Annex 6

of the RA Finance Minister’s Order N667-A

dated August <<02>> 2013

**ANNOUNCEMENT**

**REGARDING CLARIFICATION OF PRE-QUALIFICATION ANNOUNCEMENT**

**ON COMPETITIVE DIALOGUE**

The text of the announcement is herewith approved by the Evaluation Committee Decree N 9 dated February 4, 2016 and is published in accordance with Article 26

of the Law on Procurement of the Republic of Armenia

**COMPETITIVE DIALOGUE PROCEDURE CODE - N SCWE of RA MoA-CDSA-N 15/1**

The Client, namely the State Committee of Water Economy of the Ministry of Agriculture of the Republic of Armenia, located in 13a, Vardanants Street, Yerevan, 0010, Republic of Armenia, below presents the questions and clarifications in regards with Pre-Qualification Announcement Regarding Competitive Dialogue Procedure Code N SCWE of RA MoA-CDSA-N 15/1.

**Question 1:** Can a bidder, who has individually been pre-qualified, participate in the next steps of this procedure as the lead member of a Consortium with other minority members – whose presence will be not relevant to the fulfilment of the requirements – or is it now required to define all the members of the Consortium, which may be not subject to future changes?

**Question 2:** Can two or more bidders, who have separately been pre-qualified, participate in the next steps of this procedure by joining efforts as a Consortium?

**Question 3:** If a bidder is a Consortium, may it submit the Consortium Agreement after the pre-qualification stage?

**Question 4:**We understand that a project reference is void in case it is provided by the mother company with less than 50% participation on an affiliated company. However, in case the affiliated company itself is a member of the consortium, will this reference be valid?

**Question 5:**We understand that two or more project references can be used to achieve the criterion 9 1a) in terms of the “served combined total population of at least 800,000”. We kindly want to ask you if this particular criterion will be fulfilled if 3 different references will be provided from a) the mother company itself and b) from two affiliated companies which have a share of > 50% on this particular project. Or does this criterion have to be fulfilled by one company only?

**Question 6:** Is it acceptable and doesn’t it create unequal competition, if the company, which has submitted an application for pre-qualification procedure, fulfils one of the requirements (sub point b of point 2) by being as a member of the consortium, while it forms a new consortium with one (or more) company for fulfilling other points of the requirements?

**Question 7:** Is it possible for the bidder, who has passed the pre-qualification procedure with a consortium, to conclude a new consortium contract with another individual after the pre-qualification stage and to participate with new status, by repudiating the former partner?

**Question 8:** Is it possible for the bidders, who have passed the pre-qualification procedure, to form a new consortium after the pre-qualification stage and to participate with that status. If yes, won’t it be an unfair competition and violate the rights of other participants?

**Question 9:** What will be the approach towards the participant, who, during the pre-qualification state, appears to be in bankrupt or other processes (sale of share, change of a shareholder, etc.)?

**The date of receiving the questions:** 01.02.2016, 03.02.2016

**Clarification 1:** The participants, who are included in prequalified participants list defined under point 8 of the pre-qualification announcement, will receive invitations.

**Clarification 2:** No(guided by point 6 of the pre-qualification announcement).

**Clarification 3:** No(guided by point 6 of the pre-qualification announcement).

**Clarification 4:** No, it will not be valid.

**Clarification 5:** The reference must be submitted by only one company.

**Clarification 6:** The pre-qualification announcement does not include point 2 b), please clarify this question.

**Clarification 7:** No.

**Clarification 8:** Participants, who have passed the pre-qualification, cannot form a new consortium.

**Clarification 9:** This question is regulated by the Law on Procurement of the Republic of Armenia.

To receive additional information regarding this announcement, please contact Mr. Arayik Mnatsakanyan, Procurement Coordinator.

Tel.: (+374-10) 540229

E- mail: [arayik.mnatcakanyan@gmail.com](mailto:arayik.mnatcakanyan@gmail.com)

Other required information: \_\_\_\_\_\_\_\_\_\_\_\_

The Client: **State Committee of Water Economy of the Ministry of Agriculture of the Republic of Armenia**