



*Appendix N6*

**Rules for generation and maintenance of the list of unreliable potential suppliers (suppliers) of the autonomous organization of education “Nazarbayev University” and its organizations**

Version*	Authorized by decision of Managing Council*		Date of entering into force
	Decision #	Approval date	
	12.04.16	12.04.16.	12.04.16
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Reference to the main documents (higher level), which served as the basis for development of the document	Decision of the Board of Trustees of Nazarbayev University, Minutes No.16 dated August 30, 2014		
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Previous/overage documents	Rules for generation and maintenance of the list of unreliable potential suppliers (suppliers) approved by decision of the Executive Council of the autonomous organization of education “Nazarbayev University” dated June 05, 2012 No.6.2.1.		
Related documents	Rules for procurement of goods, works and services approved by decision of the Board of Trustees of Nazarbayev University dated August 30, 2014 No.16. Regulations for interaction on procurement issues approved by decision of the Managing Council of Nazarbayev University dated 26.01.2016. No.26.01.16. Standard tender documentation on procurement of goods, works and services approved by decision of the Managing Council of Nazarbayev University dated 26.01.2016. No.26.01.16.		
Document language	Kazakh - , Russian - , English - 12.04.16		

## **1. General provisions**

1. These Rules for generation and maintenance of the list of unreliable potential suppliers (suppliers) of the autonomous organization of education “Nazarbayev University” and its organizations (hereinafter – Rules) have been developed in accordance with the Rules for procurement of goods, works and services approved by decision of the Board of Trustees of Nazarbayev University dated August 30, 2016 No.16 (hereinafter – Rules for procurement).

2. The Rules define the procedure for generation and maintenance of the list of unreliable potential suppliers (suppliers) (hereinafter – List) in regard to the procurement of goods, works, services of Nazarbayev University and its organizations (hereinafter – Customer).

The aim of maintenance of the List is temporary restriction on participation of unreliable potential supplier (supplier) included into the List in procurement conducted by Nazarbayev University and its organizations in order to create favorable, competitive environment during the process of procurement of goods, works and services.

3. The List is generated and maintained by procurement division of Nazarbayev University (hereinafter – Procurement Division) in electronic format according to Annex 1 to the Rules.

4. Potential suppliers (suppliers) are included into the List by decision of the Managing Director for Administration on basis of information and supporting documents of the customer/structural division initiating inclusion of the potential supplier (supplier) into the List (hereinafter – Initiator).

5. Materials about unreliable potential suppliers (suppliers) provided by the customers/initiators are kept by the procurement division.

6. Terms and concepts not defined by these Rules have the meanings as stipulated by the Rules for procurement.

## **2. The procedure for generation and maintenance of the List**

### **§ 1. Grounds for inclusion into the List**

7. The potential supplier (supplier) shall be included into the List in one of the following cases:

1) if provided information required by the procurement documentation is unreliable;

2) if the potential supplier (supplier) avoids entering into the procurement contract if declared as the tender winner:

- if the potential supplier has not signed the draft contract within 10 (ten) business days from the date of provision of the signed draft of the procurement contract by the customer;

- if the tender winner or the runner-up fails to provide the original bid with attachments stipulated by clause 7.6. of tender documentation for comparison within the established deadline ;

3) failure to fulfill the established requirement on provision and/or terms of provision of the procurement contract performance security:

- if the supplier has not provided the procurement contract performance security in the amount of 3 (three) percent of the procurement contract value within 10 (ten) business days from the date of entry into the procurement contract;

4) termination of the procurement contract due to non-performance or improper performance of the procurement contract;

5) if the tender winner or the runner-up has submitted the original bid with attachments stipulated by clause 7.6. of tender documentation which do not conform with the electronic and/or scanned documents posted on the electronic trading platform.

## **§ 2. Procedure for inclusion of potential suppliers (suppliers) into the List**

8. The customer/initiator sends an explanatory note to the procurement division attaching supporting documents provided in clause 9 of the Rules (hereinafter – Materials) according to the established procedure with description of reasons for taking decision on recognizing the potential supplier (supplier) as unreliable.

9. The materials shall be submitted to the procurement division signed by the Chief Executive Officer or an authorized person upon approval of the customer's structural division which organizes and conducts procurement procedures, in hard copy and electronic format according to Annex 2 to the Rules attaching copies of supporting documents:

1) business identification number shall be submitted in case of a legal entity, individual identification number shall be submitted in case of a private person;

2) materials with copies of supporting documents on the appropriate procurement method;

3) documents confirming submission of unreliable information by the potential supplier (supplier) according to the requirements specified in the procurement documents (if any);

4) letter of renunciation from entry into the contract (if any) submitted by the potential supplier;

5) correspondence of the customer/initiator with the potential supplier on the

matter of entry into the contract (if any);

6) draft procurement contract signed on the part of the customer/initiator and sent to the supplier (if any) for signing;

7) verification letter on non-arrival of funds to the settlement account from the supplier as procurement contract performance security within the contractual time period (if any), signed by the Chief Executive Officer or an authorized person of the customer/initiator and/or Chief Accountant and affixed with the seal;

8) correspondence of the customer/initiator with the supplier on the matter of procurement contract performance security (if any);

9) documents confirming improper performance of the procurement contract or in case of termination of the procurement contract because of non-performance or improper performance of the procurement contract (if any);

10) other documents confirming the fact of unreliability of the potential supplier (supplier).

10. The procurement division shall review materials on their completeness and existence of grounds according to clause 7 of the Rules for the inclusion of the potential supplier (supplier) into the List within 10 (ten) business days of the receipt of the materials from the customer/initiator.

11. Following the results of review of the materials the procurement division creates the draft decision on inclusion of the potential supplier (supplier) into the List and submits it to the Managing Director for Administration for decision-making

12. During the process of review of the materials provided by the customer/initiator the procurement division may involve (if necessary) an employee of the relevant structural division regarding issues within their competence with the consent of the head of this structural division.

13. If any additional documents or clarifications are requested to be provided by the customer/initiator, review deadline shall be extended in proportion to the period of obtaining additional documents, clarifications.

14. A copy of the decision shall be sent to the customer/initiator within 3 (three) business days from the date of the decision.

15. The procurement division shall return the materials to the customer/initiator in case of missing documents and/or clarifications confirming the need for inclusion of the potential supplier (supplier) into the List.

### **§ 3. List placement**

16. The List is posted on the web-site of Nazarbayev University and/or electronic trading platform in the form stipulated in Annex 1 to the Rules.

17. The potential supplier (supplier) is automatically excluded from the List

after 1 (one) year since its inclusion into the List.

18. The potential supplier (supplier) has the right to appeal against the decision on declaration of the potential supplier (supplier) as unreliable and its inclusion into the List in the manner established by the legislation of the Republic of Kazakhstan.

### **3. Responsibility**

19. Heads, employees of the customer/initiator and other persons, who are involved in the compilation of information on recognition of the potential supplier (supplier) as unreliable and its inclusion into the List shall bear responsibility for violation of requirements of these Rules and reliability of submitted materials, clarifications in accordance with the legislation of the Republic of Kazakhstan and internal documents, approved in accordance with the established procedure.

Annex 1  
to the Rules for generation and  
maintenance of the List of  
unreliable potential suppliers  
(suppliers)

The List of unreliable potential suppliers (suppliers)

No.	Information about unreliable potential supplier/supplier			Date of inclusion into the List	Reason for declaration of the potential supplier/supplier as unreliable*	Date of removal from the List
	Name of potential supplier/supplier	Full name of head of potential supplier/supplier	Registered address of location of potential supplier (supplier)	IIN/ BIN		
1	2	3	4	5	7	8

Notes:

\* Relevant sub-clause of clause 7 of the Rules shall be specified.

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*[Signature]*

Annex 2  
to the Rules for generation and  
maintenance of the List of  
unreliable potential  
suppliers  
(suppliers)

Information about unreliable potential supplier (supplier)\*

No	Information about unreliable potential supplier/supplier			Document details, date of procurement realization, procurement summarizing	Full name of goods, works, services	No. and date of the procurement contract	Period of delivery of goods/rendering of services/performance of works	Reason for declaration of potential supplier/supplier as unreliable **
	Name of potential supplier/supplier	Full name of head of potential supplier/supplier	Registered address of location of potential supplier (supplier)	BIN/IIN				
1	2	3	4	5	7	8	9	10

Full name, signature of Chief Executive Officer of the customer/initiator  
Full name, position and signature of the preparer, contact telephone number

Notes:

\* It is not allowed to change the table format.

\*\* Relevant sub-clause of clause 7 of the Rules shall be specified.