



On approval of the Rules for the Procurement of Goods, Works and Services by the National Bank of the Republic of Kazakhstan, Its Departments, Organizations within Its Structure, and Legal Entities, Fifty and More Percent of Voting Shares (Equity Interest) of Which Belong to the National Bank of the Republic of Kazakhstan or Are in Its Trust Management, and Legal Entities Affiliated with Them

Unofficial translation

Resolution of the Board of the National Bank of the Republic of Kazakhstan dated August 27, 2018 № 192. Registered with the Ministry of Justice of the Republic of Kazakhstan on September 14, 2018 № 17374.

Unofficial translation

Footnote. The heading as reworded by the Resolution of the Board of the National Bank dated 21.11.2022 № 109 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

In accordance with subparagraph 75) of the part two of article 15 of the Law of the Republic of Kazakhstan dated March 30, 1995 "On the National Bank of the Republic of Kazakhstan" the Board of the National Bank of the Republic of Kazakhstan **HEREBY RESOLVES AS FOLLOWS:**

1. To approve the attached Rules for the Procurement of Goods, Works and Services by the National Bank of the Republic of Kazakhstan, Its Departments, Organizations within Its Structure, and Legal Entities, Fifty and More Percent of Voting Shares (Equity Interest) of Which Belong to the National Bank of the Republic of Kazakhstan or Are in Its Trust Management, and Legal Entities Affiliated with Them.

Footnote. Paragraph 1 as reworded by the Resolution of the Board of the National Bank dated 21.11.2022 № 109 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

2. The following Resolutions shall be deemed to have lost force:

1) resolution of the Board of the National Bank of the Republic of Kazakhstan No 237 dated December 19, 2015 "On approval of the Rules for the Procurement of Goods, Works and Services by the National Bank of the Republic of Kazakhstan, Its Departments, Organizations within Its Structure, and Legal Entities, Fifty and More Percent of Voting Shares (Equity Interest) of Which Belong to the National Bank of the Republic of Kazakhstan or Are in Its Trust, and Legal Entities Affiliated with Them" (registered in the Register of State Registration of Regulatory Legal Acts under № 12994, published in "Adilet" Legal Information System of Regulatory Legal Acts of the Republic of Kazakhstan on March 2, 2016);

2) resolution of the Board of the National Bank of the Republic of Kazakhstan № 187 dated September 27, 2017 “On Amendments to Resolution of the Board of the National Bank of the Republic of Kazakhstan № 237 dated September 19, 2015 “On approval of the Rules for the Procurement of Goods, Works and Services by the National Bank of the Republic of Kazakhstan, Its Departments, Organizations within Its Structure, and Legal Entities, Fifty and More Percent of Voting Shares (Equity Interest) of Which Belong to the National Bank of the Republic of Kazakhstan or Are in Its Trust, and Legal Entities Affiliated with Them” (registered in the Register of State Registration of Regulatory Legal Acts under № 15907, Published on October, 24, 2017 in the Reference Control Bank of Regulatory Legal Acts of the Republic of Kazakhstan).

3. In accordance with the procedure established by the legislation of the Republic of Kazakhstan, Planning and Budget Management (Adibayev A.S.) shall:

1) jointly with the Legal Department (N. V. Sarsenova) ensure the state registration of this resolution with the Ministry of Justice of the Republic of Kazakhstan;

2) within ten calendar days of the state registration of this resolution, send it in Kazakh and Russian to the Republican State Enterprise with the Right of Economic Management “Republican Center of Legal Information” for its official publication and inclusion into the Reference Control Bank of Regulatory Legal Acts of the Republic of Kazakhstan;

3) place this resolution on the official Internet resource of the National Bank of the Republic of Kazakhstan after its official publication;

4) within ten working days of the state registration of this resolution, submit the information on the implementation of measures, provided for in subparagraphs 2), 3) of this paragraph and paragraph 4 of this resolution, to the Legal Department.

4. Within ten calendar days of the state registration of this resolution, the Directorate for the Protection of the Rights of Consumers of Financial Services and External Communications (A.L. Terentyev) shall send its copy to print periodicals for official publication.

5. Deputy Chairman of the National Bank of the Republic of Kazakhstan D.T. Galiyeva shall be entitled to control the execution of this resolution.

6. This resolution shall enter into force upon the expiry of ten calendar days after the day of its first official publication.

*Chairman of the
National Bank*

D. Akishev

Approved by
Board Resolution
of the National Bank
of the Republic of Kazakhstan
№ 192 dated August 27, 2018

The Rules for the Procurement of Goods, Works and Services by the National Bank of the Republic of Kazakhstan, Its Departments, Organizations within Its Structure, and Legal Entities,

Fifty and More Percent of Voting Shares (Equity Interest) of Which Belong to the National Bank of the Republic of Kazakhstan or are in Its Trust Management, and Legal Entities Affiliated with Them

Footnote. The heading of the rules as reworded by the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated 21.11.2022 №109 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Chapter 1. General provisions

1. These Rules for the Procurement of Goods, Works and Services by the National Bank of the Republic of Kazakhstan, Its Departments, Organizations within Its Structure, and Legal Entities, Fifty and More Percent of Voting Shares (Equity Interest) of Which Belong to the National Bank of the Republic of Kazakhstan or Are in Its Trust Management, and Legal Entities Affiliated with Them (hereinafter referred to as the Rules) determine the procedure for the procurement of goods, works and services by the National Bank of the Republic of Kazakhstan (hereinafter referred to as the National Bank), its departments, organizations within its structure, and legal entities, fifty and more percent of voting shares (equity interest) of which belong to the National Bank of the Republic of Kazakhstan or are in Its Trust Management, and legal entities affiliated with them, with the exception of:

- services acquired from individuals who are not business entities, under labor contracts and paid services contracts;

- goods, works, services required for the implementation of monetary activities, as well as the activities on management of the National Fund of the Republic of Kazakhstan and pension assets of the unified accumulative pension fund;

 - business travel expenses;

 - making contributions (deposits), including in the authorized capital of legal entities;

 - security purchases;

 - payments of remuneration to members of the governing body and supervisory board;

 - goods, services related to hospitality expenses;

- services of government agencies unless otherwise specified by the laws of the Republic of Kazakhstan;

- payment of fees, other expenses necessary for resolving disputes in courts, arbitration and mediation courts;

- payment of fees and charges established by the legislation of the Republic of Kazakhstan or other countries;

 - goods, works, services for the production related to the government entrepot;

 - services of lawyers, notaries, private law enforcement officers;

 - transfer agent services, financial services, except insurance services;

services of foreign securities depositories and banks, goods and services required for their provision, as well as services for the inclusion of the pension system of Kazakhstan in the Global Pension Index;

services for trust management of property;

services of temporary storage warehouses and payment of fees related to such services, other payments;

training services in "Nazarbayev University" autonomous educational organization, as well as advanced training courses, seminars, trainings, internships and in the field of higher postgraduate education abroad;

goods, works, services as part of the activities carried out due to the occurrence of force majeure circumstances, including those aimed at prevention and liquidation of emergency situations and their consequences, as well as in case of breakdowns, failure of mechanisms, units, equipment, software and hardware, spare parts and materials, requiring immediate repair (in the presence of supporting documents), for liquidation of accidents at electric power facilities, life support communication systems, vital facilities of information and communication infrastructure, government facilities of especial importance and terrorist-vulnerable facilities, as well as industrial facilities and activities identified as hazardous production facilities in accordance with order № 353 of the Minister for Investments and Development of the Republic of Kazakhstan dated December 30, 2014 "On approval of the Rules for Identification of Hazardous Production Facilities", registered in the Register of State Registration of Regulatory Legal Acts under № 10310;

goods, works, services by branches and representative offices of the customer located beyond the territory of the Republic of Kazakhstan, as well as goods, works, services purchased through internal cooperation;

goods via commodity exchanges;

goods, works, services required for the implementation of state programs, instructions of the President of the Republic of Kazakhstan, decisions and instructions of the Security Council of the Republic of Kazakhstan, decisions of the Board or the Board of Directors of the National Bank. The list of cases of acquisition of goods, works, services on the basis of decisions of the Board of Directors of the National Bank is provided in Annex 1 to these Rules;

goods, works, services to ensure law and order, national, economic security, as well as related to the need to comply with the legislation of the Republic of Kazakhstan about state secrets and other information with limited access;

goods, works, services from entities of state and natural monopoly;

water supply, sewerage, gas, electricity, heat supply services;

goods, works, services at prices and tariffs established by the legislation of the Republic of Kazakhstan or other countries, or a person, specified by the legislation of the Republic of Kazakhstan;

property sold at bids (auctions), tenders at privatizing of state property;
goods, works, services that are objects of intellectual property of an entity with exclusive rights in respect of goods, works, services procured;

consulting and legal services on the issues and (or) documents related to the application of foreign law, on assessing the prospects of proceedings, protecting and representing the interests of the customer in international arbitration, international commercial arbitration, foreign judicial bodies, as well as in the process of arbitration (judicial) dispute resolution.

Footnote. Paragraph 1 as amended by the resolutions of the Board of the National Bank of the Republic of Kazakhstan dated 23.12.2019 № 253 (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 18.05.2020 № 70 (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 19.04.2021 № 43 (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 22.06.2022 № 55 (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 21.11.2022 № 109 (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 27.03.2023 № 23 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

2. The following concepts shall be used in the Rules:

1) a potential supplier - a legal entity, a temporary association of legal entities (consortium), an individual engaged in entrepreneurial activities, applying to conclude a procurement contract with the customer. An individual who is not a business entity shall be a potential supplier in the case of purchase (rent) by the customer of a dwelling belonging to such an individual on the right of private ownership;

2) an affiliated person of a potential supplier - any individual or legal entity that determines decisions and (or) influences the decisions made by a potential supplier, including by virtue of a transaction concluded in writing, as well as any individual or legal entity in relation to which a potential supplier has such a right;

3) homogeneous goods, works, services - goods, works, services that, while not identical, have similar characteristics and consist of similar components, allowing them to perform the same functions and be interchangeable;

4) unification - the acquisition of goods, works, and services, aimed at eliminating excessive diversity by reducing the list of acceptable elements and solutions, bringing them to uniformity;

5) budget - budget (cost estimate), business plan (annual budget), customer development plan;

6) a supplier - a legal entity, a temporary association of legal entities (consortium), an individual engaged in entrepreneurial activities, acting as a counterparty of the customer in a

procurement agreement concluded with him. An individual who is not a business entity shall be a supplier in the case of purchase (rent) by the customer of a dwelling belonging to such an individual on the right of private ownership;

7) work - an activity that has a tangible result, as well as other activities related to work;

8) service - an activity aimed at satisfying the customer's needs, which does not have a tangible result;

9) financial year - a period of time starting on January 1 and ending on December 31 of the current year;

10) complex works in construction - a set of works, including design and survey works, turnkey construction of facilities of the National Bank of the Republic of Kazakhstan and related services, and (or) supply of goods;

11) the register of unscrupulous participants in public procurement - a list of potential suppliers and suppliers, formed in accordance with the laws of the Republic of Kazakhstan "On Public Procurement" (hereinafter - the Law on Public Procurement), "On Procurement of Certain Subjects of the Quasi-Public Sector";

12) an expert commission (expert) - a collegial body (specialist) created (determined) by the customer (procurement organizer) to prepare an expert opinion on the compliance or non-compliance of proposals of potential suppliers with the requirements of the customer's technical specifications in relation to the purchased goods, works, services;

13) procedure for organizing and conducting procurement - a set of interrelated, sequential activities carried out by the customer (procurement organizer) in accordance with the Rules, for the purpose of purchasing goods, works, services;

14) procurement organizer - a division, branch or department of the customer, a legal entity determined by the decision of the customer to be responsible for the procedure for organizing and conducting procurement;

15) procurement portal - an information system that provides a single point of access to electronic procurement;

16) a customer - the National Bank represented by its divisions, branches, representative offices, departments, as well as organizations included in the structure of the National Bank, legal entities, fifty or more percent of voting shares (stakes in the authorized capital) of which belong to the National Bank or are in its trust management, and legal entities affiliated with them;

17) standardization - the purchase of goods, works, and services, aimed at achieving the optimal degree of streamlining the requirements for goods, work, services, and processes by establishing provisions for general, repeated, and voluntary use in relation to actually existing and potential tasks;

18) procurements – purchase at the expense of the customer's budget of goods, works, and services in the manner established by the Rules;

19) tender commission - a collegial body created by the customer to conduct procurement of goods, works, and services by tender;

20) long-term contract - a procurement contract concluded for a period of more than 12 (twelve) months;

21) organizations of the National Bank - organizations included in the structure of the National Bank, legal entities, fifty or more percent of voting shares (stakes in the authorized capital) of which belong to the National Bank or are in its trust management, and legal entities affiliated with them;

22) goods - an object (thing), including semi-finished products or raw materials in a solid, liquid or gaseous state, electrical and thermal energy, objectified results of creative intellectual activity, real rights with which it is allowed to make purchase and sale transactions;

23) internal cooperation - the purchase of goods, works, services by the customer (purchase organizer) from the National Bank, the National Bank organization, or their affiliated persons within the framework of activities provided for by their regulations or charter, as well as aimed at maintaining and ensuring the uninterrupted and continuous implementation of the customer's activities;

24) electronic procurement - the purchase of goods, works, and services using the procurement portal, the operator of which is the joint-stock company "Banking Service Bureau of the National Bank of Kazakhstan";

25) a procurement contract - a civil legal transaction in writing for the supply of goods, performance of works, provision of services, concluded between the customer and the supplier, in accordance with the Civil Code of the Republic of Kazakhstan (General Part) dated December 27, 1994, the Civil Code of the Republic of Kazakhstan (Special part) dated July 1, 1999 (hereinafter - the Civil Code of the Republic of Kazakhstan) and the Rules.

Footnote. Paragraph 2 is in the wording of the resolution of the Board of the National Bank of the Republic of Kazakhstan dated 31.07.2023 № 58 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

3. Customer (organizer of procurement) in procurement based on the principles of:

1) optimal and efficient spending of money used for procurement;

2) providing potential suppliers with equal opportunity to participate in the procurement procedure, except as provided by the Rules;

3) fair competition among potential suppliers;

4) openness and transparency of the procurement process;

5) excluded by the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated 23.12.2019 № 253 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Footnote. Paragraph 3 as amended by the Resolution of the Board of the National Bank of

the Republic of Kazakhstan dated 23.12.2019 № 253 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

4. The procurement process of goods, works, services shall include:

- 1) formation and approval of the plan for the procurement of goods, works, services;
- 2) selection of a supplier of goods, works, services and conclusion of a procurement contract with him;
- 3) execution of a procurement contract.

5. In order to carry out procedures for organizing and conducting procurement, the customer shall determine by his/her decision the organizer of procurement.

6. Customers shall be entitled to determine the legal entity as the sole organizer of procurement. The sole organizer of the procurement responsible for the implementation of the procedures for organizing and conducting procurement shall be determined by the joint decisions of the customers.

6-1. The operator of the procurement portal shall carry out:

- 1) implementation, development, maintenance and system maintenance of the procurement portal;
- 2) project management for the development of the procurement portal;
- 3) provision of customers and potential suppliers with access to the procurement portal on a paid basis. The price for access services by customers and potential suppliers to the procurement portal is set by the operator of the procurement portal;
- 4) provision of consulting assistance to the customer (organizer of procurement), potential suppliers on the functioning of the procurement portal free of charge;
- 5) ensuring information security of storage of electronic information resources posted on the procurement portal;
- 6) ensuring the content of the procurement portal in accordance with the Rules;
- 7) interaction with authorized entities on the issues of integration of information systems of state bodies, state electronic information resources and ensuring information security;
- 8) maintaining a database of suppliers who have not fulfilled their obligations under procurement contracts previously concluded between them and the customer, as well as potential suppliers who have evaded concluding a procurement contract (hereinafter referred to as the database).

Non-fulfilling obligations under procurement contracts include suppliers who did not supply goods, did not provide services and did not perform work, including not in full, with whom procurement contracts were unilaterally terminated.

The database is unified for all customers and, prior to the implementation of the procurement portal, is placed on the official Internet resource of the National Bank.

Footnote. The Rules were amended with paragraph 6-1 in accordance with the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated 23.12.2019 № 253 (shall be enforced upon expiry of ten calendar days after the date of its first official publication

); as amended by the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated 18.05.2020 № 70 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

6-2. Information sent by customers in accordance with paragraphs 176-1 and 192-1 of the Rules shall be placed in the database by the procurement portal operator within 1 (one) business day from the date of its receipt, indicating the date of termination of the contract and the recognition of the potential supplier as having evaded the conclusion of the contract.

Information about the supplier or potential supplier shall be excluded from the database after 2 (two) years from the date of termination of the contract between him and the customer or his recognition as having evaded the conclusion of the contract.

Footnote. The Rules were amended with paragraph 6-2 in accordance with the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated 18.05.2020 № 70 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

7. Documents on conducting (conducted) procurement shall be stored by the customer (organizer of procurement) in accordance with the approved file register of the customer (organizer of procurement).

8. Potential supplier and its affiliated entity shall not be eligible to participate in the same tender (lot).

Footnote. Paragraph 8 as reworded by the Resolution of the Board of the National Bank dated 21.11.2022 № 109 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Chapter 2. Planning the procurement of goods, works, services

9. On the basis of the approved budget the customer shall develop a plan of the procurement of goods, works, services (hereinafter referred to as the Procurement Plan) in the form according to Annex 1-1 to the Rules.

Footnote. Paragraph 9 as reworded by the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated 23.12.2019 № 253 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

10. The procurement plan shall be formed for the financial year based on the customer's need for goods, works, and services, including, to ensure the functioning, as well as the performance of state functions or the statutory activities of the customer in accordance with the procedure, prescribed by the Rules.

Footnote. Paragraph 10 as reworded by the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated 23.12.2019 № 253 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

11. The procurement plan (amendments and (or) additions thereto) shall be approved by the first head of the customer or other entity authorized by him/her, and shall contain the following information:

- 1) the name of procured goods, works, services;
- 2) amounts allocated for the procurement of goods, works, services, excluding value added tax;
- 3) the method and terms for procurement of goods, works, services.

When the customer plans concluding a long-term contract, the amount allocated for the procurement shall be indicated in the procurement plan with the breakdown for every financial year.

12. The customer, within 5 (five) working days from the date of approval of the procurement plan (making amendments and (or) additions thereto) shall place it on the customer's Internet resource and (or) on the procurement portal.

13. Procurement of goods, works and services shall be carried out by the customer (organizer of procurement) on the basis of the approved procurement plan.

14. Refusal to procure goods, works, and services shall be allowed in cases:

- 1) reducing expenditures of procurement goods, works, services;
- 2) reasonable inexpediency of procurement goods, works, services;
- 3) occurrence of force majeure.

15. Refusal to procure goods, works, and services by the customer shall be carried out on the basis of relevant amendments in the procurement plan.

Within 5 (five) working days from the date of the customer's decision, the organizer of procurement shall carry out the following:

1) notifies on the decision taken of entities participating in the ongoing procurement, and publishes a corresponding announcement on the customer's (organizer of procurement) Internet resource and (or) on the procurement portal;

2) returns paid collateral for tenders and (or) execution of contracts.

16. In case of refusal of the customer to procure goods, works, services on the grounds specified in subparagraphs 1) and 2) of paragraph 14 of the Rules, making amendments and (or) additions to procurement plan in terms of increasing needs and their procurement expenditures or the occurrence of the expediency of procurement such goods, works, services in the current year shall be prohibited.

Chapter 3. Procurement methods

17. Procurement shall be made by one of the following methods:

- 1) tender method including the use of trading on a price reduction;
- 2) quotation request method;
- 3) direct contracting.

18. Procurement conducted by the methods provided for in paragraph 17 of the Rules shall be also conducted via electronic procurement in accordance with the procedure prescribed by the Rules.

Footnote. Paragraph 18 as reworded by the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated 18.05.2020 № 70 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

19. The method of procurement of goods, works, and services shall be chosen by the customer independently.

20. The customer shall determine the method of procurement on the basis of the annual volumes of goods, works, services necessary to support the activities of their branch and (or) representative office, subject to such procurement on behalf of the customer directly by the customer's branch, representative office.

Footnote. Paragraph 20 as reworded by the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated 18.05.2020 № 70 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Chapter 4. Procurement by tender method Paragraph 1. The procedure for organizing and conducting procurement of goods, works, services by tender method

21. In the procurement of goods, works, services that are not similar, the organizer of the procurement shall conduct procurement by the tender method with the separation of such goods, works, services per lots according to their similar types.

22. To organize and conduct of procurement by tender method, the customer shall approve:

1) composition of the tender commission, candidacy of the secretary of the tender commission, as well as in the cases stipulated by the Rules, the composition of the expert committee (the candidature of the expert);

2) tender conditions including:

technical specification of procured goods, works, services (hereinafter referred to as the Technical Specification), compiled in accordance with Annex 2 to the Rules, containing a complete description and the required functional, technical, quality characteristics of the procured goods, works, services;

criteria for estimating requests from potential suppliers and their values in accordance with Annex 3 to the Rules (if any);

draft of procurement contract.

23. Technical Specifications shall not indicate trademarks, service marks, company names, patents, utility models, industrial designs, appellations of origin and manufacturer, as well as other characteristics that determine the attachment of the procured goods, works, services to an individual potential supplier, except for the cases of procurement of goods, works, services necessary for:

1) refitting, modernization, re-equipment, technical support of installed equipment, as well as software (licensed software, information system);

2) repair and (or) maintenance, system and technical maintenance of the goods (equipment) possessed by the customer.

Footnote. Paragraph 23 as amended by the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated 21.11.2022 № 109 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

24. The need to establish criterion for estimating applications of potential suppliers shall be determined by the customer independently.

25. Criteria for estimating applications of potential suppliers and the value of their significance (hereinafter referred to as the Estimating Criterion) determined in accordance with the Method of Application of Criterion for Estimating Applications of Potential Suppliers and Calculating the Value of Their Significance, provided for in Annex 4 to the Rules.

26. Technical specification development, establishing criterion for estimating applications of potential suppliers and the value of their significance shall be provided by employees of departments (branches) of the customer, whose functions correspond to the subject of the procured goods, works, services.

27. The tender commission shall not apply the estimation criterion to applications from potential suppliers, who do not submit the documents containing information allowing them to apply estimation criterion. Failure to submit by a potential supplier of documents shall not be the ground for rejecting such an application.

28. The decisions of the tender commission shall be documented in the form of procurement reports, signed by the members of the tender commission, initialed per sheet by its secretary and no later than 2 (two) working days from the date of their signing, shall be published by the secretary of the tender commission on an Internet resource of the customer (organizer of procurement).

29. When conducting electronic procurement by tender method the procurement protocols shall be signed by the members of the tender commission, by its secretary using the electronic digital signatures and published on the procurement portal with automatic notification of the tender participant.

Paragraph 2. Tender commission, expert commission (expert)

30. The tender commission shall consist of the chairman, deputy chairman, members of the tender commission and a secretary of the tender commission.

31. The tender commission shall be formed from the number of employees of the customer (organizer of procurement).

32. The chairman of the tender commission shall be the first head of the customer or another person authorized by him/her.

During the absence of the chairman of the tender commission, his/her functions shall be performed by the deputy chairman of the tender commission. The total number of members of the tender commission shall be an odd number and in an amount of at least 3 (three) people.

33. The tender commission shall be valid from the date of entry into force of the decision on its creation and shall terminate its activity from the date of conclusion of the procurement contract. In the event that the tender does not take place, the tender commission shall terminate its activities after the signing of the protocol on the results of the procurement.

34. The meetings of the tender commission shall be held under the condition of the presence of a majority of the members of the tender commission.

In the absence of any member of the tender commission, the procurement protocol shall indicate the reason for his/her absence or he/she shall be replaced based on the decision of the customer.

35. The decision of the tender commission shall be made by open voting and shall be considered adopted, if it is voted for, by the majority of votes from the total number of present members of the tender commission. In case of equality of votes, the decision shall be considered to be taken, , the chairman of the tender commission or his/her deputy (in case of absence of the chairman of the tender commission) votes for.

A member of the tender commission, in case of disagreement with the decision of the tender commission, shall express a special opinion, which shall be substantiated in writing and attached to the procurement protocol.

The secretary of the tender commission shall not be a member of the tender commission and shall have no right to vote when the tender commission makes a decision.

36. The estimation of technical specifications, criterion for estimation of tender applications of potential suppliers for compliance with the terms of the tender shall be carried out by the members of the tender commission from among the employees of the customer's division (branch), whose functions correspond to the subject matter of the procured goods, works, services.

37. The organizational activity of the tender commission shall be provided by the secretary of the tender commission, who:

- 1) provides the tender commission with the necessary documents, organizes the meeting of the tender commission;
- 2) prepares procurement protocols;
- 3) ensures the safety of documents and tender materials;
- 4) carries out other functions stipulated by the Rules.

38. To prepare a technical specification or to review and evaluate tender applications of potential suppliers for compliance or non-compliance of the technical specification approved by the customer, an expert commission (an expert) may be invited on the basis of the customer's decision (the organizer of the procurement).

Entities interested in the results of procurement shall not be involved as experts.

39. If the customer (organizer of procurement) does not have experts with the necessary qualifications, it shall be allowed to involve experts on a paid or free of charge basis by agreement of the parties.

In the case of involvement several experts, the customer (organizer of procurement) shall form an expert commission and shall determine the head of the expert commission from among the involved experts.

40. The expert commission (expert), based on the results of the estimation of tenders of potential suppliers, shall draw up an expert opinion and shall not have a vote when the tender commission makes a decision.

The opinion of the expert commission (expert) shall be taken into account by the tender commission if it is made within the limits of the requirements. The expert opinion shall be in writing form, signed by the expert commission (expert) and attached to the protocol on the results of the tender.

In case of disagreement of a member of the expert commission, with the opinion of the expert commission, he/she shall express a special opinion in writing, attached to the opinion of the expert commission and being its integral part.

Paragraph 3. Procedure for announcement about the tender, explanation of tender terms

41. When conducting an electronic procurement by the tender method, the organizer of the procurement, no later than 5 (five) working days from the date of the decision on holding a tender, and no less than 10 (ten) calendar days before the deadline for submission of tenders by potential suppliers, shall publish on the Internet resource of the customer (the organizer of procurement) or on the procurement portal, the announcement of the tender with the terms of the tender in the form according to Annex 5 to the Rules.

42. Announcement of the re-tender with the terms of the tender shall be published by the organizer of the procurement, no later than 5 (five) working days from the date of the decision to re-procurement, but not less than 7 (seven) calendar days before the deadline for submission of tenders.

43. In the case of need for clarification of the tender terms, the potential suppliers shall make a request to the organizer of procurement at least 5 (five) calendar days before the expiration of the deadline for submission of tender applications.

A request for clarification of the tender terms shall be sent to the organizer of procurement in written form to the email or postal address of the organizer of procurement, specified in the announcement, or posted on the procurement portal when conducting electronic procurement.

Footnote. Paragraph 43 as reworded by the Resolution of the Board of the National Bank dated 21.11.2022 № 109 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

44. The clarification of tender terms shall be carried out by the organizer of the procurement.

45. The organizer of the procurement, within 2 (two) working days from the date of the request, shall:

1) publish a text explaining the tender terms on the customer's (organizer of procurement) internet resource or on the procurement portal when conducting electronic procurement by the tender method;

2) without specifying the sender of request, send the text of the explanation of the tender terms to potential suppliers who obtained access to the tender terms by e-mail or automatically notify potential suppliers via the procurement portal when conducting electronic procurement by the tender method.

46. The organizer of the procurement, no later than 3 (three) calendar days before the expiration of the deadline for submission of tenders on its own initiative or in response to a request from a potential supplier, shall make changes and (or) additions to the terms of the tender.

Changes and (or) additions to the tender terms shall be made by making an appropriate decision by the customer.

47. The organizer of the procurement, no later than 2 (two) working days from the date of the decision to make changes and (or) additions to tender terms, shall place the text of the changes and (or) additions to tender terms on the customer's Internet resource (organizer of the procurement) or on the procurement portal when conducting electronic procurement by the tender method.

The deadline for submission of tenders shall be extended by at least 5 (five) calendar days

Paragraph 4. Procedure for submission of tender application

48. The tender application shall be the form of expression of consent of a potential supplier to supply goods, perform work, provide services in accordance with the terms of the tender.

49. The potential supplier shall submit 1 (one) tender application before the expiration of the deadline for its submission specified in the announcement.

50. The tender application submitted to the organizer of procurement by the potential supplier shall contain:

1) an application for participation in a tender completed and signed by an authorized person of a potential supplier according to the form in Annex 6 to the Rules or when conducting electronic procurement the agreement on participation in a tender in the form according to Annex 7 to the Rules.

When submitting a tender application, the potential supplier shall confirm the accuracy of the information specified therein;

2) the list of documents submitted by the potential supplier to confirm its compliance with the qualification requirements:

documents confirming legal capacity for legal entities, civil capacity for individuals:

legal entity shall submit a copy of the charter approved in accordance with the procedure established by the legislation of the Republic of Kazakhstan, except for cases when a legal entity operates on the basis of the Model Charter, non-residents of the Republic of Kazakhstan submit a copy of an apostilled (legalized) extract from the trade register with notarized translation into Kazakh and (or) Russian languages (in case of submission of documents in a foreign languagee);

permissions (notifications) received (sent) in accordance with the legislation of the Republic of Kazakhstan on permits and notifications, in the form of an electronic document, details of which are confirmed in the information systems of state bodies (in the absence of information in the information systems of state bodies, the potential supplier shall submit a copy of the relevant permission (notification) received (sent) in accordance with the legislation of the Republic of Kazakhstan on permissions and notifications);

a copy of a certificate or a statement of state registration (re-registration) of a legal entity;

a copy of an extract from the constituent documents (if the charter does not contain information about the founders or the composition of the founders), containing information about the founder or the composition of the founders, or a copy of the certificate of major shareholders, issued no earlier than one month prior to the date of opening tender applications ;

the information on the category of business entity in the form of an electronic certificate, obtained from an electronic database containing information on categories of business entities (for individuals);

a copy of an identity document (for individuals);

documents confirming the compliance of the involved subcontractors or co-contractors with the qualification requirements, if the potential supplier intends to involve subcontractors (co-contractors) for performance of the work (provision of services), including related ones;

3) technical specification of goods, works, services offered by a potential supplier;

4) securing a tender in the manner and amount established by the Rules, in the form of the original bank guarantee (when conducting electronic procurement in the form of an electronic bank guarantee) or a payment document confirming the payment of guaranteed financial contribution placed on the customer's bank account (the organizer of the procurement);

5) a power of attorney to a person (persons) representing the interests of a potential supplier for the right to sign a tender and participate in meetings of the tender commission, except for the first head of a potential supplier, authorized to sign without a power of attorney in accordance with the charter of a potential supplier;

6) a price offer in the form according to Annex 8 to the Rules, except for the tender with trades to reduction of prices;

7) the information about subcontractors for the performance of the work (co-executors in the provision of services), are the subject of procurement in the tender, as well as types of work and services, transferred by the potential supplier to subcontractors (co-contractors) in the form according to Annex 9 to the Rules (in case of their involvement);

8) documents confirming the applicability to the application approved by the customer estimation criteria (if the potential supplier claims to apply the estimation criterion);

9) in the case of participation in the procurement of a temporary association of legal entities (consortium), legal entities that are members of this consortium, in addition to the documents provided for by this paragraph of the Rules, to confirm their qualifications, submit copies of the following documents:

agreement on joint business activities concluded between the members of legal entities (a consortium agreement);

permissions (notifications) received (sent) in accordance with the legislation of the Republic of Kazakhstan on permissions and notifications, in the form of an electronic document, details of which are confirmed in the information systems of state bodies in terms of activities requiring permission (notification), stipulated by the agreement on joint economic activities (in the case of participation in the procurement of a temporary association of legal entities (consortium) (in the absence of information in the information systems of state bodies, the potential supplier submits a copy of the relevant permission (notification), received (sent) in accordance with the legislation of the Republic of Kazakhstan on permissions and notifications). The consortium shall be recognized to comply with the qualification requirements in terms of possession of a legal capacity to carry out certain types of activities, requiring permission, in accordance with the legislation of the Republic of Kazakhstan on permissions and notifications, in case of compliance with the specified requirements of the consortium members.

When conducting electronic procurement, the potential supplier shall submit electronic copies of documents, certified by a digital signature of the head of a potential supplier or a person authorized by him.

Footnote. Paragraph 50 as amended by the resolutions of the Board of the National Bank of the Republic of Kazakhstan dated 23.12.2019 № 253 (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 27.03.2023 № 23 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

51. Tender application shall be submitted in both Kazakh and (or) Russian languages.

52. Term of validity of tenders shall be established for a period of no less than 90 (ninety) calendar days from the date of opening of tender applications.

53. A potential non-resident supplier of the Republic of Kazakhstan shall submit documents stipulated by paragraph 50 of the Rules for residents of the Republic of

Kazakhstan, or documents containing similar information, apostilled (legalized) in accordance with international treaties, ratified by the Republic of Kazakhstan, with a notarized translation into Kazakh and (or) Russian (in the case of submission of documents in a foreign language).

54. A tender shall be submitted by a potential supplier in a sealed envelope before the deadline for submission of tenders specified in the announcement, as stitched, with numbered sheets, the last sheet shall be certified by the signature of the head of a potential supplier or a person authorized by him.

The tender price offer shall be sealed in a separate envelope and enclosed in an envelope with a tender application.

55. Document confirming the tender security shall be applied separately.

56. On the front side of the envelope with the tender application, the potential supplier shall indicate:

- 1) the name and postal address of a potential supplier;
- 2) the name and postal address of the customer (organizer of procurement);
- 3) the name of the tender (lot).

57. The organizer of procurement, in the chronological order shall record in the register of tenders the information about potential suppliers, who submit the envelopes with tender applications before the expiration of the established period.

58. The secretary of the tender commission shall be responsible for keeping tender applications submitted by potential suppliers from the moment of their acceptance until the moment of their transfer to the archive, for storage in the manner established by the customer (the organizer of procurement).

59. The envelope with the tender application, submitted after the expiration of the deadline set in the announcement, as well as in violation of the registration procedure prescribed by the Rules shall not be opened and be returned to the potential supplier.

60. When conducting electronic procurement by the tender method, the tender application shall be automatically registered on the procurement portal and shall be considered accepted from the moment the portal has been automatically sent notifications to the potential supplier who submitted the tender application.

61. Documents submitted by a potential supplier to the organizer of procurement in the form of electronic documents shall be certified by an electronic digital signature of the head of the potential supplier or a person authorized by him/her.

62. Before the expiration of the deadline for submission of tenders, it shall be allowed to change and (or) add or withdraw by a potential supplier of his/her tender application with retention of the right to return the security submitted by him/her. The change and (or) addition to the tender application shall be executed and submitted in the same order as the tender application itself.

63. The notice of the withdrawal of the tender shall be issued by a potential supplier to the organizer of procurement in any form.

64. Changes and (or) additions, as well as withdrawal of the tender application, after the expiration of the deadline for submission of tenders shall be prohibited.

65. Tender applications submitted to the organizer of procurement shall not be accepted by the secretary of the tender commission or shall be automatically rejected by the procurement portal in the following cases:

- 1) if the potential supplier previously submitted tender application;
- 2) the tender has been received after expiry of the deadline for accepting tender applications.

66. A potential supplier shall bear all costs associated with his/her participation in the procurement by tender. The customer, the organizer of the procurement, the tender commission, the expert commission (expert) shall not have the obligation to reimburse these costs regardless of the outcome of the procurement by the tender method.

Paragraph 5. Tender security

67. The tender security submitted by the potential supplier as a guarantee that he/she:

- 1) will not withdraw or change his/her tender application after the deadline for submission of applications;
- 2) if he/she is determined as the winner of the tender, he/she will conclude a procurement contract with the customer within the terms established by the protocol on the results of the tender, and will provide security for the execution of the procurement contract in the event, that the conditions of the procurement provide for the introduction of such security.

68. The tender security shall be made at a rate of one (1) percent of the value for the procurement of goods, works and services.

The tender security amount calculated in tiyn shall be rounded off. Herewith, the amount less than 50 (fifty) tiyn shall be rounded off to zero, and the amount equal to 50 (fifty) tiyn and above shall be rounded off to 1 (one) tenge.

69. The validity period of a tender application shall be calculated from the date of opening of tenders.

70. The potential supplier shall make the tender security only for the lots for which the tender application is submitted.

It shall be allowed to provide security for a tender, consisting of lots, in a total amount equal to 1 (one) percent of the total amount of goods, works, services procured, without splitting the security amounts for each declared lot.

71. To determine compliance with the requirements of the Tender Security Rules, submitted by a potential supplier - non-resident of the Republic of Kazakhstan, denominated in another currency, the tender commission shall transfer the tender security in the currency of the Republic of Kazakhstan at the official rate, established by the National Bank of the Republic of Kazakhstan on the date of payment transfer (issuance of a bank guarantee).

72. The potential supplier shall choose one of the following types of tender security:

1) guarantee contribution, which is paid into the bank account of the customer (organizer of procurement);

2) bank guarantee in accordance with Annex 10 to the Rules.

73. Performing by a potential supplier the actions leading to the occurrence of a third party's right of claim in whole or in part on the guarantee contribution, made before the expiration of its tender application, shall be prohibited.

The use by the customer (organizer of procurement) of the guarantee contribution made by the potential supplier shall be prohibited.

74. The term of the bank guarantee shall be not shorter the period of validity of the tender. The term of the bank guarantee shall be extended for the period of extension of the tender application.

75. All tenders that do not have a security for the tender shall be rejected by the tender commission as non-compliant with the requirements of the Rules.

76. The tender security submitted by a potential supplier shall be returned to a potential supplier within 10 (ten) business days from the date of one of the following cases:

1) withdrawal of tender by this potential supplier before the deadline for submission of tenders;

2) signing a protocol on admission to tender.

The above case shall not apply to potential suppliers, recognized as the tenderers;

3) signing the protocol on the results of the tender.

This case shall not apply to the potential supplier identified as the winner;

4) the entry into force of the procurement contract and (or) submission of security of the procurement contract by the winner of the tender.

77. A tender security submitted by a potential supplier shall not be returned when:

1) the potential supplier withdraws or changes and (or) amends the tender application after the expiration of the deadline for submission of tender applications;

2) potential supplier, determined as the winner of the tender, declines to conclude a procurement contract;

3) the winner of the tender, having concluded a procurement contract, does not fulfill or untimely fulfills the requirement to contribute security for the execution of the procurement contract, except for the case provided for in part two of paragraph 181 of the Rules;

4) none of the participants in the tender with trades to reduction in prices within ten (10) minutes (in case of electronic procurement - within thirty (30) minutes) after the start of trading submitted offers for the price of the goods, work, services that are the subject of the tender (lot). In this case, the organizer of procurement shall not return to all tenderers the amount of the tender security with the use of trade for a price reduction equal to 1 (one) percent.

Paragraph 6. Opening the tender applications

78. Received tender applications, with the exception of tender price offers, shall be opened at the day, time and place indicated in the announcement.

79. When opening envelopes with tender applications, the presence of a potential supplier submitted a tender application and (or) his/her authorized representative shall be allowed, if there are documented authorities.

80. Tender price offers shall be opened after the admission of potential suppliers to participate in the tender or in the case of a single tender.

81. The meeting of the tender commission on the opening of tenders shall be held in the following sequence:

1) the chairman of the tender commission or the person determined by the chairman shall: inform participants about:

composition of the tender commission;

the presence or absence of requests from potential suppliers to clarify the conditions of the tender;

the presence or absence of changes and (or) additions to the tender conditions;

potential suppliers submitting tenders;

announces other information on this tender;

2) the secretary of the tender commission shall:

open envelopes with tender applications, with the exception of envelopes with tender price offers, and announce a list of documents contained in the application, and their summary;

request authorized representatives of potential suppliers about complaints on actions (inaction), decisions of the tender commission;

inform potential suppliers about the period of placing on the Internet resource of the customer (organizer of procurement) the text of the tender opening protocol;

draw up a relevant protocol for opening tender applications, publish it.

82. The tender opening protocol shall contain the following information:

1) the day, time and place of the meeting;

2) the composition of the tender commission;

3) the name of the procured goods, works, services, indicating the lots and amounts allocated for the procurement;

4) the name and actual address of potential suppliers who submitted applications on time, with the date and time of submission of applications;

5) the name and actual address of potential suppliers to whom the tenders were returned, due to their submission after the deadline for submission of tenders, or those who have withdrawn their tenders;

6) the list of documents contained in the application;

7) other information (if available).

83. When conducting electronic procurement, the opening of electronic tenders shall be made by the secretary of the tender commission on the procurement portal, with the exception of the tender price offer, which becomes available only after the admission of a potential supplier to participate in the tender or in the case of a single tender.

84. An access to the secretary of the tender commission to the opening of tenders shall be provided by the procurement portal automatically at the day and time specified by the organizer of procurement in the announcement on the electronic procurement method of the tender.

85. Tenders of potential suppliers submitted on the date specified in the announcement shall be subject to opening.

86. The tender opening protocol on the procurement portal shall be generated automatically.

Paragraph 7. Consideration of tender applications

87. Consideration of tender applications shall be carried out by the tender commission in a period not exceeding 10 (ten) working days from the date of their opening.

88. If only one tender application is submitted to the tender (lot), then it shall be also considered for compliance of the potential supplier with the terms of the tender.

89. The tender commission shall:

1) consider the tender applications of potential suppliers for compliance or non-compliance with tender conditions for each lot;

2) identify potential suppliers who have presented an incomplete list of documents and (or) submitted improperly documented papers, and give them the right to bring the tenders in compliance with the terms of the tender;

3) request in writing from potential suppliers who have submitted tenders, materials and explanations in order to facilitate their consideration and comparison;

4) request in writing the necessary information from the relevant state bodies, individuals and legal entities in order to clarify the information contained in the tender applications. Requests and other actions of the tender commission related to bringing the tender application in compliance with the tender conditions, with the exception of the decision made by the tender commission in accordance with paragraph 96 of the Rules, shall be prohibited;

5) identify potential suppliers that meet the conditions of the tender, and recognize them as tenderers.

90. The tender commission shall consider the information posted on the Internet resource or in the state information system of the relevant authorized bodies, for the purpose of establishing:

1) non-participation of the potential suppliers and (or) its subcontractors (co-contractors) in bankruptcy or liquidation procedure;

2) the presence or absence of information about the potential suppliers and (or) its subcontractors (co-contractors) in the register of unconscientious participants in public procurement;

3) the presence or absence at the potential suppliers and (or) its subcontractors (co-contractors) of unfulfilled obligations under the executive documents in the amount of more than five times the size of the Monthly Calculation Index, established by the law on the republican budget for the relevant financial year, according to the register of debtors in the enforcement proceedings;

4) the presence or absence at the potential suppliers and (or) its subcontractors (co-contractors), and (or) their head, founders (major shareholders) in the list of organizations and persons associated with financing the proliferation of weapons of mass destruction, and (or) in the list of organizations and persons associated with the financing of terrorism and extremism;

5) the presence or absence of information that the potential supplier and (or) its subcontractor (co-contractor) is a legal entity, whose place of registration is the state or a territory included in the list of states with preferential taxation.

Footnote. Paragraph 90 as reworded by the Resolution of the Board of the National Bank dated 21.11.2022 № 109 (shall be enforced upon expiry of ten calendar days after the date of its first official publication); as amended by the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated 27.03.2023 № 23 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

91. The tender commission shall recognize the provision of the tender application as non-compliant with the requirements of the Rules in the case of:

1) insufficient period of validity of the bank guarantee;

2) improper execution of the bank guarantee, expressed in the absence of the following information:

names of procured goods, works, services;

signatures of the authorized person of the bank;

the term of the bank guarantee and the conditions of its presentation;

about the person to whom and in whose favor the bank guarantee was issued;

3) payment of the tender application in the amount of less than 1 (one) percent of the amount allocated for the procurement of goods, works, services.

92. The expert commission (expert), in the terms established by the chairman of the tender commission or his/her deputy, shall consider the documents submitted by potential suppliers, for compliance or non-compliance of the offered goods, works and services to the requirements of the approved technical specifications of the customer in the manner prescribed in Paragraph 2 of this chapter of the Rules.

93. The potential supplier shall be prohibited to participate in the tender and shall not be recognized as the tender participant in the following cases:

- 1) non-compliance of a tender application with the tender conditions;
- 2) establishing the fact of submission of false information;
- 3) potential supplier and (or) its subcontractor (co-executor) is in the register of unconscientious participants of public procurement;
- 4) potential supplier and (or) its subcontractor (co-executor) is bankrupt and (or) subject to liquidation process;
- 5) potential supplier and (or) its subcontractor (co-executor) has unfulfilled obligations under enforcement documents in the amount of more than five times the monthly calculation index established by the law on the republican budget for the corresponding financial year, according to the register of debtors in enforcement proceedings;
- 6) the presence, within 2 (two) years preceding the date of the announcement of the tender, of the fact that the potential supplier and (or) its subcontractor (co-executor) did not fulfill its obligations under the procurement contract previously concluded between it and the customer or evaded concluding an agreement with the customer;
- 7) potential supplier and (or) its subcontractor (co-executor), and (or) their head, founders (major shareholders) are included in the list of organizations and persons involved in financing the proliferation of weapons of mass destruction, and (or) in the list of organizations and persons related to the financing of terrorism and extremism;
- 8) potential supplier and (or) its subcontractor (co-executor) is a legal entity whose place of registration is a state or territory included in the list of states with preferential taxation.

Footnote. Paragraph 93 as reworded by the Resolution of the Board of the National Bank dated 21.11.2022 № 109 (shall be enforced upon expiry of ten calendar days after the date of its first official publication); as amended by the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated 27.03.2023 № 23 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

94. A tender application shall be considered to meet the conditions of the tender, if it contains grammatical or arithmetic mistakes that can be corrected without affecting the meaning of the application submitted.

95. Based on the results of consideration of tender applications for compliance or non-compliance of potential suppliers with the tender conditions, the tender commission shall make one of the following decisions:

- 1) in case of non-compliance of potential suppliers with the conditions of the tender, draw up a protocol of preliminary admission to the tender;
- 2) in case of compliance of potential suppliers with the conditions of the tender, draw up a protocol of admission to the tender.

96. In case of identifying potential suppliers that do not meet the terms of the tender, the tender commission shall provide these potential suppliers with the right to bring the tender

applications in compliance with the terms of the tender, within 3 (three) working days from the date of publication of the text of the protocol of preliminary admission to participation in the tender.

Bringing into conformity with the terms of the tender tenders of potential suppliers who have not submitted a tender price offer and (or) have not submitted a security for an application for participation in the tender or have contributed it in the amount of less than zero point nine percent (0.9%) of the amount allocated for tender (lot) shall not be allowed.

Footnote. Paragraph 96 as reworded by the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated 23.12.2019 № 253 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

97. The protocol of preliminary admission to the tender shall contain the following information:

- 1) place, date and time of the meeting of the tender commission;
- 2) the composition of the tender commission, the expert commission (expert) (in the case of their involvement);
- 3) results of consideration of tender applications for their compliance with the terms of the tender:
 - a list of potential suppliers that meet the conditions of the tender;
 - a list of potential suppliers that do not meet the conditions of the tender, with the reasons for their non-compliance;
- 4) a list of potential suppliers who have been granted the right to bring tenders in compliance with the terms of the tender;
- 5) the place, date and time of admission of additional documents submitted by potential suppliers in order to bring their tenders in compliance with the terms of the tender.

98. If tender procurement consist of lots, then the protocol of preliminary admission to the tender shall indicate potential suppliers who participated in the tender for each lot.

99. Within 3 (three) working days from the expiration date of bringing potential tenders in compliance with the terms of the tender by potential suppliers, the tender commission, the expert commission (expert) (in the case of their involvement) shall: ,

- 1) consider additional documents submitted by potential suppliers (if available);
- 2) identify potential suppliers that meet the conditions of the tender, and recognize them as tenderers;
- 3) draw up a protocol on admission to participation in the tender with the date of opening the tender price offers.

100. The protocol on admission to the tender shall contain the following information:

- 1) the place, date and time of the meeting of the tender commission;
- 2) the composition of the tender commission, the expert commission (expert) (in the case of their involvement);

3) a list of potential suppliers who have been granted the right to bring tenders in compliance with the conditions of the tender, as well as submitting the documents specified in the protocol of preliminary admission to participation in the tender;

4) a list of potential suppliers, appropriate and inappropriate conditions of the tender, as well as admitted and not admitted to tender;

5) the place, date and time of opening tender price offers.

Paragraph 8. Procedure for opening, estimation and comparison of tender price offers

101. On the day, time and place established by the protocol on admission to participation in the tender, the tender commission shall hold a meeting on the opening of tender price offers, their estimation and comparison.

102. The tender commission shall:

1) reject the tender price offer of the tenderer, exceeding the amount allocated for the procurement of goods, works, services;

2) calculate the dumping price, in cases and in the manner prescribed by paragraph 9 of this chapter of the Rules, and reject the tender price offer of the tenderer, which is dumping;

3) calculate the estimation criterion stipulated by the conditions of the tender, in relation to at least 2 (two) not rejected tender price offers of tender participants;

4) determine the winner of the tender.

103. The winner of the tender shall be determined on the basis of the lowest price or the highest point calculated taking into account the application of the approved estimation criterion.

In case of equality of prices or points (in the case of application of the estimation criterion) of the tender price offers, the winner shall be the potential supplier, whose tender price offer has been received earlier than the price offers of other potential suppliers.

104. The potential supplier, whose offer is preferable after the winner of the tender, shall be determined on the basis of the price following the price of the winner of the tender or the highest point after the winner of the tender, calculated taking into account the use of estimation criterion stipulated by the conditions of the tender.

105. According to the results of estimation and comparison of tender price offers of tender participants and determination of the tender winner, a protocol on the results of the tender shall be drawn up.

106. The protocol on the results of the tender shall contain the following information:

1) the place, the date and time of summing up;

2) the composition of the tender commission;

3) the amount allocated for the procurement, according to the procurement plan;

4) the list of tenderers and their tender price offers;

5) the list of tenderers, whose price offers have been rejected, indicating the reasons for rejection;

6) the results of the application of estimation criterion (if available);

7) the information about the winner of the tender, the amount of the procurement contract, the deadline for submission of documents stipulated by paragraph 107 of the Rules, and the conclusion of the procurement contract;

8) the information about the tenderer, the offer of which is most preferable after the winner of the tender.

107. The potential supplier, determined as the winner of the tender, within 5 (five) working days from the date of publication of the protocol on the results of the procurement, shall submit to the organizer of the procurement:

1) a notarized copy of the charter approved in accordance with the procedure established by the legislation of the Republic of Kazakhstan, except for cases when a legal entity operates on the basis of the Model Charter, non-residents of the Republic of Kazakhstan submit a notarized copy of an apostilled (legalized) extract from the trade register with a notarized translation into Kazakh and (or) Russian (in the case of submission of documents in a foreign language);

2) permissions (notifications) received (sent) in accordance with the legislation of the Republic of Kazakhstan on permits and notifications, in the form of an electronic document, details of which are confirmed in the information systems of state bodies (in the absence of information in the information systems of state bodies the supplier submits a notarized copy of the relevant permission (notification) received (sent) in accordance with the legislation of the Republic of Kazakhstan on permissions and notifications);

3) notarized copy of the extract from the constituent documents (if the charter does not contain information about the founders or the composition of the founders), containing information about the founder or the composition of the founders or the original certificate on major shareholders issued not earlier than one month preceding the date of opening of tender applications;

4) a notarized copy of an identity document (for individuals);

5) a notarized copy of the agreement on joint economic activities concluded between legal entities (participants of the consortium).

This requirement shall not apply to potential suppliers, determined as the winners of the tender on the basis of implementation of electronic procurement.

If the potential supplier, determined as the winner of the tender shall not submit the documents provided for in this paragraph of the Rules, or identified their inconsistencies to the copies of documents submitted as part of the tender applications, the organizer of the procurement shall perform the actions provided for in paragraphs 176 and 188 of the Rules.

Footnote. Paragraph 107 as amended by the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated 27.03.2023 № 23 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

108. The tender shall be recognized failed by the tender commission in cases of:

- 1) absence of tender applications;
- 2) submission of less than 2 (two) tender applications;
- 3) 1 (one) potential supplier is allowed to participate in the tender;
- 4) no suppliers are allowed to participate in the tender;

5) if after rejection of tender price offers on the basis of subparagraphs 1) and 2) of paragraph 102 of the Rules, 1 (one) tender price offer is subject to estimation.

109. In the absence of tenders, the organizer of the procurement shall compile a protocol on the results of the procurement for the invalid tender (lot).

110. If the tender is declared invalid or the potential supplier, whose offer is most preferable after the winner of the tender, declined to conclude the procurement contract, the customer shall make one of the following decisions:

- 1) on re-procurement by tender method;
- 2) on changing the terms of the tender and re-holding the tender;
- 3) on procurement via direct contracting.

Paragraph 9. Procedure for determining the dumping price of tender application

111. Tender price offer of a potential supplier for construction shall be recognized as dumping in case it is lower than the price specified in the feasibility study (for the development of design and estimate documentation) and design and estimate documentation underwent expertise in accordance with the legislation of the Republic of Kazakhstan on architectural, urban planning and construction activities, by more than 10 (ten) percent.

Footnote. Paragraph 111 as reworded by the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated 23.12.2019 № 253 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

111-1. A tender price offer from a potential supplier for complex construction works shall be considered dumping if it is lower than the amount provided for in the procurement plan or budget by more than 10 (ten) percent.

Footnote. The rules have been supplemented by paragraph 111-1 in accordance with the resolution of the Board of the National Bank of the Republic of Kazakhstan dated 31.07.2023 № 58 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

112. Tender price offer of a potential supplier for work on current repair of buildings and structures shall be recognized as dumping in case it is lower than the price allocated for the tender by more than 20 (twenty) percent.

Footnote. Paragraph 112 as reworded by the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated 23.12.2019 № 253 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

113. Tender price offer of a potential supplier for a feasibility study, project (design and estimate) documentation and urban development projects shall be recognized as dumping if it is lower than the price allocated to the tender by more than 15 (fifteen) percent.

Footnote. Paragraph 113 as reworded by the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated 23.12.2019 № 253 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

114. Tender price offer of a potential supplier for the provision of engineering services in the field of architectural, urban planning and construction activities shall be recognized as dumping, if it is lower than the price allocated to the tender by more than 15 (fifteen) percent.

Footnote. Paragraph 114 as reworded by the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated 23.12.2019 № 253 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

114-1. The dumping price calculated in tiyns is rounded off. In this case, the amount of less than 50 (fifty) tiyns is rounded down to zero, and the amount equal to 50 (fifty) tiyns and more is rounded up to 1 (one) tenge.

Footnote. The Rules were amended with paragraph 114-1 in accordance with the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated 21.12.2020 № 148 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

115. When the tender commission establishes the fact of supply by potential suppliers of dumping prices, the report on the results of the procurement shall reflect the information on potential suppliers who submitted dumping prices and the procedure of their calculating.

Paragraph 10. Procedure for procurement by tender method with trades on a price reduction

116. The customer shall determine independently the need for a tender in the procurement of goods with trades on a price reduction.

117. Procurement by tender method with trades on a price reduction shall be held for goods and implemented in real-time, from 9.00 am to 18.00 pm of Astana time.

118. Procurement by tender method with trades on a price reduction shall consist of the following steps:

1) the first stage – conducting tender procedures provided for by Paragraphs 1, 2, 3, 4, 5, 6 and 7 of this chapter of the Rules;

2) the second stage – tendering among the tenderers and determining the winner among them at the time specified in the protocol on admission to tender (after 2 (two) working days from the date of its publication on the customer's internet resource (organizer of procurement) or the procurement portal (when conducting electronic procurement)).

119. Trades shall be conducted for each lot separately on the day and time set by the protocol on admission to participation in the tender, in the presence of all members of the tender commission, tenderers.

120. Trades shall begin in respect of the subject of trade (lot) by reducing the current price offer, beginning with the starting price, by one step.

The starting price shall be the amount stipulated by the procurement plan for the relevant financial year for procurement of goods that are the subject of ongoing trading.

In the protocol on admission to participation in the tender by the tender commission, the step shall be set in the range from 0.1 (zero one tenth) to 5 (five) percent of the starting trading price.

121. The number of price offers submitted by the tenderer shall be unlimited, the tenderer shall have the opportunity to repeatedly change its tender price offer downwards.

122. During the trades, tenderers shall be allowed to submit the price of the goods being the subject of tenders, reduced from the starting price regardless of the trade step.

123. The secretary of the tender commission shall issue a ticket to the tenderer indicating the names of the potential supplier and the lot, the starting price and the ticket number, each raising of which is equal to the step to reduce the price announced for the tendering.

When a ticket is raised by a tenderer, the lot price shall be repeated three times and the tender participant's ticket shall be called, which first raised the ticket at the announced price and, in the absence of other raised tickets, the winner of the tender for this lot shall be announced with a hammer blow.

If another tenderer picks up the ticket during the recurrence of the ticket, the trades for this lot shall be continued until the winner is determined.

124. When conducting electronic procurement, tenderers shall submit offers on the price of the goods that are the subject of the tender (lot), being conducted via the procurement portal, certified by a digital signature of the head of a potential supplier or an authorized person. ,

The time of receiving the offers of the tenderers about the price of the goods shall be 30 (thirty) minutes from the start of the tender, and 10 (ten) minutes after receiving of the last offer of the price of the goods.

If within the specified time there is no 1 (one) offer to reduce the price of goods received, the tender shall be completed.

125. The procurement portal shall provide all tender participants with the information on the number of tender participants without providing details of the tender participants.

126. The winner of the tender shall be the one offered the lowest price.

127. If the tenderer offered a price equal to the price offered by another tenderer, the recognized winner is the price offer received earlier than the other offers.

128. If within 10 (ten) minutes (when conducting electronic procurement - 30 (thirty) minutes) after the start of trades, none of the tender participants submits a tender price offer for the lot (does not pick up a ticket), then the lot shall be removed from the auction and trades in respect of the tender (lot) shall be declared invalid. In this case, the organizer of procurement shall not refund the sum of the trade to all the tenderers.

129. The results of the trades shall be reflected in the protocol on the results of the tender with the use of trades for lower prices, indicating the information provided for by paragraph 106 of the Rules, published on the customer's online resource (organizer of procurement) or the procurement portal for electronic procurement.

130. The tender commission shall recognize the tender with the use of trades for the reduction of the price invalid in the cases provided for by paragraph 108 of the Rules.

131. If the tender with the use of the trades for the reduction of the price is recognized as failed, the customer shall take one of the decisions stipulated in paragraph 110 of the Rules.

132. Sending a request and other actions of the tender commission for negotiations with the tenderers associated with the trade process shall be prohibited.

133. Tender participants and those persons, who violate the trade procedure and affect the trade process, shall be expelled from the hall (place) of the trades.

Chapter 5. Procurement by quotation request method

134. Procurement by price offer request method shall be held for similar goods, works, services, if the annual volumes of such goods, works, services in terms of value do not exceed KZT 15,000,000 (fifteen million), (inclusively).

Footnote. Paragraph 134 as reworded by the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated 23.12.2019 № 253 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

135. For the purpose of applying the procurement by quotation request method to split the annual volume of procurement of similar goods, works, services during the financial year into parts, the size of one of which is less than the size stipulated in paragraph 134 of the Rules shall be prohibited.

136. When conducting procurement by quotation request method of goods, works, services that are not similar, the organizer of the procurement shall divide the goods, works, services into lots according to their similar types.

137. Determining the winner of the procurement by quotation request method shall be carried out on each lot.

138. Not less than 5 (five) working days before the deadline for the submission of price offers, when conducting electronic procurement, the organizer of procurement shall publish on the Internet resource of the customer (the organizer of procurement) or on the procurement portal the announcement on procurement by quotation request method and other necessary information specified in the announcement.

139. The announcement of the procurement by quotation request method shall contain the following information:

- 1) the name and postal address of the organizer of procurement;
- 2) the name of procured goods, works, services;
- 3) the amount allocated for the procurement, according to the procurement plan;

4) the amount (volume), place and terms of supplying goods, performing works, rendering services;

5) the technical specification (if available);

6) the place and deadline for submission by potential suppliers of price offers, as well as the day, time and place of their opening;

7) the draft of the procurement contract indicating the essential conditions (not specified in the case of verbal agreement in accordance with paragraph 172 of the Rules);

8) other information (if necessary).

140. In the event of changes and (or) additions to a previously published announcement, no later than 1 (one) working day before the deadline for submission of price offers, when conducting electronic procurement, the organizer of the procurement shall publish on the Internet resource of the customer (the organizer of the procurement) or on the procurement portal the changes and (or) additions to the announcement and shall extend the deadline for submission of price offers by at least 5 (five) working days.

141. Presentation by a potential supplier of a price offer shall be the form of expression of its consent to carry out the supply of goods, the performance of work, the provision of services in compliance with the requirements stipulated by the conditions of ongoing procurement and the draft procurement contract.

142. Making changes and (or) additions to the representation of the potential supplier price offer after the deadline for submission of price offer shall be prohibited, , except the cases provided for in paragraph 140 of the Rules.

143. Each potential supplier shall submit only 1 (one) price offer with the attachment of information (documents) provided in the announcement.

144. A price offer by a potential supplier shall be submitted before the time and the date of completion of the submission of price offers indicated in the announcement on procurement by quotation request method.

145. In the case of submission of quotations in an envelope, potential supplier shall indicate on the front of the envelope:

1) the name and postal address of a potential supplier;

2) the name and postal address of the organizer of procurement;

3) the name of the lot for which the price offer of the potential supplier is submitted.

146. The information about the potential supplier shall be entered in the corresponding register of price offers as they are submitted.

147. The envelope with price offer that does not meet the requirements of paragraph 145 of the Rules, and submitted after the deadline for submission of envelopes shall not be subject to registration and be returned to the entity that submitted it.

148. When conducting electronic procurement by requesting price offers, the potential supplier, before the deadline for accepting price offers, indicated in the announcement, shall provide one (1) quotation certified by electronic digital signature of the head of the potential

supplier or an entity authorized by him/her, which shall be automatically registered on the procurement portal.

A quotation shall be considered accepted after the notification is automatically sent by the procurement portal to a potential supplier who submitted a quotation.

149. The organizer of the procurement at the day, time and place specified in the announcement, shall open the price offers and shall identify the potential supplier who offered the lowest price offer.

150. The winner shall be the potential supplier who submits the lowest price offer. If the lowest price offer is submitted by several potential suppliers, the recognized winner shall be the one whose price offer has been received earlier than price offers of other potential suppliers.

151. If the price offer of a potential supplier, who is a non-resident of the Republic of Kazakhstan is expressed in another currency, the official rate of the National Bank shall be applied on the date of the opening of price offers in order to bring price offers to a single currency for the purpose of their comparison.

152. The price offer of the potential supplier shall be rejected if:

- 1) it exceeds the amount allocated for the procurement;
- 2) a potential supplier submits more than 1 (one) price offer;
- 3) the offer of the potential supplier does not meet the requirements of the technical specification, except for the case provided for in paragraph 166 of the Rules;
- 4) a potential supplier has not provided the technical specification, when there is a requirement to submit it;
- 5) a potential supplier does not agree to the essential terms of the draft procurement contract;
- 6) potential supplier and (or) its subcontractor (co-executor) is in the register of unconscientious participants of public procurement;
- 7) within 2 (two) years preceding the date of the announcement of the procurement, there is a fact of non-fulfillment by the potential supplier and (or) its subcontractor (co-executor) of its obligations under the procurement contract previously concluded between it and the customer or refusal to enter into a contract with the customer;
- 8) potential supplier and (or) its subcontractor (co-executor), and (or) their head, founders (major shareholders) are included in the list of organizations and persons involved in financing the proliferation of weapons of mass destruction, and (or) in the list of organizations and persons related to the financing of terrorism and extremism;
- 9) potential supplier and (or) its subcontractor (co-executor) is a legal entity whose place of registration is a state or territory included in the list of states with preferential taxation.

Footnote. Paragraph 152 as reworded by the Resolution of the Board of the National Bank dated 21.11.2022 № 109 (shall be enforced upon expiry of ten calendar days after the date of its first official publication); as amended by the Resolution of the Board of the National Bank

of the Republic of Kazakhstan dated 27.03.2023 № 23 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

153. The results of procurement by quotation request method shall be drawn up in the form of a protocol, approved by the first head of the customer or another person authorized by him/her, no later than 2 (two) working days from the deadline of the submission by potential suppliers of price offers.

154. The protocol on the results of the procurement by quotation request method shall contain the following information:

- 1) the name and postal address of organizer of procurement;
- 2) the name of procured goods, works, services of procurement by quotation request method;
- 3) the names of potential suppliers who submitted price offers before the deadline for the submission of price offers, the prices for goods, work, services they have declared;
- 4) the name of potential suppliers whose price offers are rejected, with an indication of the reasons for their rejection;
- 5) about the winner of the procurement by quotation request method;
- 6) on the amount and terms of the conclusion of the procurement contract in case the procurement were held by quotation request method.

155. The organizer of procurement, within 2 (two) working days from the date of approval of the protocol on the results of the procurement by quotation request method, shall publish the information about the results on the customer's online resource (organizer of procurement) or the procurement portal when conducting electronic procurements by quotation request method.

156. Procurement by quotation request method shall be recognized invalid in cases of:

- 1) absence of price offers;
- 2) submission of less than 2 (two) price offers, including, if after the rejection of price offers on the grounds stipulated by paragraph 152 of the Rules, less than 2 (two) price offers remain.

157. If the procurement by quotation request method is recognized invalid or the potential supplier declines to conclude the procurement contract, the customer shall re-conduct the procurement in the indicated manner, including changing the procurement terms or procuring by directly concluding the contract.

Chapter 6. Direct contracting

158. The method of direct contracting shall be used in the procurement of:

- 1) services of author supervision;
- 2) services for the operation of access roads, delivery of goods and products to the place of destination;

- 3) goods, works, services of state enterprises, legal entities, fifty and more percent of voting shares (shares in the authorized capital) of which belong to the state;
- 4) goods, works, services, if procurement by quotation request method were recognized invalid;
- 5) goods, works, services, if procurement by tender method were recognized invalid;
- 6) excluded by the resolution of the Board of the National Bank of the Republic of Kazakhstan dated 19.04.2021 № 43 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).
- 7) goods, works and services for the production and delivery of products, which is the subject of the statutory activity of the customer, necessary to fulfill the obligations established under the contracts concluded by the customer;
- 8) rental services of premises, facilities necessary for the implementation of the activities (operation) of the customer;
- 9) goods, works, services provided by the List of goods, works, services of daily and (or) weekly needs, procured by the customer to ensure continual activity (hereinafter referred to as the – List of goods, works, services of daily and (or) weekly needs) according to Annex 11 to the Rules in the amount not exceeding the volume of procurement of such goods, works, services, necessary to meet the needs of the customer during the procurement period, but not more than 3 (three) months;
- 10) goods, works, services, the annual volume of which in terms of value does not exceed KZT 5,000,000 (five million), (inclusively);
- 11) food for canteens of special important state objects and (or) pre-school educational organization of the customer;
- 12) goods, works, services provided by the List of certain types of goods, works, services, procured from public associations of disabled people of the Republic of Kazakhstan and organizations created by public associations of disabled people of the Republic of Kazakhstan , defined in accordance with the first part of paragraph 3 of Article 51 of the Law on public procurement, producing goods and (or) supplying goods, performing work, providing services in accordance with Annex 12 to the Rules;
- 13) housing (including rental services) owned by a private property to an individual who is not a business entity;
- 14) services of international rating agencies, as well as ұсыну services for the presentation of information posted on Internet resources, and placement of information in domestic and foreign media on the main activities of the customer;
- 15) goods, works, services, if the customer procured goods, works, services from any supplier, has a need to make other procurement from the same supplier in order to standardize , retrofit, standardize or ensure compatibility with existing goods, equipment, technology, works or services;
- 16) telephone services, mobile and special communication;

17) periodical printed publications on paper and (or) electronic media.

Footnote. Paragraph 158 as amended by the resolutions of the Board of the National Bank of the Republic of Kazakhstan dated 23.12.2019 № 253 (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 19.04.2021 № 43 (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 22.06.2022 № 55 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

159. When conducting procurement by direct contracting, the organizer of procurement shall send a written invitation to a potential supplier, which shall contain the following information:

1) the name and address of the organizer of procures;

2) the names of the procured goods, works, services and the technical specification approved by the customer;

3) the information on the amounts allocated for the procurement of goods, works, services that are the subject of ongoing procurement;

4) the draft of procurement contract with indication of its essential terms, including terms, quantity (amount) of procured goods, works, services and other;

5) the list of notarized copies of documents confirming the compliance of a potential supplier, its subcontractors (co-contractors) (if they are involved) with qualification requirements, stipulated in subparagraphs 2) and 9) of paragraph 50 of the Rules, in the case provided for in subparagraph 5) of paragraph 158 of the Rules;

6) the requirement to provide permits (notifications) received (sent) in accordance with the legislation of the Republic of Kazakhstan on permits and notifications, in the form of an electronic document, information about which is confirmed in the information systems of state bodies (in the absence of information in the information systems of state bodies, the potential supplier submits a notarized copy of the relevant permit (notice) received (sent) in accordance with the legislation of the Republic of Kazakhstan on permits and notifications), except for the case provided for in subparagraph 5) of this paragraph of the Rules.

When conducting electronic procurement by direct conclusion of a contract, the organizer of procurement shall send an invitation to a potential supplier through the procurement portal.

Footnote. Paragraph 159 as reworded by the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated 18.05.2020 № 70 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

159-1. An invitation shall not be sent to a potential supplier in respect of which, during the 2 (two) years preceding the date of sending the invitation, there was a fact of non-fulfillment of its obligations under a procurement contract previously concluded between it and the customer or evasion from concluding an agreement with the customer.

Footnote. The Rules were amended with paragraph 159-1 in accordance with the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated

23.12.2019 № 253 (shall be enforced upon expiry of ten calendar days after the date of its first official publication); as reworded by the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated 18.05.2020 № 70 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

160. The information sent to a potential supplier, defined in accordance with sub-paragraphs 4) and 5) of paragraphs 158 of the Rules, shall meet the conditions stipulated by the terms of the tender or the procurement by the method of requesting price offers.

161. A potential supplier, who expressed a will to carry out the supply of goods, performance of works, provision of services, which are the subject of ongoing procurement method of direct contract, except for the cases stipulated by subparagraph 13) of paragraph 158 of the Rules, no later than 5 (five) working days from the date of receipt of the invitation, shall send to the organizer of procurement a written consent to take part in the procurement attached with the following documents:

1) power of attorney to the person who signed the written consent to take part in the procurement, with the exception of the first head of the potential supplier, who has the right to sign without a power of attorney in accordance with the charter of the potential supplier;

2) name and technical specification of goods, works, services offered by a potential supplier;

3) the written consent to the terms of the procurement contract;

4) the price offer for the offered goods, works, services;

5) in case, provided for in subparagraph 5) of paragraph 158 of the Rules, the notarized copies of documents, confirming the compliance of the potential supplier (subcontractor (co-contractor) if they are involved) with the qualification requirements provided for in subparagraphs 2) and 9) of paragraph 50 of the Rules;

6) permissions (notifications) received (sent) in accordance with the legislation of the Republic of Kazakhstan on permissions and notifications, in the form of an electronic document, details of which are confirmed in the information systems of state bodies (in the absence of information in the information systems of state bodies the supplier submits a notarized copy of the relevant authorization (notification), received (sent) in accordance with the legislation of the Republic of Kazakhstan on permissions and notifications), with the exception of cases provided for by subparagraph 5) of this paragraph of the Rules.

Footnote. Paragraph 161 as reworded by the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated 18.05.2020 № 70 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

162. When procuring in accordance with subparagraph 13) of paragraph 158 of the Rules, a potential supplier who expressed a will to supply goods, to provide services, which are the subject of ongoing procurement by direct contracting method, no later than 5 (five) working days from the date of receipt of the invitation, shall send to the organizer of procurement a written consent to participate in the procurement attached with the following documents:

- 1) a notarized copy of an identity document of an individual;
- 2) notarized copies of housing entitlement and a copy of technical passport;
- 3) a certificate of registered rights (encumbrances) on real estate and its technical characteristics, issued not earlier than the date of receipt of the invitation;
- 4) a notarized copy of the property valuation report (housing), conducted in accordance with the legislation of the Republic of Kazakhstan on valuation activities, including photographs of the current state of the housing;
- 5) the price offer of a potential supplier;
- 6) notarized consent of the husband (wife) with a copy of the document confirming the existence of marital relations, or a statement indicating the absence of the fact of the state in marital relations or a notarized copy of the certificate of divorce (matrimony) or a certificate confirming widowhood.

Footnote. Paragraph 162 as reworded by the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated 18.05.2020 № 70 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

162-1. When conducting electronic procurement by direct conclusion of a contract, a potential supplier shall send to the organizer of procurement a confirmation of participation in the procurement with the documents specified in paragraphs 161 and 162 of the Rules, certified by an electronic digital signature of the head of the potential supplier or a person authorized by him/her.

Footnote. The Rules were amended with paragraph 162-1 in accordance with the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated 18.05.2020 № 70 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

163. When conducting procurement by direct contracting, the organizer of procurement shall draw up a protocol on the results of procurement, approved by the first head of the customer or other person authorized by him/her.

When conducting electronic procurement, a protocol on results of the procurement shall be posted on the procurement portal.

Footnote. Paragraph 163 as reworded by the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated 18.05.2020 № 70 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

164. The protocol on the results of the procurement shall contain the following information:

- 1) the grounds of procurement using the direct contracting method;
- 2) the amount allocated for the procurement, according to the procurement plan;
- 3) a brief description of the goods, works, services procured by direct contracting method;
- 4) the name and address of the supplier, which will be a procurement contractor, and the contract price.

165. In procurement of goods, works, services by direct contracting method on the grounds stipulated in subparagraphs 4) and 5) of paragraph 158 of the Rules, the organizer of the procurement shall carry out one of the following activities:

1) in cases provided for in subparagraphs 1), 4) of paragraph 108 of the Rules and subparagraph 1) of paragraph 156 of the Rules, the potential supplier to whom the invitation is sent, shall be determined by the customer;

2) in cases provided for by subparagraphs 2), 3) and 5) of paragraph 108 of the Rules and subparagraph 2) of paragraph 156 of the Rules, sends an invitation to a potential supplier who submitted a tender application, a price offer within the framework of the procurement made by quotation request method. The price of the procurement contract concluded with it shall not exceed its price specified in the price offer, including the tender, with the exception of the tender with the use of price reduction.

166. It shall be allowed to submit by a potential supplier of the technical specification of the offered goods, works, services with better functional and other characteristics, as well as effective technological solutions and (or) the use of the better materials when performing work, provided that the technical specification of the potential supplier is acceptable to the customer.

167. Procurement by the method of direct contracting shall be deemed to be failed in cases, if:

1) the price of goods, works, services offered by a potential supplier exceeds the amount allocated for this procurement;

2) the potential supplier has submitted a technical specification that does not comply with the requirements set forth in the customer's technical specification, except as provided for in paragraph 166 of the Rules;

3) the potential supplier has not submitted the documents stipulated in paragraphs 161 or 162 of the Rules;

4) potential supplier has not presented on time the written consent to participate in the procurement (confirmation of participation in the procurement) or has evaded the participation in the procurement conducted by direct contracting method;

5) potential supplier and (or) its subcontractor (co-executor), is in the register of unconscientious participants of public procurement;

6) potential supplier and (or) its subcontractor (co-executor), and (or) their head, founders (major shareholders) are included in the list of organizations and persons involved in financing the proliferation of weapons of mass destruction, and (or) to the list of organizations and persons involved in the financing of terrorism and extremism;

7) potential supplier and (or) its subcontractor (co-executor) is a legal entity whose place of registration is a state or territory included in the list of states with preferential taxation.

Footnote. Paragraph 167 as reworded by the Resolution of the Board of the National Bank dated 21.11.2022 № 109 (shall be enforced upon expiry of ten calendar days after the date of

its first official publication); as amended by the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated 27.03.2023 № 23 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

168. In the event that the procurement is recognized invalid or the potential supplier declines to conclude a procurement contract, the organizer of the procurement shall conduct repeated procurement in one of the ways stipulated by the Rules.

169. If the procurement specified in subparagraph 12) of paragraph 158 of the Rules is considered invalid, the customer (the organizer of the procurement) shall decide to conduct repeated procurement among other potential suppliers.

Chapter 7. Conclusion of the procurement contract

170. Transactions for the procurement of goods, works, services shall be made in written form or verbally.

171. In written form the following transactions (contracts) shall be made:

- 1) on paper;
- 2) in electronic form.

The written form of transaction shall be also the exchange of letters, faxes, electronic documents that contain:

- 1) the will of the parties to the transaction;
- 2) the agreement of a supplier with the proposed terms of the customer.

172. Verbally, it shall be allowed to make transactions for an amount not exceeding 100 (one hundred) monthly calculation indicators, established by the law on the republican budget for the relevant financial year, as well as executed at the moment they are performed, if there is a document confirming the fact of the transaction (check, invoice, acceptance report, bill, detailed tax invoice, delivery note, ticket or other commonly accepted confirming sign).

173. Within 5 (five) working days from the date of signing the protocol on the results of the procurement, and in the case stipulated by Article 36 of the Law of the Republic of Kazakhstan dated May 13, 2003 “On Joint Stock Companies”, within 2 (two) working days from the date of the decision taken by the general meeting of shareholders on the definition of an audit organization, auditing the company, the customer shall sign and send (submit) to the winner a draft procurement contract signed by the customer and leafed by the employees of the responsible customer department.

It shall be allowed to receive and sign a draft contract on procurement by supplier without prior arrangement.

When concluding the procurement contract in electronic form, the procurement contract shall be certified by means of electronic digital signatures of the customer and the supplier.

174. According to the results of the tender and procurement by the quotation request method, the procurement contract shall be concluded with the winner on the conditions stipulated by his/her tender application and quotation.

175. The draft procurement contract shall be signed by the potential supplier recognized as the winner, and submitted to the customer within 7 (seven) working days from the date of receipt of the procurement contract signed by the customer.

The procurement contract concluded by non-residents of the Republic of Kazakhstan located outside the Republic of Kazakhstan shall be signed by them within 14 (fourteen) working days.

176. The supplier shall be deemed to have avoided concluding a procurement contract in cases of:

- 1) non-compliance with the requirements of paragraph 107 of the Rules;
- 2) not signing the procurement contract on set term;
- 3) submitting a written refusal to conclude a procurement contract;
- 4) failure to make procurement securities.

176-1. The customer sends to the operator of the procurement portal information about the potential supplier who evaded the conclusion of the procurement contract, carried out by means of a tender and request for quotations, for placement in the database, indicating the date the potential supplier was recognized as evading the conclusion of the contract.

Footnote. The Rules were amended with paragraph 176-1 in accordance with the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated 18.05.2020 № 70 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

177. In case of recognition of the winner of the tender evaded the conclusion of the procurement contract, the customer shall send to the tenderer, whose offer is most preferable after the winner of the tender, a notification of the recognition him/her as a tender winner and the draft procurement contract.

178. The tenderer, the offer of which is most preferable after the winner of the tender, within 5 (five) working days from the date of receipt of the notification, shall submit the documents provided for in paragraph 107 of the Rules, and no later than 7 (seven) working days from the date of receipt of the notification, shall sign a procurement contract or shall notify the customer in written form about the disagreements or about refusal to sign the procurement contract.

179. The tenderer – non-residents of the Republic of Kazakhstan located outside the Republic of Kazakhstan, whose offer is most preferable after the winner of the tender, within 5 (five) working days from the date of receipt of the notification, shall submit the documents provided for in paragraph 107 of the Rules, and no later than, 14 (fourteen) working days from the date of receipt of the notification from the customer shall sign a procurement contract or shall notify the customer in written form about the disagreements or about refusal to sign the procurement contract.

180. In case of concluding a contract with insurance organizations on compulsory insurance or with suppliers, the model forms of contracts of which are stipulated by the

legislation of the Republic of Kazakhstan, it shall be allowed to draw up a contract in the form they offer, taking into account the requirements stipulated by the Civil Code of the Republic of Kazakhstan and the Rules.

181. The supplier, within 10 (ten) working days from the date of the conclusion of the procurement contract, shall make a guarantee of the fulfillment of the procurement contract in the form of a guarantee cash contribution, which shall be paid into the customer's bank account, or bank guarantee in the form according to Annex 13 to the Rules.

The exceptions shall be the cases of complete and proper fulfillment by the supplier of its obligations under the procurement contract that enters into force before the expiration of the term for standing the security of the procurement contract.

182. Standing the security of the procurement contract shall be made by the supplier as a guarantee that it will fulfill its obligations under the procurement contract concluded with it in a timely, complete and proper manner.

183. It shall be prohibited for the supplier to perform actions leading to a third party's right of claim, in whole or in part, for the security of execution of the procurement contract until the full fulfillment of the obligations under the procurement contract and (or) the use by the customer of the security of the procurement contract, contributed by the supplier for purposes not specified in the Rules.

184. The security of the procurement contract shall be established by the organizer of procurement in the amount of 3 (three) percent of the total amount of the procurement contract, and in the case when the procurement contract provides for the payment of the advance payment (advance money) - in the amount of the advance payment.

It shall be allowed the supplier's refusal to receive advance payment (advance) stipulated in the procurement contract. In the event of a voluntary refusal of a prepayment (advance), the supplier shall stand security of the procurement contract in the amount of 3 (three) percent of the total amount of the procurement contract.

The amount of contributed security for the execution of the procurement contract, calculated in tiyn, shall be rounded off. An amount less than 50 (fifty) tiyn shall be rounded off to zero, and an amount equal to 50 (fifty) tiyn and above shall be rounded off to 1 (one) tenge.

185. The requirement to provide security for the execution of the procurement contract shall not apply to the cases of the conclusion of the procurement contract:

1) the amount of which does not exceed KZT 15,000,000 (fifteen million), except when the procurement contract provides for the payment of an advance payment (advance);

2) with organizations funded from the republican or local budgets;

3) services of international rating agencies, periodicals, services for sending registered mailings, insurance of civil liability of the employer and vehicle owners, software technical support (software products, information and communication infrastructure facilities);

4) goods, works and services required for the manufacture of products within the framework of the statutory activities of the customer.

Footnote. Paragraph 185 as amended by the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated 23.12.2019 № 253 (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 19.04.2021 № 43 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

186. The customer shall return the security deposit of the procurement contract to the supplier within the terms specified in the contract, after complete fulfillment by the supplier of its contractual obligations (supply of goods, performance of works, provision of services and (or) payment of a penalty).

Footnote. Paragraph 186 as reworded by the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated 23.12.2019 № 253 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

187. The customer shall not return the security of the procurement contract in the event of termination of the contract due to non-fulfillment or improper performance by the supplier of its contractual obligations as well as in case of non-payment of a penalty.

Footnote. Paragraph 187 as reworded by the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated 23.12.2019 № 253 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

188. In the case of recognition of a potential supplier identified by the winner, evaded the conclusion of the procurement contract, the customer shall retain the tender security provided by him/her.

189. In order to ensure an uninterrupted activity by the decision of the customer, the latter shall have the right to extend the validity of the concluded contract for procurement, for daily or weekly needs for the first quarter of next year in the amount not exceeding the quarterly volume of procurement of such goods, works, services in accordance with the List of daily and (or) weekly needs.

190. Changes to the draft procurement contract and to the procurement contract shall be entered by agreement between the customer and the winner of the procurement (supplier), with the exception of cases stipulated by paragraph 191 of the Rules. Changes to the procurement contract shall be executed by an additional agreement, except for the cases provided for in the contract itself.

191. It shall be prohibited to introduce amendments to the draft procurement contract or to the concluded procurement contract in part:

1) increase the amount of the procurement contract that is not associated with an increase in demand in the volume of procured goods, works, services;

2) changes in the content of the conditions of the conducting (conducted) procurement and (or) offers, being the basis for the selection of the supplier by the tender method or by quotation request method, except as provided for in paragraph 166 of the Rules;

3) changes in the price per unit of goods, services, except for cases when state regulation of prices is established by the body exercising management in the areas of natural monopolies and regulated markets.

Footnote. Paragraph 191 as amended by the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated 19.04.2021 № 43 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

192. The procurement contract shall contain a condition on its termination at any stage in the following cases:

1) refusal of the customer to procurement in accordance with paragraph 14 of the Rules;

2) identifying inaccurate information in the information provided by the supplier;

3) excluded by the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated 21.11.2022 № 109 (shall be enforced upon expiry of ten calendar days after the date of its first official publication);

4) providing by the customer (organizer of procurement) the promotion of the potential supplier, who participated in the procurement via the tender and quotation request method, not provided for in the Rules;

5) in cases stipulated in the procurement contract.

Footnote. Paragraph 192 as amended by the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated 21.11.2022 № 109 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

192-1. The customer shall send to the operator of the procurement portal to place in the database information about the supplier who has not fulfilled its obligations under the procurement contract concluded between it and the customer, indicating the date of dissolution of the contract.

Footnote. The Rules were amended with paragraph 192-1 in accordance with the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated 18.05.2020 № 70 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

193. The term of payment under the procurement contract shall be provided no later than 10 (ten) working days from the date of fulfillment of obligations for the supply of goods, performance of works, rendering services in full.

194. In the contract for the procurement of construction and maintenance of buildings and structures it shall be allowed to provide for the condition on the payment of an advance to the supplier in the amount of at least 30 (thirty) percent of the total amount of the contract.

195. The minimum time limit for the delivery of goods shall be specified by the customer in the procurement contract for a period of not less than fifteen (15) calendar days.

196. The fulfillment of the procurement contract shall be carried out in accordance with the civil legislation of the Republic of Kazakhstan and the conditions stipulated in the procurement contract.

197. The procurement contract shall be deemed fulfilled in condition of the full fulfillment by the customer and supplier of the assumed obligations under the procurement contract, including the guarantee.

Chapter 8. Final provisions

198. Actions (inaction), decisions of the customer, organizer of procurement, single organizer of procurement, tender commission, expert commission (expert), shall be appealed in accordance with the procedure and within the terms set forth by the legislation of the Republic of Kazakhstan.

Footnote. Paragraph 198 – as reworded by the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated 22.06.2022 № 55 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

199. Excluded by the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated 22.06.2022 № 55 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

200. Excluded by the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated 22.06.2022 № 55 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

201. Excluded by the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated 22.06.2022 № 55 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

202. The first head of the customer (organizer of the procurement) or a person authorized by him shall make a decision to cancel the decisions of the organizer of the procurement, simple procurement organizer, customer and tender commission, which has been made in violation of the Rules, before the conclusion of the procurement contract.

The organizer of procurement, within 2 (two) working days from the date of the decision to cancel the procurement, shall:

- 1) notify thereof the persons involved in ongoing procurement;
- 2) publish the corresponding announcement on the customer's (the organizer of the procurement) internet resource or the procurement portal (when conducting electronic procurement);
- 3) returns the deposited tender securities.

Footnote. Paragraph 202 as reworded by the Resolution of the Board of the National Bank dated 21.11.2022 № 109 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

203. The employees of the customer and (or) the organizer of the procurement the operator of the procurement portal, who admitted the violation of the Rules, shall be brought to liability, provided for by the labor legislation of the Republic of Kazakhstan, unless as other liability is not provided by the laws of the Republic of Kazakhstan.

Footnote. The Rules were amended with paragraph 203 in accordance with the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated 23.12.2019 № 253 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Annex 1
to the Rules for the Procurement
of Goods, Works and Services
by the National Bank
of the Republic of Kazakhstan,
Its Departments, Organizations
within Its Structure, and Legal
Entities, Fifty and More Percent
of Voting Shares (Equity Interest)
of Which Belong
to the National Bank
of the Republic of Kazakhstan
or Are in Its Trust Management,
and Legal Entities Affiliated
with Them

Footnote. The text in the upper right corner as reworded by the Resolution of the Board of the National Bank dated 21.11.2022 № 109 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

List of cases for procurement of goods, works, services on the basis of decisions of the Board of Directors of the National Bank of the Republic of Kazakhstan

Footnote. Annex 1 as reworded by the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated 23.12.2019 № 253 (shall be enforced upon expiry of ten calendar days after the date of its first official publication); as amended by the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated 22.06.2022 № 55 (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 31.07.2023 № 58 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

On the basis of decisions of the Board of Directors of the National Bank of the Republic of Kazakhstan, goods, works, services shall be procured in the following cases:

1) to ensure re-dislocation of the National Bank of the Republic of Kazakhstan and its functioning;

2) to create branches, representative offices or departments of the National Bank of the Republic of Kazakhstan and to ensure their functioning;

3) for the purchase, creation (construction), repair (reconstruction) of facilities of the National Bank of the Republic of Kazakhstan (buildings, premises of the National Bank of the Republic of Kazakhstan, cash centers, storage facilities, production facilities), including those classified as particularly important state facilities and vulnerable to terrorism respect, ensuring their uninterrupted and continuous operation and equipment, as well as the purchase

of complex works in construction, engineering services in the field of architectural, urban planning and construction activities.

When determining the supplier of works or services provided for in this subparagraph, the norms of these Rules governing the procedure for determining the dumping price shall be applied;

3-1) for the creation, implementation, development of the informatization facilities of the National Bank of the Republic of Kazakhstan in the amount exceeding 1 000 000 000 (one billion) tenge;

4) for performance of operative tasks and programs of the National Bank of the Republic of Kazakhstan, aimed at supporting and providing uninterrupted and continuous implementation of activities;

5) acquiring goods on the basis of contracts of exchange;

6) for the execution of decisions and instructions of the Security Council of the Republic of Kazakhstan in order to ensure economic security measures within the mandate of the National Bank of the Republic of Kazakhstan;

7) for the implementation of activities and tasks within the framework of interaction and cooperation with international organizations, central banks, control and supervisory authorities of foreign states, government agencies of the Republic of Kazakhstan;

8) for the implementation of other tasks within the framework of functions and powers of the National Bank of the Republic of Kazakhstan, requiring an urgent decision.

Annex 1-1
to the Rules for the Procurement
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Its Departments, Organizations
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Form

Plan for procurement of goods, works, services

Footnote. The Rules were amended with Annex 1-1 in accordance with the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated 23.12.2019 № 253 (shall be enforced upon expiry of ten calendar days after the date of its first official publication); as reworded by the Resolution of the Board of the National Bank of the Republic of Kazakhstan

dated 27.03.2023 № 23 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Customer Name	Name of procured goods, works, services in the Kazakh language	Name of procured goods, works, services in Russian language	Characteristics of procured goods, works, services in the Kazakh language	Characteristics of procured goods, works, services in Russian language
1	2	3	4	5

table continuation:

Procurement method	Measuring unit	Quantity, volume	Price per unit (tenge), excluding value added tax (hereinafter referred to as the VAT)	The total amount approved for the procure (tenge) excluding VAT
6	7	8	9	10

table continuation:

Approved amount for the first year of the three-year period (tenge) excluding VAT	Expected amount for the second year of the three-year period (tenge) excluding VAT	Expected amount for the third year of the three-year period (tenge) excluding VAT	The planned duration of the procurement (quarter)
11	12	13	14

Annex 2
to the Rules for the Procurement
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Footnote. The text in the upper right corner as reworded by the Resolution of the Board of the National Bank dated 21.11.2022 № 109 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Approved

(decision of the customer, the date
of acceptance and the number shall
be indicated)

Technical specification of the procured goods, works, services (shall be submitted for each lot separately)

Footnote. Annex 2 as reworded by the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated 18.05.2020 № 70 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Name of the procurement _____

Lot number _____ lot name _____

The technical specification shall provide a complete description and the required functional, technical, quality characteristics of the procured goods, works, services, including necessary specifications, plans, drawings, sketches. It shall also indicate the national standard, interstate or international standard (if available), to which the supplied goods (work performed, services provided) shall correspond, the warranty period.

In the technical specification for the goods, the description of the functional, technical, and quality characteristics shall be divided into the relevant sections, containing the limits of functionality, parameters of technical characteristics, and the designation of goods.

In the technical specification it shall be allowed the indication of related works, services required for the supply of goods (including installation, commissioning, training, and inspections and testing of goods) and the place of their provision, year of release of goods, warranty period.

In the technical specification for services, the description of the technical and quality characteristics shall be divided into the relevant sections containing the parameters of technical characteristics and the purpose of the provision of services. In the case of the procurement of works, services, the quality of the delivery of which depends on the qualifications of the employee directly providing such work, service, the technical specification shall describe the requirements for an employee, determining his/her level and profile of professional training, work experience required to carry out his/her entrusted duties.

When carrying out procurement of works requiring design (design and estimate) documentation, the design (design and estimate) documentation approved in the prescribed manner, shall be attached instead of the technical specification. At the same time, in order to ensure the safety of information subject to protection in the National Bank, individual drawings (schemes) shall be submitted to the potential supplier recognized as the winner after signing the procurement contract and the non-disclosure agreement.

The technical specification for the work shall contain a brief description of the construction site, geographical, engineering geological and other special natural conditions, availability of infrastructure and communications, description of local resources, system of standards and technical standards, as well as the complete structure of the object, the requirements for the engineering preparation of the territory, production technology and equipment, engineering support, used materials and structures, equipment of the facility and other, excluding disagreements during the commissioning of the facility. It shall be allowed to specify the reference to the relevant regulatory and technical documentation.

The potential supplier shall submit technical specification that meets specified requirements.

Head of the customer's department

Surname, name, and patronymic (if any).

Annex 3
to the Rules for the Procurement
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Footnote. The text in the upper right corner as reworded by the Resolution of the Board of the National Bank dated 21.11.2022 № 109 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Document form
Approved

(decision of the customer, the date
of acceptance and the number shall
be indicated)

Criteria for estimation the applications of potential suppliers and the value of their significance

The following criteria for estimation the applications of potential suppliers and the value of their significance shall be applied to a potential supplier:

- 1) ...
- 2) ...

Head of the customer's department Surname, name, and patronymic (if available)

Annex 4
to the Rules for the Procurement
of Goods, Works and Services
by the National Bank
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Its Departments, Organizations
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Footnote. The text in the upper right corner as reworded by the Resolution of the Board of the National Bank dated 21.11.2022 № 109 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Methodology for applying criteria for estimation the applications of potential suppliers and calculating the values of their significance

Footnote. Annex 4 is set out in a new edition in the Kazakh language, the text in Russian is not changed by the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated 18.05.2020 № 70 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

1. These Methodology for applying criteria for estimation the applications of potential suppliers and calculating the values of their significance (hereinafter referred to as the Methods) has been developed to estimate the applications of potential suppliers in the procurement tender process.

2. Applications of tenderers shall be subject to estimation.

3. When conducting procurement by the tender method by the customer, the terms of the tender shall establish the following criterion for estimation the applications from potential suppliers:

1) value (tender price offer);

2) non value (experience of a potential supplier in the market of goods, works, services that are the subject of ongoing procurement, as well as functional, technical, quality and operational characteristics of goods, services and (or) the costs of operation, maintenance and repair of procured goods, warranty obligations, technological solutions and (or) performance of work from the better materials, other criteria affecting the characteristics of the procured goods, works, services).

4. The customer shall independently determine the need to establish estimation criteria and shall indicate the values of their significance.

The sum of the value of the significance of all the estimation criteria stipulated by the conditions of the tender shall be 100 (one hundred) points.

The value of the significance of the estimation criteria shall be established at a minimum of 60 (sixty) points.

5. If necessary, to determine a tenderer offering higher quality of goods, works, services, the customer shall provide in the technical specification the following non-value criteria for estimation the applications from potential suppliers:

1) a potential supplier has the experience in the market of goods, works and services, which are the subject of ongoing procurement associated with the supply of goods,

performance of works, providing similar services with submission of copies of documents confirming its availability (for example, copies of contracts, acts of acceptance-transfer of goods, works, services, as well as invoices, bills and other documents);

2) functional, technical, quality and operational characteristics of goods, works, services and (or) the cost of operation, maintenance and repair of the procured goods, warranty obligations – in the technical specification, the customer shall specify the highest or the lowest value of the index, which is preferable for him/her.

6. The total criteria for estimation the applications of potential suppliers shall be determined by adding the points according to the value and non-value criteria for each lot in the Table of Estimation of Applications of Potential Suppliers in the form according to the Annex to the Methods.

7. The offer of a potential supplier with the highest point shall be determined as the winner of the tender.

The offer of a potential supplier with the highest point after the winner of the tender, shall be determined as preferred one.

8. The procurement contract with the winner of the tender shall be concluded subject to the estimation criteria and their indicators.

Annex to the
Methodology for Applying Criteria
for Estimation the Applications of
potential Suppliers and Calculating
the Values of Their Significance
Form

Table of estimation of potential suppliers' applications

(name of the procurement method of the tender (lot))				
№	The name of the criteria	Established point	Name of the potential supplier	Name of the potential supplier
1	2	3	4	5
1	Value criteria (tender price offer)			
2	Non value criteria 1			
3	Non value criteria 2			
4	Non value criteria 3			
5	Total point	100		

Annex
to the form of the table of
estimation of potential suppliers'
applications

Explanation for filling the table of estimation of potential suppliers' applications

1. The calculation of points shall be carried out for each estimation criteria.

2. Estimation by value criteria (tender price offer) shall be established in the technical specification in the amount of not less than 60 (sixty) points.

The potential supplier who offers the minimum tender price offer shall be given the maximum number of points provided for the value criteria.

To estimate other tender price offers, the calculation shall be carried out according to the following formula:

$$B_i = (\Pi_{\min} / \Pi_i) * B_3,$$

where,

B_i - calculated points of the i -th potential supplier;

Π_{\min} is the minimum tender price offer from the total number of tender price offers submitted by potential suppliers;

Π_i is tender price offer of i -th potential supplier;

B_3 is the value of significance established for the value criteria in the technical specification (not less than 60 (sixty) points).

3. For estimation of applications by non-value criteria, a technical specification establishes a criterion of not more than 40 (forty) points taking into account the requirements of paragraph 5 of the Methods.

4. When evaluating the criterion, the maximum value of which is the best, the potential supplier who proposes the best indicator, shall be established the maximum number of points (for example, when estimating warranty obligations).

To estimate other tender price offers, the calculation shall be carried out according to the following formula:

$$B_i = (\Pi_i / \Pi_{\max}) * B_3,$$

where,

B_i - calculated points of the i -th potential supplier;

Π_i is figure proposed by the i -th potential supplier;

Π_{\max} is the maximum rate of the total number of offers submitted by potential suppliers;

B_3 is the value of significance established for non-value criteria in technical specification.

5. When estimating the criterion, the minimum value of which is the best, the potential supplier, who offers the minimum value, shall be given the maximum number of points.

To estimate other tender price offers, the calculation shall be carried out according to the following formula:

$$B_i = (\Pi_{\min} / \Pi_i) * B_3,$$

where,

B_i is calculated points of the i -th potential supplier;

Π_{\min} is the minimum indicator of the total number of submitted offers by potential suppliers;

Π_i is figure proposed by the i -th potential supplier;

B3 is value of significance established for non-value criteria in technical specification.

Annex 5
to the Rules for the Procurement
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Entities, Fifty and More Percent
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Footnote. The text in the upper right corner as reworded by the Resolution of the Board of the National Bank dated 21.11.2022 № 109 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Form

Announcement of tender with tender conditions

Footnote. Annex 5 as amended by the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated 21.11.2022 № 109 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

(name of procured goods, works, services)

the organizer of procurement (specify the name, postal and e-mail addresses) hereby announces

the tender for the procurement of the following goods, works, services:

(the name of procured goods, works, services)

In case of separation of goods, works, services on lots, the name of the procurement for each lot shall be indicated.

Tender conditions:

1. The quantity of goods, volumes of work performed, services rendered, indicating the amounts

allocated for this tender (lot) for the purchase of goods, works, services, amounts to

tenge.

(amount in numbers and in words)

In case of separation of goods, works, services into lots, the amount shall be indicated for each lot separately.

2. Technical specification for procured goods, works, services and criteria of estimation of applications

of potential suppliers and the value of their significance (if available) (on ___ sheets).

3. Draft procurement contract indicating the essential conditions (on ___ sheets).

4. Goods are delivered (works are performed, services are provided):

_____.

(the place of supply of goods, works, services and their volumes are indicated)

5. The required time of delivery of goods (performing work, provide services)

_____.

Tender applications shall be submitted (sent) by potential suppliers or their authorized representatives

to the organizer of procurement via the procurement portal or by courier or using registered mail

(specify as necessary) by the address:

_____.

(specify the full address, office number)

6. The deadline for submission of tender applications prior to

_____.

(specify time and date and place)

7. Tender offers will be opened in _____ at the address:

(specify time and date)

_____.

(specify the full address, office number)

8. If it is necessary to clarify the terms of the tender, potential suppliers shall apply to the organizer

of the procurement with a written request to the electronic or postal address of the organizer

of the procurement specified in the announcement or on the procurement portal during electronic

procurement, but no later than ___ hours, ___ minutes "___" ___ 20 ___.

Requests from potential suppliers must be sent to the following details of the organizer of the procurement:

(specify contact numbers, e-mail address, postal (legal) address of the organizer of the procurement).

9. The organizer of the procurement, within 2 (two) working days from the date of receipt of the request, shall:

1) publish a text explaining the tender conditions on the customer's Internet resource (organizer of procurement) or on the procurement portal when conducting electronic procurement by tender (please specify as necessary);

2) send the text of the explanation of the tender conditions to potential suppliers, who have received access to the conditions of the tender, by e-mail or automatically notifies the potential suppliers via procurement portal without specifying from whom request received (please specify as necessary).

10. The organizer of the procurement no later than ___ o'clock, ___ minutes "___" ___ 20__ on its own initiative or in response to a request from a potential supplier, makes changes and (or) additions to the terms of the tender. No later than 2 (two) working days from the date of the decision to shall make changes and (or) additions to the terms of the tender, places the text of the changes and (or) additions to the terms of the tender on the Internet resource of the customer (purchase organizer) or on the procurement portal when conducting electronic procurement by tender (please specify as necessary).

The deadline for submission of tenders shall be extended by at least 5 (five) calendar days

11. The potential supplier, expressing a will to participate in the tender, in time established by the announcement, shall present the documents stipulated in paragraphs 50 and (or) 53 of the Rules.

When conducting an electronic procurement, a potential supplier shall submit electronic copies of digitally signed documents of the head of a potential supplier or person authorized by him/her.

The tender application of the potential supplier shall be executed in compliance with the requirements provided for by the Rules.

For more information, please call:

(specify city code and phone number)

Secretary of the tender commission

(specify surname, name, and patronymic (if any), position and contact number)

Annex 6
to the Rules for the Procurement
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by the National Bank
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Application for participation in the tender

Footnote. Annex 6 as reworded by the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated 27.03.2023 № 23 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

To _____

(specify the name of the organizer of procurement)

From _____

(specify the full name of the potential supplier)

1. Information about the potential supplier applying for participation in the tender:

Legal, postal address, e-mail address (if any) and contact numbers of a potential supplier	
Bank details of the potential supplier (business identification number (hereinafter - BIN) / individual identification number (hereinafter - IIN), bank identification code, individual identification code), as well as the full name of the bank or its branch where the legal entity or individual is served	
Surname, name, and patronymic (if any) of the first head of the potential supplier, IIN	

2. _____

(specify the full name of the potential supplier)

hereby expresses a will to participate in procurement by tender

(specify the full name of the tender)

as a potential supplier and agrees to deliver the goods, perform the works, provide the services (specify as necessary) in accordance with the requirements and conditions of the tender.

3. Potential supplier hereby accepts full responsibility and confirms acceptance of the following conditions:

1) founders, shareholders of a potential supplier, close relatives, husband (wife) or relatives of the heads of a potential supplier and (or) an authorized representative of this potential supplier do not have the right to make a decision on the choice of a supplier or are not employees of the customer (the organizer of procurement) in ongoing procurement;

2) the potential supplier and (or) its employee did not provide the customer (the organizer of procurement) with expert, consulting and (or) other services for the preparation of ongoing procurement, did not participate as a general designer or sub-designer in the development of a feasibility study and (or) design (design and estimate) documentation for the construction of an object that is the subject of ongoing procurement, with the exception of the participation of the developer of a feasibility study in procurement for the development of design (design and estimate) documentation;

3) the head of a potential supplier applying for participation in the procurement has no relations connected with the management, establishment, participation in the authorized capital of legal entities included in the register of unconscientious participants in public procurement, database;

4) a potential supplier who is an individual carried out entrepreneurial activities, applying for participation in procurement, is not the head of a potential supplier who is included in the register of unscrupulous participants in public procurement, database and (or) has no relations connected with the management, establishment, participation in authorized capital of legal entities included in the register of unconscientious participants in public procurement, database;

5) the potential supplier and (or) the subcontractor (co-executor) engaged by him/her do not have unfulfilled obligations under executive documents in the amount of more than five times the monthly calculation index established by the law on the republican budget for the corresponding financial year, according to the register of debtors in enforcement proceedings;

6) a potential supplier and an affiliate of a potential supplier do not participate in the same tender (lot);

7) a potential supplier and (or) the subcontractor (co-executor) involved by him/her is not implicated in the bankruptcy or liquidation procedure;

8) a potential supplier and (or) a subcontractor (co-executor) involved by him/her, and (or) their head, founders (major shareholders) are not included in the list of organizations and persons involved in financing the proliferation of weapons of mass destruction, and (or) in the list of organizations and persons related to the financing of terrorism and extremism;

9) a potential supplier and (or) a subcontractor (co-executor) involved by him/her is a legal entity whose place of registration is a state or territory included in the list of states with preferential taxation.

4. The potential supplier hereby gives consent to terminate the procure contract

(specify the name of goods, works, services)

in cases provided for in paragraph 192 of the Rules.

5. We hereby confirm that we are familiar with the terms of the tender and are aware of the responsibility for providing the organizer of the procurement and tender commission with inaccurate information about our eligibility, qualification, quality and other characteristics of the supplied goods, performed work, provided services, compliance with copyright and related rights, as well as other restrictions stipulated by the Rules.

We assume full responsibility for submitting such inaccurate information in the tender application and the documents attached hereto.

6. Our tender will be valid for at least ninety (90) days from the date of opening of tender applications.

7. In the event that our tender application is recognized as the winning application, we will secure the execution of the procurement contract in the amount specified in the draft procurement contract.

8. Prior to the conclusion of the procurement contract, the tender application filed by us will fulfill the role of a compulsory procurement contract between the customer and us.

9. The tender application submitted to the organizer of procurement by a potential supplier who expressed a will to participate in the tender contains:

(potential supplier shall specify a list of attached documents)

(position, surname, name, and patronymic (if any) the head of the potential supplier or a person authorized by him/her, signature)

Date of completion _____

Annex 7
to the Rules for the Procurement
of Goods, Works and Services
by the National Bank
of the Republic of Kazakhstan,
Its Departments, Organizations
within Its Structure, and Legal
Entities, Fifty and More Percent
of Voting Shares (Equity Interest)
of Which Belong
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Footnote. Annex 7 – as reworded by the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated 27.03.2023 № 23 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Form

Tender Participation Agreement

1. We hereby express our will to participate in this electronic procurement by the method of tender as a potential supplier and a consent to supply goods, perform the work and provide the services _____ in accordance with the requirements and conditions of the tender.

2. We hereby assume full responsibility and confirm the acceptance of the following conditions:

1) founders, shareholders of a potential supplier, close relatives, husband (wife) or relatives of the heads of a potential supplier and (or) an authorized representative of this potential supplier do not have the right to make a decision on the choice of a supplier or are not employees of the customer (procurement organizer) in ongoing procurement;

2) the potential supplier and (or) its employee did not provide the customer (procurement organizer) with expert, consulting and (or) other services for the preparation of ongoing procurement, did not participate as a general designer or sub-designer in the development of a feasibility study and (or) design (design and estimate) documentation for the construction of an object that is the subject of ongoing procurement, with the exception of the participation of the developer of a feasibility study in procurement for the development of design (design and estimate) documentation;

3) head of a potential supplier applying for participation in procurement had no relations connected with the management, institution, participation in the authorized capital of legal entities included in the register of unconscientious participants in public procurement, database;

4) a potential supplier who is an individual engaged in entrepreneurial activities, applying for participation in procurement, is not the head of a potential supplier, which is included in the register of unconscientious participants in public procurement, database and (or) had no relations connected with the management, institution, participation in the authorized capital of legal entities, included in the register of unconscientious participants in public procurement, database;

5) the potential supplier and (or) the subcontractor (co-performer) engaged by him/her do not have unfulfilled obligations under the executive documents in the amount of more than

five times the monthly calculation indicator established by the law on the republican budget for the relevant financial year, according to the register of debtors on executive proceedings;

6) the potential supplier and the affiliate of the potential supplier do not participate in the same tender (lot);

7) the potential supplier and (or) the subcontractor (co-performer) engaged by him/her do not participate in the procedure of the bankruptcy procedure or liquidation;

8) the potential supplier and (or) the subcontractor (co-performer) engaged by him/her, and (or) their head, founders (major shareholders) are not included in the list of organizations and persons involved in financing the proliferation of weapons of mass destruction, and (or) in the list of organizations and persons related to the financing of terrorism and extremism;

9) the potential supplier and (or) the subcontractor (co-performer) engaged by him/her is a legal entity whose place of registration is a state or territory included in the list of states with preferential taxation.

3. This also expresses the consent of the potential supplier to terminate the procurement contract (indicate the name of the goods, works, services) in the cases provided for in paragraph 192 of the Rules.

4. We hereby confirm that we are familiar with the conditions of the tender and are aware of the responsibility for providing the organizer of the procurement and tender commission with inaccurate information about their eligibility, qualification, quality and other characteristics of the supplied goods, performed work, provided services, respect for copyright and related rights, as well as other restrictions provided by the Rules.

We assume full responsibility for submitting such inaccurate information in the tender application and the documents attached hereto.

5. Our tender application will be valid for at least ninety (90) days from the date of opening of tender applications.

6. In the event that our tender application is recognized as the winning application, we will secure the execution of the procurement contract in the amount specified in the draft procurement contract.

7. Prior to the conclusion of the procurement contract, the tender application filed by us will fulfill the role of a compulsory procurement contract between the customer and us.

8. The tender application submitted to the organizer of procurement by a potential supplier who expressed a will to participate in the tender, contains electronic copies of documents certified by a digital signature of the head of the potential supplier or a person authorized by him/her.

Entities, Fifty and More Percent
of Voting Shares (Equity Interest)
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Footnote. The text in the upper right corner as reworded by the Resolution of the Board of the National Bank dated 21.11.2022 № 109 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Form

Price offer
(filled separately for each lot, indicating the lot number)

—
(name of potential supplier)

№	Content	Name of goods, work, services
1	Short description	
2	Country of origin (not filled with procurement of works, services)	
3	The manufacturer (not filled with procurement of works, services)	
4	Unit of measurement	
5	Price _____ per unit in _____ _____ on conditions _____ INCOTERMS 2000 and (or) 2010 (destination)	
6	Quantity (volume)	
7	Total price = line 5 x line 6, in _____ _____	
8	Total price (It shall be considered taking into account all the costs of the potential supplier and shall not be revised) on conditions _____ INCOTERMS 2000 and (or) 2010, destination including all costs of a potential supplier for transportation, insurance, payment of customs duties, taxes, fees and charges, the cost of components and spare parts, maintenance during the initial life per the unit of measurement, as well as other costs stipulated by the terms of delivery of goods, works , services, in net of VAT	

(Signature of the head of a potential supplier or person authorized by him)
 (Position, surname, name, patronymic (if available))

Annex 9
 to the Rules for the Procurement
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Form

Information about the subcontractors for the performance of work (co-contractors in the provision of services), which are the subject of procurement in the tender, as well as the types of works and services transferred by the potential supplier to subcontractors (co-contractors)

(specify the full name of the tender)

№	Name of the subcontractor (BIN (IIN) of the co-contractor) - a legal entity or the last name, first name, patronymic (if available) of the subcontractor (co-contractor), who is an individual	(BIN (IIN) of the subcontractor (co-executor), his/her full legal and (or) postal address, contact phone number)	Name of performed work (provided services) in accordance with the Technical Specification	(The volume of performed work (provided services) in accordance with the Technical Specification in monetary value)	The volume of performed work (provided services) in accordance with the Technical Specification in percentage terms
Total for this subcontractor (co-contractor)				KZT	% of volume

Total for this subcontractor (co-contractor)		KZT	% of volume
Total for all subcontractors (co-contractors)		KZT	% of volume

Hereby, the subcontractor and (or) co-contractor of the potential supplier submitting the tender (specify the full name of the tender) expresses his/her awareness of the conditions for participation in the said procurement, and accepts responsibility for violations of the requirements stipulated by the terms of the tender regarding the subcontractors (co-contractors) of the potential supplier.

Name of the subcontractor (co-contractor) - a legal entity or the last name, first name, patronymic (if available) of the subcontractor (co-contractor), who is an individual	Last name, first name, patronymic (if available) of the authorized representative of the subcontractor (co-contractor)	Signature
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The potential supplier shall be prohibited to transfer to subcontractors (co-contractors) the scope of work and (or) services, including related, exceeding two thirds of the total scope of work and (or) services.

Annex 10
to the Rules for the Procurement
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Footnote. The text in the upper right corner as reworded by the Resolution of the Board of the National Bank dated 21.11.2022 № 109 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Form

Bank guarantee

Name of the bank _____

(name and requisites of the bank)

To _____

(name and requisites of the organizer of the procurement)

Guarantee obligation № _____ “ ____ ” _____ date

(location)

We were informed that _____

(name of potential supplier)

hereinafter referred to as the "Supplier", takes part in the tender for the procurement

→

(specify the name of the procurement)

organized _____

—

(name of the organizer of procurement)

and is ready to deliver (perform the work, provide the service)

—

(name of goods, works, services on the tender (lot (lots)

The conditions of the tender provide for the introduction by potential suppliers of security for the tender application in the form of a bank guarantee.

In this regard, we _____

—

(name of the bank)

hereby undertake an irrevocable obligation to pay you at your request an amount equal to

—

(amount in numbers and in words)

upon receipt of your written request for payment, as well as written confirmation that the Supplier:

revoked or changed and (or) amended the tender application after the expiration of the deadline for submission of tender applications;

recognized by the tenderer with trading on the reduction of prices for

10 (ten) minutes (when conducting electronic procurement - within 30 (thirty) minutes) after the commencement of tender did not submit an offer on the price of goods, work, services.

The request for payment is submitted in the amount of the tender security amount equal to 1 (one) percent of the lot amount, declared invalid if none of the tenderers, using tender for lower prices, submitted, at the scheduled time, offers for the price of the goods, work, services;

determined as the winner of the tender, declined to conclude a procurement contract;

having concluded a procurement contract, did not fulfill or fulfill untimely the requirements established by the terms of the tender, on the payment and (or) the terms for the payment of the security of the procurement contract, except in the case provided for in the second part of paragraph 181 of the Rules.

This warranty shall come into effect from the date of opening of envelopes with tender applications.

This warranty shall be valid until the deadline of the tender application of the Supplier to participate in the tender and expires fully and automatically, regardless of whether this document is returned to us or not, if your written request is not received by us by the end of _____. If the validity of the tender is extended, then this warranty shall be extended for the same period.

All rights and obligations arising from this warranty obligation shall be governed by the laws of the Republic of Kazakhstan.

Guarantor's signature

Date and address

Annex 11
to the Rules for the Procurement
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Footnote. The text in the upper right corner as reworded by the Resolution of the Board of the National Bank dated 21.11.2022 № 109 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

The list of goods, works, services of daily and (or) weekly needs procured by the customer to ensure uninterrupted activity

1. Food, drinking water (bottled).
2. Stationery, paper of A-4, A-3 format.
3. Catering services.
4. Laundry service.
5. Motor transport services, fuels and lubricants.
6. Services (works) on maintenance of administrative buildings and structures:
 - 1) keeping clean the interior and facade of the building, facilities and its surrounding territory;
 - 2) carrying out improvements and planting the territory surrounding the buildings and maintenance of vegetation inside buildings;
 - 3) sanitization of the internal premises of buildings, structures and the surrounding territory, removal of garbage and snow from the surrounding territory;

- 4) providing security, alarms and other devices for the protection of buildings and structures, fire safety and the surrounding areas;
- 5) plumbing, electrical work;
- 6) maintenance and repair of elevators, air conditioners.
7. Communication services (including Internet, satellite, telephone, cellular, postal communication).
8. Information systems support services.
9. Services for placing information in the media.
10. Services in maintenance of fire protection systems and air conditioning of server rooms.
11. Services for system maintenance of hardware and software.
12. Rental services for buildings, premises and (or) structures.
13. Services for the maintenance of the leased building, premises and (or) structures.
14. Maintenance and repair services of service and special vehicles.
15. Consumables for organizational technology and services for refilling cartridges.
16. Object security services.

Annex 12
to the Rules for the Procurement
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Footnote. The text in the upper right corner as reworded by the Resolution of the Board of the National Bank dated 21.11.2022 № 109 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

List of certain types of goods, works, services, procured from public associations of disabled people of the Republic of Kazakhstan and organizations created by public associations of disabled people of the Republic of Kazakhstan, defined in accordance with the first part of paragraph 3 of Article 51 of the Law on public procurement, producing goods and (or) supplying goods, performing work, providing services

Produced goods, performed works, provided services:

- 1) bedding of all kinds, blankets, mattresses, bedspreads, various pillows, towels, napkins, bedticks, covers for mattresses;

2) wadded jacket, warmed wadded trousers, heatproof suit, warm overalls, warmed vest, warmed jacket, field camouflage suit, trousers, cotton work suit, cotton field suit, field camouflage jacket, welder suit, battery worker suit, working overalls, cook suit, baker suit, different caps;

3) different gowns, different aprons, uniforms, signal vest, surgical suits, cotton boot covers, uniforms of production and household personnel, cover, different cloths, different shirts, different kerchiefs, under-collar, mittens, bed curtains;

4) self-binders, envelopes, folders, rulers;

5) packaging boxes, except special packaging for banknote and coin products, archive boxes;

6) joinery;

7) landscaping, gardening.

Annex 13
to the Rules for the Procurement
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Footnote. The text in the upper right corner as reworded by the Resolution of the Board of the National Bank dated 21.11.2022 № 109 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Form

**Bank guarantee
(form of security of the procurement contract)**

Name of the bank: _____

(name and requisites of the bank)

To: _____

(name and requisites of the customer)

Guarantee obligation № _____

(location)

“ ” _____ date

Taking into account that _____,

(supplier name)

"Supplier", concluded (will conclude) the contract on procurement No__ dated _____

(hereinafter referred to as the Contract) for the supply (performance, provision)

(description of goods, works or services)

and you have stipulated in the Contract that the Supplier shall make a security of its execution in the form of a bank guarantee for the total amount KZT

That

(amount in numbers and in words)

is equal to _____% the total amount of the Contract in the amount of KZT

(amount in numbers and in words)

Hereby _____ confirm that

(name of the bank)

is a guarantor under the aforementioned Contract and assumes an irrevocable obligation to pay you, upon your request, the amount of the bank guarantee upon receipt of your written request for payment, as well as a written confirmation that the Supplier has not fulfilled or has improperly fulfilled its obligations under the Contract.

This warranty obligation shall come into effect from the moment of its signing and shall be valid until the complete fulfillment by the Supplier of its obligations under the Contract.

All rights and obligations arising from this warranty obligation shall be governed by the laws of the Republic of Kazakhstan.

Guarantor's signature

Date and address