

APPROVED

by the Resolution of Latvijas Banka's Procurement Commission
Meeting of 11 December 2018,
Minutes No. 1

R. Jakovļevs
Chairman of the Procurement Commission
of Latvijas Banka

PROCUREMENT REGULATION

On the purchase of electronic information resources provided by *Capital Economics* in 2019

1. PROCUREMENT IDENTIFICATION NUMBER

1.1 LB/2018/86

2. COMMISSIONING AUTHORITY

2.1 Latvijas Banka, K. Valdemāra iela 2A, Riga, LV-1050, Latvia

3. THE SUBJECT-MATTER OF THE PROCUREMENT AND CPV CODE

3.1 Purchase of electronic information provided by *Capital Economics* in accordance with the requirements set out in the technical specification (Appendix 1 to the Procurement Regulation) of the Procurement Regulation (hereinafter referred to as the "Regulation").

3.2 The CPV code as the most appropriate for the subject-matter of the procurement: 72320000-4 "Database services".

4. THE TIMELINE FOR AND THE PLACE OF PERFORMING THE CONTRACT

4.1 The timeline for performing the contract shall be as follows: from 31 December 2018 to 30 December 2019.

4.2 The place of performance of the contract shall be as follows: Latvijas Banka, K. Valdemāra iela 2A, Riga, Latvia.

5. THE SUBMISSION OF A BID

5.1 The tenderer may only submit a bid covering the entire subject-matter of the procurement. The submission of several versions for the bid shall be prohibited.

5.2 The tenderer shall submit the following bidding documents:

5.2.1 a duly completed bid form as per the template in Appendix 2 to the Regulation;

5.2.2 the draft contract proposed by the tenderer specifying the price offered by the tenderer and the settlement procedure and stipulating that an invoice shall be submitted once a year; the draft contract shall also provide for a possibility for the parties to unilaterally terminate the contract and lay down the procedure for the settlement of disputes, except for the settlement of disputes by the Court of Arbitration;

5.2.3 where the tenderer, the person who has been indicated by the tenderer and whose abilities the tenderer relies on in order to confirm that its qualification meets the

requirements set out in the Regulation (hereinafter referred to as the "person involved") or a member of a partnership (if the tenderer is a partnership) is not registered in the Republic of Latvia, the certificate issued by a competent authority in the country of registration of the tenderer, the person involved or a member of a partnership (if the tenderer is a partnership) to the effect that insolvency proceedings have not been declared for the tenderer, the person involved or a member of a partnership (if the tenderer is a partnership), the economic activities of the tenderer, the person involved or a member of a partnership (if the tenderer is a partnership) have not been suspended and the tenderer, the person involved or a member of a partnership (if the tenderer is a partnership) is not undergoing liquidation;

5.2.4 where the tenderer relies on the abilities of the person involved to confirm its compliance with the tenderer qualification requirements arising from the Regulation, the tenderer shall additionally include the following documents in the bid:

5.2.4.1 a statement signed by the person involved and the tenderer or an agreement on the cooperation or the transfer of resources at the tenderer's disposal for the execution of the particular contract;

5.2.4.2 information meeting the requirements set out in the Regulation and confirming the conformity of the person involved with the qualification requirements arising from the Regulation;

5.2.4.3 a copy of the registration certificate of the person involved if the person involved is not registered in the Republic of Latvia;

5.2.4.4 where the tenderer is an association of persons, an agreement of the participants of an association of persons on the establishment of an association of persons.

5.3 The bidding documents shall be inserted in a sealed envelope. The envelope shall be delivered by mail (to be received at Latvijas Banka by 10.00 a.m. on 27 December 2018) or in person to Latvijas Banka at K. Valdemāra iela 2A, Rīga, Latvia (Noliktavas iela entrance) on business days from 8.30 a.m. to 5.30 p.m. (on Fridays from 8.30 a.m. to 4.15 p.m.) by 10.00 a.m. on 27 December 2018, with the reference: "To the Procurement Commission of Latvijas Banka. Procurement No. LB/2018/86 "On the purchase of electronic information resources provided by *Capital Economics* in 2019"" and indicating the tenderer's name and address.

5.4 The bids submitted (sent in) after the deadline referred to in Paragraph 5.3 of the Regulation or not drawn up in compliance with the requirements set out in Paragraph 5.3 of the Regulation shall not be accepted and shall be returned or sent back to the tenderer.

5.5 Where the tenderer, its person involved or a member of a partnership (if the tenderer is a partnership) is not registered in the Republic of Latvia or its permanent place of residence is not located in Latvia, the Procurement Commission of Latvijas Banka (hereinafter referred to as the "Commission") shall have the right to request the tenderer who would have to be awarded the contract, to submit, within 10 (ten) business days, the certificate issued by a competent authority in the country of registration or the country of the permanent place of residence of the tenderer, its person involved or a member of a partnership (if the tenderer is a partnership) to the effect that the cases of exclusion referred to in Paragraph 8 of Section 9 of the Public Procurement Law do not apply to the tenderer, its person involved or a member of a partnership (if the tenderer is a partnership).

5.6 The certificate referred to in Paragraph 5.2.3 of the Regulation shall be issued no earlier than 6 (six) months prior to the day of its submission if the issuer of the certificate has not indicated a shorter validity period of it.

5.7 Where the tenderer fails to submit the certificate requested by the Commission within the time limit referred to in Paragraph 5.5 of the Regulation, the Commission shall take a decision to exclude the tenderer from the participation in the procurement.

6. BID EVALUATION AND SELECTION

6.1 The Commission shall exclude a tenderer from further participation in the procurement and shall not review the tenderer's bid in the following cases:

6.1.1 the tenderer, the person involved indicated by the tenderer or a member of the partnership (if the tenderer is a partnership) is in one of the cases of exclusion of tenderers referred to in Paragraph 8 of Section 9 of the Public Procurement Law or Section 11¹ of the Law on International Sanctions and National Sanctions of the Republic of Latvia;

6.1.2 the tenderer has provided false information to confirm its compliance with the provisions of Paragraph 8 of Section 9 of the Public Procurement Law or the tenderer qualification requirements stipulated pursuant to the Public Procurement Law or has failed to provide the requested information.

6.2 Where the tenderer is an association of persons or a partnership:

6.2.1 all participants of an association of persons (members of a partnership) shall comply with the requirements arising from Paragraph 6.1.1 of the Regulation;

6.2.2 the association of persons in relation to which the decision to enter into a procurement contract has been taken shall establish, at its own choice, a particular legal status (e.g. a general partnership), enter into a deed of partnership pursuant to Sections 2241–2280 of the Civil Law, agreeing on the division of responsibilities of the participants of the association of persons, or shall assume joint and several liability for the performance of the obligations set out in the procurement contract, complementing the draft contract with the respective provisions.

6.3 The Commission shall reject a tenderer's bid and exclude the tenderer from further participation in the procurement, where the tenderer's bid does not meet the requirements set out in the Regulation.

6.4 The Commission shall decide on entering into a procurement contract with the tenderer whose qualification and bid comply with all requirements of the Regulation and whose bid is the most economically advantageous one.

6.5 The bid with the lowest contractual price shall be considered the most economically advantageous one.

6.6 Where the tenderer declared the winner of the procurement fails to sign a contract within 10 (ten) business days after the draft contract drawn up by the commissioning authority has been submitted to the tenderer, the Commission shall take the decision to enter into a contract with the next tenderer whose bid complies with all requirements set out in the Regulation and is the next economically advantageous one, or to suspend the procurement procedure, without selecting a single bid.

7. OTHER GENERAL INFORMATION

7.1 The interested supplier shall have the right to request additional information on the Regulation, provided that the request is submitted to the Commission in due time, taking into account the fact that the Commission has no right to provide additional information to the interested suppliers later than 4 (four) calendar days prior to the expiry of the deadline for the submission of bids (requests shall be sent by e-mail: konkursi@bank.lv; fax: +371 67022420; by post: Latvijas Banka's Procurement Commission, K. Valdemāra iela 2A, Riga, LV-1050, Latvia), with the procurement identification number and the title of the procurement indicated in the request.

7.2 The text of the contract entered into as a result of this procurement, including its amendments (if any), shall be published on the website of Latvijas Banka in accordance with Paragraph 18 of Section 9 of the Public Procurement Law. Where a part of the bid is deemed to be a commercial secret at the tenderer's discretion, the tenderer shall indicate this in its bid. Information that is generally available in accordance with the legislative

acts, including information enclosed in the Regulation, cannot be deemed to be a commercial secret.

7.3 The submitted bids shall not be returned to the tenderers.

7.4 The contact person at Latvijas Banka is Aina Raņķe, Deputy Head of International Relations and Communication Department, Head of Publications Division (telephone: +371 67022428; e-mail: Aina.Ranke@bank.lv).

7.5 The disputes and disagreements between the commissioning authority and tenderers shall be resolved by way of negotiations. Where the parties fail to negotiate an agreement, the disputes shall be resolved in accordance with the procedure established by the legislative acts of the Republic of Latvia. The place of the court proceedings shall be Riga, Latvia.

7.6 The Regulation has been drawn up on 7 (seven) pages, including Appendix 1 on 1 (one) page and Appendix 2 on 2 (two) pages.

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TECHNICAL SPECIFICATION

Ensuring the purchase of electronic information resources provided by *Capital Economics*

Name of the service	Number of users
UK: Weekly, Chart Book & Brexit Watch	8
US: Update, Fed Watch & Chart Book	8
Europe: Weekly, ECB Watch & Chart Book	8
Canada: Chart Book	8

Appendix 2
to the Regulation of Procurement No. LB/2018/86
of 11 December 2018

TENDERER'S BID

The tenderer hereby submits its bid for the participation in the procurement "On the purchase of electronic information resources provided by *Capital Economics* in 2019" (procurement identification number: LB/2018/86; hereinafter referred to as the "procurement") organised by Latvijas Banka.

Table 1

Information on the tenderer	
Status of the tenderer (<i>mark as appropriate</i>)	<input type="checkbox"/> legal person <input type="checkbox"/> association of legal persons (non-registered) <input type="checkbox"/> registered partnership <input type="checkbox"/> other status – _____ <i>(indicate the tenderer's status as appropriate)</i>
Information on the tenderer* (<i>indicate the name, registration number, legal address</i>)	
Contact information to be used for communication with the tenderer within the scope of the procurement (<i>indicate the postal address, e-mail address and fax number as well as the name, surname, position and phone number of the tenderer's contact person</i>)	
Information on other person/other persons (hereinafter referred to as the "person involved") whose abilities the tenderer relies on in execution of the particular contract in order to confirm that its qualification meets the requirements set out in the Procurement Regulation (<i>indicate the name, registration number, legal address and the role of the person involved** in the implementation of the procurement contract</i>)	

Notes.

* Where the tenderer is an association of persons (non-registered), the respective information about each participant of an association of persons shall be disclosed. Where the tenderer is a partnership, the respective information about each member of the partnership shall be disclosed.

** Provide information on the contract implementation measures that will be delegated by the tenderer to the person involved and the resources that the person involved undertakes to put at the tenderer's disposal as well as the way these resources shall be handed over to the tenderer.

The tenderer offers to ensure the purchase of electronic information resources provided by *Capital Economics* in compliance with the requirements set out in the Regulation and at the following price (excluding VAT).

Item No.	Name of the service	Number of users	Price in 2019, with the currency indicated (excluding VAT)
1.	UK: Weekly, Chart Book & Brexit	8	
2.	US: Update, Fed Watch & Chart Book	8	
3.	Europe: Weekly, ECB Watch & Chart	8	
4.	Canada: Chart Book	8	

We acknowledge that:

1. the tenderer or a member of the partnership (if the tenderer is a partnership) is not in one of the cases of exclusion of tenderers from further participation in the procurement referred to in Paragraph 8 of Section 9 of the Public Procurement Law and Paragraph 1 of Section 11¹ of the Law on International Sanctions and National Sanctions of the Republic of Latvia;
2. the conditions referred to in Paragraph 8 of Section 9 of the Public Procurement Law and Paragraph 1 of Section 11¹ of the Law on International Sanctions and National Sanctions of the Republic of Latvia do not apply to the person involved by the tenderer (*indicate if the tenderer has intended to involve the person involved*);
3. the information enclosed in the tenderer's bid is accurate and true;
4. the tenderer's bid complies with all requirements of the Procurement Regulation;
5. the offered contractual price covers all expenses necessary for the performance of the contract obligations, including taxes and duties (excluding VAT).

Table 2

We confirm that (<i>mark as appropriate</i>):	
<input type="checkbox"/>	our bid does not contain a commercial secret, and we agree that information included therein is published;
<input type="checkbox"/>	our bid contains the following commercial secret:
<i>(specify exactly which information included in the bid is a commercial secret)</i>	
.....	
.....	

Signature of the person having the right to represent the tenderer: _____

Signatory's name, surname and position: _____

Date: _____