plan for a multifunctional complex (conference centre and exhibition hall) in Lviv) in accordance with technical and other requirements of the Employer.

After reviewing the bidding documentation and technical specifications for the implementation of the above, we (I), as persons/a person authorized to sign the Agreement, have the opportunity and agree to comply with the requirements of the Employer and the Agreement according to the terms and conditions specified in the tender offer for a total amount as indicated below in **hryvnias (UAH**). (*indicate “VAT inclusive” for VAT payers, and “VAT exclusive” for VAT non-payers*):

*\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

*(in figures and letters)*

1. Until acceptance of our offer, your bidding documentation together with our tender offer (subject to its compliance with all requirements) shall retain the same validity as the prior agreement concluded between us. If our offer is accepted, we undertake to fulfil all the terms and conditions stipulated in the Agreement.

2. We agree to abide by the terms and conditions of this offer within *120* calendar days of the date of opening of tender offers set by you. Our offer shall be binding and may be accepted by you at any time before the expiry of the above deadline.

3. We agree to abide by the condition that you may reject our or all tender offers under the terms and conditions of the bidding documentation, and understand that you are not restricted in accepting any other offers, which may be more economically advantageous.

4. If our offer is accepted, we commit to signing the Agreement with the Employer not earlier than 10 (ten) days of the date of publication of a notice of acceptance of this tender offer on the website of the Authorized Body, but not later than 30 (thirty) days of the date of acceptance of this offer.

|  |  |  |
| --- | --- | --- |
| *\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_* | *\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_* | *\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_* |
| *(Position)* | *(Signature)* | *(First name, patronymic, family name)* |
|  | **SEAL** |  |

*Position, family name, initials of the Bidder’s authorized person, affixed with a seal*

**ANNEX 4**

(Annex for the Successful Bidder)

**Documents confirming the absence of grounds specified in Parts One and Two of Article 17 of the Law that the successful Bidder shall submit to the Employer within a period not exceeding 10 (ten) days of the date of publication of a notice of acceptance of the tender offer on the website of the Authorized Body**

**Information for the Successful Bidder**

**The Successful Bidder shall submit the following documents in accordance with the prescribed procedure and within a period not exceeding 10 (ten) days of the date of publication of a notice of acceptance of the tender offer on the website of the Authorized Body:**

**If the successful Bidder fails to submit the documents indicated in this Annex in due time, the Employer may accept the next most financially advantageous offer in accordance with Part 3 of Article 31 of the Law.**

1. A copy of the Bidder’s anti-corruption program and the order appointing the authorized person in charge of the implementation of the anti-corruption program of the legal entity where required under the Law. **If the anti-corruption program and the authorized person in charge of the implementation of the anti-corruption program are not mandatory for the Bidder under the Law, and the Bidder does not have the same, it shall submit an appropriate letter of explanation\*.**

2. A copy of the Charter with amendments (if available), or other constituent documents (for legal entities).

3. The original or a notarized copy (or a document in different form) issued by an authorized structural subdivision of the Ministry of Internal Affairs on the criminal record issued to the Bidder’s official authorized by the Bidder to represent it in the procurement process, **namely the Bidder’s official authorized to sign the tender offer, the person authorized by the Bidder to attend the opening of tender offers, and the Bidder’s official authorized to sign the agreement**/individual being the Bidder. The document shall be no more than 1 (one) month old with respect to the date of publication of the acceptance of the offer on the website.

***If three different persons have been authorized by the Bidder to sign the tender offer, attend the opening of tender offers, and sign the agreement respectively, this certificate shall be provided for all of such persons, and if it is one and the same person, the certificate shall be provided only with respect to such person.***

4. The original or a notarized copy (or any other form of the document as specified by law) on the absence of arrears of taxes and duties (mandatory payments) issued by an authorized body, which is still in force on the date of submission of the document (for legal entities and entrepreneurs).

***Notes:***

\* The Successful Bidder shall submit these documents if their availability and certification are mandatory under in Article 62 of the Law of Ukraine “On Prevention of Corruption”.

***- A non-resident Successful Bidder shall provide documents that take into account the specificity of the laws of the country, in which the Successful Bidder is registered. If the legislation of the country, in which the successful Bidder is registered, does not provide for such a document, the Successful Bidder shall submit a similar document. This document shall be legalized in accordance with established procedure. If such a document is submitted, the non-resident Successful Bidder shall provide a Ukrainian translation by a duly certified translation agency, and a letter indicating, which document it has replaced with another. In the absence of a similar document, the successful non-resident Bidder shall submit a letter of explanation in any form indicating the reasons for the absence of such a document with the handwritten signature of the successful Bidder’s authorized person, and affixed with a seal (if available), in which it indicates the legal grounds for non-submission of the documents mentioned above.***

***- If the Successful Bidder is not required to submit any of these documents in accordance to the existing legislation, then this Successful Bidder shall submit a letter of explanation in any form with the handwritten signature of the Successful Bidder’s authorized person, and affixed with a seal (if available), in which it indicates the legal grounds for non-submission of the documents mentioned above.***

***- Documents cited in this Annex shall not be submitted as part of the tender offer. They shall be submitted by the Successful Bidder only after the publication of the notice of acceptance of the tender offer.***

***- If any amendments are made to the legislation related to the documents mentioned in this Annex (place, procedure for issuance/receipt, form of document, liquidation or reorganization of the authorized body, etc.), the Successful Bidder shall submit the document taking into account these legislative amendments or a letter of explanation indicating that it is impossible to submit the document due to certain amendments to the legislation.***

***- Copies of the Successful Bidder’s documents (excluding original documents issued by other institutions) shall be affixed with a seal or certified by the words “Copy corresponds to the original” (or “True Copy”), signed by the authorized person of the company with the indication of their position, family name, and initials, and affixed with the Successful Bidder’s seal (if available); if there is no seal (for individuals), the documents shall be certified by the Successful Bidder’s signature (such Successful Bidders shall submit a letter indicating that they carry out their activities without a seal in accordance with applicable law).***

***- After receiving the documents mentioned above from the Successful Bidder, the Employer shall again verify the successful Bidder’s data, which is contained in public registers, and shall print it out for further confirmation.***

**ANNEX 5**

**TECHNICAL REQUIREMENTS   
for the site:**

**Technical Feasibility Study and Draft Business Plan**

for a multifunctional complex

(conference centre and exhibition hall) in Lviv

**Stages of the provision of services:**

**Stage А**

**Study and preliminary analysis of existing data and recommendations for functions and dimensions of the site**

Objective: Analysis of the potential development of the conference industry market in Lviv in order to raise investments and optimize the functional scope and dimensions (area and capacity) of the future premises.

In order to save time and resources and ensure quality performance of services (procurement items), the Employer shall transmit the following information to the successful bidder:

* Analysis of tourism and business in Lviv (volume, origin and reasons for travelling);
* Analysis of current events held in Lviv (sports, cultural, entertainment, religious);
* Analysis of historical events held in Lviv;
* Analysis of the corporate sector in Lviv Region (potential organizers of conferences, meetings, exhibitions);
* Hotels available in Lviv and surrounding area (number, category);
* Conference halls and lecture halls available in Lviv (number, size, quality, capacity);
* Exhibition halls available in Lviv (number, size, quality, capacity);
* Survey study and analysis of the area around Arena Lviv Stadium, including with a view to prospective construction of a complex of facilities for large-scale sporting events;
* City planning documentation:
* site master plan;
* utility line diagram;
* zoning plan;
* infrastructure conditions;
* Technical specifications, available utility lines, and their capacity for executing the project.

During this stage, the Successful Bidder shall analyse the following points:

* Detailed analysis of at least 5 similar newly implemented projects in Central and Eastern Europe according to a criteria scale that shall be further defined and presented by the Contractor (e.g., comparable size of the market, on which the particular project operates, to the Lviv market; its similarity in terms of historical development, the choice among already completed projects, for which measurable statistical results are available, etc.);
* Analysis of requirements and criteria for organizing extended (3 – 7 days) large-scale international events to host 25,000 – 30,000 simultaneous city visitors, e.g.: Eurovision, Olympic Games, World Expo, etc.;
* Analysis of existing and projected air route networks and transport links (roads, railways, border crossing points, visa formalities);
* Analysis of site location, and technical and infrastructure conditions to ensure multifunctional use of the complex;
* Analysis of environmental conditions;
* Risk Analysis (political and macroeconomic risks);
* Analysis of the advantages and disadvantages of various common management models for similar multifunctional complexes, pointing out specific examples of their operation under each of the management models presented;
* and other required data.

After these points have been analysed, the Successful Bidder shall submit a specific set of functions envisaged for the site, and define its overall dimensions and capacity.

The report should be based on available information sources and must be submitted in writing.

The report should be submitted to the Employer for the reference purposes within 10 calendar days prior to the official presentation. A non-resident Contractor shall enclose with the report its translation into Ukrainian.

**Stage B**

**Preliminary concept of the functional profile of the multifunctional complex (conference centre and exhibition hall) in Lviv**

- shall be based on recommendations proposed in Stage A: clarification of particular functions, specific site layout offer in the form of development master plan, draft text study of functional and spatial arrangements for the site – area/technical and economic indicator programs compiled in the form of detailed tables with the names of each of the premises and their proposed sizes expressed in square meters.

The results of this Stage shall be submitted for approval to the Employer in writing. In case of reasonable arguments submitted by the Employer in writing, the Contractor shall take them into account and finalize this stage, adjusting the relevant quantitative values. Upon the Employer’s approval, this information will trigger further work on the technical feasibility study, which will be based on previous project data (function and size).

**Stage C**

**Technical feasibility study and draft business plan for a multifunctional complex (conference centre and exhibition hall) in Lviv**

This stage completes the preparation for the final report using data and graphics developed and analysed during the preceding stages in terms of functional planning of the premises of the multifunctional complex.

At this stage, the following results shall be processed and presented in the final document (“Feasibility Study”):

- written report following the results of Phase A;

- written report following the results of Phase B;

- identification of sources of demand and their justification on the basis of defined competitive advantages of the Lviv multifunctional complex among the competition in the region;

- recommended management model for the multifunctional complex and indicative staff list;

- identification of the structure of operating revenues and expenses of the multifunctional complex in the typical stabilized operating year (4th full calendar year after the launch);

- forecast cash flow (cash flow) for the 10-year period following the launch of the multifunctional complex based on assumptions previously agreed with the Employer (e.g., the timing of construction and outfitting, the date of commencement of work by the complex management team, opening dates, etc.), presented in the form of a detailed economic table in MS Excel format.

**Notes**

The Bidder (Contractor) undertakes not to transfer information provided by the Employer to third parties, without the Employer’s written consent.

All information provided by the Employer in the course of the provision of services by the Successful Bidder, as well as the final product (deliverables), including print and electronic versions of presentations, text documents and economic models (in MS Excel format) that make it possible to trace the resulting formulas), shall remain the Employer’s property.

The documentation package and all other documents for participation in competitive bidding shall be submitted in Ukrainian. Non-resident Bidders shall submit all required documents with a Ukrainian translation by a duly certified translation agency or another specialized organization.