

Standard Auction documents consist of:

- Notification form;
- Request for participation;
- The Bid form;
- The Price form;
- Invitation for bids;
- Winner notification form;
- Winner announcement publication form;
- Minutes of the Bid Evaluation Commission.

14. The request for participation, the required documents and information are submitted by the bidding candidates in hard copy, by mail or by hand, before the date and time of the auction, in the place specified in the auction documents.

ANNEX 3

THE BID FORM

Name and address of the sales authority

Auction procedure (if applicable): [file reference, determined by selling authority]

Short description of the auction procedure [type of procedure and object]

Publication (if applicable): Public Notice Bulletin [Date] [Number]

Referring to the above mentioned procedures, we, the undersigned, declare that:

1. We have reviewed the auction documents for this procedure and we accept, without reservation of exclusion, the request, time limits and conditions, and the expression in these documents;
2. We do meet all legal requirements specified in the auction documents, and we do prove that, with certificates and documents, submitted jointly with this statement;
(in case of restricted or negotiated procedures, for the qualification phase)
3. We express interest to participate in the procedure, in case selected by the selling authority;
(in case of open auction / restricted or negotiated procedures during the bidding phase based on the highest price criterion)
4. The total price of our offer is [currency and value of the offer]; without VAT;
5. The total price of our offer is [currency and value of the offer]; with VAT
(in case of open auction / restricted or negotiated procedures during the bidding phase and based on the criterion of the bid with the best economic advantages)
6. Our bid is valid for the period specified in the auction document;
7. We have done the bid insurance, as provided in the auction documents;
8. We do authorize the selling authority to verify the information / documents that are jointly submitted to the offer.
9. I agree to sign the contract if I am declared the winner.

Bidder representative

Signature

Seal

AUCTION PRICE FORM

➤ **In FOB terms:**

72.89 % of the Brent + K Price

➤ At Albpetrol sh.a. **delivery points for Lot I (40 000 ton):**

The minimum initial price per unit is:

72.89 % of Brent Price - 3.31 USD / bbl + K.

➤ At Albpetrol sh.a. **delivery points for Lot II (80 000 ton):**

The minimum initial price per unit is:

72.89 % of Brent Price - 3.55 USD / bbl + K.

-72.89 % is the coefficient that represents the average characteristics of oil such as :(specific weight, oil acidity, % of sulfur)

-Brent is the price in USD/bbl of Brent of Platts and published in the Public Procurement Bulletin

-3.55 USD/bbl total average cost (transport, storage, stockpiling, product analysis, safety)

- K is the amount USD/bbl offered by the bidder on the minimum sale price calculated by the formula ($K \geq 0$).

K=_____without VAT

_____ (in words)

set the value of K expressed in USD / bbl.

Bidder's representative

signature

Seal

note: This form must be completed and attached to the bid form

ANNEX 4

(Letterhead of the Bank / Insurance Company)

BID INSURANCE FORM

Reference

Date

To: *name and address of the selling authority*

On behalf of: *name and address of the insured bidder*

Auction procedure (*if applicable*): [file reference, determined by selling authority]

Short description of the auction procedure [type of procedure and object]

Publication (*if applicable*): Public Notice Bulletin [Date] [Number]

Referring to the above mentioned procedure,

We certify that [*name of the insured bidder*] has deposited a deposit to [*name and address of bank / insurance company*] with a value of [*currency and value, expressed in words and figures*] as a condition for the bid insurance, submitted by the aforementioned buyer candidate.

We undertake to transfer to the account of [*name of the selling authority*] the secured value, within 15 (fifteen) days from your simple and first written request, without requesting explanations, provided that this request mentions the non-fulfillment of one of the following conditions:

- The bidder has withdrawn or changed the bid, after the deadline for submission of bids or before the deadline, if so determined in the auction documents;
- The bidder has refused to sign the purchase contract when the selling authority requests such a thing;
- The bidder has not submitted the contract insurance, when the bid has been declared the winner or when not fulfilling any other conditions before signing the contract, as determined in the auction document.

This insurance is valid for the time period specified (*in the contract announcement or the invitation to the procurement*)

(Bank representative / insurance company)

ANNEX 5

LOT - II Sale (80 000 ton) for export

CRITERIA FOR PARTICIPATION, QUALIFICATION AND BID EVALUATION

The selling authority qualifies in the auction procedures each candidate or bidder only when it submits:

- a) the bid insurance form for the amount and validity required in the standard auction documents;
 - b) certification from the National Business Center;
 - ç) the certificate of registration in the tax authority or NIPT.
 - ç) in the case of a person (not legal entity), the original identification document, a copy of which is deposited to the auction commission
2. The selling authority, when requesting information on a bidder resident in a foreign country, may seek the cooperation of relevant authorities.

Disqualification/Exclusion of bidders

1. The selling authority disqualifies at any time the candidates or bidders, who present false data or a forged document, for qualification purposes, during an auction procedure. The selling authority in this case, requests the Public Procurement Agency to exclude from public auctions the bidder who has used this data or documents.
2. The selling authority disqualifies any candidate or bidder, against whom the decision of exclusion from the public auction procedures has been taken, according to the relevant legislation.

The General Admission Criteria should not be changed by the selling authorities. These criteria must be verified through documents issued no earlier than three months from the date of bid opening.

The foreign candidate / bidder must prove that he / she meets all the requirements listed above.

If the above documents are not issued in their country of origin, then a written statement is sufficient. If the language used in the procedure is Albanian, then the documents in foreign languages must be accompanied by a notarized translation into Albanian.

In cases of merger of economic operators, each member of the group must submit the above documents.

SPECIAL QUALIFICATION CRITERIA

2.1 In the public auction are allowed to participate bidders / candidates, who have withdrawn the documents directly from the selling authority, as well as those who have withdrawn these documents electronically, who must be equipped and submit the following documents:

To prove that the Purchasing Candidates are qualified, the bidder must submit:

a) Relevant license obtained in Albania according to the provisions of law no. 8450, dated 24.02.1999, "On the processing, transportation and trade of oil, gas and their by-products", as amended, **or in the country of origin of the company**, for trading of crude oil (hydrocarbon product), when these products will be traded for export purpose.

2.2 The bidder must also submit the following documentation:

a) Financial balance statement for the last three years or bank guarantee for the financial transaction that will be performed with "Albpetrol" sh.a. Patos Company (**or their equivalents in the case of a foreign company**)

b) Historical extract and company registration extract from the NRC; (**or their equivalents in the case of a foreign company**)

- c) Unconditional bank guarantee to guarantee the full repayment of arrears to "Albpetrol" sh.a **when applicable (when the bidder has financial obligations to the "Albpetrol"sh.a Company)**
- d) Document for not having any financial obligation to the tax and social insurance department; **(or their equivalents in the case of a foreign company)**
- e) Certificate from the execution, the prosecution and the court, regarding the activity of the company; **(or their equivalents in the case of a foreign company)**
- f) A statement that the entity agrees with the technical specifications of crude oil and the delivery schedule part of these documents.

NOTE:

- Criteria for determining the highest bid will be the value of the coefficient "K" offered at auction.

All documents must be originals or notarized copies of them. Cases of non-submission of a document, or of false and inaccurate documents, are considered as conditions for disqualification.

NOTE:

- **For foreign economic operators, member of states who have signed The Hague Convention (5 OCTOBER 1961), the issued documents must contain “the Apostille stamp” in accordance with law no. 9060, dated 8.5.2003 "On the accession of the Republic of Albania to the Convention on the abolition of the requirement for legalization of foreign official documents".**

- **For foreign economic operators, member of states who have not ratified The Hague Convention, dated 05.10.1961 for "Removal of the request for diplomatic and consular legalization of official foreign documents", the legalization of these documents must be done in Embassies, Consulates or respective offices from the country of origin.**

- **For foreign economic operators, who have registered in the country which have a bilateral agreement with the Republic of Albania, for the exception of Apostilling the documentation aiming its validity, for the economic operators in such a case the submitted documents will be assessed as valid if they are translated and notarized into the Albanian language.**

ANNEX 5

LOT - I Sale (40 000 ton) for native market

The selling authority qualifies in the auction procedures each candidate or bidder only when it submits:

- a) the bid insurance form for the amount and validity required in the standard auction documents;
- b) certification from the National Business Center;
- ç) the certificate of registration in the tax authority or NIPT.

ç) in the case of a person (not legal entity), the original identification document, a copy of which is deposited to the auction commission

2. The selling authority, when requesting information on a bidder resident in a foreign country, may seek the cooperation of relevant authorities.

Disqualification/Exclusion of bidders

1. The selling authority disqualifies at any time the candidates or bidders, who present false data or a forged document, for qualification purposes, during an auction procedure. The selling authority in this case, requests the Public Procurement Agency to exclude from public auctions the bidder who has used this data or documents.

2. The selling authority disqualifies any candidate or bidder, against whom the decision of exclusion from the public auction procedures has been taken, according to the relevant legislation.

The General Admission Criteria should not be changed by the selling authorities. These criteria must be verified through documents issued no earlier than three months from the date of bid opening.

The foreign candidate / bidder must prove that he / she meets all the requirements listed above.

If the above documents are not issued in their country of origin, then a written statement is sufficient. If the language used in the procedure is Albanian, then the documents in foreign languages must be accompanied by a notarized translation into Albanian.

In cases of merger of economic operators, each member of the group must submit the above documents.

SPECIAL QUALIFICATION CRITERIA

2.1 In the public auction are allowed to participate bidders / candidates, who have withdrawn the documents directly from the selling authority, as well as those who have withdrawn these documents electronically, who must be equipped and submit the following documents:

To prove that the Purchasing Candidates are qualified, the bidder must submit:

a) **Concession license for the processing of crude oil** in the native market or **the relevant license for trading** of this hydrocarbon product, obtained in Albania according to the provisions of law no. 8450, dated 24.02.1999, "On the processing, transportation and trade of oil, gas and their by-products", as amended, when these products will be processed or traded in Albania,

2.2 The Bidder must submit the following documentation:

- a) Financial balance statement for the last three years or bank guarantee for the financial transaction that will be performed with "Albpetrol" sh.a. Patos Company
- b) Historical extract and company registration extract from the NRC;
- c) Unconditional bank guarantee to guarantee the full repayment of arrears to "Albpetrol" sh.a **when applicable** (when the bidder has financial obligations to the "Albpetrol"sh.a Company)
- d) Document for not having any financial obligation to the tax and social insurance department;
- e) Certificate from the execution, the prosecution and the court, regarding the activity of the company;
- f) A statement that the entity agrees with the technical specifications of crude oil and the delivery schedule part of these documents.
- g) Previous similar purchases (purchase of hydrocarbon products), in an amount not less than 20,000 tons realized during the last three years of the bidder's activity.

*For this, the bidder must submit tax invoices, which indicate the dates, amounts and quantities of goods purchased.

NOTE:

- Criteria for determining the highest bid will be the value of the coefficient "K" offered at auction. All documents must be originals or notarized copies. Cases of non-submission of a document, or of false and inaccurate documents, are considered as conditions for disqualification.

