

Approved by


Chairman of the Management Board  
Zhakupova Zh. B.

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day month year

## **RULES OF TENDER AND TENDER DOCUMENTATION**

### **For procurement of the goods, works and services for MFO Asian Credit Fund LLP (via the corporate website)**

<b>Procurement</b>	Open tender for procurement of the goods/services/works for MFO Asian Credit Fund LLP via the corporate website
<b>Customer (Procurement Organizer)</b>	MFO Asian Credit Fund LLP BIN: 051040001396 Beneficiary code: 15 Address: 60 Auezov Str., Almaty, IIC KZ9096502F0008324513 BIC IRTYKZKA Bank name: ForteBank Joint Stock Company
<b>Website</b>	<a href="http://www.asiancreditfund.com">www.asiancreditfund.com</a>
<b>The Bids of the potential suppliers are accepted</b>	on the website <a href="http://www.asiancreditfund.com">www.asiancreditfund.com</a>
<b>Validity period of the Bid</b>	at least 20 (twenty) calendar days.

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## 1. Description and required technical, qualitative, quantitative and operational characteristics of the services procured

- 1.1. The description and required technical, qualitative, quantitative and operational characteristics of the goods/services/works procured are specified in the Technical Specification (Annex No. 1 to the Tender Documentation).
- 1.2. Annex No.1 is posted on the company's website [www.asiancreditfund.com](http://www.asiancreditfund.com) as necessary.

## 2. Place, required time limit (schedule) and terms of supply of the goods/works/services, provision of a guarantee for quality of the services offered

- 2.1. The place, required time limit (schedule) and terms of supply of the goods/works/services, provision of quality guarantees are specified in the List of Purchased Goods/Works/Services (Annex No. 1 to the Tender Documentation) and Technical Specification (Annex No. 2 to the Tender Documentation).

## 3. Terms of payment

- 3.1. The Customer shall pay for the services rendered within 3 (three) working days from the date of issue of the invoice on the basis of the signed service acceptance certificate by transferring the money to the supplier's bank account specified in the invoice.
- 3.2. The documents required prior to payment:
  - 3.2.1. signed and registered contract;
  - 3.2.2. incorporation documents (for the individual entrepreneurs – certificate of registration);
  - 3.2.3. service acceptance certificate;
  - 3.2.4. invoice;
  - 3.2.5. invoice for payment.

## 4. Description of all mandatory criteria for evaluating and comparing the Bids of the potential suppliers for participation in the tender, affecting the conditional price reduction

- 4.1. The Bids from the potential suppliers which were not rejected shall be compared and evaluated by the Procurement Commission in accordance with the criteria contained in this Tender Documentation. The winner of the Tender is determined based on the **minimum price**, as well as taking into account application of the following conditional points scored according to the following criteria:

No.	Criterion	Points quantity
1	<b>Minimum price</b> of all the price offers	15


No.	Criterion	Points quantity
2	The potential supplier has experience of working with customer	1
3	The potential supplier is a small or medium-sized enterprise. (LLP, JSC, IE)	1
4	The payment terms imply 50% payment before supply and 50% payment after supply of the goods/services/works.	2
5	A potential supplier is an organization of disabled persons (a natural person who is disabled and carries out business activity)	1
6	The potential supplier has experience of working in the market for the goods/works/services procured over the last 7 years (experience of working in the market of the services procured shall be officially confirmed in the form of a letter)	1
7	The potential supplier has an extensive network of the branches/representative offices in the Republic of Kazakhstan or the ability to supply to all RK regions	1
8	The supplier's adherence to ESG standards	1
9	Supply of the goods/services/works is carried out within the time limits specified in the contract	1
10	The terms of payment (contract) do not imply a link to the US dollar exchange rate.	2

## 5. Requirements for the price offer content

- 5.1. The price offer of a potential supplier shall contain the price per unit, as well as the total price of the services, including VAT, transportation and insurance costs, customs duties, other taxes, fees and other expenses provided for in the terms of service provision. The price offer of the potential supplier shall be provided in the form specified in Annex No. 3.

## 6. Currency or currencies in which the potential supplier's price offer shall be expressed, and the exchange rate that will be applied to convert the price offers into a single currency for comparison and evaluation purposes

- 6.1. The price offer of a potential supplier who is a resident of the Republic of Kazakhstan shall be expressed in tenge. The price offer of a potential supplier who is not a resident of the Republic of Kazakhstan may be expressed in a different currency.
- 6.2. If the price offers of the potential suppliers are expressed in different currencies, they shall be converted into the currency of the Republic of Kazakhstan, tenge, at the official exchange rate of the national currency of the Republic of Kazakhstan to foreign currencies, established by the National Bank of the Republic of Kazakhstan, on the day of opening the envelopes with the Bids.

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## 7. Requirements for the language of preparation and submission of the Bids

- 7.1. The Bids shall be submitted in a language specified by the legislation of the Republic of Kazakhstan. At the same time, the Bid may contain the documents drawn up in another language, provided that they are accompanied by an accurate translation into the language of the Tender Documentation, in which case the translation shall take precedence.

## 8. Changes to the Bids and their withdrawal



- 8.1. A potential supplier may amend its Bid before expiry of the time limit for submission of the Bids. The amendment shall be prepared and submitted in the same manner as the Bid (on the Company's website).
- 8.2. Notification of withdrawal of the Bid shall be made in the form of a free-form statement addressed to the Customer, signed by the potential supplier and stamped (for the individuals, if available).
- 8.3. Changes to the Bid shall be valid if the changes are received by the Customer before expiry of the final time limit for submission of the Bids.
- 8.4. No changes and/or additions shall be permitted after expiry of the final time limit for accepting the Bids.
- 8.5. The potential supplier shall bear all costs associated with its participation in the Tender. The Customer shall not be liable for reimbursement of these costs regardless of the outcome of the competition.

## 9. Ways in which the potential suppliers can request clarification on the content of the Tender Documentation

- 9.1. A potential supplier who has received the Tender Documentation shall have the right to submit a written request for clarification of the provisions of the Tender Documentation no later than 20 (twenty) calendar days before expiry of the final time limit for accepting the Bids.
- 9.2. The Customer is obliged to respond to the request by any available means no later than 5 (five) working days from the date of receipt.

## 10. Procedure and deadlines for introduction of the changes and additions to the Tender Documentation

- 10.1. Changes and additions to the list of the goods/works/services to be procured shall be made by the Customer in accordance with the established procedure no later than 5 (five) calendar days before expiry of the final time limit for submission of the Bids.

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In this case, the final time limit for submitting the Bids shall be extended by at least 10 (ten) calendar days.

## 11. Bid preparation and submission


- 11.1. The Bids shall be submitted by the potential suppliers to the Customer by posting them on the Company's website in the "Procurement" section before expiry of the time limit for submission of the Bids.
- 11.2. The Bid shall not contain any insertions between the lines, erasures or additions, except in cases where the potential supplier needs to correct grammatical or arithmetic errors.
- 11.3. The Bids submitted by the potential suppliers or their authorized representatives shall be registered in chronological order in a logbook, indicating the information about potential suppliers, the date and time of receipt of the Bids. The secretary of the Procurement Commission shall verify that the representative of the potential supplier has the authority to submit the Bid, with the exception of the chief executive of the potential supplier.
- 11.4. The validity period of Bid shall be no less than 10 calendar days.

## 12. Bids content

- 12.1. The Bid is a form of expression of consent by a potential supplier to provide the services in accordance with the requirements and conditions set out in the Tender Documentation.
- 12.2. The Bid shall contain:
  - 12.2.1. the Bid completed and signed by the potential supplier in accordance with the form given in Annex No. 2;
  - 12.2.2. the price offer of the potential supplier signed by the potential supplier shall be provided in the form specified in Annex No. 3;
  - 12.2.3. a copy of the certificate of state registration (re-registration) of the legal entity,
  - 12.2.4. copy of the document containing information about the founders:
  - 12.2.5. copy of the document appointing (electing) the chief executive of the potential supplier;
  - 12.2.6. if necessary, a power of attorney to the person (persons) representing the interests of the potential supplier, granting them the right to sign the Bid, with the exception of the chief executive of the potential supplier, who has the right to act on behalf of the potential supplier without a power of attorney, in accordance with the charter of the potential supplier.


## 13. Review, evaluation and comparison of the Bids, summarizing the tender results

- 13.1. The Bids are reviewed by the Procurement Commission for compliance with the requirements of the Tender Documentation.

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The Bids not rejected under the reasons indicated in the Tender Documentation are compared and evaluated by the Procurement Commission in order to select the winner of the Tender who has offered the best conditions in terms of the price of the services procured.

- 13.2. The Bids shall be considered by the company's Procurement Commission within a period not exceeding 10 (ten) working days from the date of receipt of the first Bid. When procuring the services with complex technical characteristics and specifications, the Bids shall be reviewed by the Procurement Commission with involvement of an expert (expert commission) within a period not exceeding 20 (twenty) working days from the date of familiarisation with the Bids.
- 13.3. When reviewing the Bids, the Procurement Commission has the right to:
  - 13.3.1. request from the potential suppliers the materials and clarifications necessary for reviewing, evaluating and comparing the Bids (except for the proposed price (discounts) and technical specifications);
  - 13.3.2. in order to verify the information contained in the Bids, request the necessary information from the relevant state authorities, individuals and legal entities.
- 13.4. The Procurement Commission shall reject a Bid in the following cases:
  - 13.4.1. recognition of the Bid as not complying with the requirements of the Tender Documentation;
  - 13.4.2. if the potential supplier is an affiliate of another potential supplier that has submitted a Bid for this Tender;
  - 13.4.3. the price offered by the potential supplier exceeds the amount allocated for procurement;
  - 13.4.4. the cost and price specified in the price offer are higher than other price offers;
  - 13.4.5. the potential supplier is included into the List of unreliable potential suppliers (suppliers).
- 13.5. The Bids which were not rejected shall be compared and evaluated by the Procurement Commission in accordance with the criteria contained in this Tender Documentation. The winner of the Tender shall be determined on the basis of the lowest conditional price, calculated taking into account the criteria contained in the Tender Documentation.
- 13.6. The potential supplier ranked second based on the comparison and evaluation results is determined based on the price following the lowest conditional price, calculated taking into account the criteria contained in the Tender Documentation.
- 13.7. If the conditional prices of the tender price offers are equal, the winner (or potential supplier who was ranked second in following the results of comparison and evaluation) shall be recognised as the potential domestic supplier of the services procured. If the price offers of the domestic service providers are equal, the winner (or potential supplier who was ranked second following the results of comparison and evaluation) shall be the domestic service provider with more experience in the market for the services procured that are the subject of the Tender. If the conditional prices of the tender price offers are equal and there is no domestic service provider, the winner (or potential supplier ranked second following the results of comparison and evaluation) shall be the potential supplier with more experience in the market for the services procured being the subject of the tender.

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- If the price offers are equal and experience in the market for the services procured is equal (or if it is impossible to determine the experience of work based on the documents submitted by potential suppliers), the winner (or the potential supplier ranked second following the results of comparison and evaluation) shall be the potential supplier that submitted the Bid earlier.
- 13.8. The results of the Tender shall be recorded in a protocol. The protocol of the Tender results shall be signed and initialed by the members of the Procurement Commission and its secretary.
- 13.9. The protocol of the Tender results shall contain the following information:
- 13.9.1. about the place and time of the summarizing the results;
  - 13.9.2. about the Bids received from the potential suppliers;
  - 13.9.3. about the amount allocated for procurement, as provided for in the procurement plan, including VAT;
  - 13.9.4. about the rejected Bids, grounds for rejection;
  - 13.9.5. about the potential suppliers recognized as meeting the requirements of the Tender Documentation;
  - 13.9.6. about the results of applying the assessment criteria;
  - 13.9.7. about the Tender results;
  - 13.9.8. about the amount and terms of the procurement contract, if the procurement took place;
  - 13.9.9. about the potential supplier ranked second;
  - 13.9.10. other information at the discretion of the Procurement Commission.
- 13.10. The Tender shall be deemed invalid by the Procurement Commission in the following cases:
- 13.10.1. submission of the Bids by at least two potential suppliers;
  - 13.10.2. the winner or potential supplier who was ranked second refusing to sign the contract.
- 13.11. If procurement by the tender is deemed to be unsuccessful, the Customer shall be entitled to make one of the following decisions:
- 13.11.1. on repeated procurement by means of a tender;
  - 13.11.2. on changes to the Tender Documentation and the repeated procurement by the tender;
  - 13.11.3. on implementation of single-source procurement.
- 13.12. The Customer shall, no later than 3 (three) working days from the date of signing the protocol on the results of the tender:
- 13.12.1. send a notification to the winner;
  - 13.12.2. if necessary, publish the protocol of the tender results on the Customer's website.
- 13.13. The decision of the Customer's Procurement Commission to declare the potential supplier who was ranked second following the results of comparison and evaluation as the winner of the tender shall be formalized in a protocol on declaring the potential supplier who was ranked second following the results of comparison and evaluation as the winner of the tender, which shall specify the amount and time limits of entering into the procurement contract.




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The Customer shall no later than 5 (five) working days from the date of signing the protocol:

- 13.13.1. notify the winner by any available means;
- 13.13.2. publish the protocol of the tender results on the Customer's website.

***Annexes:***



- 1) List of the goods/services/works procured (Annex No. 1 to the Rules of Tender and Tender Documentation)
- 2) Bid Form for the potential suppliers for the legal entities (Annex No. 2 to the Rules of Tender and Tender Documentation)
- 3) Price offer form (Annex No. 3 to the Rules of Tender and Tender Documentation)

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**Annex No. 1 to  
Rules of Tender and Tender  
Documentation**

**List of the Goods/Services/Works procured**  
**Lot No. \_\_\_\_\_**

<i>Lot No.</i>	<i>Customer Name:</i>	<i>Name of the Service</i>	<i>Unit of measurement</i>	<i>Quantity</i>	<i>Services provision time</i>	<i>Place of supply</i>	<i>Advance payment amount, %</i>
1	2	3	4	5	6	7	8
	MFO Asian Credit Fund LLP						

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## Annex No. 2 to Rules of Tender and Tender Documentation

### Bid form (for the legal entities)

To: MFO Asian Credit Fund LLP

*(the procurement organizer name is indicated)*

From:

*(full name of the potential supplier is indicated)*

1. The information about the legal entity applying to participate in the tender (potential supplier):

Legal address, postal address, email, contact telephone numbers of the potential supplier	
Taxpayer's Registration Number	
The bank details of the legal entity (TRN, BIC, IIC), including the full name of the bank or its branch)	
Full name of the chief executive of the legal entity	

2. \_\_\_\_\_ (indicate the full name of the legal entity) hereby expresses its desire to participate in the procurement process by way of a tender (indicate the full name of the tender or lot number) as a potential supplier and agrees to provide the services in accordance with the requirements and conditions set forth in these Rules.
3. By submitting this Bid, the potential supplier confirms that it has read the Rules of Tender and Tender Documentation and is aware of its responsibility for providing (specify the name of the procurement organiser) and the Procurement Commission with inaccurate information about its legal capacity, the qualitative and other characteristics of the services provided, its compliance with the copyrights and related rights, as well as other restrictions.
4. The potential supplier assumes full responsibility for providing inaccurate information in this Bid and in the documents attached to it.

5. List of the attached documents:

<i>Item No.</i>	<i>Document name</i>	<i>Original or copy</i>	<i>Number of sheets</i>

6. This Bid is valid for    days.

\_\_\_\_\_

\_\_\_\_\_ / \_\_\_\_\_ /

*(Position, full name of the chief executive of the legal entity — potential supplier, and his/her signature)*



**Contact data:**

Tel.: \_\_\_\_\_

Address: \_\_\_\_\_

Date of completion \_\_\_\_\_

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**Annex No. 3 to  
Rules of Tender and Tender  
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**Potential supplier's price offer form  
(potential supplier name)**

<i>Item No.</i>	<i>Content</i>	
1	Name of the service	
2	Unit of measurement	
3	Price per unit including VAT	
4	Quantity (volume)	
5	Total price, including VAT and including all costs of the potential supplier related to the terms of the contract and required for services provision	

We agree to your payment terms as described in the list of goods/works/services procured.

\_\_\_\_\_  
(Signature)  
Seal here

\_\_\_\_\_  
(Position, full name)

Note: A potential supplier may not specify the components of the total price, in which case the price specified in line 5 shall be considered by the Procurement Commission as determined taking into account all costs of the potential supplier and shall not be subject to revision.