

RULES FOR SUBMISSION AND EVALUATION  
OF TENDERS AND NEGOTIATIONS  
Procurement identification number PIU-06

**ANNEX №1**

Joint Stock Company "O'zbekiston Temir Yo'llari"  
T. Shevchenko str., 7  
Tashkent, Republic of Uzbekistan

\_\_\_\_\_, \_\_\_\_\_  
(place) (date)

**TENDERER'S APPLICATION**

for participation in the tender procedure "Supply of electric trains (electric multiple unit trains – EMU), spare parts and equipment necessary for their maintenance, training of personnel and a source of loan-based financing"  
(Procurement identification number PIU-06)

Tenderer \_\_\_\_\_  
(Name of the Tenderer)

\_\_\_\_\_ ,

\_\_\_\_\_ ,

address: \_\_\_\_\_

\_\_\_\_\_ ,

by submitting this application:

- 1) certifies its participation in the tender procedure "Supply of electric trains (electric multiple unit trains – EMU), spare parts and equipment necessary for their maintenance, training of personnel and a source of loan-based financing" (procurement identification number PIU-06) organized by Joint Stock Company "O'zbekiston Temir Yo'llari
- 2) undertakes to observe the requirements, set forth in these "Rules for submission and evaluation of tenders and negotiations" and in other procurement documents of this tender procedure
- 3) confirms that the terms and conditions of the procurement are clear and understandable for the Tenderer, and the Tenderer has no objections or claims concerning them
- 4) confirms that it has selected and engaged a financial organization, which has agreed and intends to provide borrowed funds to the Customer for fulfillment of obligations under the contract (Annex №13) for procurement of 34 electric trains, subject to the provisions of these rules

- 5) undertakes to organize the interaction and documentation between its financing institution and the Customer and undertakes to act as the sole and ultimate agent of interaction on its part and on the part of the financing institution it has engaged
- 6) shall be fully responsible for the supervision of the development of the financing parameters by the financing institution it has engaged and for arranging cooperation with the Client and the financing institution engaged by the Participant, if such cooperation is required
- 7) undertakes, in the case it is selected as the successful tender application, to provide full support in the negotiation and conclusion of the financing contract between the Tenderer and the financing institution it has selected and engaged, in order to ensure that the financing contract accurately and does not contain alternative financing parameters that have been specified in the financial bid (Annex № 6) and are consequently used in the bid comparison
- 8) demonstrates that it is a direct or affiliated owner, by right of ownership or long-term lease, of the production facilities for the final stage of electric trains (electric multiple unit trains) production
- 9) demonstrates that it holds an ISO 9001:2015 certificate (a copy of the certificate must be attached to this application and stamped by the participant)
- 10) demonstrates that it holds an ISO/TS 22163 certificate (copy of the certificate must be enclosed to this application and certified by the participant's stamp)
- 11) certifies that over the last 10 years he has manufactured and handed over to the customers at least 3 (three) electric trains (electric multiple unit trains), and certifies that these electric trains are in operation at the time of submission of this tender
- 12) certifies the absence of conditions that would disqualify the Tenderer from participating in this tender procedure and from complying with the requirements specified in the "Rules for submission and evaluation of tenders and negotiations" and other procurement documents of this tender procedure and bears full responsibility for the consequences of any incompatibilities with this assurance.
- 13) confirms that the Tenderer shall not be subject to the conditions for the exclusion of the Tenderer from the tender procedure set out in the Public Procurement Act passed by the Legislative Chamber on 1 December 2020 and approved by the Senate on 12 March 2021:
  - a) in the last three (3) years, the Tenderer or the person authorized to represent, decide or supervise the Tenderer has not been convicted of a corruption offence, financial fraud, money laundering or participation in a criminal organization by an enforceable and uncontested court judgement or prosecutorial order
  - b) no bankruptcy proceedings have been declared against the Tenderer, the Tenderer's economic activity has not been suspended or interrupted, no bankruptcy proceedings have been instituted against the Tenderer or it has not been declared that the Tenderer will be liquidated by the envisaged date of the Contract performance
  - c) the Tenderer has no major tax arrears, including arrears of state compulsory social insurance contributions in the Republic of Uzbekistan or in the country in which it is registered or domiciled

- d) the information requested to assess the Tenderer's qualifications has been provided and is correct
  - e) during the last twelve (12) months the Tenderer has not been found guilty of a violation of competition law consisting of a horizontal cartel agreement by a decision of a competent authority or by a court decision that has entered into force and has become uncontested
  - f) in the last twelve (12) months the Tenderer has not been found guilty of an offence of employing employees without registering them with the social security authorities within the time limit prescribed by tax law and regulations by a court judgement that has become final and uncontested and is not subject to appeal
  - g) the supplier is not involved in money laundering and terrorist financing
  - h) the supplier is not on the Unified Register of Unscrupulous Performers of the Republic of Uzbekistan
  - i) the supplier does not have any overdue taxes and levies
  - j) The supplier is not subject to international sanctions
- 14) certifies that the persons on whose abilities the Tenderer is relying in confirming that their qualifications meet the requirements set out in the tender selection rules of this tender procedure are not subject to the provisions stipulated in the Public Procurement Law of the Republic of Uzbekistan ZRU № 684
- 15) certifies that all information submitted is correct and that all documentation submitted with this tender is true, which can be confirmed by the relevant authorities or the Tenderer's clients
- 16) certifies that the translation of the documents and copies of the documents attached to the application correspond to the originals
- 17) certifies that the Tenderer's application for participation in this tender procedure will be valid for a period of twelve (12) months from the date of opening of the Technical Bid
- 18) provides the information required in the relevant Information Sheets later in this paragraph as justification for its eligibility to participate in the technical and financial evaluation procedures in accordance with Section 3 "Evaluation of Tenders, Negotiations and Selection of Tenderer", paragraph 17 in these rules.

**Form ELI – 1: Tenderer's Information Sheet**

Tenderer's Information	
Tenderer's Official Name	

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<b>In the case of a joint venture (JV), the official name of each partner</b>	
<b>Tenderer's country of establishment</b>	
<b>Year of Tenderer's establishment</b>	
<b>Official address of the Tenderer in the country of establishment</b>	
<b>Tenderer's authorized representative</b> (name, address, phone and fax numbers, e-mail address)	
<b>Enclosed copies of the following documents:</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> 1. In the case of an individual company, the certificate of incorporation or establishment of the legal entity named above</li> <li><input type="checkbox"/> 2. Power of attorney to represent the company or JV named above</li> <li><input type="checkbox"/> 3. In the case of a JV, a intention letter to JV's establishment or a JV agreement</li> <li><input type="checkbox"/> 4. In the case of a stated-own company, any additional documents not included in paragraph #1 above are required</li> </ul>	

## Form ELI - 2: Joint Venture's (JV) Information Sheet

Each JV partner must fill in this form individually. The subcontractor shall complete this form.

JV partner's or Subcontractor's Information	
<b>Tenderer's Official name</b>	
<b>JV partner's or Subcontractor's official name</b>	
<b>JV partner's or Subcontractor's country of establishment</b>	
<b>Year of JV partner's or Subcontractor's establishment</b>	
<b>Official address of the JV partner or Subcontractor in the country of establishment</b>	
<b>JV partner's or Subcontractor's authorized representative</b> (name, address, phone and fax, e-mail)	
<b>Enclosed copies of the following documents:</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> 1. the certificate of incorporation or establishment of the legal entity named above</li> <li><input type="checkbox"/> 2. Power of attorney to represent the company or JV named above</li> <li><input type="checkbox"/> 3. In the case of a state-owned company, documents establishing legal and financial independence and compliance with commercial law</li> </ul>	

Subcontractors are those companies listed in the Technical Bid - Proposed Subcontractors and/or Producers of the main items of the procurement.

### Form CON – 1: Failure to fulfil contracts in the past

In the case of a JV, each JV partner must complete this form separately, indicating the name of the JV partner:

JV partner: \_\_\_\_\_

Table 1: Failure to fulfil contracts in the past			
<b>Choose one of the following:</b> <input type="checkbox"/> There are no unfulfilled contracts <input type="checkbox"/> The following is a description of the unfulfilled contracts in which the Tenderer (or each partner of a Joint Venture in case the Tenderer is a Joint Venture company) has participated			
Year	Description	Amount of unfulfilled part of the contract (USD equivalent)	Total contract amount (USD equivalent)
[year]	Contract identification: [specify full contract name/number and any other identification] Customer's name: [insert full name] Customer's address: [specify street / city / country] Reason(s) for unfulfillment: [specify main reason(s)]	[sum]	[sum]

### Form FIN - 1: Past financial performance

Each Tenderer must complete this form.

In the case of a JV, each JV partner must complete this form separately, indicating the name of the JV partner:

JV partner: \_\_\_\_\_

Financial data for the past 3 years (USD equivalent)		
Year 1:	Year 2:	Year __:

#### Company balance sheet data

Total assets (TA)			
Total liabilities (TL)			
Corporate Equity = TA-TL			
Current Assets (CA)			
Current liabilities (CL)			
Working Capital = CA-CL			

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<b>Latest working capital data</b>		Last year's data to be included in FIN-3 line 1; in the case of JVs, in the form of the respective JV partner FIN-3
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**Data from the income statement**

<b>Total income</b>			
<b>Profit before tax</b>			
<b>Profit after tax</b>			

☐ Copies of the financial statements (balance sheets, including all relevant entries and income statements) for the last \_\_\_\_ years, as specified above, are enclosed, subject to the following conditions

☐ Unless otherwise required by Section 3 of the Tender Documentation, all such documents reflecting the financial condition of the legal entity or entities constituting the Tenderer, but not the parent company, subsidiaries, or affiliates

☐ The financial statements for the preceding period shall be audited by a licensed auditor

☐ The financial statements for the preceding period must be complete, including all notes to the financial statements

- The financial statements for the preceding period must be consistent with the reporting period, be complete and audited by the auditor (statements for incomplete periods are not requested and will not be accepted)

**FORM FIN - 2: Average annual turnover**

Each Tenderer must complete this form.

The information provided shall show the annual turnover of the Tenderer or each JV partner in terms of amounts invoiced to customers for each year for work in progress or completed, converted to US dollars at the exchange rate shown.

In the case of a JV, each JV partner must complete this form separately, indicating the name of the JV partner:

JV partner: \_\_\_\_\_

Annual turnover data for the last 3 years			
Year	Amount in currency	Exchange rate	USD equivalent

Annual turnover

### Form FIN – 3: Financial resources available

Tenderers shall demonstrate sufficient financial resources, normally comprising working capital, supplemented by information on lines of credit or lines of concurrent credit and other information, to meet the Tenderer's requirements with respect to

- (a) Its current contractual obligations and
- (b) obligations under this contract

In the case of a JV, each JV partner must complete this form separately, indicating the name of the JV partner:

JV partner: \_\_\_\_\_

Financial Resources		
No.	Source of funding	Amount (USD equivalent)
1	Working capital (rom Form FIN-1)	
2	Credit line <sup>a</sup>	
3	Other financial resources	
Total amount of financial resources available		

<sup>a</sup> Confirmation letter from the bank that provided the credit line is required.



### Form EXP-1: Contracts of a similar scope and nature

The exchange rate to be used to calculate the value of the contract for conversion into a particular currency shall be the selling rate of the Customer's national bank on the date of the contract.

Contracts of a similar scope and nature		
Contract №	dated by	Name of the Contract
Award date		Completion date
Role within the contract	<input type="checkbox"/> Producer <input type="checkbox"/> Supplier <input type="checkbox"/> Subcontractor	
Total Contract Amount	USD	
For JV partners or Subcontractor, specify the share of the total contract amount	% of total amount	Amount
Client's Name Address Phone Fax E-mail		
Description of similar aspects		

**Form EXP-2: Experience in key work areas**

Контракт с аналогичными ключевыми видами деятельности		
Contract №	dated by	Name of the Contract
Award date		Completion date
Role within the contract	<input type="checkbox"/> Contractor <input type="checkbox"/> Managing contractor <input type="checkbox"/> Subcontractor	
Total Contract Amount	USD	
For JV partners or Subcontractor, specify the share of the total contract amount	% of total amount	Amount
Client's Name Address Phone Fax E-mail		
Key work area description		

Contact person of the Tenderer:

Name, surname: \_\_\_\_\_

Position: \_\_\_\_\_

Telephone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Fax: \_\_\_\_\_

Appended: *[specify the number of documents appended to the Tenderer's application and the number of pages in them]*

Tenderer's representative

\_\_\_\_\_  
(Position, name, surname, signature and seal)