



AGENȚIA SERVICII PUBLICE A REPUBLICII MOLDOVA
PUBLIC SERVICES AGENCY OF THE REPUBLIC OF MOLDOVA

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To no. _____ of _____

**Attn: Participants in the Public
Procurement Procedure**
(according to the list)

The Public Services Agency (PSA) informs you about the results of the evaluation of Tender offers submitted for the **Lot no. 2** within the Public Procurement through the Open Tender no. ocds-b3wdp1-MD-1641280612921 of 28.02.2022 for the procurement of *Blanks of identity documents of the National Passport System, driving licences and registration certificates, including specialized equipment and program product for their personalization for the period 2022-2025.*

Pursuant to the provisions of article 69 paragraph (6) letter a) and b) of the Law no. 131/2015 on public procurement, the Working Group for Public Procurement of Goods, Works and Services of the PSA (hereinafter referred to as the Working Group) decided to reject the offer of the economic operator **LLC DEEPLACE**, ranked first on the Automated Information System "State Register of Public Procurement" (MTender), because it does not meet the qualification and selection requirements and does not correspond to the requirements set out in the award documentation, namely:

a) Until the expiry of the deadline for the submission of the Tender offer (28.02.2022, at 16:45), the Tender guarantee proved through a bank guarantee for the Tender offer or a payment order, in case of transfer to the contracting authority's account, has not been submitted. Thus, the requirements of the contracting authority established in the Call for applications and the provisions of article 68 paragraph (1) of Law no. 131/2015 on public procurement and clause 51-52 of the Standard Documentation have not been met.

b) According to the European Single Procurement Document (ESPD) signed by the State Enterprise "Polygraph Combine "Ukraine" for securities production" and LLC DEEPLACE, an association of legal entities named - "Association of companies State Enterprise "Polygraph Combine "Ukraine" for securities production"(leader of the association) and LLC DEEPLACE (second associate) participates in the public procurement contract award procedure. Furthermore, based on the requests for participation (Annex No. 7 to the Standard Documentation), signed by the "Polygraph Combine "Ukraine" for securities production" and LLC

DEEPLACE, the mentioned legal entities express their interest to participate as Tenderers, identifying themselves separately as an association leader and a partner within the Association.

According to the Information on association of 01.02.2022, the contribution of the State Enterprise "Polygraph Combine "Ukraina" for securities production" to the performance of the agreed joint economic activities represents 100%, and the attributions of the LLC DEEPLACE are limited only to services of representation and mandate, assistance for tender participation, preparation, electronic signing and submission of documentation, uploading of related documents on the AIS „SRPP" (MTender), requests for clarifications on behalf of the Association ..., which ceases at the time of offer submission, no later than March 1, 2022.

Therefore, a possible decision to award the public procurement contract to the respective Association, where the contribution of one associate is 100% and the attributions of the second associate have already expired on March 1, 2022, implies the lack of legal capacity of the Association to conclude the public procurement contract. In this respect, the contracting authority's compliance with the *principle of minimization of risks of contracting authorities* is highlighted.

c) In the Price Specification signed by the State Enterprise "Polygraph Combine "Ukraina" for securities production" it was modified the contracting authority's requirement regarding the "delivery/provision period", indicating *"Within a period up to 4 months from the date of signing the contract"*, while the contracting authority indicated *"According to the draft Contract concerning specialized equipment and program product for personalization of identity documents from the National Passport System, driving licences and registration certificates"*. According to clause 2.1 of the draft Contract on the procurement of goods, *delivery, installation, control/adjustment and commissioning of the Goods shall be carried out by the Supplier within a period up to 120 days from the date of receipt of the Buyer's order*.

Respectively, in the context of the above mentioned, as a result of the rejection of the offer of the economic operator LLC DEEPLACE, the Working Group decided to open on the AIS „SRPP" (MTender) and analyse the offer of the economic operator SELP (France).

Thus, according to the decision of the Working Group, the economic operator **SELP** has been designated as the succesful tenderer in **Lot no. 2** within the aforementioned Public Procurement Procedure, because its offer corresponds to all the requirements set out in the tender documentation, with the award of the contract.

Subsequently, it should be noted that the economic operators **UAB "Garsų pasaulis"**, **ANY Biztonsági Nyomda Nyrt**, **Mühlbauer ID Services GmbH**, **Veridos GmbH** **și Polska Wytwórnia Papierów Wartościowych S.A.** kept their status as "Pending" according to the placement on the AIS "SRPP" (MTender), because they proposed offers for the **Lot no. 2** with higher prices in relation to the accepted and compliant offer of the successful economic operator.

Considering the above mentioned, in accordance with the existig regulatory framework, the public procurement contract with the economic operator **SELP** shall be concluded.

In concluding the above, we draw the attention of the successful economic operator to the obligation to submit:

1. The guarantee of good performance of the Contract (10% of the amount of the contract, including VAT), according to the provisions of article 68 paragraph (8) of Law no. 131/2015 on public procurement, a fact provided for in the tender documentation, as well as on the obligation of the PSA to retain the tender guarantee on its account, in case of failure to present the guarantee of good performance, before the signing of the public procurement contract or in case of refusal to sign the nominated contract within the term established in the tender documentation;

2. The statement concerning the confirmation of the identity of beneficial owners and the failure to involve them, in case of conviction for participation in the activity of a criminal organization or group, for corruption, fraud and / or money laundering, within 5 days after the date of communication of the results of the Public Procurement Procedure, to the contracting authority and Public Procurement Agency.

**Chairman of the Working Group
for Public Procurement of Goods,
Works and Services**

Sergey BOTNARU

List of participants:

1. DEEPLACE;
2. SELP,
3. UAB "Garsų pasaulis";
4. ANY Biztonsági Nyomda Nyrt;
5. Mühlbauer ID Services GmbH;
6. Veridos GmbH;
7. Polska Wytwórnia Papierów Wartościowych S.A.