

APPROVED

By the Order of the Ministry of Finance of the  
Kyrgyz Republic dated "21" September 2017

No. 126-II

By the Order of the State Enterprise "Issyk-Kul"  
Hotel - Shopping Complex" under the Property  
Management Department of the President and the  
Government of the Kyrgyz Republic dated

"4" August 2017 No. II-18

### **TENDER DOCUMENTATION**

For the public-private partnership project "Reconstruction of the "Issyk-Kul" hotel-shopping complex in  
the city of Bishkek"

Public partner: SE "Issyk-Kul" hotel-shopping complex" under the Property Management Department of  
the President and the Government of the Kyrgyz Republic

## INTRODUCTION

The public-private partnership project "Reconstruction of the "Issyk-Kul" hotel-shopping complex in the city of Bishkek" has been initiated by the State Enterprise "Issyk-Kul" hotel-shopping complex" under the Property Management Department of the President and the Government of the Kyrgyz Republic in accordance with the order of State Enterprise "Issyk-Kul" hotel-shopping complex" under the Property Management Department of the President and the Government of the Kyrgyz Republic "On initiation of the public-private partnership project for the reconstruction of the "Issyk-Kul" hotel-shopping complex in city of Bishkek" and the order of the Ministry of economy of the Kyrgyz Republic No. 132 dated June 14, 2017 on approval of the PPP Project.

The Property Management Department of the President and the Government of the Kyrgyz Republic acting as the founder of the State Enterprise "Issyk-Kul" hotel-shopping complex" under the Property Management Department of the President and the Government of the Kyrgyz Republic has engaged the specialists for the development of the public-private partnership project for reconstruction of the "Issyk-Kul" hotel and shopping complex.

The purpose of the present Tender documentation is to provide general information regarding the PPP Project, state support to be provided to the Private Partner, risk-sharing terms and conditions, proposed financing arrangements and draft PPP Agreement.

The capitalized words and expressions used in the text of the present Tender documentation shall have the meaning described in the section "Terms and Definitions" of the Tender Rules for the PPP Project. Reference to any document shall mean reference to such document as amended and supplemented, as well as reference to its annexes.

## **NON-LIABILITY CLAUSE**

This Tender documentation is provided by the "Issyk-Kul" hotel-shopping complex" under the Property Management Department of the President and the Government of the Kyrgyz Republic exclusively for the use by the Parties concerned and/or by the Tenderers during preparation and submission of the Applications for prequalification and Tender proposals for participation in the Tender for the PPP Project.

The State Enterprise "Issyk-Kul" hotel-shopping complex" under the Property Management Department of the President and the Government of the Kyrgyz Republic, and its respective consultants or advisers:

- a. make no any representations or warranties (express or implied) regarding the accuracy or completeness of the information contained in this document or in any other document provided to the Parties Concerned and/or Tenderers in connection with the Tender;
- b. bear no responsibility for the present Tender documentation, PPP Project or other written or oral message transmitted to the Parties Concerned and/or Tenderer in connection with the Tender or PPP Project evaluation; or
- c. bear no responsibility for payment of reimbursement or compensation to the Tenderers for any costs or expenses incurred by the Party Concerned and/or the Tenderer during or as a result of the evaluation or action under this Tender documentation or any document in connection with the Tender, PPP Project or otherwise.

This Tender documentation includes statements that reflect various assumptions and estimates obtained by the State Enterprise «Issyk-Kul» hotel-shopping complex» under the Property Management Department of the President and the Government of the Kyrgyz Republic regarding the PPP Project. Such assumptions, estimates and statements may not contain all the information that may be required for each Party Concerned and/or Tenderer. The assumptions, estimates, statements and information contained in this Tender documentation may be incomplete, inaccurate, inappropriate or incorrect. It is recommended to each Party Concerned and/or Tenderer to conduct their own examination and analysis and to verify the accuracy, adequacy, correctness, reliability and completeness of the assumptions, estimates, statements and information contained in the present Tender documentation and to obtain independent consultancy from the appropriate sources.

The information provided in the present Tender documentation for the Parties Concerned and/or Tenderers is not exhaustive in terms of the requirements of the legislation and should not be considered as complete or indisputable.

Publication of this Tender documentation does not mean that the State Enterprise «Issyk-Kul» hotel-shopping complex» under the Property Management Department of the President and the Government of the Kyrgyz Republic/the Tender Committee is obliged to select any Tenderer under the PPP Project or to make deal with any Successful Tenderer, and the State Enterprise «Issyk-Kul» hotel-shopping complex» under the Property Management Department of the President and the Government of the Kyrgyz Republic/the Tender Committee reserves the right to refuse any or all Tenderers or to reject any or all Tender Proposals under the PPP Project.

## Section 1. PPP PROJECT INFORMATION

### 1.1. General description of the PPP Project

Key information about the PPP Project	
Name of the PPP Project:	“Reconstruction of the “Issyk-Kul” hotel-shopping complex” in the city of Bishkek”
Public partner:	The State Enterprise «Issyk-Kul» hotel-shopping complex» under the Property Management Department of the President and the Government of the Kyrgyz Republic
Brief description of the PPP project:	The State Enterprise «Issyk-Kul» hotel-shopping complex» under the Property Management Department of the President and the Government of the Kyrgyz Republic has initiated the PPP Project in accordance with the order dated "24" April 2017 No.П-17 "On the reconstruction of the "Issyk-Kul" hotel-shopping complex in the city of Bishkek".
Objectives and expected results of the PPP project	Implementation of the PPP Project is aimed at protocol and ceremonial servicing official visits, meetings and receptions of the foreign delegations of official and state level and providing hotel and other related services.
Subject matter of the PPP Agreement:	Reconstruction of the "Issyk-Kul" hotel-shopping complex and construction of new complexes in order to provide hotel and other related services as stipulated in the PPP Agreement.
Validity period of the PPP Agreement:	To be determined by the competition outcomes, but not more than 40 (forty) years, depending on the implementation of the PPP Project stages.
Licenses and permits:	Licenses (including certificate of attestation, accreditation or registration) and all other permits required to the Private partner, and its personnel for the implementation of the PPP Project, as stipulated in the PPP Agreement.
Premises and/or land plot for the implementation of the PPP project:	The PPP Project stipulates granting the right to use the property complex of the "Issyk-Kul" hotel-shopping complex, including the building consisting of 8 floors and catering unit with total floor area of 12900 square meters and a 3.64-hectare land plot for the entire validity period of the PPP Agreement, including by contributing the value of the right of use to the authorized capital of the project company.

## 1.2. Description of the proposed financing arrangements

1.2.1. The financing of all and any costs and expenses arising in connection with the preparation and implementation of the PPP Project shall be carried out at the expense of its own and/or borrowed funds of the Private Partner in the manner, in the amount and under the terms and conditions stipulated in the PPP Agreement.

## 1.3. Risk allocation terms and conditions and procedure

1.3.1. All risks associated with the PPP Project implementation, including the risk control and management shall be fully transferred to the Public Partner.

## 1.4. Public support

1.4.1. The Public partner will provide to the Private partner the following types of the public support (as defined in the Law on PPP) in the manner and under the terms and conditions stipulated in the PPP Agreement:

- a. granting the right to use the property complex of the "Issyk-Kul" hotel-shopping complex, including the building consisting of 8 floors and catering unit with total floor area of 12900 square meters and a 3.64-hectare land plot for the entire validity period of the PPP Agreement, including by contributing the value of the right of use to the authorized capital of the project company;
- b. providing assistance to the Private partner in obtaining any applicable permits by the Private partner, as stipulated in the PPP Agreement;
- b. providing assistance (within the powers of the Public partner) in obtaining preferences and/or respites and/or installment of date for payment of taxes in accordance with the legislation of the Kyrgyz Republic;
- g. providing assistance (within the powers of the Public partner) in obtaining preferences and/or respites and/or installment of date for making customs payments in accordance with the legislation of the Kyrgyz Republic.
- d. providing assistance (within the powers of the Public partner) in ensuring guaranteed flow of guests represented by the official delegations of other states who are visiting the Kyrgyz Republic within the framework of various visits, as well as holding of the state protocol events, servicing other public authorities during official meetings, receptions, summits and other public events.

## Section 2. TENDER

### 2.1. The Tender conditions and procedure

The Tender will consist of 3 (three) stages:

(i) *Prequalification*. At this stage the Tender Committee will carry out only the collection and evaluation of the Applications for pre-qualification. The requirements to the Application for pre-qualification and qualification requirements to the Tenderers, the pre-qualification procedure and dates are stipulated by the Section 3 of the Tender Rules.

(ii) *Selection of Successful Tenderer*. At this stage the Tender Committee will carry out only the collection and evaluation of the Tender proposals of the pre-qualified Tenderers. Requirements to the Technical proposal, including minimum requirements to the PPP Project, requirements to the Financial Proposal, evaluation procedure and criteria and the timing of the Successful Tenderer selection are stipulated by the Section 4 and Section 5 of the Tender Rules.

(iii) *Conclusion of the PPP Agreement* is the final stage of the Tender. The procedure and timeframes for conclusion of the PPP Agreement(s) are stipulated by the Section 6 of the Tender Rules.

## Section 3. PROCEDURE FOR CLARIFICATION, AMENDMENT AND ADDENDUM OF TENDER DOCUMENTATION

### 3.1. Procedure for clarification of the Tender documentation

Any Party Concerned or Tenderer may apply to the Tender Committee for clarification of the provisions of the Tender documentation by sending a written inquiry. The procedure and timeframes for providing clarifications by the Tender Committee for the Tender documentation, as well as provisions concerning the holding of a conference/meeting for the prequalified Tenderers in order to discuss their questions and comments to the Tender documentation and the Tender Rules, to provide amendments and additions to the draft PPP Agreement by the prequalified Tenderers are specified in paragraphs 1.3-1.4 of the Tender Rules.

### 3.2. Procedure for making amendments and additions to the Tender documentation

The Tender Committee may take a decision to make amendments and additions to the present Tender documentation. The procedure and timeframes for making amendments and additions to the Tender documentation are specified in paragraph 1.4 of the Tender Rules.