

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

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

According to subparagraph 15) Article 16 of the Law of the Republic of Kazakhstan dated 24 June 2010 "On Subsurface and Its Use" the Government of Kazakhstan has **DECIDED:**

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

2. To declare to be no longer in force:

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

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

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

**Prime Minister
of the Republic of Kazakhstan**

S. Akhmetov

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

1. General provisions

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

2. The Rules shall not apply to:

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

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

- 1) customer – subsurface user, contractor, authorized person of the subsurface user who performs procurement of GWS in accordance with the Rules;
- 2) procurement - purchase of GWS at own expenses of customer during Subsurface use operations necessary to fulfill contractual obligations and activities provided for in the contract as associated ones, in a manner and by means determined by the Rules;
- 3) affiliated person of a potential supplier - any natural or legal entity entitled to make decisions and (or) influence the decisions taken by the given supplier, including by transaction made in writing, and any natural or legal person with respect to which this potential supplier has such right;
- 4) e-procurement system (hereinafter - the system) - an electronic information system, located in Kazakhstani sector of the Internet that is used by customers for procurement of goods and services created by and operated in accordance with the Rules, operation of which is synchronized with the registry;
- 5) procurement code - the code generated by system at formation of announcement of GWS procurement conduct by methods indicated in subparagraphs 1), 3), 4) of paragraph 6 of the Rules or in Protocol of results of GWS procurement by methods specified in subparagraph 2) of paragraph 6 of the Rules;
- 6) essential conditions of contract – is a condition of the subject of contract, date and place of delivery of goods, works and services, order of payment, terms of the contract;
- 7) Tender documentation - documentation approved by customer which contains the conditions of open tender given to a potential supplier for preparing the bid and price quotation;
- 8) Tender Committee - a collegial body established by customer to perform procedures for procurement of goods, works and services in the order and manner set out in subparagraphs 1), 2) and 3) of paragraph 6 of the Rules for Subsurface users on contracts for solid minerals and subparagraphs 1), 4) of paragraph 6 of the Rules for Subsurface users on contracts for hydrocarbons;

9) solid minerals - minerals, except hydrocarbons, common minerals, underground waters and mud;

10) uniform GWS - GWS which, while not identical, have similar characteristics and are composed of similar components which allows them to perform the same functions and to be interchangeable;

11) potential supplier - natural person, legal entity and temporary association of legal entities (Consortium) involved in the process of purchasing GWS used in Subsurface use operations;

12) Contractor - natural person or legal entity engaged by subsurface user or its authorized person to perform certain types of work in the Subsurface use operations;

13) register of goods and services used in subsurface use operations, and their producers (hereinafter - the Register) - State information system designed to control and monitor procurement of GWS used in subsurface operations and their producers, as well as in e-procurement and formation of the list of GWS used in Subsurface use operations;

14) associated activities - activities that are not related to Subsurface use operations and focused on fulfilling the license contract condition costs of which are taken into account by the competent authority as implementation of contractual obligations by subsurface user;

15) authorized person of subsurface user - a natural person or legal entity authorized to carry out GWS procurement in Subsurface use operations in accordance with the Rules;

16) National Certification Center of the Republic of Kazakhstan - certification center serving members of the "electronic government", state and private information systems;

17) notional price – price calculated considering conditional reduction of bid price of participant who is the Kazakhstani producer of goods purchased by tender or by twenty percent Kazakhstani producer of works and (or) services and is used solely for assessment and comparison of bids to determine the winner;

18) the digital signature - a set of numeric characters created by means of digital signature and authenticating an electronic document, its identity and continuity of content.

Procedures for procurement of GWS by customers during subsurface use operations are conducted in the Republic of Kazakhstan.

4. Procurement procedures and all documentation on purchasing shall be made in the State and Russian languages with attachment of translations into other languages in the cases provided by the tender documentation.

5. Currency used to facilitate the evaluation and comparison of prices offered by potential suppliers involved in the procurement expressed in different currencies, shall be the currency of the Republic of Kazakhstan - Tenge at the official rate of the National Bank of the Republic of Kazakhstan on the date of evaluation and comparison of prices.

6. Procurement of GSW in performance of subsurface use operations shall be conducted by customer with use of the system in the following ways:

- 1) open tender;
- 2) from a single source;
- 3) request of price quotation;
- 4) through the e-procurement system.

Procurements of goods through commodity exchanges are carried out in accordance with the laws of the Republic of Kazakhstan on the commodity exchanges.

System, which provides functionality to implement all the procurement procedures specified in the Rules, shall be created by physical persons and legal entities. The order of operation of the system shall be determined by its owner.

7. Procurement of goods, works and services for subsurface use operations through register of goods, works and services used in subsurface operations, shall be carried out in accordance with the laws of the Republic of Kazakhstan.

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

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

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

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

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

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

11. Procurement process shall include:

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

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

1) close relatives, spouse (s) or cousins of the leaders of the potential supplier and (or) the authorized representative of the potential supplier have the right to decide on selection of supplier or are employees of the customer;

2) potential supplier and (or) its workers provided consulting and (or) other preparation services to customer for conducting procurement, participated as chief designer or sub-contractor on design to develop a feasibility study and (or) design (design and estimate) documentation for construction of facility which is the subject of ongoing procurement, except for participation of developer of feasibility study in procurement of development of design (design and estimate) documentation;

3) financial and economic activities of the potential supplier and (or) contractor (co-author), who was attracted by him, is suspended in accordance with the laws of the Republic of Kazakhstan on the law of bankruptcy or by legislation of country of potential supplier - non-resident of the Republic of Kazakhstan.

13. Participation of a potential supplier and its affiliate in the same public tender (lot) is restricted except for the participation of such persons in the ongoing procurement as a temporary association of legal entities (consortium).

14. Participation of temporary associations of legal persons (consortiums) in GWS procurement is allowed. In the case of participation of such temporary associations of legal persons in the procurement, the participants in addition to the documents to confirm their qualification requirements specified in paragraphs 41 and 215 of the Rules, shall submit:

1) scanned copy of the contract on joint economic activities, signed by authorized representatives of the entities belonging to the association (consortium), and sealed with the seals of legal entities;

2) scanned copies of relevant licenses of one or more member (s) of the consortium for the right to sell the goods, works and services related to activity under the contract on joint economic activities, if such activities of a potential supplier are subject to licensing in accordance with applicable law the Republic of Kazakhstan on licensing.

15. To participate in the GWS procurement in conducting Subsurface operations through the system it is necessary to obtain or enter into the Register of registration certificates a digital signature in the National Certification Center of the Republic of Kazakhstan, to register a legal entity and (or) an individual in the system as a participant in

procurement procedure (customer and (or) supplier) as well as persons entitled to form and place information in the system.

2. Procurement planning

16. Annual, mid-term, long-term programs of GWS purchasing are developed based on the approved work program and budgets of the subsurface user.

In the absence of a work program, the annual, medium-term, long-term program of GWS purchasing shall be developed based on the approved budget of the subsurface user.

The annual, medium-and long-term GWS procurement programs reflect all GWS purchased as for direct use in subsurface operations and for activities specified in the contract as associated ones.

17. GWS procurement procedure by subsurface user or its authorized person in Subsurface operations shall be carried out in accordance with the annual program of GWS procurement. Procedure of GWS procurement by subsurface user or authorized person in Subsurface operations shall be carried out in accordance with the medium- or long-term program of procurement in cases provided for in paragraphs 191 and 342 hereof.

18. Implementation of GWS procurement procedures before approval of the budget for the coming year and the annual GWS procurement program is allowed provided that such amount does not exceed ten percent of the total annual amount of the planned procurement of relevant goods or works or services provided for in the work program and will be indicated in the annual budget and included in the annual, medium and long-term GWS procurement program.

19. Refusal from procurement is allowed in the case of reducing the cost of GWS provided in the approved annual, medium-and long-term GWS procurement programs of the subsurface user.

3. Procedure for GWS procurement in subsurface use operations on contract for solid minerals

Procedures for procurement of goods, works and services by means of open tender for Subsurface use operations

20. In implementation of procurement by means of GWS open tender which are not homogeneous, organization and conduct of a single procurement by indicated method is allowed with mandatory separation of such GWS in the tender documentation to lots allows the.

Procurement of several homogeneous GWS by means of open tender shall be conducted by division of GWS into separate lots.

In case of procurement of homogeneous goods by authorized person on behalf of a number of subsurface users it is allowed to join lots of subsurface users into one lot.

Open tender shall be held in six phases:

1) posting of an open tender in the system and a periodical printed press, published at least three times a week and distributed in the Republic of Kazakhstan in Kazakh and Russian languages;

2) collection of bids;

3) opening of bids by the Tender Committee with drawing up of Protocol on opened bids;

4) examination of bids by Tender Committee for compliance with the tender document requirements and drawing up a protocol for admission to the open tender with mandatory indication of compliance or incompliance of the potential supplier allowed to open tender to the status of "Kazakhstani producer of goods " (if a potential supplier produces goods that are

subject of an open tender procurement) or "Kazakhstani producer of works and services" (if a potential supplier conducts works or renders services that are the subject of an open tender procurement);

5) submission of price quotation for each lot by potential suppliers admitted to participation in open tender and determining of winner of open tender with drawing up of protocol on tender results:

6) signing a contract with the winner of open tender.

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

Tender Committee

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

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

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

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

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

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

Tender documentation

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

28. Tender documents shall include the following mandatory conditions:

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

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

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

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

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

6) terms of payment;

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

8) place of performance for each lot;

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

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

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

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

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

14) requirements for content and design of the bid;

15) methods for potential suppliers to seek clarifications on tender documentation;

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

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

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

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

20) mandatory requirement of subsurface user to contractor on compliance with the Rules in the performance of the contract for work;

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

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

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

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

2) to determine the service provider for provision of goods on leasing and need for a detailed description of the leaseing subject.

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

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

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

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

34. Changes and (or) amendments in tender documentation by customer is allowed, except for information specified in subparagraph 1) of paragraph 28 of the Rules. Entering changes and (or) amendments to tender documentation shall be no later than five calendar days before the deadline for submission of bids. At entering changes and (or) amendments tender documentation shall be re-approved by the customer, and the deadline for submission of bids shall be extended by customer for a period not less than ten working days to allow potential suppliers to consider these changes in their bids.

Tender documentation, as amended and / or supplemented, within one day from the date of the change and (or) amendments shall be placed by customer in the system and potential suppliers that have received tender documentation shall be notified through the system about changes and (or) amendments to the tender documentation.

Informational support of open tender

35. At conducting open tender, announcement of open tender shall be placed in the system and in the open part of the registry that is available to all users, including those not registered in the registry, and signed by electronic signature by representative of the customer authorized for formation and placement of information in the system and in a periodical published at least three times a week and distributed in the Republic of Kazakhstan in the Kazakh and Russian languages for subsurface user or his authorized representative - not less than twenty calendar days, and for contractor - not less than fifteen days prior to the deadline for submission of bids.

In case of conducting repeated open tender, subsurface user or its authorized representative shall ensure publication of corresponding announcement no later than fifteen calendar days, and the contractor - no less than seven working days prior to the deadline for submission of bids using the methods of information, referred to in this point.

36. In the announcement of an open tender placed in the system the following information shall be included:

1) subject of open tender (name and number of lots, if subject of an open tender includes several lots);

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

3) description, unit of measure, quantity of goods, amount of work to be performed and services to be rendered for each lot, total amount of purchases of goods from with breakdown of demand for each year (in the case of a long-term contract);

4) date and place of performance for each lot;

5) tender documentation;

6) place and deadline for submission of bids as well as the location, date and time of opening of envelopes with bids;

7) amount allocated for purchase of goods, works and services for each lot, excluding VAT;

8) required dates of procurement contract for each lot starting from the date of summing up the open tender;

9) e-mail address and phone numbers for clarifications remand from potential suppliers;

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

11) number (s) of the contract (s) for Subsurface for which the procurement is being conducted;

12) requirement for potential supplier to include into price quotation in addition to price of goods, works and services also other expenses provided by the terms of the supply of goods, works and services, excluding VAT.

The announcement on conducting GWS procurement shall be placed in a periodical printed press, published at least three times a week and distributed in the Republic of Kazakhstan in the Kazakh and Russian languages and contain information specified in points 1), 2), 4), 6), 8), 9) of this paragraph.

37. Refusal of customer to conduct an open tender for GWS procurement is allowed no later than one business day prior to the deadline for submission of bids by notice of decision to cancel the procurement process of open tender in the system.

In case of cancellation of open tender for GWS procurement, customer no later than three working days from the date of rejection of an open tender shall return the received envelopes with bids without opening them and security cash contributions made to the account of the customer as security for bids for participation in the open tender.

38. No later than five working days from the date of signing of protocol on results of open tender, customer shall place announcement of its results in a periodical, published at least three times a week and distributed in the Republic of Kazakhstan in the Kazakh and Russian languages, which contains the information specified in sub- paragraph s 1), 2), 4), 10), 13) of paragraph 89 of the Rules.

Content of bid and submission order

39. A bid is an expression of consent of potential supplier, applying for participation in the open tender, to delivery of goods and (or) to perform work and (or) render services in accordance with the requirements and conditions of the tender documentation, in the event of recognizing them as a winner of open tender.

40. Potential supplier, agreed to participate in an open tender, shall provide customer a tender bid in a timely manner in a sealed envelope in accordance with the tender documents.

Submission of an envelope with bids or documents and (or) materials, which are part of the bid, after the deadline for submission specified in the tender documentation is not allowed.

41. Bid of potential supplier shall contain:

1) bid to participate in an open tender with indicated terms of its validity signed by the chief executive or authorized person of potential supplier;

2) notarized copies of documents confirming the legal capacity (for legal entities), civil capacity (for individuals) or a copy of these documents if the original documents for verification is available:

an individual shall submit a document of registration as a private business entity with indication of the individual or business identification number (hereinafter - BIN), proof of identity, indicating the individual identification number (hereinafter - IIN). Non-residents of the Republic of Kazakhstan shall submit an identity document card;

legal entity shall submit the following documents:

charter;

documents (license, patent, certificate) certifying the right of potential supplier for production, processing, delivery and sale of goods, works and services;

certificates, if the subject of procurement shall have a compulsory certification for compliance with standard requirements or another regulation instrument providing security for life, health and property of citizens and environment in accordance with the laws of the Republic of Kazakhstan on certification;

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

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

3) proof of solvency:

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

original or notarized copy of the balance sheet for the last financial year, signed by the first head or his deputy and fixed with the seal of the legal entity.

If opening of envelopes with bids are due before 30 April of current year, potential supplier may submit the original or a notarized copy of the balance sheet for the financial year preceding the last financial year, signed by the chief executive or his deputy, and fixed with the seal of legal entity;

original certificate of established form the relevant tax authority stating the absence of tax debts and arrears of pension contributions and social contributions for more than three months (except where the timing of payment is delayed according to the legislation of the Republic of Kazakhstan on taxes and other obligatory payments to the budget) or the availability of tax debts and arrears of pension contributions and social contributions, issued not earlier than one month before the date of opening envelopes with bids;

a notarized copy of certificate of registration for VAT payer (if available) or copy of the document if the original document is available for verification;

4) technical specification describing the functional, technical, quality and performance characteristics of GWS and the list of documents proving compliance of GWS with these requirements (if appropriate requirements are available in the tender documentation);

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

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

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

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

42. If potential supplier – a non-resident of the Republic of Kazakhstan it shall submit the same documents as residents of the Republic of Kazakhstan to prove its compliance with

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

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

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

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

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

45. Sealed envelope with tender application shall:

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

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

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

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

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

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

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

2) withdraw its bid without losing the right of refund of its submitted bid security.

49. The following is not allowed to submit:

1) more than one bid per lot;

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

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

Bid security

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

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

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

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

53. Supplier is not allowed to undertake actions that lead to occurring at third parties of right to claim in whole or in part the security cash payment until fulfillment of obligations under the contract.

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

55. Social organizations of disabled people are not subject to observance on bid security requirement.

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

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

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

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

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

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

1) withdrawal by the potential supplier of its bid prior to the deadline for submission of bids;

2) signing of protocol for admission to open tender. This item does not apply to potential suppliers recognized as participants of open tender;

3) signing of protocol summarizing the results of procurement by method of open tender. This subparagraph does not apply to participant of open tender that was recognized as a winner of open tender;

4) procurement contract entry into force and submission by winner of open tender of security of procurement contract execution, if such submission is provided by the tender documentation;

5) expiration of tender bid of potential supplier.

Opening of bid envelopes

59. Secretary of Tender Committee shall receive and record the envelopes with bids of potential suppliers in the register of potential suppliers bids and the system in chronological order with the following information:

1) subject of open tender (name and number of lots, if subject of open tender includes several lots);

2) name and address (for legal entities) or full name and address (for individuals) of potential supplier;

3) method of submission of the envelope with potential supplier bids;

4) date and time of submission of envelope with bid of potential supplier;

5) date and time of withdrawal by potential supplier of envelope with the bid.

Registry log for bids of potential suppliers shall be laced, pages numbered, the last page of the log with bids of potential suppliers shall be affixed with seal of customer. Maintaining a unified log for bids of potential suppliers for all GWS procurement by open tender in a single fiscal year is allowed.

60. Bid envelope executed in violation of requirements of paragraphs 40 and 45 hereof shall not be opened and shall be returned to potential supplier no later than one business day after receiving the envelope with bid.

61. Tender Committee shall open envelopes with bids in accordance with provisions of tender documentation on the place, date and time of opening of envelopes with bids.

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

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

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

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

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

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

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

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

65. Tender Committee shall review the bids and decide on admission to participate in open tender of potential suppliers as per each lot within ten calendar days from the date of opening envelopes with bids, unless otherwise provided in the tender documentation.

66. When examinig bids:

- 1) in order to facilitate the examination of bids the Tender Committee is allowed to inquire from potential suppliers of open tender clarification in relation to their bids without changing their contents;

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

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

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

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

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

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

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

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

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

3) bid is completed with violation of the requirements provided for in paragraph 44 of the Rules;

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

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

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

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

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

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

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

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

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

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

72. Protocol for admission to open tender shall include:

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

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

74. In the absence of bids submitted by potential suppliers, the Tender Committee shall decide on recognition of open tender as failed and shall draw up a protocol results in the manner and form set out in paragraphs 88 and 89 of the Rules.

Content and submission of price quotations

75. Price quotation of participant of open tender shall be submitted to customer in a sealed envelope. Sealed envelope with price quotation shall:

- 1) be addressed to customer as per bank and address details specified in the tender documentation;
- 2) contain the words "open tender for procurement of _____ lot ____" (name of open tender, name and number of lots) and "Do not open before _____" (date and time of opening of envelope);
- 3) contain the name and address of participant open tender.

76. Participants of open tender shall submit envelopes with price quotation within a time and place specified in the protocol for admission to open tender.

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

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

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

78. Price quotation shall be executed in accordance with the order and form of presentation set out in the tender documentation of customer.

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

79. Tender Committee shall not examine the price quotations of participants of open tender submitted after the deadline for submission of quotations as specified in the protocol for admission to open tender.

80. Secretary of Tender Committee shall receive and register envelopes with price quotations of participants of open tender to be submitted before the deadline set in protocol of admission for participation in open tender in the log for registration of price quotations of open tender participants in chronological order with the following indicated information:

- 1) subject of open tender in accordance with the model statistical classification of products (name of lots, if subject of open tender includes several lots);
- 2) name and address (for legal entities) or full name and address (for individuals) in accordance with the classifier of administrative-territorial units of open tender participants;
- 3) method of representing of envelope with price quotation of participants of open tender;
- 4) date and time of submission of envelope with price quotation of participants of open tender.

Log for registration of price quotations of open tender participants shall be laced, pages numbered, the last page of registration log of price quotations of open tender participants shall be sealed by customer. Maintaining a unified log of price quotations of open tender participants for all GWS procurement by method of open tenders for one fiscal year is allowed.

81. Within the date, time and place established by protocol for admission to open tender the Tender Committee shall conduct meeting for evaluation and comparison of price quotations.

82. Presence of open tender participants and (or) their authorized representatives at evaluation and comparison of price quotations is allowed with right of audio recording.

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

83. Tender Committee shall open the envelopes with price quotations in the presence of open tender participants and (or) their authorized representatives (if available) and announces them the price of each quotation.

84. Tender Committee shall reject submitted price quotations, if:

- 1) the price of quotation of open tender participant exceeds the amount allocated for purchase of GWS that is subject of open tender (lots);
- 2) price quotation does not meet the established by customer format for price quotations specified in tender documentation of customer;
- 3) envelope with price of quotation is executed in violation of the requirements contained in paragraph 75 of the Rules;
- 4) envelope with price of quotation is submitted after the deadline for submission of quotations as specified in the protocol for admission to open tender;
- 5) Member of open tender are more than one bid quotation on one lot.

85. Tender Committee shall evaluate and compare those price quotations that were not rejected due to conditions set out in paragraph 84 of the Rules, and shall determine the winner of open tender (on lots) on the basis of the lowest price quotation based on the criterion of conditional price reduction under paragraph 2 of Article 78 of the Law.

86. In determining the winner of open tender, in the case of equality of competitive price quotations of open tender participants with applying the criterion of the conditional

price reduction provided for in paragraph 2 of Article 78 of the Law, preference shall be given Kazakhstani producer of goods, works and services.

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

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

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

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

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

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

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

1) declare the winner of the open tender;

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

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

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

5) declare open tender or repeated open tender as failed when in the open tender or repeated open tender is involved one potential supplier whose price quotation the conditions of open tender or repeated open tender.

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

Protocol of summarizing the results of open tender formed in the system shall be signed by electronic signature and placed in the system and the open part of the registry that is available to all users, including those not registered in the registry, according to the form stated in Annex 5 of the Rules by person authorized by the customer for formation and placement of information in the system, no later than three working days after summing up the results of open tender.

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

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

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

2) date, time and place of Committee meeting;

3) members of Tender Committee;

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

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

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

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

7) name (for legal entities) or full name (for individuals) of open tender participants who withdrew their price quotations in accordance with subparagraph 2) of paragraph 77 of the Rules;

8) name (for legal entities) or full name (for individuals) of open tender participants whose price quotations were rejected for the reasons given in paragraph 84 of the Rules, with stated prices of quotations;

9) prices of not rejected quotations of open tender participants with considering application of the criterion of conditional reduction of price provided for in paragraph 2 of Article 78 of the Law (on lots);

10) name and address (for legal entities) or full name and address (for individuals), in accordance with the classifier of administrative-territorial facilities and price of quotation of winner of open tender (on lots), open tender participant whose price quotation is the most preferred after quotation of the winner, and (or) an indication of the reason, if in open tender no winner (by lots) was determined;

11) obligations of winner of open tender on local content in offered goods or works, or services expressed in percentage for each lot (from 0 to 100);

12) information about the representatives of open tender participants who attended the meeting on evaluation and comparison of price quotations;

13) number (s) of the contract (s) for subsurface use for which the procurement is being conducted.

90. Within the period established in the announcement of open tender, a contract shall be concluded with the winner of open tender in terms consistent with the terms of the bid of open tender winner.

91. If according to results of open tender the winner of open tender did not sign and did not submit to customer the contract within the terms established in accordance with the announcement of open tender, the contract may be concluded with another participant of open tender whose offer is the most preferred after offer of the winner according to the report of results of the open tender.

92. If an open tender is declared failed for reasons provided for in subparagraphs 2) and 3), 4) of paragraph 87 of this Rule, it is allowed to enter changes and additions to the tender documentation except for the information specified in subparagraph 1) of paragraph 28 hereof, and customer shall conduct repeated open tender with methods of information specified in paragraph 35 hereof.

If open tender is declared failed for reason mentioned in subparagraph 3) of paragraph 87 hereof due to inconsistencies of potential suppliers obligations on local content in goods or works or services to requirements of the tender documentation, the customer at conducting repeated open tender shall change requirements on local content in goods or works or services for less.

If open tender or repeated open tender are declared failed for reason mentioned in subparagraph 5) of paragraph 87 hereof, the customer makes procurement from single source in accordance with the terms of tender documents for the given open tender, or repeated open tender from a participant of open tender or repeated open tender whose price quotation was not refused as violating the conditions of open tender or repeated open tender.

93. If all providers whose applications were not rejected as violating the conditions of open tender refused to conclude a procurement contract, customer shall be allowed to conduct repeated open tender with using the methods of information, referred to in paragraph 35 hereof, or purchase from single source.

Procurement of goods, works and services from single source

94. GWS procurement from single source shall be carried out in the following cases:

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

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

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

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

29) purchase of food products;

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

31) purchase of medicine;

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

33) purchase of utilities;

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

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

36) purchase of services on use of system;

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

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

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

96. In conducting purchase of GWS from single source that are not homogeneous, it is allowed for customer to organize and conduct procurement from single source in indicated manner with the mandatory separation of such GWS in protocol on results of procurement from single source to lots.

Purchase several types of homogeneous GWS from single source to be done by division of GWS into lots as per their homogeneous types.

97. Protocol on results of GWS procurement from single source shall comprises:

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

2) basis for procurement from single source (for each lot, if the subject of procurement from single source includes several lots);

3) subject of procurement from single source in accordance with the model statistical classification of products (name and number of lots, if the subject of procurement from single source includes several lots);

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

5) date and place of performance of obligation for each lot;

6) name of supplier;

7) price offered by supplier to proposed GWS on each lot, expressed in national currency, VAT excluded;

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

9) requirement to potential supplier to include in the quotation all the costs associated with the provision of goods, works or services;

10) term for signing of procurement contract;

11) obligation of potential supplier of local content in proposed GWS, expressed in percentage for each lot (from 0 to 100);

12) number (s) of contract (s) for the subsurface use for which the procurement is being conducted.

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

Protocol of results of GWS procurement from single source formed in the system shall be signed by electronic signature and placed in the system and the open part of the registry that is available to all users, including those not registered in the registry, according to the form as per Annex 6 hererof by person of the customer authorized for formation and placement of information in the system, no later than three working days from the date of summarized results of GWS procurement from single source.

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

Not later than two working days after summarizing the results of procurement from one source Customer shall places announcement on the results in a periodical, published at least three times a week and distributed in the Republic of Kazakhstan in the Kazakh and Russian languages, which contains the information specified in subparagraphs 1), 2), 3), 6), 7), 10), paragraph 97 hererof.

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

99. Procurement of GWS by method of request of price quotations shall be conducted for GWS whose characteristics do not have significant importance for the customer and where the decisive factor is the price.

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

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

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

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

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

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

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

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

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

2) to determine the service provider for provision of goods on leasing and need for a detailed description of the leaseing subject.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

108. It is not allowed to enter:

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

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

110. Price quotation of a potential supplier shall contain:

- 1) name, address, location, BIN (legal entity) or full name and location, IIN (for individuals) and bank details of potential suppliers;
- 2) subject of procurement by method of price quotation request in accordance with the model statistical classification of products (name and number of lots, if the subject of procurement by method of price quotations request includes several lots);
- 3) description, unit of measure in accordance with the interstate classifier of units for measurement and calculation, quantity of goods or amount of goods or works or services offered for each lot;
- 4) date and place of performance of obligations for each lot;
- 5) price offered by potential supplier for the lot, excluding VAT;
- 6) obligation on local content in goods or works, or a service, expressed as a percentage for each lot (0 to 100).

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

112. Price quotation, signed by the chief executive or authorized person of the potential supplier and affixed with seal of potential supplier shall be sealed in an envelope and submitted to place and within the time frame established in announcement of GWS procurement by method price quotations request.

If quotation is signed by an authorized person, envelope with the price quotation shall contain a Power of Attorney confirming his/her powers.

113. The front side of the sealed envelope with the potential supplier's price quotation shall include the following information:

- 1) name and address of customer;
- 2) name and address of (for legal entity) or full name and address (for individual) of potential supplier;
- 3) subject of procurement by method of price quotations request (name and number of lots, if the subject of procurement by method of price quotations request includes several lots for participation in which potential supplier's quotation is submitted).

114. Secretary of Tender Committee, in obtaining the envelope with the potential supplier's quotation, shall:

- 1) verifies indication of information on the envelope with quotation required by paragraph 113 of the Rules. Envelope with price quotation, issued in violation of requirements of that provision hererof, shall be returned to potential suppliers within one working day from the date of receipt;
- 2) accept envelopes with price quotations and register in the log of price quotations the information required by paragraph 115 of the Rules.

115. The log of registration of price quotations shall contain the following information:

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

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

3) method of submission of a price quotation;

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

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

116. The envelope with price quotation received after the deadline for submission of quotations or in violation of the requirements of paragraph 113 hereof shall not be examined but be registered in the register log for price quotations and returned in the manner and time stipulated in subparagraph 1) of paragraph 114 of the Rules.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- 1) it is greater than the amount allocated for purchase of these GWS for lot;
- 2) potential supplier does not agree or offers to change and (or) alter essential terms of procurement contract draft;
- 3) envelope with price quotations is submitted after the deadline for submission of price quotations indicated in the announcement of procurement by method of price quotations;
- 4) potential supplier submitted more than one quotation per lot;
- 5) quotation is executed in violation of the requirements set forth in paragraph 110 of the Rules.

Refusal of price quotations for other reasons is not allowed.

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

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

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

- 1) name and address of customer in accordance with the classifier of administrative-territorial bodies;
- 2) date, time and place of the procedure of summarizing results of procurement by method of price quotations request;
- 3) subject of procurement by method of price quotations request in accordance with the model statistical classification of products (name and number of lots, if the subject of procurement by method of price quotations request includes several lots);
- 4) name and address (for legal entities) or full name and address (for individuals) of potential suppliers whose quotations were considered;
- 5) name (for legal entities) or full name (for individuals) of potential suppliers, whose price quotations were rejected with indication of reasons for rejection (by lots);
- 6) prices of not declined price quotations of potential suppliers (by lots);
- 7) name and address (for legal entities) or full name and address (for individuals), price of quotation of winner of procurement by method of price quotations request (on lots) and (or) indication of reasons, if, as a result of procurement by method of price quotations request there were no winner determined (by lots), in accordance with paragraph 122 of the Rules;
- 8) obligation on local content in offered goods or works, or a services, expressed as a percentage for each lot (from 0 to 100);
- 9) number of contracts for Subsurface use for which the procurement is being conducted.

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

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

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

In the absence of price quotations or only one price quotation was submitted within the terms for submission of quotations, customer shall extend acceptance of price quotations for up to five working days from the expiry date for submission of quotations by placing notice in the system.

128. In the absence of price quotations not rejected in accordance with paragraph 122 hereof, or presence of only one quotation, procurement by method of price quotations request shall be considered as failed.

129. Procurement by method of price quotations request is declared as failed invalid, the customer is allowed to conduct repeated procurement by method of price quotations request or exercise purchase from single source in order and terms established by the Rules.

130. If winner of procurement by method of price quotations request refuses to enter into contract, the customer is allowed to conduct repeated procurement by method of price quotations request or exercise purchase from single source in order and terms established by the Rules.

131. No later than five working days after summarizing the results of procurement by method of price quotations request, customer shall place announcement on the results of procurement by method of price quotations request in a periodical published at least three times a week and distributed in the Republic of Kazakhstan in the Kazakh and Russian languages, which contain the information specified in subparagraph 1) - 3), 7), 9), paragraph 125 of the Rules.

Procurement of goods, works and services through e-procurement

132. In implementing procurement through e-procurement system of GWS that are not homogeneous, customer is allowed to organize and conduct a single procurement by given method with mandatory separation of such GWS into lots in the announcement on procurement through e-procurement system.

Purchase several types of homogeneous TRU through the e-procurement system shall be carried out by division of labor of GWS into lots as per their homogeneous types.

In the cases provided for in this paragraph, determination of the winner of procurement through e-procurement system shall be conducted by the system separately for each lot as provided in this procurement through e-procurement system, while the decisive factor shall be the lowest price.

133. To participate in the procurement through e-procurement system a potential supplier shall obtain or enter into the register of registration certificates of digital signature in accordance with the laws of the Republic of Kazakhstan on electronic document and digital signature and register in the system as a supplier.

134. During conducting procurement through e-procurement system the announcement on procurement through e-procurement system shall be signed by electronic signature and placed in the system and in the open part of the registry that is available to all users, including those not registered in the register, by person authorized by customer for formation and placement information in the system, and shall be published in a periodical issued at least three times a week and distributed in the Republic of Kazakhstan in the Kazakh and Russian languages, at least ten working days before the date of submission of price quotations on purchasing through e-procurement system.

In the case of conducting repeated procurement through e-procurement system the customer shall ensure publishing relevant announcement not less than five working days

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

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

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

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

3) description, unit of measure, in accordance with the interstate classifier of units of measurement and calculation, quantity of goods to be purchased, amount of work to be performed and services to be rendered for each lot;

4) date and place of performance of each lot in accordance with the Classification of territorial administrative bodies;

5) date and time of commencement and completion of submission of quotations on procurement through e-procurement system as per the time of Astana city;

6) amount allocated for purchase of goods, works and services for each lot, excluding VAT;

7) requirement to include into potential suppliers quote all the costs associated with provision of goods, works or services, excluding VAT;

8) required dates for concluding of procurement contract for each lot starting from the date of summarizing the procurement results;

9) e-mail address and phone numbers for request of clarification by potential suppliers;

10) draft of procurement contract approved by customer, indicating the essential conditions separately for each lot;

11) detailed technical specifications approved by the customer describing the technical, quality and performance characteristics of GWS separately on each lot;

12) types, amount and method of submission of security for bids for participation in procurement through the e-procurement system separately for each lot and / or execution of procurement contract by each lot;

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

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

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

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

2) to determine the service provider for provision of goods on leasing and need for a detailed description of the leaseing subject

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

138. The time period for submission of quotations on procurement through e-procurement system in accordance with subparagraph 5) of paragraph 135 hereof shall be indicated as per the time of Astana city. The deadline for submission of quotations on

procurement through e-procurement system shall be indicated not later than 18 hours 00 minutes in time of Astana.

It is not allowed to specify the time period for submission of quotations on procurement through e-procurement system less than a day.

139. Security for participation procurement through the e-procurement system shall be submitted by potential supplier as a guarantee that it will:

1) deliver the goods, works and services in accordance with the detailed technical specifications describing the technical, quality and performance characteristics of GWS and compliance with conditions stipulated in the draft of procurement contract, placed in the system;

2) in the case of determining it as the winner of procurement through e-procurement it will conclude procurement contract with the customer within the period specified in the announcement of procurement through e-procurement system, and will submit security of execution of procurement contract, if the announcement of procurement through e-procurement system provides for submitting security of execution of procurement contract.

140. Security for participation in the e-procurement system shall be submitted by potential supplier no later than two business days prior to the date of submission of quotations on purchasing through e-procurement in the amount of not less than specified by the customer in accordance with the requirements of paragraph 135 of the Rules in the announcement on procurement through e-procurement system.

141. Potential supplier is allowed to withdraw the security for participation in purchase through the e-procurement system on the basis of official request of the potential supplier received by the customer not later than two working days before the deadline of submission of quotations on purchasing through e-procurement.

142. Customer is not allowed to establish the size of participation in purchase through the e-procurement system for more than three percent of the amount provided in the announcement of procurement through e-procurement system for purchase of GWS.

143. Security for participation of potential supplier in purchase through the e-procurement system may be submitted in the following types:

1) guaranteed cash payment which shall be sent to the bank account of the customer;

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

144. Supplier is not allowed to undertake actions that lead to occurring at third parties of right to claim in whole or in part the security cash payment until fulfillment of obligations under the contract.

145. Customer is not allowed to use the security cash payment made by the supplier, except as provided by paragraph 147 of the Rules.

146. Requirement to submit security for participation in purchase through the e-procurement system shall not apply to social organizations of disabled people.

147. Security payment for participation in procurement through the e-procurement system shall not be returned by customer in one of the following cases:

1) potential supplier recognized as winner of purchase through the e-procurement system, declined to enter into a procurement contract;

3) winner of purchase through the e-procurement system, having concluded the procurement contract, did not fulfill the requirements set by announcement on conducting procurement through the e-procurement system on submitting security for procurement contract execution, if its submission is provided in the announcement on conducting procurement through the e-procurement system.

148. At occurrence of one of the cases specified in paragraph 147 of the Rules, the amount of security for participation in procurement through the e-procurement system shall be credited to the income of the customer.

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

1) receipt of request from potential supplier on withdrawal of its security for participation in procurement through the e-procurement system in accordance with paragraph 141 hereof;

2) summarizing the results of procurement through e-procurement by the system. The above case does not apply to potential supplier who is determined as the winner of procurement through e-procurement system;

3) procurement contract entry into force and submission by winner of purchase of through e-procurement system of security of procurement contract execution, if its application is provided in the announcement of procurement through e-procurement system.

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

151. Customer is allowed to enter changes and (or) amendments to the draft of contract and detailed technical specifications describing the technical, quality and performance characteristics of GWS on purchasing through e-procurement system (lot), except for the information specified in subparagraph 1) of paragraph 135 of the Rules no later than three working days prior to the deadline for submission of quotations on purchasing through e-procurement system. When changes are made, the draft of contract and detailed technical specifications describing the technical, quality and performance characteristics of GWS on purchasing through e-procurement system (lot) shall be subject to re-approval and placement in the system by customer, and the deadline for submission of quotations on purchasing through e-procurement system shall be extended by customer for a period not less than five working days. Customer shall notify potential suppliers through the system on extension of period for submission of quotations on purchasing through e-procurement system.

152. Customer is allowed to cancel conducting procurement through e-procurement system no later than one business day prior to the deadline for submission of quotations on purchasing through e-procurement system, by placing notice in the system on the decision to cancel procurement through e-procurement system. In this case, if the announcement on conducting procurement through e-procurement system was placed in the system, the notice of decision to cancel the procurement through e-procurement system to be automatically transferred to the registry.

Customer shall notify potential suppliers through the system on decision to cancel procurement through e-procurement system.

153. Person authorized by customer for formation and placement of information in the system, shall indicate separately for each lot in the system as participant of procurement through e-procurement system of potential suppliers that provided security for participation in purchase through the e-procurement system in the amount not less than the amount specified by the customer in the announcement of procurement through e-procurement system, and in time, in accordance with paragraph 135 hereof by selection of such potential suppliers from the list of supplier registered in the system.

154. If potential supplier withdraws its security for participation in the purchase through the e-procurement system in accordance with paragraph 141 hereof, the potential supplier should be excluded up to date and starting time of submission of quotations on purchasing through e-procurement system by person authorized by customer for formation and placement of information in the system, from the number of participants in procurement through e-procurement system indicated in the system.

155. Within the period specified in subparagraph 5) of paragraph 135 hereof, participants of purchase through e-procurement system shall submit quotations on purchasing through e-procurement system for each lot.

156. Price quotations on purchasing through e-procurement system of participants of procurement through e-procurement system shall be formed and signed by electronic signature and placed in the system by authorized persons with inclusion into the price of GWS purchase also the cost of their transportation and insurance, payment of customs duties, taxes and fees and other expenses under the terms of supply of goods, works and services, excluding VAT.

157. Number of submitted by participant of procurement through e-procurement system price quotations on purchasing through e-procurement system is not limited, participant of procurement through e-procurement system is entitled to repeatedly submit its price quotations on purchasing through e-procurement system in the direction of reducing the price quotation on purchasing through the e-procurement system. At this, the minimum interval of change (reduce) of price of quotation on purchasing through e-procurement system shall be not less than 0.1 percent of the initial price quotation.

158. Price quotations on purchasing through e-procurement system shall be automatically rejected by the system in the following cases:

- 1) price quotation on purchasing through e-procurement system exceeds the amount allocated for procurement of GWS that are the subject of procurement through e-procurement;
- 2) price quotation on purchasing through e-procurement system is presented in violation of subparagraph 5) of paragraph 135 of the Rules;
- 3) price quotation is submitted by participant of procurement who failed to submit security for participation in purchase through e-procurement system in the amount specified by customer in the announcement on conduct procurement.

159. Participants of purchase through e-procurement system are able to see the lowest price quotation on purchasing through e-procurement system and number of participating in the purchase potential suppliers, without giving their names.

160. If within five minutes before the deadline for submission of quotations on purchasing through e-procurement system, one of participants of procurement through e-procurement system (lot) has introduced a new price quotation on purchasing through e-procurement system, the end time of deadline for submission of quotations the procurement through e-procurement system shall be automatically extended for ten minutes.

161. If within ten minutes after submission of the last quotation on purchasing through e-procurement system there has not been received any other minimum price quotation on purchasing through e-procurement system, the deadline for submission of quotations on purchasing through e-procurement system shall be considered as expired and the system summarizes the results of procurement through e-procurement.

162. If in the system there are available price quotations on purchasing through e-procurement, the system compares price quotations on purchasing through e-procurement system and determines the winning quote on purchasing through e-procurement system on the basis of the lowest price taking into account the criterion of conditional reduction of prices under paragraph 2 of Article 78 of the Law.

163. Procurement through e-procurement system shall be declared as failed if before the deadline for ending of submission of quotations on purchasing through e-procurement system there was no price quotations provided on purchasing through e-procurement system.

164. After the deadline for submission of quotations for procurement through the e-procurement, the system automatically summarizes the results of procurement through e-procurement system for each lot and generates a protocol summarizing the results of procurement through e-procurement system as per form, in accordance with Annex 9 hererof indicating one of the following results:

- 1) declaration of winner of purchase through e-procurement system;

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

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

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

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

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

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

5) prices of quotations on purchasing through e-procurement system of participants of purchasing through e-procurement system (on lots), applying the criterion of conditional reduction of price provided for in paragraph 2 of Article 78 of the Law (on lots);

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

166. The system-generated protocol on summarizing the results of procurement through e-procurement system shall be signed by electronic signature by person of customer authorized for formation and placement of information in the system.

Protocol summarizing the results of procurement through e-procurement system shall be placed in the open part of the registry that is available to all users, including those not registered in the register containing the information stated in paragraph 165 hereof.

167. Within the period specified in accordance with announcement of procurement through e-procurement system, the contract shall be concluded with the winner of procurement through e-procurement system on the terms stipulated in the draft of contract, indicating the essential terms of the contract for each lot and detailed technical specifications describing the technical, quality and performance characteristics of GWS for each lot, located in the system in content of announcement on procurement through e-procurement system.

168. If the winner of procurement through e-procurement refuses to conclude a contract as per the results of conducted procurement through e-procurement system within the terms established in accordance with the announcement of procurement through e-procurement system, customer is allowed to enter into contract with another participant of purchase through e-procurement system whose proposal is the most preferred for the customer after the quotation on purchasing through e-procurement system of the winner in accordance with the protocol summarizing the results of procurement through e-procurement system.

169. If the purchase through e-procurement system is declared as failed, then changes and (or additions) are allowed to be entered into the draft of procurement contract, detailed technical specifications describing the technical, quality and performance characteristics of GWS on each lot and conducting by customer of repeated purchase through the electronic procurement or conducting purchase from single source in accordance with the order of their execution provided by the Rules.

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

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

172. No later than five working days after summarizing results of purchase through e-procurement system, customer shall place announcement on the results of procurement through e-procurement system in a periodical, published at least three times a week and distributed in the Republic of Kazakhstan in the Kazakh and Russian languages, which contains the information specified in subparagraph 1), 2), 3), 6), paragraph 165 of the Rules, and the procurement code, online resource of the system.

Purchase of goods through commodity exchanges

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

Security on execution of procurement contract

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

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

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

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

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

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

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

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

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

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

Procurement contract

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

184. In the case of entering into procurement contract with a non-resident of the Republic of Kazakhstan it is allowed to execute the procurement contract in form proposed by it considering the terms of the civil legislation of the Republic of Kazakhstan and the Rules.

185. Procurement contract shall include:

- 1) supplier obligation to comply with the Rules during performance of contract on works;
- 2) supplier's liability for non-compliance with the Rules during performance of contract on works;
- 3) supplier's obligation on local content in goods or works or services according to the protocol summarizing the results of procurement;
- 4) responsibility of supplier for failure to fulfill obligations on local content in goods or works or services according to the protocol summarizing the results of procurement;
- 5) other rights and duties provided by the tender documentation.

186. In the event that the customer enters into purchase contract with the Kazakhstani producer of goods, the provisions of contract may contain the requirement to provide by supplier a copies of certificate of origin of goods for internal circulation, confirming the origin within the territory of the Republic of Kazakhstan, that complies with nomenclature of conducted procurement, while the amount of goods that specified in certificate shall not be less than the amount of goods supplied under the contract.

187. In the event that the customer enters into purchase contract with the Kazakhstani producer of works and services, the provisions of contract shall specify the requirement for a supplier to submit a report on delivered GWS as per form and within the period specified by the customer.

188. Changes to the concluded procurement contract is allowed:

- 1) on contracts with holders of natural monopolies, as well as with entities holding the dominant (monopolistic) position on a particular market of GWS being purchased, or with holders of the state monopoly on the main subject of its activities in accordance with the State Register of market participants taking dominant (monopolistic) position on the relevant market;
- 2) in terms of increasing the amount of the contract to no more than ten percent of the total amount of the contract associated with increase of demand in the volume of purchased GWS, provided that price per unit of GWS is fixed as specified in the contract for purchase of the goods, works and services. Such change in the concluded contract for procurement of goods, works and services is permitted within the amounts provided for in the annual and (or) medium-term and (or) long-term programs of purchase for procurement of the goods, works and services;
- 3) within the terms of validity of the procurement contract relating to annual change of the GWS purchase contract price as agreed by the parties, concluded for a period of more than one fiscal year, based on the inflation rate defined on the corresponding period by normative legal acts of the Republic of Kazakhstan;
- 4) by mutual consent of the parties in reducing the prices of goods, works and services and, accordingly, the amount of the procurement contract.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

195. In conducting open tender for procurement of GWS that are not uniform, customer is allowed to organize and conduct a single procurement by the mentioned method with mandatory separation of GWS in tender documentation into lots.

Purchase of several types of homogeneous GWS by method of open tender shall be carried out by division of GWS to lots as per their homogeneous types and places of delivery (performance, service). Customer, conducting open tender, at own discretion may further subdivide the lots as per the quantity (volume) of homogeneous GWS with a single place of delivery, execution of works and (or) services.

In the case of customer purchasing similar goods, works or services under several contracts on Subsurface use customer is allowed to buy such GWS by one lot provided that the place of delivery of goods, rendering services or executing of works is the same and with mandatory indication of distribution of volumes of purchased GWS under Subsurface use contracts.

Open tender shall be conducted in eight stages:

- 1) formation of Tender Committee;
- 2) formation and approval of tender documents;
- 3) formation and placement in the system and registry of announcement on conducting open tender and tender documentation, as well as placing announcement on holding an open tender in a periodical published at least three times a week and distributed within the territory of the Republic of Kazakhstan in the Kazakh and Russian languages ;
- 4) collection of bids;
- 5) opening of bids in the system with drawing up of protocol on opening of tender bids;
- 6) Tender Committee's examination of bids for compliance with the conditions of open tender and execution of protocol of admission to open tender with obligatory indication of

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

7) participants of open tender sending their price quotations on each lot in the system to determining the winner of open tender and with drawing up of protocol of summarizing the results of by means of the system;

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

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

Tender Committee

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

197. Tender Committee consists of a chairman, deputy chairman and members of the Tendercommittee. The total number of members of committee shall be an odd number. Content of Tender Committee shall be at least three people. Secretary of Tender Committee is not a member of Tender Committee has no right to vote in taking decisions by Tender Committee.

198. Meetings of Tender Committee shall be held with attendance of a simple majority of the total number of Tender Committee and shall be recorded in the protocol signed by the members of Tender Committee, its chairman, deputy chairman and secretary of Tender Committee. In case of absence of a member of Tender Committee the protocol of meeting of Tender Committee shall state the reason for absence with a document confirming of this fact.

199. Decision of Tender Committee shall be taken by open ballot and shall be considered adopted if at a majority of votes of the total number of Tender Committee members. In case of a tie vote a decision shall be considered to be accepted which was voted by chairman of Tender Committee, or in his absence, by deputy chairman. In case of disagreement with the decision of Tender Committee, any member of Tender Committee may have a personal opinion which shall be set out in writing and attached to the protocol of Tender Committee.

200. Chairman of Tender Committee shall supervise its work; preside at meetings of the Committee.

201. Secretary of Tender Committee shall organize procedures of open tender for procurement of GWS. Secretary of Tender Committee on the relevant request shall provide potential suppliers with information stipulated under sub-paragraph 4) of paragraph 203 of the Rules, prepare proposals for the agenda of the meeting of Tender Committee, provide Tender Committee with necessary documents, organizes meeting of Tender Committee, sign system-generated protocol of opening envelopes with bids , protocol for admission to open tender, report summarizing the results of open tender, and other protocols of Tender Committee meetings, ensure storage of documents and materials of open tender for GWS procurement.

Tender documentation

202. Tender documentation is intended to inform potential suppliers on requirements and conditions of GWS purchase developed and approved by the customer.

203. Tender documentation shall contain the following mandatory conditions:

1) subject of procurement by method of open tender (name and number of lots, if the subject of an open tender includes several lots);

2) list of documents specified in subparagraph 2) of paragraph 215 of the Rules submitted by potential supplier in support of its qualifications;

3) name (for legal entities), full name (for individuals) and address of location of customer, in accordance with the classifier of administrative-territorial bodies;

4) functional, technical, quality and performance characteristics of GWS being purchased, including, where appropriate, technical specifications, plans, drawings and sketches, as well as the list of documents confirming compliance of GWS with these requirements;

5) procedure for formation and presentation according to the standard form set out in Annex 10 hereof, of price quotation with including apart from the price of purchased GWO the cost of their transportation, insurance, payment of customs duties, taxes, fees, and other expenses provided under the terms of supply of goods, works and services, excluding VAT;

6) terms of payment;

7) quantity of purchased goods, volume of work performed and services rendered for each lot;

8) place of delivery of goods, works or services to be purchased;

9) terms of delivery of goods, works or services to be purchased;

10) method, the start time and end time for submission of bids, their validity period;

11) date and time of opening of bids;

12) draft of contract specifying material conditions, including the term of the contract;

13) documents in accordance with paragraph 217 hereof for calculation of the conditional price of price quotation of potential supplier to meet the criteria under paragraph 2 of Article 78 of the Law;

14) requirements for content and execution of tender bid;

15) methods of requesting clarifications by potential suppliers on the tender documentation;

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

17) types, volume and method of submission of bid security, and (or) security on execution of a procurement contract (in case if tender documentation provides for security of bid and (or) security on execution of procurement contract);

18) information on amounts allocated for procurement of GWS, that are subject of open tender on each lot;

19) information on the terms and order of customer's refusal to conduct open tender for procurement of GWS, in accordance with paragraph 211 of the Rules;

20) mandatory requirement of subsurface user for contractors on observance of the Rules during execution of contract on work;

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

Customer is allowed in tender documentation to establish requirements for submission of documents specified in subparagraphs 3) and 11) of paragraphs 215 hereof.

Customer is allowed in tender documentation to establish requirements for submission of original documents provided by the second, third, fifth item of subparagraph 3) and subparagraph 5) of paragraph 215 of the Rules. In this case, the tender documentation contains additional information on the way, place and deadline for submission of the documents provided by second, third, fifth item of subparagraph 3) and subparagraph 5) of paragraph 215 of the Rules, as well as the place, date and time of opening of envelope with documents provided the second, third, fifth item of subparagraph 3) and subparagraph 5) of paragraph 215 of the Rules.

In the procurement of works and / or services, the annual volume of which in value terms exceeds the 50 000 times amount of the monthly calculated index established for the relevant financial year, the customer is allowed to establish qualification requirements that require from potential supplier of work experience in the market of purchasing works,

services and / or particular industry, confirmed with scanned copies of letters of recommendation / positive feedback from the organizations for which the potential supplier has performed works, rendered services to the amount of contract at least 50 000 times of monthly calculation index established for the respective fiscal year, accompanied by scanned copies of invoices, relevant acts confirming acceptance-transfer of work performed or services rendered. At this, it is not allowed to establish requirements for a work experience in excess of five (5) years.

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

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

2) to determine the service provider for provision of goods on leasing and need for a detailed description of the leaseing subject.

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

The fact of submission (obtaining from the system) of copies of tender documentation shall be automatically registered in the system.

Potential supplier is allowed to apply to customer with request to submit information specified in subparagraph 4) of paragraph 203 of the Rules, on paper. Such information shall be submitted by Secretary of Tender Committee at the request of interested parties on paper. This information shall be provided free of charge within one business day of receipt of formal request from the interested parties.

In this case, the information specified in subparagraph 4) of paragraph 203 of the Rules, in paper form shall be presented with numbered pages, the last page shall be signed by the Secretary of Tender Committee of customer and the seal of customer to be affixed.

206. Submission of tender documentation before publishing the text of announcement on open tender is not allowed.

207. Requesting of potential supplier for clarification of tender documents from customer is allowed by placing it in the system, but no later than ten calendar days prior to the deadline for submission of bids. Customer within three working days of the registration of the request shall responds to it, and without indicating the source of request shall send clarification to all potential suppliers to which customers submitted tender documentation and also places clarifications in the system.

208. Changes and (or) amendments in tender documentation by customer are allowed, except for information specified in subparagraph 1) of paragraph 203 of the Rules. Entering changes and (or) amendments to tender documentation shall be no later than five calendar days before the deadline for submission of bids. At entering changes and (or) amendments tender documentation shall be re-approved by the customer, and the deadline for submission of bids shall be extended by customer for a period not less than ten working days to allow potential suppliers to consider these changes in their bids.

Copy of Tender documentation, as amended and / or supplemented, within one day from the date of the change and (or) amendments shall be provided by customer to potential suppliers by placing it in the system.

Information on extension of the deadline for submission of tender bid shall be placed in the system.

The basis for extension of the deadline for submission of bids is entered changes and (or) amendments to Tender documentation.

In accordance with this paragraph, exclusion of certain lots of GWS that are subject to procurement by method of open tender due to refusal of customer to conduct procurement of

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

Informational support of open tender

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

In the case of conducting repeated open tender the Subsurface user or his authorized representative shall ensure publication of the corresponding announcement not later than fifteen calendar days, and contractor - not later than seven calendar days prior to the deadline for submission of bids with use of information methods specified in this paragraph.

210. Announcement on conducting open tender placed in the system and registry shall contain the following information:

- 1) subject of procurement by open tender (name and number of lots, if subject of open tender includes several lots);
- 2) name and address of the customer in accordance with the classifier of administrative-territorial bodies;
- 3) description, unit of measure as per the interstate classifier of units of measurement and calculation, quantity of goods purchased or amount of work to be performed or services to be rendered on each lot;
- 4) date and place of delivery of goods, execution of works, rendering of services on each lot;
- 5) methods of obtaining of tender documentation;
- 6) method, the start time and end time for submission of bids as well as the date and time of opening of bids;
- 7) amount allocated to the purchase of goods, works and services to be purchased, excluding VAT;
- 8) required dates for conclusion of procurement contract on each lot from the date of summarizing the results of open tender;
- 9) e-mail address and phone numbers for potential suppliers;
- 10) minimum requirements for local content in the purchased goods or works or services, expressed as a percentage for each lot (from 0 to 100);
- 11) number (s) of the contract (s) on Subsurface use for which the procurement is being conducted;
- 12) requirement to include by potential supplier into price quotation besides the price of the goods, works and services also other expenses under the terms of the supply of goods, works and services, excluding VAT;
- 13) procurement code and address of web site of the system;
- 14) copy of tender documentation.

Announcement of conducting purchase of GWS, published in a periodical printed press, published at least three times a week and distributed on the territory of the Republic of Kazakhstan in Kazakh and Russian languages shall contain information specified in subparagraphs 1), 2), 7), 13) of this paragraph of the Rules.

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

In case of cancellation of open tender for procurement of GWS, the customer no later than three working days from the date of rejection of open tender, shall return the received envelopes with documents provided by the second, third and fifth point of subparagraph 3) and subparagraph 5) of paragraph 215 of the Rules (in cases if the condition of their submission was provided by requirements of the tender documentation) without opening them and security cash payments made to the account of customer as security for bid for participation in open tender.

212. Customer no later than five working days from the date of signing the protocol on the results of open tender shall place announcement on its results in a periodical, published by at least three times a week and distributed on the territory of the Republic of Kazakhstan in the Kazakh and Russian languages, which shall contain information specified in subparagraphs 1), 4), 12) of paragraph 267 of the Rules, the name, address, location (for legal entities) or full name, address (for individuals), in accordance with the classifier of administrative-territorial facilities and the price of price quotation of winner of open tender (on lots) and (or) indication of the reason, if at conducting open tender was no winner determined (on lots).

Content of bids and their submission

213. Bid is an expression of the consent of potential supplier, applying for participation in open tender, to deliver goods and (or) to perform work and (or) render services in accordance with the requirements and conditions of the tender documents, in the event of recognizing it as a winner of open tender.

214. Potential supplier, agreed to participate in open tender, shall provide customer within the specified terms in the system the tender bid signed by digital signature and documents sealed in envelope provided by the second, third, fifth subparagraph 3) and subparagraph 5) of paragraph 215 of the Rules (in cases, if customer requested such condition in tender documentation) in accordance with tender documentation.

Potential supplier shall not submit a bid or documents and (or) materials that are an integral part of the bid prior to commence of acceptance of bids and / or after the deadline for their submission specified in the tender documentation.

Bid of potential supplier with scanned copies of documents attached to the tender bid shall be signed by electronic signature and placed in the system.

In cases where the tender documentation includes the requirement to provide original documents provided by the second, third, fifth subparagraph 3) and subparagraph 5) of paragraph 215 of the Rules, such documents in addition to placing in the system, shall be submitted by potential supplier in a sealed envelope to the place, order and terms stipulated by the tender documentation for submission of envelopes with documents provided by the second, third, fifth subparagraph 3) and subparagraph 5) of paragraph 215 of the Rules.

215. Bid of potential supplier shall contain:

1) application to participate in open tender indicating the term of its validity signed by electronic signature of the chief executive or authorized representative of the potential supplier;

2) scanned copies of documents confirming the legal capacity (for legal entities), civil capacity (for individuals):

individual shall provide the scanned copy of registration document as individual entrepreneurship, indicating individual or business identification number (hereinafter - BIN) identity card with indicating the individual identification number (hereinafter - IIN). Non-residents of the Republic of Kazakhstan shall provide a scanned copy of the identity document;

legal person shall submit the following documents:

scanned copy of articles of association;

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

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

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

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

3) proof of solvency:

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

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

If opening of envelopes with bids are due before 30 April this year, potential supplier may submit the original or a notarized copy of the balance sheet for the financial year preceding the last financial year, signed by the chief executive or his deputy, and fixed with the seal of legal entity.

Scanned copy or the original (if such requirements are stated in the tender documentation) of certificate of established form stating the absence of tax debts and arrears of pension contributions and social contributions for more than three months (except where the timing of payment is delayed according to the legislation of the Republic of Kazakhstan on taxes and other obligatory payments to the budget) or the availability of tax debts and arrears of pension contributions and social contributions, issued not earlier than one month before the date of opening envelopes with bids;

Scanned copy of the certificate of registration of VAT payer (if available).

Documents (including the original) specified in this subparagraph shall not be submitted by potential suppliers of GWS in cases of participation in open tender held by the customer, where tender documentation does not provide the requirement to submit documents proving solvency, in accordance with paragraphs twenty-third and twenty-fourth of paragraph 203 of the Rules;

4) technical specification describing the functional, technical, quality and performance characteristics of GWS and the list of documents proving compliance of GWS with these requirements (if appropriate requirements are available in the tender documentation);

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

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

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

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

9) documents confirming compliance of contractors (subcontractors) of potential supplier with qualification requirements envisaged in paragraph 9 of the Rules;

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

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

12) documents proving the existence at potential supplier of work experience in the market of purchasing works, services and / or particular industry, confirmed with scanned copies of letters of recommendation / positive feedback from the organizations for which the potential supplier has performed works, rendered services to the amount of contract at least 50 000 times of monthly calculation index established for the respective fiscal year, accompanied by scanned copies of invoices, relevant acts confirming acceptance-transfer of work performed or services rendered (if appropriate requirements are present in the tender documentation in accordance with paragraph twenty-fifth paragraph 203 of the Rules).

216. If potential supplier – a non-resident of the Republic of Kazakhstan it shall submit the same documents as residents of the Republic of Kazakhstan to prove its compliance with tender documentation, or documents containing similar information on potential supplier - non-resident of the Republic of Kazakhstan in accordance with the laws of the State of residency of potential supplier with notarized translation into the language of tender documentation.

217. To calculate the conditional price the potential suppliers in addition to the documents specified in paragraph 215 of the Rules, shall submitted:

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

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

218. In cases where the tender documentation requires submission of original documents provided by second, third, fifth item of subparagraph 3) and subparagraph 5) of paragraph 215 of the Rules, such documents shall be submitted in caled form (except for the document (s) confirming submission of security of bid which shall be provided separately without lacing together with other documents), with numbered pages or sheets, the last page shall be signed by members of open tender - individual, but for legal entities - by signature of the chief executive or other authorized person and seal shall be affixed.

191. Sealed envelope with the original documents provided by the second, third, fifth items of subparagraph 3) and subparagraph 5) of paragraph 215 of the Rules:

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

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

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

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

221. Potential supplier shall submit the proposal prior to the deadline for submission specified in tender documentation.

222. The fact of submission of bid by potential supplier shall be automatically registered in the system.

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

- 1) change and (or) supplement a tender bid;
- 2) withdraw its bid without losing the right of refund of its submitted bid security.

224. The following is not allowed to submit:

- 1) more than one bid per lot;
- 2) changes and (or) and alterations and withdrawal of bid after the deadline for submission of bids.

225. If potential supplier participates in several lots of procurement by open tender, documents provided in sub- paragraphs 1) 4) 5) 6) 7) 8) of paragraph 215 of the Rules, shall be submitted separately for each lot of open tender procurement.

226. Potential supplier shall bear all costs associated with its participation in the purchase by open tenders. The customer has no obligation to reimburse those costs, regardless of the outcome of procurement, except in the case of refusal of customer to conduct procurement of certain GWS by method of open tenders.

Bid security

227. Customer is not allowed to establish the size of bid security as more than one percent of the amount provided for in tender documentations for procurement of these goods, works and services.

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

- 1) security cash payment to be made to the bank account of customer;
- 2) bank guarantee of one or more second tier banks of the Republic of Kazakhstan.

229. Supplier is not allowed to undertake actions that lead to occurring at third parties of right to claim in whole or in part the security cash payment until fulfillment of obligations under the contract.

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

231. Social organizations of disabled people are not subject to observance on bid security requirement.

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

- 1) potential supplier has withdrawn its bid after the deadline for submission of bids;
- 2) potential supplier recognized as winner of the open tender, declined to enter into a procurement contract;
- 3) winner of open tender, having concluded the procurement contract, did not fulfill the requirements set by the tender documentation on submitting security for procurement contract execution, if its submission is provided by the tender documentation.

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

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

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

Opening of tender bids

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

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

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

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

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

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

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

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

In cases where the tender documentation includes the requirement to provide original documents provided by the second, third, fifth subparagraph 3) and subparagraph 5) of paragraph 215 of the Rules, Tender Committee shall open in such envelopes with the documents in accordance with provision of tender documents on the place, date, and time of opening envelopes with documents provided by the second, third, fifth items of subparagraph 3) and subparagraph 5) of paragraph 215 of the Rules.

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

Persons present at the meeting of Tender Committee shall not interfere with activities of Tender Committee.

240. The protocol of opening bids as per the form set in Annex 12 of the Rules shall be formed in the system shall be signed by electronic signature and placed in the system in the open part of the registry that is available to all users including those not registered in the registry by person authorized by customer for formation and placement of information in the system and placing information in the registry, not later than two business days following the date of opening of bids.

Paper copy of protocol of opening bids formed by the system shall be signed by the Chairman and (or) the Deputy Chairman, Secretary and all members of Tender Committee present on the date of opening of bids.

Upon the relevant written request of potential supplier within three working days the copy of Protocol of opening bids shall be sent to the potential supplier.

241. Protocol of opening of bids formed in the system shall contain the following information:

- 1) name and address of customer in accordance with the classifier of administrative-territorial bodies;
- 2) date, time of opening of bids;
- 3) content of Tender Committee;
- 4) subject of open tender (name and number of lots, if the subject of open tender includes several lots);
- 5) name and address (for legal entities) or full name and location (for individuals) of potential suppliers who received the tender documentation;
- 6) description, unit of measure in accordance with the interstate classifier of units of measurement and calculation, quantity of goods to be purchased or amount of work to be performed or services to be rendered on each lot;
- 7) brief description of changes and (or) clarification of tender documentation (if any);
- 8) name (for legal entities) or full name (for individuals) of potential suppliers that submitted bids with indicated date and time for submission of bids;

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

10) name (for legal entities) or full name (for individuals) of potential suppliers whose envelopes with documents provided by the second, third, fifth item of subparagraph 3) and subparagraph 5) of paragraph 215 of the Rules were returned unopened because of their representation in violation of the requirements of paragraphs 214, 219 of the Rules;

11) information on changes and (or) amendments of bids of potential suppliers;

12) information on content of opened potential suppliers bids for each lot;

13) information about representatives of potential suppliers who attended the procedure of opening envelopes with the documents provided by the second, third, fifth items of subparagraph 3) and subparagraph 5) of paragraph 215 of the Rules;

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

Procedure for examination of bids and admission to open tender

242. Tender Committee shall examine the bids and decide on admission of potential suppliers to participation in open tender on each lot within ten calendar days from the date of opening of bids, unless otherwise provided in the tender documentation.

243. Tender Committee shall consider a bid as meeting the requirements if it contains minor deviations that do not significantly change, or do not substantially depart from the characteristics, conditions and other requirements set forth in tender documentation, or if it contains grammatical errors that can be corrected without affecting the substance of the bid.

244. At examination of bids:

1) in order to facilitate the examination of bids the Tender Committee is allowed to inquire from potential suppliers of open tender clarification by placing in the system in relation to their tender applications without changing their contents;

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

3) no requests, suggestions or permission are allowed to bring a bid that does not meet the requirements of tender documentation and the Rules into accordance with these requirements.

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

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

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

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

failure to provide (including in the original - in cases stipulated by the tender documentation) bid security in accordance with the requirements of tender documentation;

absence of power of attorney of person (s) who is not the chief executive of potential supplier and represents the interests of the potential supplier, at opening of envelope with documents provided by second, third, fifth items of subparagraph 3) and subparagraph 5) of paragraph 215 of the Rules;

documents provided by the second, third, fifth items of subparagraph 3) and subparagraph 5) of paragraph 215 of the Rules are in violation of the requirements of paragraph 218 of the Rules;

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

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

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

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

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

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

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

failure of legal entity to provide scanned copy of certificate of state registration (re-registration) of legal entity with an indication of BIN or scanned copy of application for state registration, if the entity operates under a Model Charter;

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

failure to provide scanned copies of documents (licenses, patents, licenses) and copies of other documents confirming the right of potential supplier for production, processing, delivery and sale of the goods, works and services;

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

presence in certificate of bank or bank branch, signed and seal, of arrears on at least one type of liability of potential supplier, lasting more than three months before the date of issue of the certificate;

failure to submit a scanned copy and original (if such appropriate requirements are made in the tender documentation) of balance sheet for the last financial year, signed by the first head or his deputy and affixed with seal of legal person, or a scanned copy or original (if such appropriate requirements are made in the tender documentation) of balance sheet for the financial year preceding the last financial year, if opening of bids is due before 30 April this year, signed by digital signature of the executive officer or his deputy;

failure to provide a scanned copy and original (if such appropriate requirements are made in the tender documentation) of certificate from the relevant tax authority stating the absence of tax debts and arrears of pension contributions and social contributions for more than three

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

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

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

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

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

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

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

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

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

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

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

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

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

249. Protocol for admission to open tender in accordance with Annex 13 of the Rules is formed in the system, signed by electronic signature of customer and placed in the system and in the open part of the registry that is available to all users, including those not registered in the register, by authorized person of customer for formation and placement of information in the system and placing information in the registry, no later than three working days from the date of taken decision to admit to participation, but no later than 10 calendar days from the date of opening of bids, unless otherwise provided by the tender documentation.

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

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

250. Protocol for admission to open tender shall include:

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

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

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

Content of price quotations and their submission

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

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

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

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

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

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

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

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

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

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

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

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

260. Within the date and time established in protocol for admission to open tender the system in automatic mode conducts evaluation and comparison of price quotations.

261. Opening of price quotations, signed by electronic signature, is conducted in the system.

262. The system rejects price quotations if price of quotation of open tender participant exceeds the amount allocated for purchase of GWS which is the subject of open tender (lots).

263. The system evaluated and compared the price quotations that were not rejected as per condition contained in paragraph 262 of the Rules, and the winner of public tender (in lots) is determined on the basis of the lowest price quotation based on the criterion of conditional price reduction under paragraph 2 of Article 78 of the Law.

264. In determining the winner of open tender, in the case of equality of competitive price quotations of open tender participants with applying the criterion of the conditional price reduction provided for in paragraph 2 of Article 78 of the Law, preference shall be given Kazakhstani producer of goods, works and services.

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

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

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

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

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

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

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

- 1) declare the winner of the open tender or repeated open tender;
- 2) declare open tender or repeated open tender as failed due to absence of submitted bids;
- 3) declare open tender or repeated open tender as failed when the bids of potential suppliers were rejected as inconsistent with the conditions of open tender or repeated open tender;
- 4) declare open tender or repeated open tender as failed due to absence of price quotations submitted by participants of open tender or repeated open tender;
- 5) declare open tender or repeated open tender as failed when in the open tender or repeated open tender is involved one potential supplier whose price quotation the conditions of open tender or repeated open tender.

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

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

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

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

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

- 1) name and address of the customer in accordance with the classifier of administrative-territorial bodies;
- 2) date, time to summarize results of open tender;
- 3) members of Tender Committee;
- 4) subject of open tender in accordance with the model statistical classification of products (titles of lots, if subject of an open tender includes several lots);
- 5) name and address (for legal entities) or full name and address (for individuals), in accordance with the classifier of administrative-territorial bodies of open tender participants that submitted their bids prior to the deadline specified in the protocol for admission to participate in open tender;
- 6) description, unit of measure as per the interstate classifier for units of measurement and calculation, quantity of goods to be purchased or amount of work to be performed or services to be rendered on each lot;
- 7) name (for legal entities) or full name (for individuals) of participants of open tender who withdrew their price quotations in accordance with subparagraph 2) of paragraph 256 of the Rules;
- 8) name (for legal entities) or full name (for individuals) of open tender participants whose price quotations were rejected for the reasons given in paragraph 262 of the Rules with indication of prices of their quotations;
- 9) prices of declined competitive price quotations of participants of open tender, applying the criterion of conditional reduction of the price provided for in paragraph 2 of Article 78 of the Act (on lots);

10) name and address (for legal entities) or full name and address (for individuals), in accordance with the classifier of administrative-territorial facilities and the price quotation of winner of open tender (on lots), three members of open tender whose price quotations are the most preferred after quotation of the winner, and (or) indication of the reason, if there was no winner determined in open tender (on lots);

11) obligation of the winner of open tender, three members of open tender whose price quotations are the most preferred after quotation of the winner on local content in goods or works, or services, expressed as a percentage for each lot (from 0 to 100);

12) procurement code and the address of Internet resource of the system;

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

268. Within the period established by announcement on open tender, with customer shall conclude a contract the winner of open tender on terms consistent with the terms of bid of winner of open tender.

269. If according to results of open tender the winner of open tender did not sign and did not submit to customer the contract within the terms established in accordance with the announcement of open tender, the contract may be concluded with the other members of open tender, whose proposals are the most preferred after quotation of the winner, according to the protocol summarizing the results of open tender.

270. If an open tender is declared failed for reasons provided for in subparagraphs 2), 3), 4), paragraph 265 of the Rules, it is allowed to enter changes and additions to the tender documentation except for the information specified in subparagraph 1) of paragraph 203 of the Rules, and customer shall conduct repeated open tender with methods of information specified in paragraph 209 of the Rules.

If the open tender is declared fail for reason mentioned in subparagraph 3) of section 265 of the Rules, due to proposal by potential suppliers of commitments on local content in goods or works or services below the minimum requirements of tender documentation, customer at conducting repeated open tender shall change requirements on local content in goods or works or services for less.

If open tender or repeated open tender is declared failed for reason mentioned in subparagraph 5) of paragraph 265 of the Rules, the customer makes procurement from single source in accordance with the terms of tender documents for the given open tender, or repeated open tender from a participant of open tender or repeated open tender whose price quotation was not refused as violating the conditions of open tender or repeated open tender.

271. If all providers whose applications were not rejected as violating the conditions of open tender refused to conclude a procurement contract, customer shall be allowed to conduct repeated open tender with using the methods of information, referred to in paragraph 209 of the Rules.

Procurement of goods, works and services from single source

272. GWS procurement from single source shall be carried out in the following cases:

1) open tender or repeated open tender is recognized as failed due to participation of one participant whose price quotation was not rejected as inconsistent with requirements of open tender in accordance with the terms of tender documents for this open tender, from participant of open tender whose price quotation was not rejected as inconsistent with conditions of open tender;

2) open tender or repeated open tender is recognized as failed due to absence of bids submitted by potential suppliers;

3) open tender or repeated open tender is recognized as failed when the bids of potential suppliers were rejected as not complying with conditions of open tender;

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

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

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

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

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

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

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

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

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

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

14) purchase of services related to travel expenses;

15) arbitration fees are paid;

16) purchase of services for property trust;

17) purchase of services for real estate renting;

18) GWS purchased from regulated natural monopoly units;

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

20) GWS purchased at prices, tariffs, fees and charges established by the legislation of the Republic of Kazakhstan on taxes and other obligatory payments to the budget;

21) GWS purchased for localization and (or) emergency management, emergency response, including in the event of failure of the main equipment (emergency shutdown of the main equipment);

22) purchase of services on compulsory medical examination of workers engaged in heavy work or work under harmful (particularly harmful) and (or) hazardous working conditions, and work associated with increased risk, machines and mechanisms;

23) purchase of services from organizations created by the Republican social associations of disabled people that produce the GWS under purchased;

- 24) purchase of goods and services related to hospitality expenses;
- 25) purchase of materials for exhibitions, seminars, conferences, meetings, forums, workshops, training sessions, as well as payments for participation in these activities;
- 26) purchase of periodicals on paper and (or) electronic media, services for distribution of information in the foreign mass media, as well as services for the provision of information posted on websites, voiced books, published in various magnetic media, books published by point system;
- 27) purchase of services related to recreation, treatment of employees of subsurface user, their children, pensioners that are registered in the list of subsurface users (including transport and escort to the holiday, treatment destinations);
- 28) purchase of services of rating agencies, financial services;
- 29) purchase of services of specialized libraries;
- 30) purchase of goods, works or services that are subject to intellectual property, from the person who has exclusive rights in respect of goods, works and services being purchased;
- 31) purchase of property (assets) to be sold at auction in accordance with the civil legislation of the Republic of Kazakhstan;
- 32) purchase of services of using a synchronized system of electronic procurement;
- 33) purchase of research and development works from Kazakhstan producers work, provided that the proportion of local content in the works shall comprise not less than 65 (sixty-five) percent;
- 34) purchase of work on processing, removal and disposal of waste produced in the course of economic activity, from supplier whose manufacturing facilities ensuring minimal movement of waste from their source;
- 35) purchase of food products;
- 36) purchase of services of educational institutions for execution of contractual obligations of subsurface users relating to training, skills development and retraining of workers who are citizens of the Republic of Kazakhstan, involved in execution of the contract, or training of citizens of the Republic of Kazakhstan as per the list of specialties coordinated with the competent authority, in accordance with the laws of the Republic of Kazakhstan on Subsurface and Subsurface use;
- 37) purchase of goods, provided that the proportion of local content in these goods will be not less than 65 (sixty-five) percent;
- 38) purchase of medicine;
- 39) purchase of notary services;
- 40) purchase of telephone services and mobile communications and Internet services;
- 41) purchase of utilities;
- 42) purchase of services on examination of project documentation by independent experts who are in the list of the central committee for exploration and development of mineral deposits, established by the competent authority.

273. In the case of GWS procurement from single source in accordance with subparagraphs 1), 2), 3), 4), 7), 8), 9), 10) in 272 of the Rules, the terms of purchase shall meet the requirements of tender documentation of failed procurement.

In the case of GWS procurement from single source, in accordance with subparagraph 5), 6) of paragraph 272 of the Rules, it shall comply with the conditions of purchase of essential terms of the draft agreement of the failed purchase.

274. In conducting GWS purchase from single source that are not homogeneous, it is allowed for customer to organize and conduct procurement from single source in indicated manner with the mandatory separation of such GWS in protocol on reustls of procurement from single source to lots.

Purchase several types of homogeneous GWS from single source to be done by division of GWS into lots as per their homogeneous types and their place of delivery (performance, rendering).

Purchase from single source of similar goods, works or services under several contracts for Subsurface use shall be conducted by customer with the obligatory indication of distribution of volumes of purchased GWS under Subsurface use contracts.

275. Protocol on results of GWS procurement from single source shall comprise:

- 1) name and address of customer in accordance with the classifier of administrative-territorial bodies;
- 2) basis for procurement from single source (for each lot, if the subject of procurement from single source includes several lots);
- 3) subject of procurement from single source in accordance with the model statistical classification of products (name and number of lots, if the subject of procurement from single source includes several lots);
- 4) description, unit of measure as per the interstate classifier of units of measurement and calculation, quantity of goods being purchased or amount of work to be performed or services to be rendered on each lot;
- 5) date and place of performance of obligation for each lot;
- 6) name of supplier;
- 7) price offered by supplier to proposed GWS on each lot, expressed in national currency, VAT excluded;
- 8) amount allocated for purchase of goods, works and services for each lot, expressed in national currency, VAT excluded;
- 9) requirement to potential supplier to include in the quotation all the costs associated with the provision of goods, works or services;
- 10) term for signing of procurement contract from the date of summarizing the results of procurement;
- 11) 1) obligation of potential supplier of local content in proposed GWS, expressed in percentage for each lot (from 0 to 100);
- 12) number (s) of contract (s) for the Subsurface use for which the procurement is being conducted.

276. Protocol on results of GWS procurement by method from single source in compliance with Annex 15 to the Rules is formed in the system and signed by electronic signature of customer and placed in the system and in the open part of the registry that is available to all users, including those not registered in the register by person of customer authorized for formation and placement of information in the system and placing information in the registry, no later than one business day from the date of summarizing the results of GWS procurement from single source containing the information set out in paragraph 275 of the Rules.

Paper copy of protocol summarizing the results of procurement through e-procurement system, formed in the system, shall be signed by the chief executive of customer or authorized representative of customer.

Upon written request of supplier within three working days the copy of protocol on the results of GWS procurement from single source shall be directed to the supplier.

Not later than two working days after summarizing results of purchase through e-procurement system, customer shall place announcement on the results of procurement in a periodical, published at least three times a week and distributed in the Republic of Kazakhstan in the Kazakh and Russian languages, which contains the information specified in subparagraphs 1), 2), 3), 6), 7), 11) of paragraph 275 of the Rules.

Procurement of goods, works and services by price quotations request

277. Procurement of GWS by method of request of price quotations shall be conducted for GWS whose characteristics do not have significant importance for the customer and where the decisive factor is the price.

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

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

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

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

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

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

281. Announcement of procurement by method of request of price quotation, not later than five working days before the deadline for submission of quotations, shall be signed by electronic signature and placed in the system and in the open part of the registry that is available to all users, including those not registered in the register, by person authorized by customer for formation and placement of information in the system and placing information in the registry, and shall be published in a periodical issued at least three times a week and distributed in the Republic of Kazakhstan in the Kazakh and Russian languages.

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

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

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

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

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

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

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

4) date and place of delivery of goods, works and services for each lot;

5) date, start time and end time of acceptance of quotations;

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

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

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

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

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

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

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

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

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

15) procurement code and the address of Internet resource.

283. The announcement of GWS procurement by method of request of price quotations published in a periodical issued at least three times a week and distributed in the Republic of Kazakhstan in the Kazakh and Russian languages shall contain information specified in subparagraphs 1), 2) and 5) of paragraph 1), 2), 5), 7), 15) of paragraph 282 of the Rules.

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

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

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

2) withdraw the quotation.

286. Potential supplier is not allowed to submit:

1) more than one quotation per lot;

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

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

288. Price quotation of a potential supplier shall contain:

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

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

3) description, unit of measure in accordance with the interstate classifier of units for measurement and calculation, quantity of goods or amount of goods or works or services offered for each lot;

4) date and place of delivery of goods, performance of work and (or) services for each lot;

5) price offered by potential supplier on each lot;

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

7) consent with the essential terms of draft of procurement contract.

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

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

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

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

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

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

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

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

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

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

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

5) name and address (for legal entities) or full name and address (for individuals), of potential suppliers, who withdrew their price quotations;

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

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

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

9) name and address (for legal entities) or full name and address (for individuals), the price quotation of winner of procurement by method of price quotations request (on lots), and three members of procurement by method of price quotation request whose price quotations are the most preferred after quotation of the winner, and (or) indication of the reason, if there was no winner determined in purchase by method of price quotations request (by lots), in accordance with paragraph 301 of the Rules;

10) procurement code and the address of Internet resource of the system;

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

296. Protocol of opening price quotations and finalizing the result of procurement by method of price quotations request shall be formed, signed by electronic signature of the customer, placed in the system and in the open part of the registry that is available to all users,

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

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

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

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

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

Deviation of price offers for other reasons is not allowed.

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

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

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

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

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

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

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

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

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

295 of the Rules, and name and address of the location (for legal entities) or full name and address (for individuals), price of price quotation of winner of procurement by method of price quotations request (on lots).

Procurement of goods, works and services through e-procurement system

304. GWS procurement through e-procurement system (hereinafter - e-procurement) by method of open tender with reduction of price of quotations.

305. Procedures of GWS procurement by method of open tender with reduction of price of quotations correspond with procedures of procurement by method of open tender, with the exception of procedures for submission of price quotations and determining the winner of such procurement.

306. Potential suppliers admitted to participate in open tender with reduction of prices of quotations, shall provide prices of quotations in whole for open tender with reduction of prices of quotations or separately for each lot in the system and sign it with their electronic signature.

Deadline for submission of price quotations - Forty-eight hours after placing in the system of protocol for admission to open tender with reduction of prices of quotations, if the less period is not provided in the tender documentation. This period may not be less than five hours, and must be in the period of time from 9-00 to 20-00 o'clock of Astana time considering the requirements set forth in the last subparagraph of this paragraph.

Placement of protocol for admission to open tender with reduction of prices of quotations is allowed only on working days considering time needed for the auction and which should not fall on or be interrupted with weekends and (or) holidays in accordance with the laws of the Republic of Kazakhstan.

307. Number of submitted by participant price quotations is unlimited, the supplier is entitled to repeatedly change its quotation for decrease.

308. Participants of open tender with reduction of prices of quotation are able to see the competitive price quotations with considered conditional price and number of participating in the purchase potential suppliers without their names.

309. If, within three minutes before closing of auction one of potential suppliers introduces a new lowest competitive price quote, closing time shall be automatically extended for fifteen minutes, but no more than three times.

310. Following the result of auction, the system automatically generates results of open tender with reduction of prices of quotations in compliance with Annex 17 to the Rules.

311. Results of auction shall be placed in the system and are freely available in the system.

312. Customer is allowed to refuse to conduct open tender with reduction of prices of quotations not later than five working days before the deadline for acceptance of bids to participate in the auction.

313. Evaluation and comparison of prices of quotations shall be conducted in the system, and the winner shall be determined on the basis of the lowest price of quotation based on the criterion of conditional price reduction provided for in paragraph 2 of Article 78 of the Law.

In determining the winner of the open tender with reduction of competitive quotations, in case of equality of competitive price quotations of participant of open tender with reduction of price quotations, applying the criterion of conditional price reduction provided for in paragraph 2 of Article 78 of the Law, preference shall be given to Kazakhstani producer goods, Kazakhstani producer of works and services.

In the following cases:

1) equal prices of quotations of open tender participants of open tender with reduction of price quotations, applying the criterion of the conditional reduced price provided for in paragraph 2 of Article 78 of the Law, the Kazakhstani producers of goods, Kazakhstani manufacturers works and services;

2) equal prices of quotations of participants of open tender with reduction of price quotations that are not Kazakhstani producers of goods, Kazakhstani producers of works and services;

as winner shall be determined the participant of open tender with reduction of price quotations who offered the highest percentage of local content obligations in purchased GWS that is the subject of open tender with reduction of price quotations.

In the following cases:

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

2) equal prices of quotations and percentage of local content obligations in purchased GWS being the subject of open tender with reduction of prices of quotations, offers by participants of open tender, that are not Kazakhstani producers of goods, not Kazakhstani producers of works and services;

as winner shall be determined the participant of open tender with reduction of price quotations whose price quotation arrived earlier than price quotation of other participants of open tender with reduction of price quotations.

314. According to result of procurement through e-procurement system as a whole or on a separate lot the system shall formed one of the following decisions:

1) declare the winner of open tender with reduction of price quotations or repeated open tender with reduction of price quotations;

2) declare open tender with reduction of price quotations or repeated open tender with reduction of price quotations as failed due to absence of bids submitted by potential suppliers;

3) declare open tender with reduction of price quotations or repeated open tender with reduction of price quotations as failed when the bids of potential suppliers were rejected as not complying with conditions of open tender with reduction of price quotations or repeated open tender with reduction of price quotations;

4) declare open tender with reduction of price quotations or repeated open tender with reduction of price quotations as failed due to participation of only one participant whose price quotation was not rejected as not complying with conditions of open tender with reduction of price quotations or repeated open tender with reduction of price quotations.

315. According to result of open tender with reduction of price quotations the system shall form protocol on summarizing the result of open tender with reduction of price quotations, which shall include:

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

2) date, time and place of the procedure of summarizing results open tender with reduction of price quotations;

3) subject of open tender with reduction of price quotations (name of lots, if the subject of open tender with reduction of price quotations includes several lots);

4) members of Tender Committee;

5) description, unit of measure, in accordance with the interstate classifier of units for measurement and calculation, quantity of goods purchased, amount of work performed and services rendered for each lot;

6) name and address of the actual location, in accordance with the classifier of administrative and territorial objects (for legal entities) or full name and registered office in accordance with the classifier of administrative-territorial objects (for individuals) of members of open tender with reduction of price quotations;

7) prices of quotations of participants of open tender with reduction of price quotations, applying the criterion of conditional reduction of price provided for in paragraph 2 of Article 78 of the Law (in lots);

8) name (for legal entities) or full name (for individuals) and the price of quotation of the winner of open tender with reduction of price quotations (on lots), three members of open tender, price quotations of which are most preferred after quotation of the winner, or statement of the reasons, if there was no winner of open tender (by lots) determined

9) obligation of the winner and participants of open tender with reduction of price quotations, price quotations which are most preferred after quotations of the winner, on local content in goods or works or services;

10) procurement code and the address of Internet resource of the system.

Protocol of summarizing the results of open tender with reduction of price quotations shall be placed in the system and in the open part of the registry that is available to all users, including those not registered in the registry, including the data presented in this paragraph.

316. Protocol summarizing the results generated in the system shall be signed by electronic signature of person of the customer authorized for formation and placement of information in the system.

317. In the period specified in accordance with announcement of open tender with reduction of price quotations, customer shall enter into contract with the winner of open tender with reduction of price quotations on terms no worse than the conditions of quotation of the winner of open tender.

318. In the event that winner of open tender with reduction of price quotations refuses to conclude a contract as per the results of open tender with reduction of price quotations in the terms established in accordance with the announcement of open tender with reduction of price quotations, customer shall be allowed to conclude contract with the other participants of open tender with reduction of price quotations, whose proposals are the most preferred for the customer after quotation of the winner in accordance with the protocol on results of open tender with reduction of price quotations.

319. If an open tender with reduction of price quotations is declared as failed for reasons provided for in subparagraphs 2) and 3) of paragraph 314 of the Rules, it is allowed to make changes and amendments to the tender documentation, except for information specified in subparagraph 1) of paragraph 203 of the Rules, customer shall conduct repeated open tender with reduction of price quotations using methods of information, referred to in paragraph 209 of the Rules.

In the event that an open tender with reduction of price quotations is declared as failed for the reason mentioned in article 3) of section 314 of the Rules, due to offering by potential suppliers of commitments on local content in goods or works or services below the minimum requirements of the tender documentation, customer during conducting repeated open tender with reduction of price quotations shall change the requirements for local content in goods or works or services for decrease.

If open tender with reduction of price quotations or repeated open tender with reduction of price quotations is declared as failed for reason stated in clause 4) of paragraph 314 of the Rules, customer shall conduct purchase from single source or through the system of purchase from single source in accordance with the terms of tender documentation for this open tender with reduction of price quotations or repeated open tender with reduction of price quotations, from participant of open tender with reduction of price quotations or repeated open tender with reduction of price quotations, whose price quotation was not rejected as inconsistent with

the conditions of open tender with reduction of price quotations or repeated procurement through system of procurement by open tender with reduction of price quotations.

320. In the event that all suppliers whose quotations were not rejected as inconsistent with conditions of open tender with reduction of price quotations, avoided to enter into a procurement contract, customer shall conduct a new procurement by method of open tenders with reduction of price quotations using methods of informing referred to in paragraph 209 of the Rules.

321. Paper copy of protocol summarizing the results of open tender with reduction of price quotations, formed in the system, shall be signed by chairman and Members of Tender Committee and person of the customer authorized for formation and placement of information in the system.

322. The system-generated text of announcement of results of open tender with reduction of bids price shall be published in periodicals issued at least three times a week and distributed in the Republic of Kazakhstan in the Kazakh and Russian languages, which contain the information specified in subparagraphs 1), 3), 10) of paragraph 315 of the Rules, the name, address, location (for legal entities) or full name, address, location (for individuals), in accordance with the classifier of administrative-territorial facilities, the price of quotation of the winner of open tender (on lots) and (or) an indication of the reason, if there was no winner of open tender determined (on lots).

Purchase of goods through commodity exchanges

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

Security for execution of procurement contract

324. Security for execution of procurement contract shall be submitted by the winner of procurement in the cases stipulated by the tender documentation, as a guarantee that it promptly, fully and properly will perform its obligations under the procurement contract concluded with it.

325. Security for execution of procurement contract shall be submitted in the amount of no more than three per cent of the amount provided for purchase by means of open tenders (for each lot), including with reduction of price quotations.

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

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

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

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

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

330. Security on execution of procurement contract shall not be returned by the customer, if potential supplier did not performed or improperly performed its obligations under the purchase contract concluded with it.

331. Upon the occurrence of the case provided in paragraph 330 of the Rules, the amount security on execution of procurement contract shall be credited to the income of the customer.

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

Procurement contract

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

334. In the case of entering into procurement contract with a non-resident of the Republic of Kazakhstan it is allowed to execute the procurement contract in form proposed by it considering the terms of the civil legislation of the Republic of Kazakhstan and the Rules.

335. Procurement contract shall include:

- 1) supplier's obligation to comply with the Rules during performance of contract on works;
- 2) supplier's liability for non-compliance with the Rules during performance of contract on works;
- 3) supplier's obligation on local content in goods or works or services according to the protocol summarizing the results of procurement;
- 4) responsibility of supplier for failure to fulfill obligations on local content in goods or works or services according to the protocol summarizing the results of procurement;
- 5) other rights and duties provided by the tender documentation.

336. In the event that the customer enters into purchase contract with the Kazakhstani producer of goods, the provisions of contract may contain the requirement to provide by supplier a copies of certificate of origin of goods for internal circulation, confirming the origin within the territory of the Republic of Kazakhstan, that complies with nomenclature of conducted procurement, while the amount of goods that specified in certificate shall not be less than the amount of goods supplied under the contract.

337. In the event that the customer enters into purchase contract with the Kazakhstani producer of works and services, the provisions of contract shall specify the requirement for a supplier to submit a report on delivered GWS as per form and within the period specified by the customer.

338. If supplier involves subcontractors for delivery of goods, performance of work, rendering of services the contract shall specify requirement for subcontractors to provide report to supplier on delivered goods in the form and within the period specified by customer

339. Changes to the concluded procurement contract are allowed under conditions of not changing the quality and other conditions that served as the basis for choosing a supplier:

- 1) on contracts with holders of natural monopolies, as well as with entities holding the dominant (monopolistic) position on a particular market of GWS being purchased, or with holders of the state monopoly on the main subject of its activities in accordance with the State Register of market participants taking dominant (monopolistic) position on the relevant market;
- 2) in terms of increasing the amount of the contract to no more than ten percent of the total amount of the contract associated with increase of demand in the volume of purchased GWS, provided that price per unit of GWS is fixed as specified in the contract for purchase of the goods, works and services. Such change in the concluded contract for procurement of goods, works and services is permitted within the amounts provided for in the annual and (or) medium-term and (or) long-term programs of purchase for procurement of the goods, works and services;
- 3) within the terms of vaildity of the procurement contract relating to annual change of the GWS purchase contract price as agreed by the parties, concluded for a period of more

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

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

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

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

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

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

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

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

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

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

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

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

Annex 1
to Rules for purchase of goods, works and services
in the course of subsurface use operations

**Price chart
of participant of open tender
(name (full name) of participant of open tender,
to be filled separately for each lot)**

No.	Content	Data
1	2	3
1	Description of goods, works and services (subject of procurement (lot))	
2	Description	
3	Manufacturer (for procurement of works and services to be excluded)	
4	Unit of measurement in accordance with the interstate classifier of units for measurement and calculation in accordance with the unit specified in the announcement of procurement	
5	Amount (volume) according to amount specified in the announcement of procurement	
	Price in tenge in the terms provided in the announcement of procurement	

We hereby agree with your terms of payment.

Note: participant of open tender shall not indicate the components of the price, at this, the price given in this line is considered by the Tender Committee as including all costs, provided in the announcement of procurement, excluding VAT of participant of open tender, and is not subject to review.

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

Data on availability and number of workers

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

Signature _____

Stamp area

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

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

(Location)

(Date and time)

1. Name of customer _____

2. Location of customer _____

3. Tender Committee:

Chairman of Tender Committee:

(Full name)

Members of Tender Committee:

(Full name)

(Full name)

Secretary of Tender Committee

(Full name)

opened the envelopes with bids.

4. Subject of open tender:

No. and title of lot

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

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

No. and title of lot:

Contract No. _____ dated _____.

6. Tender documentation is issued to the following potential suppliers:

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

7. Summary of changes and (or) clarification on tender documentation (if any)

8. Envelopes with bids were submitted by the the following potential suppliers:

No. and title of lot

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

9. Envelopes with bids were withdrawn by the following potential suppliers:

No. and title of lot

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

10. Envelopes with bids of following potential suppliers were returned unopened:

No. and title of lot

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

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

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

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

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

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

14. Signatures

Annex 4
to Rules for Purchase of Goods, Works and Services
in Performance of Subsurface Use Operations

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

(Address)

(Date and time)

1. Name of Customer

2. Address of Customer

3. Members of Tender Committee:

Chairman of Tender Committee:

(Full name)

Members of Tender Committee:

(Full name)

(Full name)

Secretary of Tender Committee

(Full name)

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

4. Subject of open tender:

No. and title of lot

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

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

No. and title of lot:

Contract No. _____ dated _____.

6. A summary explanation of the document provisions:

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

No. and title of lot

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

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

1) Reject bids of the following potential suppliers:

No. and title of lot

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

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

No. and title of lot

No.	Name (full name) of the potential supplier	Application of conditional price reduction	Commitments to local content in goods or works or services expressed in percentage (0 to 100)
1	2	3	4

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

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

9. Signatures

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

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

(Address)

(Date and time)

1. Name of Customer

2. Address of Customer

3. Members of Tender Committee:

Chairman of Tender Committee:

(Full name)

Members of Tender Committee:

(Full name)

(Full name)

Secretary of Tender Committee

(Full name)

conducted procedure of evaluation and comparison of price quotations and determining the winner of the open tender for procurement:

4. Subject of open tender:

No. and title of lot

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

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

No. and title of lot:

Contract No. _____ dated _____.

6. Envelopes with price quotations were submitted by the following participants of open tender:

No. and title of lot

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

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

No. and title of lot

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

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

No. and title of lot

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

9. Price of not rejected price quotations of open tender participants:

No. and title of lot

Amount allocated for procurement _____ tenge.

No.	Title of open tender participant	Cost in tenge without VAT	Conditional price in tenge without VAT
1	2	3	4

10. Tender Committee assessed and compared prices of not declined tender price quotations of open tender participants and decided (select appropriate):

10.1. Recognize as a winner of open tender

No. and title of lot

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

Potential supplier whose tender price quotation is the most preferred after price quotation of the winner

No. and title of lot

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

10.2. To recognize the open tender as failed

(indicate the reason)

No. and title of lot

11. Customer shall enter into a contract with the winner:

No. and title of lot

(Name (full name) of the potential supplier, Actual location address, offered price)

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

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

No.	Title (Full name) of open tender participant	Full name	Position	No. of identity document	A contact telephone number	Data on conducted audio record
1	2	3	4	5	6	7

13. Signatures

Annex 6
to Rules for Purchase of Goods, Works and Services
in Performance of Subsurface Use Operations

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

1. Title of Customer

2. Address of Customer

3. Reason for procurement from one source:

4. The subject of procurement from one source:

No. and title of lot

Amount allocated for procurement, without VAT: _____ tenge.

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

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

No. and title of lot:

Contract No. _____ dated _____.

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

No. and title of lot

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

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

No. and title of lot

Amount allocated for procurement, without VAT: _____ tenge.

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

8. Signatures

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

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

_____ (Address)

_____ (Date and time)

1. Title of Customer

2. Address of Customer

3. Subject of procurement through method of request for price quotation :

No. and title of lot

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

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

No. and title of lot:

Contract No. _____ or _____.

5. Envelopes with price quotations submitted by the following potential suppliers:

No. and title of lot

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

6. Envelopes with bids were withdrawn by following potential of suppliers:

No. and title of lot

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

7. Envelopes of the following providers were returned unopened:

No. and title of lot

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

8. Prices of opened quotations of potential suppliers:

No. and title of lot

Amount allocated for procurement _____ tenge, without VAT.

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

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

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

10. Signatures

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

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

(Address)

(Date and time)

1. Title of Customer

2. Address of Customer

3. Subject of procurement by method of request for quotation :

No. and title of lot

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

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

No. and title of lot:

Contract No. _____ or _____.

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

No. and title of lot

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

6. Price quotations of the following potential suppliers were rejected:

No. and title of lot

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

7. Prices of not rejected price quotations of potential suppliers:

No. and title of lot

Amount allocated for procurement, without VAT: _____ tenge.

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

8. Having assessed and compared the price quotations that were not rejected, the customer decided (select as appropriate):

1) to recognize the winner of procurement by price quotations request:

No. and title of lot

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

Potential supplier whose price quotation is the most preferred after quotation of the winner

No. and title of lot

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

2) recognize procurement by method of price quotations request as failed due to participation of less than two potential suppliers whose price quotations were not rejected

No. and title of lot

9. Customer shall enter into a contract with the winner:

No. and title of lot

 (Name (full name) of the potential supplier, Actual location address, offered price)
 as per results procurement by method of price quotations request up to

_____.

10. Signatures

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

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

(Date and time)

1. Title of customer

2. Address of Customer

3. Subject of procurement through e-procurement system:

No. and title of lot

Amount allocated for procurement, without VAT: _____ tenge.

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

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

No. and title of lot:

Contract No. _____ dated _____.

5. Price quotations of procurement through e-procurement system submitted by the following participants of procurement through e-procurement system:

No. and title of lot

Amount allocated for procurement, without VAT: _____ tenge.

No	Title (Full name) participants of procurement through e-procurement system	Actual location address (legal address for individuals) of supplier	Date and time for submission of quotations of procurement through e-procurement system	Proposed price without VAT	Commitment of participant of procurement through e-procurement system on local content in proposed goods or works or services
1	2	3	4	5	6

6. Results of summarizing results of procurement through e-procurement system:

1) to recognize as winner of procurement through e-procurement system

No. and title of lot

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

Potential supplier whose price quotation is the most preferred after quotation of the winner

No. and title of lot

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

2) recognize the procurement through e-procurement system as failed (indicate the reason).

7. Customer shall enter into a contract with the winner:

No. and title of lot

(Title и Actual location address (for legal entities), full name and legal address (for individuals), offered price without VAT)

as per results of procurement through e-procurement system up to

8. Signatures

Annex 10
to Rules for Purchase of Goods, Works and Services
in Performance of Subsurface Use Operations

**Price chart
of participant of open tender
(name (full name) of participant of open tender,
to be filled separately for each lot)**

No.	Content	Data
1	2	3
1	Description of goods, works and services (subject of procurement (lot))	
2	Description	
3	Manufacturer (for procurement of works and services to be excluded)	
4	Unit of measurement in accordance with the interstate classifier of units for measurement and calculation in accordance with the unit specified in the announcement of procurement	
5	Amount (volume) according to amount specified in the announcement of procurement	
	Price in tenge in the terms provided in the announcement of procurement	

We hereby agree with your terms of payment.

Note: participant of open tender shall not indicate the components of the price, at this, the price given in this line is considered by the Tender Committee as including all costs, provided in the announcement of procurement, including the costs of transportation, insurance, payment of customs duties, taxes, fees, and other expenses under the terms of supply of goods, works and services, without VAT of open tender participant, and is not subject to review.

Digital signature _____

Date and time of submission _____

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

Data on availability and number of workers

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

Digital signature _____

Date and time of submission _____

Annex 12
to Rules for Purchase of Goods, Works and Services
in Performance of Subsurface Use Operations

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

(Date and time of opening)

1. Title of Customer _____

2. Address of Customer _____

3. Members of Tender Committee:

Chairman of Tender Committee:

(Full name)

Members of Tender Committee:

(Full name)

(Full name)

Secretary of Tender Committee

(Full name)

opened the envelopes with bids.

4. Subject of open tender:

No. and title of lot

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

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

No. and title of lot:

Contract No. _____ or _____.

6. Tender documentation is issued to the following potential suppliers:

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

7. Summary of changes and (or) clarification on tender documentation (if any)

8. Envelopes with bids were submitted by following potential suppliers:

No. and title of lot

No.	Registration number of envelope with	Name (full name) of the potential supplier	Address of actual location (legal address for an	Date and time of submission of envelope

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

9. Envelopes with bids were withdrawn by the following potential suppliers:

No. and title of lot

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

10. Envelopes with bids of following potential suppliers were returned unopened:

No. and title of lot

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

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

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

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

13. Procedure of opening envelopes with documents, provided by second, third, fifth item of subparagraph 3) and subparagraph 5) of paragraph 217 of the Rules, was attended by the following representatives of potential suppliers:

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

14. Signatures

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

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

(Address)

(Date and time)

1. Title of Customer

2. Address of Customer

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

(Full name)

Members of Tender Committee:

(Full name)

(Full name)

Secretary of Tender Committee

(Full name)

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

4. Subject of open tender:

No. and title of lot

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

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

No. and title of lot:

Contract No. _____ dated _____.

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

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

No. and title of lot

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

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

1) Reject bids of the following potential suppliers:

No. and title of lot

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

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

No. and title of lot

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

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

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

_____.

9. Signatures

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

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

(Date and time)

1. Title of Customer

2. Address of Customer

3. Members of Tender Committee:

Chairman of Tender Committee:

(Full name)

Members of Tender Committee:

(Full name)

(Full name)

Secretary of Tender Committee

(Full name)

conducted procedure on determining the winner of open tender for procurement:

4. Subject of open tender:

No. and title of lot

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

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

No. and title of lot:

Contract No. _____ dated _____.

6. Price quotations were submitted by the following participants of open tender:

No. and title of lot

No.	Title (Full name – for individuals) of open tender participant	Address of location of open tender participant	Date and time of submission of price quotations

1	2	3	4
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7. Price quotations were withdrawn by the following participants of open tender:

No. and title of lot

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

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

No. and title of lot

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

9. Prices of not rejected price quotations of open tender participants:

No. and title of lot

Amount allocated for procurement _____ tenge.

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

10. Tender Committee assessed and compared prices of not declined tender price quotations of open tender participants and decided (select appropriate):

1) Recognize as a winner of open tender

No. and title of lot

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

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

No. and title of lot

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

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

No. and title of lot

11. Customer shall enter into a contract with the winner:

No. and title of lot

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

as per results of conducted procurement by method off open tender during

_____ days from the date of results of open
tender.

12. Procurement code: _____

Internet resource of the system: _____.

13. Signatures

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

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

1. Title of Customer

2. Address of Customer

3. Reason for procurement from single source:

4. Subject of procurement from single source:

No. and title of lot

Amount allocated for procurement, without VAT: _____ tenge.

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

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

No. and title of lot:

Contract No. _____ or _____.

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

No. and title of lot

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

7. Price offered by supplier for proposed GWS on each lot, expressed in tenge, includes all costs associated with the provision of goods, works and services:

No. and title of lot

Amount allocated for procurement, without VAT: _____ tenge.

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

8. Signatures

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

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

_____ (Date and time)

1. Title of Customer

2. Address of Customer

3. Subject of procurement by method of request for quotation:

No. and title of lot

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

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

No. and title of lot:

Contract No. _____ dated _____.

5. Price quotations were submitted by the following potential suppliers:

No. and title of lot

No.	Title (Full name – for individuals) of potential supplier	Address of location of potential supplier	Date and time for submission of quotations
1	2	3	4

6. Price quotations were withdrawn by the following potential of suppliers:

No. and title of lot

No.	Title of potential supplier	Address of location of potential supplier	Date and time of withdrawal of quotation
1	2	3	4

7. Price quotations of the following suppliers were rejected:

No. and title of lot

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

8. Prices of opened quotations of potential suppliers:

No. and title of lot

Amount allocated for procurement _____ tenge, without VAT.

No.	Title (Full name – for	Price в tenge without VAT	Commitments to local
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	individuals) of potential supplier		content in goods or works or services expressed in percentage (0 to 100
1	2	3	4

9. Upon opening of price quotations:

1) as a winner of procurement by method of request for quotation is recognized:

No. lot, title

Title (Full name – for individuals) of winner	Address of location of winner	Price of quotation
1	2	3

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

No. and title of lot

No.	Title (Full name – for individuals)	Address of location	Proposed price without VAT
1	2	3	4
1.			
2.			

2) recognize procurement by price quotation request as failed (indicate the reason)

No. and title of lot

10. Customer shall enter into a contract with the winner:

No. and title of lot

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

according to the results of conducted procurement by method of request for quotations, within _____ days from the date of summarizing the results of procurement by method of request for quotations.

11. Procurement code: _____

Address of Internet resource of the system: _____.

12. Signatures

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

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

(Date and time)

1. Title of Customer

2. Address of Customer

3. Members of Tender Committee:

Chairman of Tender Committee:

(Full name)

Members of Tender Committee:

(Full name)

(Full name)

Secretary of Tender Committee

(Full name)

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

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

No. and title of lot

Amount allocated for procurement, without VAT: _____ tenge.

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

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

No. and title of lot:

Contract No. _____ dated _____.

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

No. and title of lot

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

	quotation		
1	2	3	4

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

No. and title of lot

Amount allocated for procurement _____ tenge.

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

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

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

No. and title of lot

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

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

No. and title of lot

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

2) To recognize the open tender as abandoned

(indicate the reason)

No. and title of lot

9. Customer shall enter into a contract with the winner:

No. and title of lot

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

on the results of procurement by open tender with reduction of price quotations during _____ days from the date of summing the results of open tender.

10. Procurement code: _____

Internet resource of the system: _____.

11. Signatures
