

RESOLUTION OF GOVERNMENT OF THE REPUBLIC OF KAZAKHSTAN
No. 134 of 14 February 2013

On Approval of Rules for Purchase of Goods, Works and Services in Performance
of Subsurface Use Operations

According to subparagraph 15) Article 116 of the Law of the Republic of Kazakhstan dated 24 June 2010 "On Subsurface and" the Government of Kazakhstan has
DECIDED:

1. To approve the attached Rules for procurement goods, works and services in course of subsurface use operations.

2. To declare to be no longer in force:

1) Resolution of the Government of the Republic of Kazakhstan dated November 28, 2007 No. 1139 "On approval of Rules for purchase of goods, works and services performance of subsurface use operations" (the Government of the Republic of Kazakhstan, 2007, No. 44, art. 521);

2) Resolution of the Government of the Republic of Kazakhstan dated April 1, 2010 No. 267 "On Amendments to the Decree of the Government of the Republic of Kazakhstan dated November 28, 2007 No. 1139" (CAPG of the Republic of Kazakhstan, 2010, No. 27, a 208).

3. This Resolution shall come into force after ten calendar days from the date of official publication.

Prime Minister
of the Republic of Kazakhstan

S. Akhmetov

Rules for purchase of goods, works and services in performance of subsurface use operations

1. General provisions

1. The Rules for purchase of goods, works and services in performance of subsurface use operations (hereinafter - the Rules) are developed in accordance with the Law of the Republic of Kazakhstan dated 24 June 2010 "On the Use and Its Use" (hereinafter - the Law) and define the procedure of procurement of goods, works and services (hereinafter - GWS) by subsurface user companies and their authorized representatives at conducting subsurface use operations provided in the short-term (or) medium-term and (or) long-term programs for GWS procurement as well as their contractors that carry out their activities within contracts signed with subsurface user companies or authorized persons of subsurface users.

2. The Rules shall not apply to:

- 1) subsurface users conducting operations for exploration or extraction of common minerals;
- 2) subsurface users acquiring GWS in accordance with Kazakhstan legislation on public procurement;
- 3) legal entities with the right of subsurface use whose fifty percent or more of the voting shares (interests) exist directly or indirectly only by the national managing holding.

3. The Rules use notions and definitions given in the Law as well as the following concepts:

1) customer - subsurface user, contract authorized person of the subsurface user who performs procurement of GWS in accordance with the Rules;

2) procurement - purchase of GWS at expense of customer during Subsurface use operations necessary to fulfill contractual obligations and activities provided for in the contract as associated ones, in a manner by means determined by the Rules;

3) affiliated person of a potential supplier - a natural or legal entity entitled to make decisions and (or) influence the decisions by the given supplier, including by transaction made in writing, any natural or legal person in respect to which this potential supplier has such right;

4) e-procurement system (hereinafter - system) - an electronic information system, located in Kazakhstani section of the Internet that is used by customers for procurement of goods and services created by and operated in accordance with the Rules, operation of which

8. The Customer by its decision shall appoint an authorized person who on his behalf shall undertake actions provided in the Rules and distribution of information in the system.

9. In procurement of GWS by means of tender the following eligibility requirements are set for a potential supplier:

- 1) legal capacity (for legal entities) or capacity (for individuals);
- 2) solvency (if such requirements are specified in tender documentation);
- 3) not be subject to liquidation or bankruptcy proceedings (for potential suppliers shall provide a letter of guarantee).

In support of the specified requirements a potential supplier shall submit the documents referred to in subparagraphs 2) and 3) of paragraph 41 and subparagraphs 2) and 3) of paragraph 215 of the Rules.

10. Procurement of GWS used in surface operations, shall be based on:

- 1) publicity and transparency of procurement process;
- 2) fair tender among potential suppliers;
- 3) support for Kazakhstani producers of GWS.

11. Procurement process shall include:

- 1) procurement planning;
- 2) selection of supplier and conclusion of procurement contract;
- 3) execution of procurement contract.

12. A potential supplier is not allowed to participate in procurement, if:

- 1) close relatives, spouse (spouse) or business partners of the head of the potential supplier and (or) the authorized representative of the potential supplier have the right to decide on selection of supplier or are employees of the customer;

2) potential supplier and (or) its workers provided consulting and (or) other preparatory work for the procurement of the goods, services or works of the Customer.

subject of an open tender procedure on "Kazakhstani production of networks and services" (if a potential supplier conducts works and services that are subject of an open tender procurement);

5) submission of price quotation form to all potential suppliers admitted to participation in open tender and determining winner of open tender with drawing up of protocol on tender results;

6) signing a contract with winner of open tender.

In cases provided for in this paragraph, examination of bids of potential suppliers, evaluation and comparison of quotations of open tender participants as well as determination of winner of open tender shall be done for each lot specified in the tender documentation.

Tender Committee

21. It is allowed for customer to form a Tender Committee for a separate open tender as well as on a permanent basis but not for more than one fiscal year. Customer is allowed to additionally engage specialists to issues regarding compliance of potential suppliers with requirements of tender documentation.

22. Tender Committee consists of the chairman and members of the Tender Committee. The total number of members of the committee shall be an odd number. The tender shall be consisted of at least three members. Secretary of Tender Committee is not a member of the Tender Committee and does not have a voice in decision-making of Tender Committee.

23. Tender Committee meeting shall be held in condition of presence of a simple majority of the total number of the Tender Committee members and reflected in the protocol signed by the members of the Tender Committee, chairman, deputy chairman and secretary of the Selection Committee. In the absence of a member of the competition committee, in the minutes of the Tender Committee states the reason for his absence.

24. Decision of Tender Committee shall be taken by a show of hands and shall be deemed as adopted if received majority of votes total amount of members present at the Tender Committee. In case of a tie vote, the adopted decision is the one which was voted by the chairman of Tender Committee, or, in his absence, by the Deputy Chairman. In case of disagreement with decision of Tender Committee, any member of Tender Committee have a dissenting opinion which shall be written and attached to the minutes of Committee meeting.

25. Chairman of Tender Committee shall direct its work and sign at meetings of the committee.

26. Secretary of Tender Committee shall organize public tender procedures for procurement of GWS. Secretary of Tender Committee shall keep records in logs for bids of potential suppliers and price quotations of open tender participants, prepare proposals on agenda of Tender Committee meetings, provide Tender Committee with relevant documents, organize conducting of Tender Committee meetings, receive and sign the minutes of opening of envelopes with bids, protocol of acceptance of an open tender, protocol summarizing results of open tender and other minutes of Tender Committee meeting, ensures saving of documents and materials of open tender for procurement of GWS.

Tender documentation

27. Tender documentation is intended to inform potential suppliers of the requirements and conditions of GWS procurement. Tender documentation is developed and approved by customer.

28. Tender documents shall include the following mandatory conditions:

1) subject of procurement by tender (name and number of subject of open tender includes several lots);

2) list of documents mentioned in subpara 2) and 3) of paragraph 41 of the Rules provided by potential supplier to prove compliance with tender documentation;

3) name (for legal entities), surname, first name, middle name (for individuals) and location of customer according to the Classification of territorial bodies;

4) functional, technical and operational characteristics of products, quality characteristics of GWS including, where appropriate, technical specifications, plans, drawings and designs as well as the documents confirming compliance of GWS with these requirements;

5) order of formation and form of submission according to the template provided in Annex 1 to the Rules, price quotation, in addition to price of procurement of GWS the cost of their transportation, insurance of goods, customs duties, taxes, fees and other expenses under the terms of supply of goods and services, net of value added tax (hereinafter - VAT);

6) terms of payment;

7) number of goods to be procured, amounts to be performed and services to be rendered for each lot, total amount of goods procurements with breakdown of demand each year (in the case of long-term contract);

8) place of performance for each lot;

9) terms of delivery of goods, works or services for each lot;

10) method, place and deadline for submission of bids, validity period;

11) place, date and time of opening of envelopes with bids;

12) draft of agreement, indicating the essential conditions, including the duration of the contract;

13) documents in accordance with paragraph 43 of the Rules to calculate the conditional price of bid of potential supplier to meet the criteria specified in item 2 of Article 78 of the Law;

14) requirements for content and design of the bid;

15) methods for potential suppliers to be notified on tender documentation;

16) e-mail address and phone number for potential suppliers to request;

17) types, amount and method of ensuring the security of bid and (or) execution of procurement contract (in case the tender documentation provides for insurance of bid and / or execution of procurement contract);

18) details on amounts allocated for procurement of GWS that are the subject of an open tender for each lot;

19) information on timing and manner of the supplier's refusal of an open tender for GWS procurement in accordance with paragraph 37 of the Rules;

20) mandatory requirement of subcontractor on compliance with the Rules in the performance of the contract for work;

21) requirements on local content in procurement of works or services, expressed as a percentage for each lot (from 0 to 100).

Customer is entitled to include in the tender documentation an additional requirement on participation in an open tender of only manufacturers or official representatives of manufacturers for GWS to be purchased.

29. Tender documentation shall not contain indication for trademarks, service marks, trade names, patents, utility models, industrial designs, name of place of origin and name of manufacturer as well as other characteristics that indicate belonging of GWS to be purchased to certain potential supplier (or) manufacturer of goods to be purchased, except for the following cases of procurement in Subsurface operations:

1) for resupply, modernization, repair and of main (fixed) equipment used in a single technological cycle;

2) to determine the supplier for provision of goods and need for a detailed description of the leasing subject.

30. Tender documentation approved, signed by the signature of the customer shall be placed by customer in the system.

31. Submission of a copy of tender documentation shall be automatically registered in the system.

32. Submission of tender documentation before the text of announcement of open tender is not allowed.

33. Potential supplier can request clarification of tender documentation from customer but no later than ten calendar days before the deadline for submission of bids. Customer within three working days of the registration of the request shall respond to it, and without indicating the source of request shall be notification to all potential suppliers to which customer submitted tender documentation and also place clarifications in the system.

6) place and deadline for submission of bids as the location, date and time of

tender documentation, or documents containing information on potential supplier - non-resident of the Republic of Kazakhstan in accordance with the laws of the State of residency of potential supplier with notarized translation into the language of tender documentation.

43. For calculation of conditional price suppliers, in addition to documents provided for in paragraph 41 of the Rules, shall submit:

1) if a potential supplier is a Kazakh producer of goods - a copy of certificate of origin for domestic circulation, confirming the origin of the Republic of Kazakhstan;

2) if a potential supplier is a Kazakh producer of works and services, information on the number of employees as per the Annex 2 to the Rules, signed by chief executive or other authorized person of a potential supplier and affixed with seal of the potential supplier.

44. A bid shall be submitted in a form numbered pages or sheets, the last page shall be signed by participant of open tender individual, and for a legal entity by chief executive or other authorized person and affixed with seal.

45. Sealed envelope with application shall:

1) be addressed to customer as per address and bank details specified in the tender documentation;

2) contain words "open tender for procurement of _____ lot _____" (name of open tender, name and numbers) and "Do not open before _____" (date and time of opening of the envelope);

3) contain the name and address of local legal entities (for individuals) of potential supplier.

46. Prior to expiration of bids customer may request potential suppliers to extend for a further period of time. In dismissing the request potential supplier's validity of its bid shall end at expiry date of non-extended period.

47. Potential supplier shall submit the proposal by the deadline for submission specified in tender documentation.

48. Potential supplier, not later than the deadline for submission of bids, shall be allowed:

1) change and (or) supplement a tender bid;

2) withdraw its bid without losing to the amount of its submitted bid security.

49. The following is not allowed to submit:

1) more than one bid per lot;

2) changes and (or) and alteration and withdrawal of bid after the deadline for submission of bids.

50. If potential supplier participates in several lots of procurement by open tender, documents provided in sub-paragraphs 1), 4) - 8) of paragraph 41 of the Rules, shall be submitted separately for each lot of open tender procurement.

Bid security

51. Customer is not allowed to set the size of bid security more than one percent of the amount provided for in tender documentation for procurement of these goods, works and services.

52. Potential supplier is allowed to submit bid security in one of the following forms:

1) security cash payment to be made to the bank account of customer;

2) bank guarantee of one or more secured banks of the Republic of Kazakhstan.

53. Supplier is not allowed to take actions that lead to loss of right to claim in whole or in part the security cash payment in fulfillment of obligations under the contract.

54. Customer is not allowed to use the cash payment made by the supplier until fulfillment of obligations under the contract.

55. Social organizations of disabled people are subject to observance on bid security requirement.

56. Bid security payment shall not be returned to customer in one of the following cases:

1) potential supplier has withdrawn and (or) amended its bid after the deadline for submission of bids;

2) potential supplier recognized as winner of the open tender, declined to enter into a procurement contract;

3) winner of open tender, having concluded the procurement contract, did not fulfill requirements set by the tender documentation on submitting security for procurement execution, if its submission is provided by the tender documentation.

57. At occurrence of one of the cases specified in paragraph 56 of the Rules, the amount of bid security shall be credited to the income of the customer.

58. Customer shall return to potential supplier submitted bid security within three working days from the date of occurrence of the following cases:

1) withdrawal by the potential supplier of its bid prior to

62. Presence of a potential supplier with the envelope with bid and (or) its authorized representative at the opening of envelopes with bids the right of the recording is allowed.

Interference into the activities of Tender Committee of persons present at the meeting of Tender Committee is prohibited.

63. Protocol of opening envelopes with bids generated in the system, signed by the chairman, secretary and all present members of Tender Committee at the procedure of opening envelopes with bids.

The protocol of opening envelopes with bids formed in the system shall be signed by electronic signature and placed in the system in the open part of the registry that is available to all users including those not registered in the registry as per to the form in accordance with Annex 3 of the Rules by authorized by customer for the information and placement of information in the system no later than working days following day of its opening.

Upon the relevant written request of potential suppliers within three working days the copy of Protocol of opening envelopes with bids shall be sent.

64. Protocol of opening of envelopes with bids shall contain the following information:

- 1) name and address of customer in accordance with the Classifier of administrative-territorial bodies;
- 2) date, time and place of meeting;
- 3) content of Tender Committee;
- 4) subject of open tender (name and of lots, if the subject of open tender includes several lots);
- 5) name and address of location (for entities) or full name and address (for individuals) of potential suppliers who received tender documentation;
- 6) description, unit of measure in accordance with the interstate classifier of units of measurement and calculation, quantity of goods purchased or amount of work to be performed or services to be rendered on each lot;
- 7) brief description of changes and (or) location of tender documentation (if any);
- 8) name (for legal entities) or full name (for individuals) of potential suppliers that submitted bids with indicated date and time for submission of bids;
- 9) name (for legal entities) or full name (for individuals) of potential suppliers who withdrew their bids in accordance with paragraph 2) of paragraph 41 of the Rules;
- 10) name (for legal entities) or full name (for individuals) of potential suppliers whose envelopes with bids are returned unopened due to their representation in violation of the requirements of paragraphs 40 and 45 of the Rules;
- 11) information on changes and (or) amendments of bids of potential suppliers;
- 12) information on content of opened potential suppliers bids for each lot;
- 13) information about representatives of potential suppliers who attended the bids procedure opening;
- 14) number (s) of contract (s) and subject for which the procurement is being conducted.

Procedure for examination and approval of bids for admission to participate in open tender

65. Tender Committee shall review bids and decide on admission to participate in open tender of potential suppliers as per each lot

2) customer is not allowed to make changes to bid of potential supplier.

67. Tender Committee shall reject the bid and not admit potential suppliers participate in an open tender if:

1) bid of potential supplier does not meet the requirements of tender documentation for the following reasons:

failure to submit technical specifications (if such requirements is provided in the tender documentation);

representation by potential supplier of technical specification that does not match the requirements specified in the technical specification of tender documentation;

failure to provide bid security in accordance with the requirements of tender documentation;

absence of a power of attorney of person (s) representing the interests of the potential supplier (in the case of signing the bid for an open tender by person not being the chief executive of a potential supplier, as well as a copy of document confirming the appointment of chief executive);

documentation included in the bid in accordance with the requirements of tender documentation in made in a language other than the language of the tender documentation, without certified translation into the language of the tender documentation;

2) failure to provide the documents referred to paragraphs 2) and 3) of paragraph 41 of the Rules, or their non-compliance with the said paragraph;

3) bid is completed with a violation of the requirements set forth in paragraph 44 of the Rules;

4) the fact of submission of false information on conditions of the tender documentation and other information to be submitted in accordance with the terms and conditions of the tender documentation is discovered;

5) non-submission of obligations on local content for offered goods or works, or services and (or) they are complying with requirements of tender documentation on local content goods or works or services to be purchased;

6) failure of contractor to provide information on compliance with these Rule in performance of contract for works.

68. Tender Committee in examining the bid of potential suppliers shall consider information provided by potential supplier to determine compliance of a potential supplier to criteria described under paragraph 2 of Article 78 Law on each lot.

In case of failure of potential supplier to provide documents confirming its compliance with the criteria affecting the price of the tender Tender Committee shall not apply conditional reduction in the price to the price of such potential supplier.

69. Refusal of deviation of potential supplier bid because of the expiration of documents confirming its financial solvency in connection with extension of the deadline for bids submission by customer shall not be allowed.

70. Disparity of technical specifications of potential supplier from technical specifications given in the tender documents is permitted, if offered goods and services better functionality and other characteristics, also when better technological solutions and (or) execution works from better materials are offered.

71. Protocol for admission to open tender in the system, signed by the chairman, secretary and all members of Tender Committee present at procedure for admission to open tender.

Protocol for admission to open tender in the system shall be signed by electronic signature and placed in the system and in the registry that is available to all users, including those not registered in the registry, in compliance with Annex 4 hereof, by authorized person of customer for information and placement of information in the system, no later than three working days taking decision on admission to participate in open tender.

Upon a written request of potential supplier a

price reduction provided for in paragraph 2 of the Law, preference shall be given to a Kazakhstani producer of goods, works and services.

Participant of open tender offering the highest percentage of local content in GWS to be purchased and being subject of open tender shall be recognized as a winner in the following cases:

1) equal prices of quotations of open tender participants with considering application of the criterion of the conditional price reduction provided for in paragraph 2 of Article 78 of the Law, that are Kazakhstani producers of goods and services;

2) equal prices of quotations of open tender participants that are non-Kazakhstani producers of goods and services.

The participant of open tender shall be recognized as a winner whose price quotation was submitted earlier than price quotations of participants of open tender, in the cases:

1) equal prices of quotations of open tender participants with considering application of the criterion of the conditional price reduction provided for in paragraph 2 of Article 78 of the Law, and percentage expression of local content obligations in GWS being purchased that are subject of open tender, of participants of open tender that are Kazakhstani producers of goods, works and services;

2) equal prices of quotations and percentage expression of local content obligations in GWS being purchased that are subject of open tender that are Kazakhstani producers of goods and services.

87. In summing up the results of open tender as a whole or separate lot Tender Committee shall take one of the following decisions:

1) declare the winner of the open tender;

2) declare open tender as failed due to absence of submitted bids;

3) declare open tender as failed when the potential suppliers were rejected as inconsistent with the conditions of open tender;

4) declare open tender as failed due to absence of price quotations submitted by participants of open tender or repeated open tender;

5) declare open tender as failed when in the open tender or repeated open tender is involved one supplier whose price quotation does not meet the conditions of open tender or repeated open tender.

88. Protocol of summarizing the results of open tender generated in the system, signed by the Chairman, Secretary and all members of Tender Committee present at the procedure of summing up the results of open tender.

Protocol of summarizing the results of open tender formed in the system shall be signed by electronic signature and placed in the system as a part of the registry that is available to all users, including those not registered in the system according to the form stated in Annex 5 of the Rules by person authorized by the customer for formation and placement of information in the system, that is three working days after summing up the results of open tender.

Upon written request of potential supplier a copy of the report on results of open tender shall be sent within three working days.

89. Protocol on results of the open tender shall include:

1) name and address of the customer in accordance with the classifier of administrative-territorial bodies;

2) date, time and place of Committee meeting;

3) members of Tender Committee;

4) subject of open tender in accordance with the statistical classification of products (titles of lots subject of an open tender includes several lots);

5) name and address (for legal entities) and name and address (for individuals), in accordance with the classifier of administrative-territorial bodies of open tender participants

that submitted their bids prior to the deadline specified in the protocol for admission to participate in open tender;

6) description, unit of measure, the interstate classifier for units of measurement and calculation, quantity of goods purchased or amount of work to be performed or services to be rendered on each lot;

7) name (for legal entities) or full name (for individuals) of open tender participants

Procurement of goods, works and services from single source

94. GWS procurement from single source shall be carried out in the following cases:
- 1) open tender or repeated open tender organized as failed due to participation of one participant whose price quotation was not rejected;
 - 2) open tender or repeated open tender is recognized as failed due to absence of bids submitted by potential suppliers;
 - 3) open tender or repeated open tender is recognized as failed when the bids of potential suppliers were rejected as not complying with conditions of open tender;
 - 4) repeated open tender declared organized as failed due to absence of price quotations of repeated open tender participants;
 - 5) procurement or repeated procurement by method of price quotations request is recognized as failed;
 - 6) procurement via e-procurement system repeated procurement through thorough e-procurement system is recognized as failed;
 - 7) customer that has purchased GWS supplier of need to buy GWS from the same supplier for purpose of unification, standardization or ensuring compatibility with existing GWS;
 - 8) services being purchased for training, retraining and advanced training of employees;
 - 9) GWS is purchased due to malfunction, failure of mechanisms, units in transit, requiring immediate repair;
 - 10) purchase of services related to travel expenses;
 - 11) arbitration fees are paid;
 - 12) purchase of services for property trust;
 - 13) purchase of services related to estate renting;
 - 14) GWS purchased from a legal natural monopoly units;
 - 15) GWS purchased from a person in a dominant (monopolistic) position on a particular market of GWS purchasing a unit of the state monopoly on the main subject of its activity;
 - 16) GWS purchased at prices, tariffs, fees, charges established by the legislation of the Republic of Kazakhstan on taxes and other obligatory payments to the budget;
 - 17) GWS purchased for localization (or) emergency management, emergency response, including in the event of failure of the main equipment (emergency shutdown of the main equipment);
 - 18) purchase of services on compulsory examination of workers engaged in heavy work or work under harmful (or) harmful and (or) hazardous working conditions, and work associated with increased risk, machines and mechanisms;
 - 19) purchase of services from organizations created by the Republican social associations of disabled people to produce the GWS under purchased;
 - 20) purchase of goods, services related to hospitality expenses;
 - 21) materials purchased for exhibitions, seminars, conferences, meetings, forums, workshops, training sessions, as well as for participation in these activities;
 - 22) purchase of periodical paper and (or) electronic media, services for distribution of information in the foreign mass media, as well as services for the provision of information posted on websites, voiced, published in various mass media, books published by point system;
 - 23) purchase of services related to treatment of employees of subsurface user, their children, pensioners registered in the list of subsurface users (including transport and escort to their treatment destinations);
 - 24) purchase of services of agencies, financial services;
 - 25) purchase of services of specialized libraries;

26) purchase of goods, works or services subject to intellectual property, from the person who has exclusive rights in respect of goods, works and services being purchased;

27) purchase of research and development work from Kazakhstani producers of work, provided that the proportion of content in the works shall comprise not less than 65 (sixty-five) percent;

28) purchase of work on processing, and disposal of waste produced in the course of economic activity, from supplier manufacturing facilities ensuring minimal movement of waste from their source;

29) purchase of food products;

30) purchase of services of educational institutions for execution of contractual obligations of subsurface users relating to training, skills development and retraining of workers who are citizens of the Republic of Kazakhstan, involved in execution of the contract, or training of citizens of the Republic of Kazakhstan as per the list of specialties coordinated with the competent authority, in accordance with the laws of the Republic of Kazakhstan on subsurface and subsurface use;

31) purchase of medicine;

32) purchase of telephone and mobile communications services and Internet access;

33) purchase of utilities;

34) purchase of services on examination of project documentation by independent experts who are in the list of the central committee for exploration and development of mineral deposits, established by the competent authority;

35) purchase of property (assets) sold at (auction) in accordance with the civil legislation of the Republic of Kazakhstan;

36) purchase of services on use of system;

37) purchase of goods, works and services from Kazakhstani producer of goods and services who is the sole supplier registered in the database of goods, services and suppliers which is set up and maintained by the National Institute of Development of Local Content.

95. In the case of GWS procurements from single source in accordance with subparagraphs 1), 2), 3), 4), 6) of paragraph 94 the terms of purchase shall meet the requirements of tender documentation of failed procurement.

In the case of GWS procurement from single source, in accordance with subparagraph 5) of paragraph 94 hereof, shall comply with the conditions of purchase of essential terms of the draft agreement of the failed purchase.

96. In conducting purchase of GWS from single source that are not homogeneous, it is allowed for customer to regard and conduct procurements from single source in indicated

- 7) price offered by supplier to provide GWS on each lot, expressed in national currency, VAT excluded;
- 8) amount allocated for purchase of goods and works for each lot, expressed in national currency, VAT excluded;
- 9) requirement to potential supplier to include in the quotation all the costs associated with the provision of goods, works or services;
- 10) term for signing of procurement contract;
- 11) obligation of potential supplier of local content in proposed GWS, expressed in percentage for each lot (from 0 to 100);
- 12) number (s) of contract (s) for the subject for which the procurement is being conducted.

98. Protocol on results of GWS procurement by method from single source, formed in the system, signed by the Chairman, Secretary and all members of Tender Committee prior to the procedure of summing up the GWS procurement from single source.

Protocol of results of GWS procurement from single source formed in the system shall be signed by electronic signature and placed in the system and the open part of the registry that is available to all users, including those registered in the registry, according to the form as per Annex 6 hererof by person of customer authorized for formation and placement of information in the system, within three working days from the date of summarized results of GWS procurement from single source.

Upon a written request of supplier, within three working days, to the copy of the results summarizing the results of GWS procurement from single source shall be sent to supplier.

Not later than two working days after signing the results of procurement from one source Customer shall place announcement of results in a periodical, published at least three times a week and distributed publicly in the Republic of Kazakhstan in the Kazakh and Russian languages, which contains the information specified in paragraphs 2)) 3), 6), 7), 10), paragraph 97 hererof.

Procurement of goods, works and services by request of price quotations

99. Procurement of GWS by method of request quotations shall be conducted for GWS whose characteristics have significant importance for the customer and where the decisive factor is the price.

100. The method of request of price quotations shall be used in cases where the annual volume of purchases of goods or certain work services in terms of value does not exceed the monthly 14 000 value of monthly index set for the financial year.

101. Division of annual volume of procurement of certain GWS during a single fiscal year into parts size of one of which the limit is established in paragraph 100 hereof is prohibited.

102. In conducting of procurement of GWS by method of request price quotations that are not homogeneous shall be allowed for customer to organize and conduct purchase in the mentioned manner with the mandating of such GWS in the procurement announcement into lots.

Procurement of several types of homogeneous GWS by means of request of quotation shall be conducted by division of GWS into lots as their homogeneous types.

In cases provided for in this paragraph, evaluation and comparison of price quotations as well as determination of winner for each lot shall be conducted for each lot stipulated in the procurement announcement.

103. Announcement of procurement by method of price quotation, not later than ten working days before the deadline for submission of quotations, shall be signed by electronic signature and placed in the system and the open part of the registry that is available

to all users, including those not registered in the register, by persons authorized by customer for formation and placement of information in the system, and shall be published in a periodical issued at least three times a year and distributed in the Republic of Kazakhstan in the Kazakh and Russian languages.

Announcement of procurement by method of request of price quotations shall not contain indication to trademarks, service trade names, patents, utility models, industrial designs, name of place of origin and name of manufacturer of goods as well as other characteristics that determine belonging of goods, works, services to a certain provider and (or) manufacturer of goods being purchased, except for the following cases of procurement in the course of Subsurface operations:

1) for resupply, modernization, repair and replacement of main (fixed) equipment used in a single technological cycle;

2) to determine the need for provision of goods, works and services and need for a detailed description of the leasing subject.

104. The announcement of procurement of GWS by method of request of price quotations placed in the system shall comprise:

1) name and address of the customer in accordance with the classifier of administrative-territorial bodies;

2) subject of procurement by method of request of price quotations in accordance with the model statistical classification of products and number of lots of the subject of procurement method by request of price quotations includes several lots);

3) description, unit of measure as per the classifier of units of measurement and calculation, quantity of goods purchased or work to be performed or services to be rendered on each lot;

4) date and place of performance of obligation on each lot;

5) place, date, time of commencement and completion of receiving quotations;

6) place, date and time of opening of envelopes with price quotations;

7) amount allocated for purchase of goods, works and services for each lot, expressed in national currency, VAT excluded;

8) requirement to ensure that a potential supplier shall include in price quotation all the costs associated with provision of goods, works or services, excluding VAT;

9) e-mail address and phone number for notification request by potential suppliers;

10) required dates of procurement contract conclusion starting from the date of summarizing the results;

11) information on terms and orders of procurement of GWS by method of request of price quotations in accordance with paragraph 106 hereof;

12) requirements for local content purchased goods or works or services, expressed as a percentage for each lot (from 0 to 100);

13) draft of procurement contract indicating the essential conditions is not allowed to enter changes and (or) amendments to the terms of the procurement contract draft after the announcement on procurement of GWS by method of request of price quotations in the system;

14) number (s) of contract (s) for Subsurface use for which procurement is being conducted.

105. The announcement of GWS procurement by method of request of price quotations published in a periodical issued at least three times a year and distributed in the Republic of Kazakhstan in the Kazakh and Russian languages shall contain information specified in subparagraphs 1), 2) and 5) of paragraph 104 hereof, as well information on place for obtaining the procurement contract draft.

106. Customer shall be allowed to refuse to conduct GWS procurement not later than one business day prior to the deadline for acceptance of quotations by notice in the system of decision to cancel the procurement by method of price quotations request.

107. Potential supplier, not later than the deadline for submission of quotations, shall be permitted to:

- 1) change and (or) alter the price quotation;
- 2) withdraw the quotation;

108. It is not allowed to enter:

- 1) more than one quotation per lot;
- 2) changes and (or) alteration and withdrawal of price quotation after the deadline for submission of quotations.

109. Submission by potential supplier price quotation form of its expressing agreement to supply the goods, works and services in compliance with the conditions stipulated in the contract procurement contract.

110. Price quotation of a potential supplier shall contain:

1) name, address, location, BIN (legal entity) or full name and location, IIN (for individuals) and bank details of potential suppliers;

2) subject of procurement by method of quotation request in accordance with the model statistical classification of products (name and number of lots, if the subject of procurement by method of price quotation request includes several lots);

3) description, unit of measure in accordance with

1) subject of procurement by method of quotations request (name and number of lots, if the subject of procurement by method of price quotations request includes several lots);

2) name and address of (for legal entity) and name and address (for individual) of potential supplier;

3) method of submission of a price quotation;

4) date and time for submission of quotations of potential supplier.

Log registering price quotations shall be in pages numbered, the last page of the log for registering price quotations shall be sealed by the customer. It is allowed to maintain a unified log for registration of price quotations for all GWS purchases by method of price quotations request at single fiscal year.

116. The envelope with price quotation drawn after the deadline submission of quotations or in violation of the requirements paragraph 113 hereof shall not be examined but be registered in the registry for price quotations sealed in the manner and time stipulated in subparagraph 114 of the Rules.

117. Within the terms indicated in the announcement of GWS procurement by means of price quotations request the Tender Committee shall open envelopes with price quotations.

118. Presence of potential supplier within the envelope with price quotation, and (or) its authorized representative at the opening of envelopes with price quotations is allowed with the right to audio record.

Interference of persons present the opening of envelopes with price quotations into the process of opening is prohibited.

119. Protocol of opening envelopes with quotations of potential suppliers shall include the following information:

1) name and address of the customer in accordance with the classifier of administrative-territorial bodies;

2) date, time and place of procedure opening envelopes with quotations;

3) subject of procurement by method of quotations in accordance with the model statistical classification of products (name and number, if the subject of procurement by method of price quotations includes several lots);

4) name and address (for legal entities) and name and address (for individuals) in accordance with the classifier of administrative-territorial bodies of potential suppliers who submitted envelopes with price quotations;

5) name and address (for legal entities) or full name and address (for individuals) of potential suppliers, who received envelope with the quotation;

6) name and address (for legal entities) or full name and address (for individuals) of potential suppliers whose envelopes with price quotations are returned;

7) prices of opened quotations of potential suppliers (by lots);

8) information about the representatives of potential suppliers who attended the procedure of opening envelopes with quotations;

9) obligations on local content of goods or works, or price offered, expressed as a percentage for each lot (0 to 100).

120. Protocol of opening envelope with quotations, formed in the system, signed by the chairman, secretary and all members of Tender Committee present at the procedure of opening envelopes with price quotations.

Protocol of opening envelope with quotation formed in the system shall be signed by electronic signature and placed in the system and open part of the registry that is available to all users, including those not registered in the registry according to the form indicated in Annex 7 hereof by person authorized by customer for formation and placement of information in the system, no later than three working days following the day of opening.

Upon a written request of a potential supplier, three working days, copy of protocols of opening envelopes with quotations shall be sent to such potential supplier.

121. Within three working days after of the opening envelopes with price quotations the Tender Committee shall summarize results of procurement by method of price quotations request.

122. Potential supplier's price quotation shall be rejected if:

1) it is greater than the amount set for a purchase of these GWS for lot;
2) potential supplier does not agree to offer and (or) alter essential terms of procurement contract draft;

3) envelope with price quotations is submitted after the deadline for submission of price quotations indicated in the announcement of procurement by method of price quotations;

4) potential supplier submitted more than one quotation per lot;

5) quotation is executed in violation of requirements set forth in paragraph 110 of the Rules.

Refusal of price quotations for reasons is not allowed.

123. Winner of procurement by method of price quotations request shall be determined by customer on the basis of the lowest price quotation.

124. If the lowest price quotation is offered by several potential suppliers, the winner is the potential supplier whose price quotation is earlier than price quotations of other potential suppliers.

125. Protocol of summarizing the results of procurement by method of price quotations request shall contain the following information:

1) name and address of customer in accordance with the classifier of administrative-territorial bodies;

2) date, time and place of the procedure of summarizing results of procurement by method of price quotations request;

3) subject of procurement by method of price quotations request in accordance with the model statistical classification of products (name and number of lots, if the subject of procurement by method of price quotations request includes several lots);

4) name and address (for legal entities) or full name and address (for individuals) of potential suppliers whose quotations were considered;

5) name (for legal entities) or full name (for individuals) of potential suppliers, whose price quotations were rejected, with indication of reasons for rejection (by lots);

6) prices of not declared quotations of potential suppliers (by lots);

7) name and address (for legal entities) or full name and address (for individuals), price of quotation of winner of procurement by method of price quotations request (on lots) and (or) indication of reasons, if as a result of procurement by method of price quotations request there were no winner determined (by lots), in accordance with paragraph 122 of the Rules;

8) obligation on local content in offered goods, or a service, expressed as a percentage for each lot (from 0 to 100);

9) number of contracts for Subsurface use for which the procurement is being conducted.

126. Protocol of summarizing the results of procurement by method of price quotations, formed in the system, shall be signed by chairman, deputy chairman, secretary and all members of the Tender Committee present at the procedure of summarizing the results of procurement by method of price quotations request.

The protocol of summarizing the results of procurement by method of price quotations request formed in the system shall be signed by electronic signature and placed in the system in the open part of the registry that is available to all users including those not registered in the registry, as per to the form in accordance with Annex 8 of the Rules by a person authorized by customer for formation and placement of information in the system no later than three working days from the day of their opening.

127. Upon the relevant written request of supplier within three working days the copy of Protocol on summarizing results of procurement by methods of price quotations request shall be sent to potential supplier.

In the absence of price quotations or price quotation was submitted within the terms for submission of quotations, customer shall acceptance of quotations for

before the starting date of submission of applications for procurement through e-procurement system using the methods of information referred to in this paragraph.

135. The announcement of procurement through e-procurement system, placed in the system, shall include the following information:

- 1) subject of procurement through e-procurement system in accordance with the model statistical classification of products (name and number, if the subject of procurement through e-procurement system includes several lots);
- 2) name and address of the customer in accordance with the Classification of territorial administrative bodies;
- 3) description, unit of measure, in accordance with the interstate classifier of units of measurement and calculation, quantity of goods purchased, amount of work to be performed and services to be rendered for each lot;
- 4) date and place of performance of work in accordance with Classification of territorial administrative bodies;
- 5) date and time of commencement of submission of quotations on procurement through e-procurement system the time of Astana city;
- 6) amount allocated for purchase of goods, works and services for each lot, excluding VAT;
- 7) requirement to include into potential suppliers quote all the costs associated with provision of goods, works or services, excluding VAT;
- 8) required dates for concluding of procurement contract for each lot starting from the date of summarizing the procurement results;
- 9) e-mail address and phone numbers for qualification potential suppliers;
- 10) draft of procurement contract developed by customer, indicating the essential conditions separately for each lot;
- 11) detailed technical specifications approved by the customer describing the technical, quality and performance characteristics of GWS separately on each lot;
- 12) types, amount and method of submission of bids for participation in procurement through the e-procurement system for each lot and / or execution of procurement contract by each lot;
- 13) requirements for local content purchased goods or works or services, expressed as a percentage for each lot (from 0 to 100);
- 14) number of contracts for Subsurface for which the procurement is being conducted.

136. The draft of the procurement contract indicating the essential conditions for each lot and detailed technical specifications describing the technical quality and performance of TRU shall not contain indication for trademarks, marks, trade names, patents, utility models, industrial designs, name of place of origin, name of manufacturer as well as other characteristics that indicate the GWS to be purchased as certain potential supplier, except for the following cases of procurement in Subsurface operations:

- 1) for resupply, modernization, repair and maintenance of main (fixed) equipment used in a single technological cycle;
- 2) to determine the service provider for provision of goods leasing and need for a detailed description of the leasing subject

137. Announcement of procurement through e-procurement system, published in a periodical at least three times a week and broadcasted in the Republic of Kazakhstan in the Kazakh and Russian languages shall contain the information referred to in subparagraphs 1), 2), 3), 5), 6) of paragraph 135 of the Rules, procurement code and online resource of the system.

138. The time period for submission of

149. Customer shall return to potential supplier submitted security for participation in procurement through the e-procurement system within three working days from the date of occurrence of the following cases:

- 1) receipt of request from potential supplier withdrawal of its security for participation in procurement through the e-procurement system in accordance with paragraph 141 hereof;
- 2) summarizing the results of procurement through e-procurement by the system. The above case does not apply to potential supplier who is determined as the winner of procurement through e-procurement system;
- 3) procurement contract entry into force and submission by winner of purchase of through e-procurement system of security of procurement contract execution, if its application is provided in the announcement of procurement through e-procurement system.

150. Potential supplier is allowed to address customer request for clarification on agreement draft and detailed technical specifications describing the technical, quality and performance characteristics of goods for purchasing through e-procurement system (lot), but not later than three working days before the closing date of submission of applications for purchasing through the e-procurement system. Customer, within one business day of registration of the request, shall answer it.

151. Customer is allowed to enter changes and (or) amendments to the draft of contract

2) declaration of purchase through e-procurement system failed due to absence of submitted price quotations on purchasing through e-procurement system.

165. Protocol summarizing the results of procurement through e-procurement system provides the following information:

1) name and address of the customer in accordance with the classifier of administrative-territorial bodies;

2) date and time of summarizing results of procurement through e-procurement system (on lots);

3) subject of procurement through e-procurement system in accordance with the model statistical classification of products (name and number, if the subject of procurement through e-procurement system includes several lots);

4) name and address (for legal entities) classifier of administrative-territorial objects or full name and address, in accordance with the classifier of administrative-territorial objects (individuals) of participants on procurement through e-procurement (by lots);

5) prices of quotations on purchasing through e-procurement system of participants of purchasing through e-procurement systems, (applying the criterion of conditional reduction of price provided for in paragraph of Article 78 of the Law (on lots);

6) name and address as classifier of administrative-territorial objects (for legal entities) or full name and address, in accordance with the classifier of administrative-territorial objects (for individuals) and the price of quotation of the winner of procurement through the electronic purchases (on lots) and a participant on procurement through e-procurement system whose price quotation on purchasing through e-procurement system is the lowest after the quotation of winner of purchasing through e-procurement system (or) an indication of the reasons, if as a result of procurement through e-procurement system there was not determined a winner (on lots) in accordance with subparagraph 2) of paragraph 164 of the Rules.

166. The system-generated protocol on the results of procurement through e-procurement system shall be signed by an authorized person of customer

170. If all participants of purchasing through the procurement system whose price quotations on purchasing through e-procurement were not rejected had refused to enter into procurement contract, the customer is allowed to conduct repeated procurement through e-procurement system.

171. A paper copy of report summarizing results of procurement through e-procurement system, formed in the system, shall be signed by the customer.

172. No later than five working days after finalizing results of purchase through e-procurement system, customer shall place placement on the Internet of procurement through e-procurement system in a period published at least three times a week and distributed in the Republic of Kazakhstan in the Kazakh and Russian languages, which contains the information specified in subparagraph 1), 2), 3) paragraph 165 of the Rules, and the procurement code as a resource of the system.

Purchase of goods through commodity exchanges

173. Procurement of goods through commodity exchanges shall be carried out in accordance with the laws of the Republic of Kazakhstan on commodity exchanges.

Security on execution of procurement contract

174. Security on execution of procurement contract shall be submitted by the winner of procurement in the cases provided in tender documents, as a guarantee that it promptly, fully and properly will perform its obligations under purchase contract concluded with it.

175. Security on execution of procurement contract shall be submitted in the amount of no more than three percent of the contract value.

176. Potential supplier is allowed to submit security on execution of procurement contract by one of the following methods:

- 1) security cash payment which shall be the bank account of the customer;
- 2) bank guarantee of one or more security banks of the Republic of Kazakhstan.

177. Supplier is not allowed to undertake that it is liable to occurrence at third parties of the right of claim in whole or in part in relation to the paid security cash payment paid until full execution of their obligations under the contract.

178. Customer is not allowed to use the security cash payment made by the supplier until complete fulfillment of the obligations under the contract.

179. Requirement on submission of security on execution of procurement contract does not apply to social organizations of disabled persons.

180. Security on execution of procurement contract shall not be returned by the customer, if potential supplier did not properly perform its obligations under the purchase contract concluded with it.

181. Upon the occurrence of the case provided in paragraph 180 of the Rules, the amount of security on execution of procurement contract shall be credited to the income of the customer.

182. Customer shall return to the potential supplier its security on execution of procurement contract within three business days, fully and properly performed its obligations under the procurement contract.

Procurement contract

183. Customer within five working days after the date of signing of protocol on the results of procurement shall send to winner of procurement the draft of procurement contract as per the conditions of conducted procurement.

2) purchase of fixed assets or other items, the technology manufacturing process of which stipulates their supply in the following (next) fiscal year (years);

3) purchase of GWS with a deadline (rendering, delivery) due to the length of execution is due in the following (and subsequent) fiscal year (years), established in the work program;

4) purchase of GWS provided in the medium and long-term programs of GWS procurement.

192. The procurement contract shall be deemed completed on condition that customer and the supplier have fully executed commitments under the given contract.

193. In the event that a potential supplier within the time prescribed by the Rules, has not provided the customer with the signed procurement contract or, having concluded the procurement contract, failed to submit to the customer a copy of the procurement contract in cases provided for in the Rules, such a potential supplier shall be recognized as avoiding entering into procurement contract.

194. In the event that potential supplier is recognized as avoiding entering into procurement contract, customer:

1) shall hold its security for participation in tender, if its submission is provided by the customer;

2) may apply to the court with request to such potential supplier enter into procurement contract, as well as request for compensation of losses caused by evading entering into the procurement contract.

4. Procedure for GWS procurement in the course of subsurface use operations under raw hydrocarbon contracts

Procedure for procurement of goods, works and services by method of open tender in the course of Subsurface use operations

195. In conducting open tender for procurement of GWS that are uniform, customer is allowed to organize and conduct a single procurement by the mentioned method with mandatory separation of GWS in tender documentation into lots.

Purchase of several types of homogeneous GWS by method of open tender shall be carried out by division of GWS to lots as per

compliance or non compliance of participants admitted to open tender to status "Kazakhstani producer of goods" (if a potential supplier provides goods which are the subject of open tender procurement) or "Kazakh producer and services" (if a potential supplier performs work or provides services that are the subject of open tender procurement);

7) participants of open tender sending their price quotations for each lot in the system to determine the winner of open tender and with the help of the system to summarize the results of by means of the system;

8) conclusion of contract with the winner of open tender.

In the cases provided for in this paragraph of bids of potential suppliers, evaluation and comparison of quotations of participants of open tender, as well as determination of the winner of open tender shall be carried out for each lot, provided for in the tender documentation.

Tender Committee

196. Customer is allowed to form a Tender Committee as for a separate open tender so on an ongoing basis, but for the term no more than one fiscal year.

197. Tender Committee consists of a chairman

- 2) list of documents specified in paragraph 2) of paragraph 215 of the Rules submitted by potential supplier in support of its qualifications;
- 3) name (for legal entities), full name (for individuals) and address of location of customer, in accordance with the classification of administrative-territorial bodies;
- 4) functional, technical, quality and performance characteristics of GWS being purchased, including, where appropriate, technical specifications, plans, drawings and sketches, as well as the list of documents confirming compliance of GWS with the requirements;
- 5) procedure for formation and presentation of the standard form set out in Annex 10 hereof, of price quotation with regard to the price of purchased GWO the cost of their transportation, insurance, of customs duties, taxes, fees, and other expenses provided under the terms of goods, works and services, excluding VAT;
- 6) terms of payment;
- 7) quantity of purchased goods, volume of performed and services rendered for each lot;
- 8) place of delivery of goods, works, services to be purchased;
- 9) terms of delivery of goods, works, services to be purchased;
- 10) method, the start time and end time of bids, the validity period;
- 11) date and time of opening of bids;
- 12) draft of contract specifying main terms, including the terms of the contract;
- 13) documents in accordance with paragraph 217 hereof for calculation of the conditional price of price quotation of potential supplier to meet the criteria under paragraph 2 of Article 78 of the Law;
- 14) requirements for conditions of execution of tender bid;
- 15) methods of requesting clarifications by potential suppliers on the tender documentation;
- 16) e-mail address and phone numbers for suppliers to request clarifications;
- 17) types, volume and method of submission security, and (or) security on execution of a procurement contract in case if tender documentation provides for security of

GWS shall not be considered as making changes to information provided in subparagraph 1) of paragraph 203 of the Rules.

Informational support of open tender

209. In conducting of open tender, announcement on conducting open tender shall be formed and placed in the system and the open tender registry, accessible to all users, including those not registered in the registry, by person authorized by customer for formation and placement of information in the system, and placement of information in the registry, and in a periodical published by at least three weeks and distributed on the territory of the Republic of Kazakhstan in the Kazakh and Russian languages for Subsurface user or its authorized person - not later than thirty days, and for the actor - not later than fifteen calendar days prior to the deadline for submission of bids.

In the case of conducting repeated open tender, Subsurface user or his authorized representative shall ensure publication of the corresponding announcement not later than

scanned copies of documents (license, certificate) or copies of documents confirming the right of potential supplier for production, processing, delivery and sale of the goods, works and services;

scanned copies of certificate of the subject of procurement shall be mandatorily certified for compliance with standard contractive document ensuring security for life, health and property of citizens and environment in accordance with the laws of the Republic of Kazakhstan on certification;

Scanned copy of the certificate of state registration (re-registration) of legal entity with an indication of BIN. If an enterprise operates under Model Charter adopted in accordance with the order of the civil legislation of the Republic of Kazakhstan, then application for state registration shall be submitted;

Scanned copy of an extract from constituent documents (if Charter does not contain information about the founders or founding members), which contains information about the founder or founding members, a notarized statement from the register of shareholders issued not earlier than one month before the date of opening envelopes with bids;

3) proof of solvency:

scanned copy or original (if such requirements are stated in the tender documentation) certificate of the bank or bank branch, signed and sealed where a potential supplier is serviced, proving the absence of arrears kinds of obligations of potential supplier lasting more than three months prior to the date of certificate, before the bank or bank branch under the Model Plan of Accounts of second tier banks and mortgage companies, approved by the Board of the National Bank of the Republic of Kazakhstan (if a potential supplier is a client of several second tier banks or branches, as well as of a foreign bank, this certificate shall be presented from each such bank). Certificate shall be issued not earlier than one month prior to the date of opening envelopes with bids. Absence of proof of authority of the person signing the certificate shall not serve as the basis for the recognition of the potential supplier as not qualified;

original (if such requirements are stated in the tender documentation) or a notarized copy of the balance sheet for the financial year, signed by the first head or his deputy and fixed with the seal of the legal entity.

If opening of envelopes with bids is due before 30 April, potential supplier may submit the original or a notarized copy of the balance sheet for the financial

5) scanned copy or the original (if provided requirement is stated in the tender documentation) document confirming payment of the security for bid separately for each lot (if corresponding requirement is stated in the tender documentation);

6) power of attorney form(s) representing the potential supplier except of the first head of potential supplier;

7) obligation on location in proposed goods or works/service, expressed as a percentage for each lot (from 0 to 100);

8) obligation of contractor to observe the performance of the contract for certain types of work related to the Subsurface use operations;

9) documents confirming compliance of factors (subcontract) of potential supplier with qualification requirements stated in paragraph 9 of the Rules;

10) letter of guarantee of potential supplier absence of grounds prohibiting its participation in the open tender referred in paragraph 12 hereof;

11) scanned copies of documents confirming at potential supplier the certified and accredited in accordance with the legislation of Republic of Kazakhstan organization of system (certified systems) quality management in accordance with requirements of the state standards (if appropriate requirements are present in the tender documentation in accordance with paragraph 203 of the Rules);

12) documents proving the existence of potential supplier of work experience in the market of purchasing works, services and / or particular industry, confirmed with scanned copies of letters of recommendation / certificate from the organizations for which the potential supplier has performed works, services rendered to the amount of contract at least 50 000 times of monthly calculation index for the respective fiscal year, accompanied by scanned copies of invoices, acts confirming acceptance-transfer of work performed or services rendered (if appropriate requirements are present in the tender documentation).

2) contain words "open tender for procurement of _____ lot ____" (name of open tender, name and numbers) and "Do not open before _____" (date and time of opening of the envelope);

3) contain the name and address of local legal entities) full name and address (for individuals) of potential supplier.

220. Prior to expiry of bids Customer may request potential suppliers to extend for a further period of time. In case of rejection of request by potential supplier, the latter does not lose its right to participate in opening within the unextended term of its bid.

221. Potential supplier shall submit the proposal the deadline for submission

233. At occurrence of one of the cases specified in paragraph 232 of the Rules, the amount of bid security shall be credited to the account of the customer.

234. Customer shall return to potential suppliers submitted bid security within three working days from the date of occurrence of the following cases:

- 1) withdrawal by the potential supplier of its bid prior to the deadline for submission of bids;
- 2) signing of protocol for admission of potential tenderer. This item does not apply to potential suppliers recognized as participants of open tender;
- 3) signing of protocol summarizing the results of procurement by method of open tender. This subparagraph does not apply to a participant of open tender that was recognized as a winner of open tender;
- 4) procurement contract entry into force and submission by winner of open tender of security of procurement at the execution, if such security provided by the tender documentation;
- 5) expiration of tender bid of potential supplier.

Opening of tender bids

235. The fact of submission of bid is automatically registered in the system with indication of the following information:

- 1) subject of open tender (name and number, if the subject of an open tender includes several lots);
- 2) name and address (for legal entities) or full name and address (for individuals) of potential supplier;
- 3) date and time of submission of bid of potential supplier;
- 4) date and time of withdrawal of bid by potential supplier.

236. Where the tender documentation requires submission of original documents provided by the second, third, fifth items of subparagraph 3) and subparagraph 5) of paragraph 215 of the Rules, Tender Committee shall receive and register the envelopes with the originals of these documents of potential suppliers in the log for registration of documents provided in the second, third, fifth items of subparagraph 3) and subparagraph 5) of paragraph 215 of the Rules, in chronological order with the following information:

- 1) subject of open tender (name and number, if the subject of an open tender includes several lots);
- 2) name and address of the location (for legal entities) or surname, name and address (for individuals) of potential supplier;
- 3) method of submission of the envelope with the original documents provided by the second, third, fifth items of subparagraph 3) and subparagraph 5) of paragraph 215 of the Rules;
- 4) date and time of submission of envelope of potential supplier with the original documents provided by the second, third, fifth items of subparagraph 3) and subparagraph 5) of paragraph 215 of the Rules;
- 5) date and time of withdrawal by a potential supplier of envelope with the bid.

The log for registration of original documents provided in the second, third, fifth items of subparagraph 3) and subparagraph 5) of paragraph 215 of the Rules, by potential suppliers shall be placed, pages numbered, on the last page of the log of original documents provided by the second, third, fifth items of subparagraph 3) and subparagraph 5) of paragraph 215 of the Rules, of potential suppliers and shall be affixed with sealed envelope. Maintaining a unified log for registration of original documents provided in the second, third, fifth items of subparagraph 3) and subparagraph 5) of paragraph 215 of the Rules, of potential suppliers for all GWS procurement by method of open tender in a single fiscal year.

237. The system shall not place bids of potential suppliers that were submitted after the deadline for submission specified in the tender documentation.

The envelope with the documents provided by the second, third, fifth items of subparagraph 3) and subparagraph 5) of paragraph 215 of the Rules, executed in violation of requirements of paragraphs 214, 219 of the Rules shall not be opened and shall be returned to the potential supplier not later than one day after receiving the envelope with documents provided by the second, third, fifth items of subparagraph 3) and subparagraph 5) of paragraph 215 of the Rules.

238. Opening of bids of potential suppliers, by electronic signature, shall be conducted in the system automatically at the time set by the tender documentation.

In cases where the tender documentation does not require the requirement to provide original documents provided by the second, third, fifth items of subparagraph 3) and subparagraph 5) of paragraph 215 of the Rules, Tender Committee shall open such envelopes with the documents in accordance with provision of tender documents on the place, date, and time of opening envelopes with documents provided by the second, third, fifth items of subparagraph 3) and subparagraph 5) of paragraph 215 of the Rules.

239. Presence of potential supplier who submitted the envelope with documents provided by the second, third, fifth items of subparagraph 3) and subparagraph 5) of paragraph 215 hereof is allowed, and (or) authorized representative at opening of envelope with the documents provided by the second, third, fifth items of subparagraph 3) and subparagraph 5) of paragraph 215 hereof, with the right to

9) name (for legal entities) or full name (for individuals) of potential suppliers who withdrew their bids in accordance with paragraph 2) of paragraph 41 of the Rules;

10) name (for legal entities) or full name (for individuals) of potential suppliers whose envelopes with documents provided by the first fifth item of subparagraph 3) and subparagraph 5) of paragraph 215 of the Rules were returned unopened because of representation in violation of

failure to provide scanned copies of documents confirming that the potential supplier certified accredited under the current legislation of the Republic of Kazakhstan organization system (certified systems), quality management accordance with state standards;

failure to provide documents proving the potential supplier's work experience in the market of purchasing works, services and / or particular industry; scanned copies of letters of recommendation / positive feedback from organizations for which the potential supplier executed the work / provided services in the amount not less than 50 000 times of the monthly calculated index for the financial year, accompanied by scanned copies of invoices of acts of acceptance and hand-over of works, services rendered.

Grounds set the eighth and ninth paragraphs of subsection shall apply in respect of potential suppliers participating in open tender held by the customer, the tender document of which does not require submission of documents in accordance with paragraphs twenty-third and twenty-fifth of paragraph 203 of the Rules, respectively;

2) potential supplier and (or) author (co-executors) do not meet the qualification requirements stipulated in paragraph 9 of the Rules on the following grounds:

failure of individual to submit a copy of the registration document as the subject of individual entrepreneurship, indicating BIN or IIN, a scanned copy of the identity document showing IIN;

failure of legal entity to provide scanned copy articles of association;

failure of entities

months (except where the timing of payment is delayed according to the legislation of the Republic of Kazakhstan on taxes and other obligatory payments to the budget) or the availability of tax debts and arrears of pension contributions and social contributions, issued not earlier than one month before the opening envelopes with bids;

presence in certificate of the relevant authority of information about tax debt and arrears on pension contributions and social contributions in the amount of one tenge or more (except where the timing of payment is delayed according to the legislation of the Republic of Kazakhstan on taxes and other obligatory payments to the budget) for more than months;

false information is provided on qualification requirements and other information provided in accordance with the terms and conditions of tender documentation;

failure of non-residents of Kazakhstan to submit documentation (or its analogues), provided for in this subsection, or submission of this documentation without notarized translation into languages of tender documentation.

Grounds specified paragraphs seven, eight, nine, eleven of this subsection shall not apply in respect of potential suppliers, and (or) their subcontractors (subcontractors) involved in open tender held by the customer, the tender documents of which does not require documents confirming solvency, in accordance with paragraph twenty-third paragraph 203 of the Rules;

3) failure to provide a letter of guarantee of potential supplier at its absence grounds that prohibit participation in open tender referred to in paragraph 12 hereof;

4) potential supplier violated requirements in paragraph 13 of the Rules;

5) failure to submit obligations of local content in the product or service, or a service and (or) below the minimum requirements in the tender documentation on local content in purchased goods or works or services;

6) failure of contractor to submit obligation observance of the Rules in the performance of contract for works.

246. Tender Committee in examining bids of potential suppliers considers information provided by potential supplier to determine compliance of a potential supplier with criteria described under paragraph 2 of Article 78 of the Law for each lot.

In case of failure of potential supplier to submit documents confirming its compliance with criteria affecting the price of bid, Tender Committee shall not apply the conditional reduction in price to price of such potential supplier.

247. It is not allowed to reject bid of potential supplier because of expiration of the documents confirming its financial solvency in connection with expiration by customer of deadline for submission of bids.

248. Disparity of technical specification of potential supplier from technical specifications given in the tender documents is permitted, if offered goods and services have better functionality and other characteristics, also when better technological solutions and (or) execution works from better materials are offered.

249. Protocol for admission to open tender is formed in the system, signed by electronic signature of customer and placed in the system and in the open part of the registry that is available to all users, including those not registered in the register, by authorized person of customer for formation and placement of information in the system and placing information in the register no later than three working days from the date of taken decision to admit to participation no later than 10 calendar days from the date of opening of bids, unless otherwise provided by the tender documentation.

A paper copy of protocol for admission to tender shall be signed by Chairman (or) Deputy Chairman, Secretary, and members of Tender Committee present at the procedure of admission.

Upon a written request of potential supplier a protocol for admission to open tender shall be sent within three working days.

250. Protocol for admission to open tender shall include:

- 1) name and address of customer in accordance with the classifier of administrative-territorial bodies;
- 2) date, time and place of the meeting;
- 3) content of Tender Committee;
- 4) subject of open tender (name of the lot, subject of open tender includes several lots);
- 5) description, unit of measure as per the classifier of units of measure and calculation, quantity of goods to be purchased or work to be performed or services to be provided on each lot;
- 6) summary explanation of provisions of documents submitted by potential suppliers (included in protocol in the case of applications requested by Tender Committee);
- 7) name and address (for legal entities) or surname, name and address (for individuals), of potential suppliers whose envelopes bids were opened and reviewed;
- 8) name (for legal entities) or full name (for individuals) of potential suppliers whose bids were rejected with a brief reasons for rejection;
- 9) name (for legal entities) full name (for individuals) of potential suppliers who were recognized as participants of open tender (lot), indicating the applied condition of reduction of price provided for in paragraph 2 of Article 78 of the Law;
- 10) date, time and place of acceptance of price quotations of participants of open tender;
- 11) date, time and place of meeting for a verbal comparison of price quotations of open tender participants;
- 12) number (s) of contract (s) to be used for which the procurement is conducted.

251. Tender Committee shall appoint a meeting on opening the price quotations on a date not earlier than two working days from the date of notification of interested persons on the results of admission to open tender.

252. In the absence of bids submitted by potential suppliers, the Tender Committee shall decide on recognition of open tender as failed and shall draw up a protocol results in the manner and form set out in paragraphs 266 and 267 of the Rules.

Content of price quotations and their submission

253. Price quotation of participant in open tender signed by electronic signature shall be placed in the system for each lot in accordance with form set out in Appendix 10 to the Rules, also considering in the GWS price the cost of their transportation and insurance, payment of customs duties, taxes and other expenses under the terms of supply of goods, works and services, excluding VAT.

254. Participants of open tender shall submit their quotations not later than the period specified in the protocol of admission to open tender.

255. Open tender participant is not allowed to submit more than one price quotation per lot.

256. Potential supplier, not later than the deadline for submission of price quotations, shall be allowed to:

- 1) change its price quotation;
- 2) withdraw its price quotation without losing the right on return of its bid security.

Procedure for evaluation and comparison of price quotations and determining the winner of open tender

257. The system does not host price quotations of participants of open tender submitted after the deadline for submission of quotations specified in the protocol for admission to open tender.

258. Information on participants of open tender that submit price quotations within the period specified in the protocol for admission to open tender is automatically registered in the system.

259. At placing in the system of quotation signed by electronic signature by authorized person of participant of open tender, submission of quotation is automatically registered in the system with the following information:

1) subject of open tender in accordance with the statistical classification of products (name of lots, if subject of tender includes several lots);

2) name and address (for legal entities) name and address (for individuals) in accordance with the classification of administrative-territorial units of open tender participants;

3) date and time of submission of price quotations by participants of open tender.

260. Within the date and time established in the protocol for admission to open tender the

265. In summing up the results of open tender as a whole or on a separate lot system in automatic mode shall form one of the following decisions:

- 1) declare the winner of the tender or repeated open tender;
- 2) declare open tender or repeated open tender as failed due to absence of submitted bids;
- 3) declare open tender or repeated open tender as failed when the bids of potential suppliers were rejected as inconsistent with the conditions of open tender or repeated open tender;
- 4) declare open tender or repeated open tender as failed due to absence of price quotations submitted by participants of tender or repeated open tender;
- 5) declare open tender or repeated open tender as failed when in the open tender or repeated open tender is involved one supplier whose price quotation does not meet the conditions of open tender or repeated open tender.

266. Decision on the results of evaluation and comparison of price quotations no later than thirty minutes after opening of price quotations is generated and published in the system in the form of protocol summarizing the results of tender in compliance with Annex 14 hereof.

Protocol of summarizing the results of open tender formed in the system in accordance with Annex 14 to the Rules shall be signed by electronic signature of customer and placed in the system and in the open part of the registry available to all users, including those not registered in the registry. The person authorized by customer for formation and placement of information in system and the placement of information in the registry.

A paper copy of the report of summarizing the results of open tender generated in the system, shall be signed by Chairman and/or Deputy Chairman, Secretary and all members of Tender Committee present at the date of summons no later than one business day from the date of evaluation and comparison of proposals and giving the details stated in paragraph 267 of the Rules.

Upon written request of potential supplier the paper copy of the report on results of open tender shall be sent within three working days.

267. Protocol of summarizing the results of open tender shall include:

- 1) name and address of the customer in accordance with the classifier of administrative-territorial bodies;
- 2) date, time to summarize the results of open tender;
- 3) members of Tender Committee;
- 4) subject of open tender in accordance with the unified statistical classification of products

4) repeated open tender declared as failed due to absence of price quotations of repeated open tender participants;

5) procurement or repeated procurement method of price quotations is considered failed due to the presence of only one price quotation on conditions as provided for procurement by method of quotations request, potential supplier whose price quotation was not rejected;

6) procurement or repeated procurement method of price quotations is considered failed due to absence of price quotations not rejected;

7) procurement through e-procurement system method of open tender with reduction of price of price quotation requested procurement through e-procurement by method of open tender with reduction of price of price quotation requested is considered as failed due to participation of participant whose price quotation was not rejected as inconsistent with conditions of procurement through e-procurement system, in accordance with the terms of documentation of procurement through e-procurement system for this procurement, from participant of procurement through e-procurement system whose quotation was not rejected as conforming to conditions of procurement through e-procurement system;

8) repeated procurement through e-procurement system by method of open tender with reduction of price of price quotation requested considered as failed due absence of submitted bids of potential suppliers;

9) repeated procurement through e-procurement system by method of open tender with reduction of price of price quotation requested shall be considered as failed due absence of bid that were not rejected as complying with the requirements of tender documentation;

10) repeated procurement through e-procurement system by method of open tender with reduction of price of price quotation requested considered as failed due absence of submitted by participants repeated procurement through e-procurement system by method of open tender with reduction of price of price quotation requested of price quotations;

11) customer that had purchased GWS from a supplier of need to buy GWS from the same supplier for purpose of unification, standardization or ensuring compatibility with existing GWS;

12) services being purchased are for, training and advanced training of employees;

13) GWS is purchased due to malfunction, of a mechanism units in transit, requiring immediate repair;

14) purchase of services related to travel expenses;

15) arbitration fees are paid;

16) purchase of services for property trust;

17) purchase of services for real estate renting;

18) GWS purchased from a legal natural monopoly units;

19) GWS purchased from a person with dominant (monopolistic) position on a particular market of GWS purchasing from the unit of the state monopoly on the main subject of its activity;

20) GWS purchased at prices, tariffs, fees

278. The method of request of price quotations is used in cases where the annual volume of purchases of goods or certain work services in terms of value does not exceed the monthly 14 000 times of monthly calculation index set for the financial year.

279. Division of annual volume of procurement of certain GWS during a single fiscal year into parts size of one of which the sales established in paragraph 278 hereof is prohibited.

280. In conducting of procurement of GWS by method of request price quotations that are not homogeneous allowed for customer to organize and conduct purchase in the mentioned manner with the mandating of such GWS in the procurement announcement into lots.

Procurement of several types of homogeneous GWS by means of request of quotation shall be conducted by division of GWS as per their homogeneous types and their place of delivery (performance, rendering).

In the case if customer conducts purchases by method of price quotations request for similar goods, works or services under several contracts or Subcontracts use it is allowed to purchase such GWS by one lot if they have single place of delivery of goods, services or works, and mandatory indication of list of volumes of purchased GWS under Subsurface use contracts.

In the cases provided for in this paragraph, examination, evaluation and comparison of price quotations as well as determination of winner for each lot shall be conducted for e stipulated in the procurement announcement.

281. Announcement of procurement by method of price quotation, not later

7) amount allocated for purchase of goods and services for each lot, expressed in national currency, VAT excluded;

8) requirement to ensure that a potential supplier shall include in price quotation all the costs associated with provision of goods, works or services, excluding VAT;

9) mail address and phone numbers for request by potential suppliers;

10) required dates of procurement conclusion starting from the date of summarizing the results;

11) information on terms and order of purchase GWS by method of request of price quotations in accordance with paragraph 284 of the Rules;

12) the minimum requirements for local content in the purchased goods or work services, expressed as a percentage for each lot (from 0 to 100);

13) draft of procurement contract indicating the basic conditions is not allowed to enter changes and (or) amendments to the terms of the procurement contract draft after the announcement on procurement of GWS by method of request of price quotations in the system and registry;

14) number (s) of contract (s) for Subsurface use for which procurement is being conducted;

15) procurement code and the address of Internet resource.

283. The announcement of GWS procurement method of request of price quotations published in a periodical issued at least once a week and distributed in the Republic of Kazakhstan in the Kazakh and Russian languages shall contain information specified subparagraphs 1), 2) and 5) of paragraph 5, 17), 215) of paragraph 282 of the Rules.

284. Customer shall be allowed to refuse to conduct GWS procurement not later than one business day prior to the deadline for acceptance of quotations by notice in the system of decision to cancel the procurement method of price quotations request.

285. Potential supplier, not later than the deadline for submission of quotations, shall be permitted to:

1) change and (or) alter the price quotation;

2) withdraw the quotation.

286. Potential supplier is not allowed to submit:

1) more than one quotation per lot;

2) changes and (or) alteration and withdrawal of price quotation after the deadline for submission of quotations.

287. Submission by potential supplier price quotation form of its expressing agreement to supply the goods, works and services in compliance with the conditions stipulated in the draft procurement contract.

288. Price quotation of a potential supplier shall contain:

1) name, address, location, BIN (legal entity) name and location, IIN or BIN (for individuals) and bank details of potential suppliers;

2) e-mail address (em)8.4(enter WSD .179 in prov9.7(enter 1 quotation)Tj ((tho of 0747Ruevchal5han

289. Terms of delivery of goods, works and services shall be specified in the price quotation in accordance with the conditions specified in the announcement posted by customer on conducting procurements by GWS method of price quotations request.

290. Price quotation, signed by electronic signature shall be submitted to customer by placement in the system by authorized potential supplier within the period specified in announcement on GWS purchase method of price quotations request.

291. The fact of submission of price quotation by potential supplier shall be automatically registered in the system containing the information specified in paragraph 288 of the Rules.

292. The system shall not place quotations of potential suppliers that were submitted after the deadline for submission of the tender documentation.

293. In the time set in the announcement on conducting GWS procurement by method of price quotations the system shall conduct opening of price quotations.

294. Within 30 minutes after opening the quotations of potential suppliers, signed by electronic signature and placed in the system, the system shall automatically generate the protocol of opening the price quotations of potential supplier and finalizing the results of procurement by method of price quotations request in compliance with Annex 16 to the Rules.

295. Protocol of opening of envelopes with quotations and finalizing the results of procurement by method of price quotations shall contain the following information:

1) name and address of customer in accordance with the Classification of administrative-territorial bodies;

2) date and time of the procedure of opening quotations and finalizing the results of procurement by method of price quotations request;

3) subject of procurement method of price quotations request in accordance with the model statistical classification of products (name and number of lots, if the subject of procurement by method of price quotations requires several lots), description, unit of measure, in accordance with the inter-state units for measurement and calculation, quantity of goods to be purchased or amount of work performed or services rendered on each lot;

4) name and address of the location (for entities) or full name and address (for individuals), in accordance with the classification of administrative-territorial objects of potential suppliers that submitted quotations;

5) name and address (for legal entities) and name and address (for individuals), of potential suppliers, who have submitted their price quotations;

6) name and address (for legal entities) and name and address (for individuals), of potential suppliers whose price quotations were rejected, indicating the reasons for rejection;

7) prices of open quotations of potential suppliers (on lots);

8) obligation on content in goods or works, or services expressed as a percentage for each lot (from 0 to 100);

including those not registered in the register containing the information listed in paragraph 295 of the Rules.

Paper copy of the protocol of opening quotations and finalizing the result of procurement by method of price quotations request system-generated signed by the chief executive of customer or authorized representative of customer.

Upon written request of potential supplier three working days the copy of protocol of opening envelopes with price quotations shall be sent to the potential supplier.

297. Potential supplier's price quotation shall be rejected if:

- 1) it is greater than the amount allocated for a purchase of these GWS for lot;
- 2) it contains a commitment to local content in the product or work, or a service at a smaller size than the customer specified in the announcement on procurement of means of proposals request posted in the registry and the system;
- 3) the potential supplier does not agree or offers to change (or) add essential terms of the draft of procurement contract.

Deviation of price offers for other reasons is not allowed.

298. Winner of procurement by method of price quotations request shall be determined automatically in the system on the basis of the lowest price offer.

299. If the lowest price quotation is provided by several potential suppliers, winner shall be the potential supplier who offered the highest percentage of local content obligations for purchase of GWS that are the subject of procurement by method of price quotations request.

In case of equality of price proposals of potential suppliers and percentage of local content obligations in purchased GWS which is the subject of procurement by method of price quotations request, the winner is a potential supplier whose price quotation was received earlier than price quotations of other potential suppliers.

300. In the absence of price quotations or a single proposal at a deadline for submission of quotations, customer shall extend acceptance of quotations for a period of five working days from the expiry of the deadline for submission of quotations by notice in the system.

301. In the absence of quotations that are not rejected in accordance with paragraph 297 of the Rules, or the presence of a single price quotation for procurement by method of price quotations request or repeated procurement by method of price quotations request shall be considered as failed.

302. If the purchase by method of price quotations request is considered as failed due to absence of price quotations or absence of quotations that are not rejected in accordance with paragraph 297 of the Rules, the customer shall conduct repeated GWS procurement by method of price quotations request.

If procurement by method of price quotations request or repeated procurement by method of price quotations request is considered as failed due to presence of only one not rejected quotation, customer shall conduct procurement from one source from the potential supplier whose price quotation was not rejected in accordance with the conditions provided for procurement by method of price quotations request or repeated procurement by method of price quotations request in accordance with the conditions established by the Rules.

In the event that winner of procurement by method of price quotations request refuses to conclude a contract, the contract may be concluded with participants of procurement by method of price quotations request whose quotation was the most preferred after quotations of the winner in accordance with provisions summarizing the results of procurement by method of price quotations request.

303. No later than five working days from the date of summarizing the results of procurement by method of price quotations request customer shall place announcement on the results of procurement by method of price quotations request in a newspaper, published at least three times a week and distributed in the Republic of Kazakhstan in the Kazakh and Russian languages, which contain the information specified in subparagraphs 1), 3), 10) in

than one fiscal year, based on the inflation rate defined on the corresponding period by normative legal acts of the Republic of Kazakhstan;

4) in reducing the prices of procurement contracts connected with reducing of demand for purchased GWS at the fixed price per GWS indicated in the procurement contract concluded for purchase of the given goods, works, services.

340. Procurement contract shall be concluded within ten working days from the day of summing up the results of procurement, unless otherwise provided by customer announcement of purchase of GWS.

341. In the cases provided for in the Rules, within ten working days from the date of conclusion of procurement contract, a supplier shall submit security on execution of procurement contract.

342. Procurement contract shall be concluded for a period of no more than one fiscal year, except in the following cases:

1) purchase of works with a term of completion on the following (next) fiscal year (years) as provided for in the design and construction documents;

2) purchase of fixed assets or other items, the technical regulation of manufacturing process of which stipulates their supply in the following (next) fiscal year (years);

3) purchase of GWS with a fixed deadline (rendering, delivery) due to the length of execution is due in the following (and subsequent) year (years), established in the work program;

4) purchase of GWS provided in the medium and long-term programs of GWS procurement.

343. The procurement contract shall be completed in condition that the customer and the supplier have fully executed commitments under the given contract.

344. In the event that a potential supplier within the time prescribed by the Rules, has not provided the customer with the signed procurement contract or, having concluded the procurement contract, failed to submit to the customer security on execution of procurement contract in cases provided for in the Rules, such a potential supplier shall be recognized as avoiding entering into procurement contract.

345. In the event that a potential supplier is recognized as avoiding entering procurement contract, customer shall hold its security for a period in (repeated) open tender (including with reduction of prices of quotations), if the submission is provided by the customer.

Annex 1
to Rules for purchase of goods, works and services of

Annex 2
to Rules for Purchase of Goods, Works and Services
in Performance of Subsurface Use Operations

Data on availability and number of workers

No.	Full name	Position	Work experience in sphere of supply of works and services procured in this open tender	Qualification or specialty as per diploma, certificate and other documents on education	No. of identity document	No. of employment contract	Citizenship
1	2	3	4	5	6	7	8

Signature _____

Stamp area

Annex 3
to Rules for Purchase of Goods, Works and Services
in Performance of Subsurface Use Operations

PROTOCOL No. _____
on opening envelopes with bids submitted by potential suppliers
for participation in open tender for procurement
(name of open tender)

(Location)

(Date and time)

1. Name of customer _____

2. Location of customer _____

3. ____

7. Summary of changes and (or) alterations in tender documentation (if any)

8. Envelopes with bids were submitted by the following potential suppliers:
No. and title of lot

No. No.	Registration number of envelope with tender bid	Name (full name) of the potential supplier	Address of actual location (legal address for an individual) of potential supplier	Date and time of submission of envelope with tender bid
1	2	3	4	5

9. Envelopes with bids were withdrawn by the following potential suppliers:
No. and title of lot

No.	Name (full name) of the potential supplier	Date and time of withdrawal of envelopes with bids
1	2	3

10. Envelopes with bids of following potential suppliers were returned unopened:
No. and title of lot

No.	Name (full name) of the potential supplier	Reasons for return of unopened envelopes with bids
1	2	3

11. Data on changes and (or) alterations of potential suppliers:

No.	Name (full name) of the potential supplier	Address of actual location (legal address for an individual) of potential supplier
1	2	3

12. Information on the content of bids of potential suppliers:

13. Procedure of opening envelopes bids was attended the following representatives of potential suppliers:

No.	Name (full name) of the potential supplier	Full name	Position	No. of identity document	Contact telephone number	Data on conducted audio record
1	2	3	4	5	6	7

14. Signatures

7. Bids of the following potential suppliers examined at procedure for bids examination for admission to open tender:

No. and title of lot

No.	Registration number of envelope with tender bid	Name (full name) of potential supplier	Address of actual location (legal address for an individual) of potential supplier
1	2	3	4

8. Upon review of bids of open tender, the Committee decided (select appropriate):

1) Reject bids of the following potential suppliers:

No. and title of lot

No.	Title (Full name) of potential supplier	Reason for rejection of bids	Notes
1	2	3	4

2) Recognize the following potential s

Annex 5
to Rules for Purchase of Goods, Works and Services
in Performance of Subsurface Use Operations

PROTOCOL No. _____
on summarizing the results of open tender for procurement
(title of open tender)

No.	Registration number of envelope with tender price quotation	Title (Full name) of open tender participant	Actual location address (legal address for individuals) of open tender participant	Date and time of submission of bid with tender price quotation
1	2	3	4	5

7. Envelopes with tender price quotation were drawn by the following participants of open tender:

No. and title of lot

No.	Title (Full name) of open tender participant	Date and time of withdrawal of envelope with tender price quotation
1	2	3

8. Tender price quotations of the following participants of open tender were rejected:

No. and title of lot

No.	Title (Full name) of open tender participant	Reason of rejection of tender price quotation	Notes
1	2	3	4

10.2. To recognize the open tender as failed
(indicate the reason)

No. and title of lot

11. Customer shall enter into contract with the winner:

No. and title of lot

(Name (full name) of the ~~supplier~~ ~~contractor~~ ~~contractor~~ ~~contractor~~, Actual ~~location~~ ~~location~~ ~~location~~ ~~location~~, offered price)

on the results of conducted ~~open~~ ~~tender~~ ~~procurement~~ ~~within~~ the period of

12. The following representatives of ~~operating~~ ~~operating~~ ~~operating~~ ~~operating~~ participants were present at meeting on assessment and evaluation ~~tender~~ ~~tender~~ ~~tender~~ ~~tender~~ price quotations:

No.	Title (Full name) of open tender participant	Full name	Position	No. of identity document	A contact telephone number	Data on conducted audio record
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Annex 6
to Rules for Purchase of Goods, Works and Services
in Performance of Subsurface Use Operations

Protocol on summarizing
the results of procurement from single source
(name of procurement)

1. Title of Customer

2. Address of Customer

3. Reason for procurement from one source:

4. The subject of procurement from one source:

No. and title of lot

Amount allocated for procurement, without VAT: _____ tenge.

Subject of procurement	Description of goods, works and services	Unit	Q-ty of purchased goods or amount of work performed or services rendered
1	2	3	4

5. Number of Subsurface contracts under the procurement is being conducted:

No. and title of lot:

Contract No. _____ dated _____.

6. Date and place of delivery of goods, works and services:

No. and title of lot

No.	Title (Full name) of supplier	Actual location address (legal address for individuals) of supplier	Time of delivery of goods, works and services	Place of supply of goods, works and services	Costs associated with provision of goods, works or services
1	2	3	4	5	6

7. Price offered by supplier for proposed GWS on each lot, expressed in tenge:

No. and title of lot

Amount allocated for procurement, without VAT: _____ tenge.

No.	Title (Full name) of supplier	Deadline for submission of bids	Proposed price without VAT	Commitments to local content in goods or works services expressed in percentage (0 to 100)	Deadline for entering into contract
1	2	3	4	5	6

Annex 7
to Rules for Purchase of Goods, Works and Services
in Performance of Subsurface Use Operations

Protocol
on opening envelopes with price quotations
in procurement through request of price quotations
(name of procurement)

_____ (Address)

_____ (Date and time)

1. Title of Customer

2. Address of Customer

3. Subject of procurement through request for price quotation :
No. and title of lot

Subject of procurement	Description of goods, works and services	Unit	Quantity of purchased goods or amount of work performed or services rendered
1	2	3	4

4. Number of Subsurface contracts under the procurement is being conducted:
No. and title of lot:

Contract No. _____ h l _____.

5. Envelopes with price quotations submitted by the following potential suppliers:
No. and title of lot

No.	Registration number of bid envelop	Name (full name) of potential supplier	Actual location address of potential supplier	Date and time of registration of bid envelop
1	2	3	4	5

6. Envelopes with bids were withdrawn by the following potential of suppliers:
No. and title of lot

No.	Title of potential supplier	Date and time of withdrawal of envelope with bid
1	2	3

7. Envelopes of the following price quotations were returned unopened:
No. and title of lot

No.	Name (full name) of the potential supplier	Reason of returning envelope unopened	Notes
1	2	3	4

8. Prices of opened quotations of potential suppliers:
No. and title of lot

Amount allocated for procurement _____ tenge, without VAT.

No.	Name (full name) of the contractor	Cost price without VAT	Commitments on local
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	potential supplier		content in goods or works or services expressed in percentage (0 to 100)
1	2	3	4

9. Representatives of the following potential suppliers were present at procedure of opening envelopes with price proposals:

No.	Name (full name) of the potential supplier	Full name	Position	No. of identification document	Contact telephone number	Data on conducted audio record
1	2	3	4	5	6	7

10. Signatures

Annex 8
to Rules for Purchase of Goods, Works and Services
in Performance of Subsurface Use Operations

Protocol on summarizing
the results of procurement by price quotations request
(name of procurement)

(Address)

(Date and time)

1. Title of Customer

2. Address of Customer

3. Subject of procurement by method of request for quotation :
No. and title of lot

Subject of procurement	Description of goods, works and services	Unit	Q-ty of purchased goods or amount of work performed or services rendered
1	2	3	4

4. Number of Subsurface contracts under the procurement is being conducted:
No. and title of lot:

Contract No. _____ h l _____.

5. During the procedure of summarizing results of procurement by method of price quotations request the following quotations were opened and examined:

No. and title of lot

No.	Registration number of envelop with quotation	Name (full name) of the potential supplier	Address of actual location (legal address for an individual) of potential supplier	Date and time of submission of envelop with quotation
1	2	3	4	5

6. Price quotations of the following potential suppliers were rejected:
No. and title of lot

No.	Name (full name) of the potential supplier	Reason for rejection of quotation	Notes
1	2	3	4

7. Prices of not rejected quotations of potential suppliers:
No. and title of lot

Amount allocated for procurement, without VAT: _____ tenge.

No.	Name (full name) of potential supplier	Cost in tenge without VAT	Commitments to local content in goods or works or services expressed in percentage (0 to 100)
1	2	3	4

Annex 9
to Rules for Purchase of Goods, Works and Services
in Performance of Subsurface Use Operations

PROTOCOL No. _____
on summarizing the results of procurement through e-procurement system
(name of procurement through e-procurement system)

(Date and time)

1. Title of customer

2. Address of Customer

3. Subject of procurement through e-procurement system:

No. and title of lot

Amount allocated for procurement, without VAT: _____ tenge.

Subject of

Annex 11
to Rules for Purchase of Goods, Works and Services
in Performance of Subsurface Use Operations

Data on availability and number of workers

No. n/n	Full name	Posit ion	Work experience in sphere of supply of works and services procured in this open tender	Qualificatio n or specialty as per diploma, certificate and other documents on education	No. of identity document	No. of employ ment contract	Citizenship
1	2	3	4	5	6	7	8

Digital signature _____

Date and time of submission _____

	tender bid		individual) of potential supplier	with tender bid
1	2	3	4	5

9. Envelopes with bids were ~~withd~~ by the following potential suppliers:
 No. and title of lot

No.	Name (full name) of the potential supplier	Date and time of withdrawal of envelopes with bids
1	2	3

10. Envelopes with bids of following ~~potential~~ suppliers were returned unopened:
 No. and title of lot

No.	Title (Full name for individuals) of potential supplier	Basis for return of unopened envelopes with documents, provided by second, third, fifth item of subparagraph 3) and subparagraph 5) of paragraph 217 of the Rules of procurement of goods, works and services during Subsurface use operations
1	2	3

11. Data on changes and (or) alterations of bids of potential suppliers:

No. No. i/i	Title (Full name for individuals) of potential supplier	Address of location of potential supplier	Date and time of amendments and (or) addenda
1	2	3	4

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Annex 13
to Rules for Procurement of Goods, Works and Services
in the Course of Subsurface Use Operations

PROTOCOL No. _____
on admission of potential suppliers
to participate in open tender for procurement of
(name of open tender)

(Address)

(Date and time)

1. Title of Customer

2. Address of Customer

3. Members of Tender Committee:
Chairman of Tender Committee:

(Full name)

Members of Tender Committee:

(Full name)

(Full name)

Secretary of Tender Committee

(Full name)

conducted procedure of examination of bids of potential suppliers and admission to open tender for procurement: _____

4. Subject of open tender:

No. and title of lot

Subject of procurement	Description of goods, works and services	Unit	Q-ty of purchased goods or amount of work performed or services rendered
1	2	3	4

5. Number of Subsurface contracts under the procurement is being conducted:

No. and title of lot:

Contract No. _____ dated _____.

6. Summary explanation of provisions of documents submitted by potential suppliers

7. Bids of the following potential suppliers examined by Tender Committee:

No. and title of lot

No.	Title (Full name for individuals) of potential supplier	Address of location of potential supplier
1	2	3

8. Upon review of bids of open tender participants the Committee decided (select appropriate):

1) Reject bids of following potential suppliers:

No. and title of lot

No.	Title (Full name for individuals) of potential supplier	Reason for rejection of bids	Notes
1	2	3	4

2) Recognize the following potential suppliers as members of open tender :

No. and title of lot

No.	Title (Full name for individuals) of potential supplier	Application of conditional price reduction
1	2	3

Set the date, time and place of commencing of bid envelopes of open tender participants from _____ to _____.

Set the date of assessment and comparison of bids of open tender participants for _____.

9. Signatures

Annex 14
to Rules for Procurement of Goods, Works and Services
in the Course of Subsurface Use Operations

PROTOCOL No. _____
on summarizing the results of open tender for procurement
(title of open tender)

(Date and time)

1. Title of Customer

2. Address of Customer

3. Members of Tender Committee:

Chairman of Tender Committee:

(Full name)

Members of Tender Committee:

(Full name)

(Full name)

Secretary of Tender Committee

(Full name)

conducted procedure on determining winner of open tender for procurement:

4. Subject of open tender:

No. and title of lot

Subject of procurement	Description of goods, works and services	Unit	Q-ty of purchased goods or amount of work performed or services rendered
1	2	3	4

1	2	3	4
---	---	---	---

7. Price quotations were withdrawn by the following participants of open tender:
No. and title of lot

No.	Title (Full name for individuals) of open tender participant	Date and time of withdrawal of price quotations
1	2	3

8. Tender price quotations of the following participants of open tender were rejected:
No. and title of lot

No.	Title (Full name for individuals) of open tender participant	Reason of rejection of tender price quotation	Notes
1	2	3	4

9. Prices of not rejected quotations of open tender participants:
No. and title of lot

11. Customer shall enter into contract with the winner:

No. and title of lot

(Title (Full name for individuals) of winner, actual address, offered price)

as per results of conducted procurement by method off open tender during _____ days from the date of results of open

tender

12. Procurement code: _____

Internet resource of the system: _____.

13. Signatures

Annex 15
to Rules for Procurement of Goods, Works and Services
in the Course of Subsurface Use Operations

Protocol on summarizing
the results of procurement from single source
(name of procurement)

1. Title of Customer

2. Address of Customer

3. Reason for procurement from single source:

4. Subject of procurement from single source:

No. and title of lot

Amount allocated for procurement, without VAT: _____ tenge.

Subject of procurement	Description of goods, works and services	Unit	Q-ty of purchased goods or amount of work performed or services rendered
1	2	3	4

5. Number of Subsurface contracts under the procurement is being conducted:

No. and title of lot:

Contract No. _____ h l _____.

6. Title of supplier, Date and place of delivery of goods, works and services:

No. and title of lot

No.	Title (Full name for individuals) of supplier	Address of location of supplier	Time of delivery of goods, works and services	Place of supply of goods, works and services
1	2	3	4	5

7. Price offered by supplier for proposed goods, works and services, expressed in tenge, includes all costs associated with the procurement:

No. and title of lot

Amount allocated for procurement, without VAT: _____ tenge.

No.	Title (Full name for individuals) of supplier	Proposed price without VAT	Commitments to local content for goods or works or services expressed in percentage (0 to 100)	Deadline for entering into contract
1	2	3	4	5

8. Signatures

Annex 16
to Rules for Procurement of Goods, Works and Services
in the Course of Subsurface Use Operations

Protocol
on opening of price quotations and summarizing the results of procurement by
request of price quotations
(name of procurement)

Annex 17
to Rules for Procurement of Goods, Works and Services
in the Course of Subsurface Use Operations

PROTOCOL No. _____
on summarizing the results of open tender with reduction of prices of price
quotations (title of procurement through e- procurement system)

(Date and time)

1. Title of Customer

2. Address of Customer

3. Members of Tender Committee:

Chairman of Tender Committee:

(Full name)

Members of Tender Committee:

(Full name)

(Full name)

Secretary of Tender Committee

(Full name)

conducted the procedure to determine the winner of open tender with reduction of price quotation for procurement:

4. Subject of procurement of open tender with reduction of price of tender price quotations:

No. and title of lot

Amount allocated for procurement, without VAT: _____ tenge.

Subject of procurement	Description of goods, works and services	Unit	Q-ty of purchased goods or amount of work performed or services rendered
1	2	3	4

5. Number of Subsurface contracts under which the procurement is being conducted:

No. and title of lot:

Contract No. _____ dated _____.

6. Tender price quotations were submitted by the following participants of open tender with reduction of price of tender price quotation:

No. and title of lot

No.	Title (Full name for individuals) of open tender participant with reduction of price of tender price	Address of location of open tender participant with reduction of price of tender price quotation	The date and time for submission of price quotations

	quotation		
1	2	3	4

7. Prices of tender price quotations of participants of tender with reduction of prices of price quotations:

No. and title of lot

Amount allocated for procurement _____ tenge.

No.	Title (Full name for individuals) of open tender participant with reduction of prices of price quotations	Cost in tenge without VAT	Conditional price in tenge without VAT
1	2	3	4

8. Tender Committee assessed and compared, if not rejected quotations of participants of open tender with reduction of prices of quotations and decided to (select appropriate):

1) Recognize as a winner of open tender with reduction of prices of quotations

No. and title of lot

No.	Title (Full name for individuals)	Address of location	Proposed price without VAT	Commitments to local content in goods or works or services expressed in percentage (0 to 100)
1	2	3	4	5

Potential suppliers whose quotations are the most preferred after quotations of the winner:

No. and title of lot

No.	Title (Full name for individuals)	Address of location	Proposed price without VAT	Commitments to local content in goods or works or services expressed in percentage (0 to 100)
1	2	3	4	5
1.				
2.				

2) To recognize the open tender as abandoned
(indicate the reason)

No. and title of lot

9. Customer shall enter into contract with the winner:

No. and title of lot

(Title (Full name for individuals) of winner, actual loca

Internet resource of the system: _____.

11. Signatures
