

Qualification Document

Authorized developer: Albanian Investment Corporation

Project Name: Development of the technology and science park "Durana Tech Park"

Contract title: Management/administration of "Durana Tech Park" and inter-mediation in the selection of its users

Issued on: April 19, 2024

Qualification Document

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PART 1 – Qualification Procedure

Section I - Instructions to Applicants

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Section I - Instructions to Applicants

A. General

1. Scope and Authorized Developer

1. The Corporation has been designated as the authorized developer of the "Durana Tech Park," by decision of the Council of Ministers no. 185, dated 27.03.2024. This decision, among its provisions, determined:
 - a. the approval of the establishment of the technological and scientific park, named "Durana Tech Park", spanning an area of 140,400 square meters, located in Xhafzotaj, Municipality of Durrës, Albania, on property number 336, of type "land," in cadastral zone 3852;
 - b. the transfer of the administrative responsibility to the Ministry of Economy, Culture, and Innovation involves several state-owned immovable properties of the land type, totaling an area of 262,200 square meters, situated in the Municipality of Xhafzotaj, within the Durrës District, intended for the establishment/opening of the "Durana Tech Park.";
 - c. the types of activities to be developed in the "Durana Tech Park," for which the developer and registered users in the park benefit from regulatory, fiscal, and customs facilitations, according to legal terms and conditions;
 - d. the approval of assistance with general infrastructure support up to the park boundaries, such as roads, fiber optics, electrical power, but not limited to them according to the provisions of Article 11 of the law on technological parks.
2. The Corporation for the development of Durana Tech Park aims to select a partner to enter into a joint agreement to ensure the fulfillment of necessary conditions for the development and management of Durana Tech Park, through the establishment of a Special Purpose Vehicle (SPV).
3. The Corporation publishes this Qualification Document to prospective Applicants interested in submitting qualification applications and submitting proposals for the Project described in Section IV (Project Description).

2. Entities that can participate

4. The address of the Corporation is specified in the Invitation for Expression of Interest.
- 2.1 An Applicant can be a natural or legal person, private or public entity, as well as higher education institutions or a combination of such entities in the form of a joint venture or joint venture (JV), under an agreement for this project or aiming to enter into such an agreement documented by a prior written agreement. The association of companies will appoint a representative, who will have the authority to perform all actions for and on behalf of each and all members of the association, during the qualification process, the proposal (if applicable) and during the negotiations for the contract (if applicable).
 - 2.2 An entity may apply for qualification and qualify simultaneously individually, as part of a joint venture or as a subcontractor. In the second phase, the qualified Applicant cannot submit several proposals, as an individual entity, as a member of a joint venture or as a subcontractor. However, an entity may participate as a subcontractor in more than one proposal, but only in that capacity. Proposals submitted in violation of this rule will be rejected.
 - 2.3 An entity and any subsidiary/entity related to it (which directly or indirectly controls, is controlled or is under common control with that entity) may submit their request for qualification individually, as a joint venture or as a subcontractor between them. However, if qualified, only one qualified applicant among them will be allowed to submit a proposal in the second stage of the competition. All proposals submitted in violation of this rule will be rejected.
 - 2.4 An entity cannot participate in this procedure if the Applicant is:
 - a. established and registered in a country for which, by an act of compliance with a decision of the Security Council of the United Nations taken under Chapter VII of the Charter of the United Nations, by virtue of an official law or regulation, the Republic of Albania prohibits any importation of goods or outsourcing of works, goods or services from that country, or any payment to a person or entity registered in that country;
 - b. subject provided for in points 1 and 2, of article 3, of law no. 10192, dated 3.12.2009, "On preventing and combating organized crime and trafficking through

preventive measures against wealth", as amended, as well as

- c. subject to normative act no. 1, dated 31.1.2020, of the Council of Ministers, "On preventive measures within the framework of strengthening the fight against terrorism, organized crime, serious crimes and the consolidation of public order and security".

- 2.5 Applicants must not have a conflict of interest. Applicants will be considered to have a conflict of interest if they, or any of their affiliates, have participated as a consultant in the preparation of the project or technical specifications that are the subject of this qualification. Additionally, applicants may be considered to have a conflict of interest if they have a close business or family relationship with a professional staff member of the Corporation who is directly involved in the preparation of the Qualification Document, the Request for Proposal, and/or the proposal evaluation process for this Contract.

B. Qualification Document

3. Completeness of Qualification Document

- 3.1 The Corporation accepts no responsibility for the completeness of the Qualification Document unless the document is downloaded directly from the Corporation's website. This also includes responses to requests for clarification, or additions/changes to the Qualification Document.
- 3.2 The applicant must review all instructions, forms and conditions in the Qualification Document and submit with their application all information or documentation as required by the Qualification Document.

4. Clarification of the Qualification Document

- 4.1 An applicant seeking clarification of the Qualification Document should contact the Corporation in writing at the address as follows:

Contact person: Ms. Valentina Kazanxhi

Email: valentina.kazanxhi@aicorporation.al

- 4.2 The Corporation will respond in writing to any request for clarification provided that such request is received no later than **ten (10) days** prior to the deadline for submission of applications. The Corporation will promptly publish its

response on its website provided in the Invitation for Expression of Interest, including a description of the request but without identifying its source. If the Corporation deems it necessary to amend the Qualification Document as a result of a request for clarification, it will do so following the procedure set out in these guidelines.

**5. Changes to the -
Qualification
Document**

- 5.1 The Corporation, for any reason, on its own initiative or upon request for clarification from an Applicant, the Corporation may make changes to the Qualification Document by issuing an Addendum, which will be published immediately electronically on the official website of the Corporation, specified in the Invitation for Expressions of Interest. Applicants should visit the Company's website regularly to be informed of these changes (if any). Any Addendum issued shall be part of the Qualification Document.
- 5.2 In order to give Applicants reasonable time to consider the requirements given in the Addendum in preparing their applications, the Corporation may extend the deadline for submission of applications up to **7 (seven) days**.

C. Preparation of Applications

6. Cost of applications

- 6.1 The Applicant shall bear all expenses related to the preparation and submission of his application. In no event shall the Corporation be responsible or liable for such costs, regardless of the conduct or outcome of the qualification process.

**7. Application
language**

- 7.1 The application, as well as all correspondence and documents exchanged by the Applicant and the Corporation, relating to the qualification, will be prepared either in Albanian or English. The supporting documents that are part of the application may be in another language, provided that they are accompanied by an official translation either in Albanian or English. In this case, for the purpose of interpretation of the application, the translation will prevail.

**8. The documents
contained in the
application**

- 8.1 The application shall contain the following:
- a. Letter of Application;
 - b. Power of attorney or written authorization authorizing the signatory of the application to engage the Applicant, when the latter is not the legal representative of the Applicant;
 - c. Application's Forms and required documents proving the

Applicant's qualifications; and

- d. any other documents required as specified in these instructions.

9. Application letter

- 9.1 To submit the application, the Applicant must complete an Application Letter as provided in Section III (Application Forms). This Letter must be completed without any change in its format.

10. Documents proving the applicant 's qualifications

- 10.1 In order to demonstrate that his qualifications meet the eligibility criteria in accordance with Section II, Qualification Criteria, the Applicant shall provide the required information on the relevant information forms included in Section III (Application Forms).

- 10.2 Wherever an application form requires an Applicant to declare a monetary amount, Applicants must indicate the equivalent in EURO using the exchange rate defined below:

- a. for annual financial data - Bank of Albania exchange rate on the last day of the relevant calendar year (with which the amounts for that year will be converted);
- b. for the contract amounts - the exchange rate of the Bank of Albania on the date of conclusion of the contract.

Any error in using the above exchange rates in the application may be corrected by the Corporation.

11. Signing of the application

- 11.1 The application shall be typed or written in indelible ink and shall be signed by a person authorized to sign on behalf of the Applicant.

- 11.2 In case the Applicant is an association of entities, the application is signed by an authorized representative on behalf of the association of entities, so that it is legally binding on all members, as evidenced by a signed authorization/power of attorney executed by their representatives legally authorized.

- 11.3 Applicants participating in the competition must submit documents in formats and in compliance with Albanian legislation. Foreign applicants must present the documents in the form required by the current legislation for the recognition of documentation issued in a foreign country (provided with an apostille stamp from the country of origin). For documents not issued in the country of origin, the applicant must self-declare this fact, otherwise the documentation will be considered not submitted. In any case, the responsible institution has the right to perform the necessary checks on the authenticity of the information declared by the applicant, as

above, or to request clarifications and supporting documents from the Applicant.

D. Submission of Applications

12. Preparation and notation of applications

- 12.1 When applications are sent by mail or to the Corporation's address, the Applicant must put the application in a sealed and clearly legible marked envelope that will:
- (a) bear the name and address of the applicant;
 - (b) be sent to the Corporation, in the manner specified in these instructions; and
 - (c) bear the name of the project specified in the Invitation for Expression of Interest.
- 12.2 The Corporation will not accept any responsibility for the non-acceptance of any envelope not delivered as required in clause 12.1.
- 12.3 For applications submitted by email, the Applicant will send the application, in PDF form, to the email address specified by the Corporation in the Invitation for Expression of Interest. The text of the email will be include:
- a. the name and address of the applicant; and
 - b. the name of the project specified in the Invitation for Expression of Interest.

13. Deadline for submission of applications

- 13.1 Applicants can submit their applications electronically by email, by hand or by mail. Applications will be accepted by the Corporation not later than the deadline defined in the Invitation for Expression of Interest.

14. Late Applications

- 14.1 Applications received after the deadline for submission of applications will be rejected.

15. Opening of applications

- 15.1 The Corporation will open all applications at the date, time and place specified in the Invitation for Expression of Interest. Late applications will be handled in accordance with clause 14.1.
- 15.2 The Corporation will prepare a record of the opening of applications including, at a minimum, the names of the Applicants. A copy of the minutes will be distributed to all applicants.

E. Procedure for Evaluation of Applications

- 16. Confidentiality** 16.1 Information about applications, their evaluation and qualification results will not be disclosed to Applicants or any other person not officially interested in the qualification process until all Applicants have been notified of the qualification results.
- 17. Clarification of applications** 17.1 The Corporation may ask the Applicants for clarifications of their applications, which must be submitted within a reasonable time period. Any request for clarification from the Corporation and all clarifications provided by the Applicants will be in writing.
- 17.2 If an Applicant does not provide the requested clarifications and/or documents by the date and time specified in the Corporation's request for clarification, his application will be evaluated based on the information and documents available at the time the application is evaluated.
- 18. Validity of applications** 18.1 The Corporation may reject any application that does not meet the requirements of the Qualification Document. In case the information provided by the Applicant is incomplete or requires clarification as defined in these instructions and the Applicant fails to provide satisfactory clarifications and/or the missing information, his application may be rejected.
- 19. Subcontractors** 19.1 The Corporation may allow the Applicant to propose subcontractors for some parts of the project. Applicants planning to use such subcontractors must specify, in the Application Letter, the activity(ies) or parts of the project proposed to be subcontracted together with the particulars of the proposed subcontractors, including their qualification and experience.
- 20. Evaluation of applications** 20.1 The Corporation will use only the methods, criteria and requirements set forth in Section II, Qualification Criteria, to assess the qualifications of Applicants. The Corporation reserves the right to accept minor deviations, if they do not materially affect an Applicant's technical ability and financial resources to meet the project goal.
- 20.2 Subcontractors proposed by the Applicant must be fully qualified to carry out their parts of the project.
- 20.3 In evaluating an application, only the applicant's qualifications will be considered. Qualifications of other firms, including the Applicant's subsidiaries, parent entities, subsidiaries,

subcontractors or any other firm other than the Applicant will not be considered.

21. Right of Corporation to accept or reject applications

21.1 The Corporation reserves the right to accept or reject any application, cancel the qualification process and reject all applications at any time, without incurring any liability to the Applicants.

22. Qualification of applicants

22.1 All Applicants whose applications substantially meet or exceed the specified qualification requirements will be qualified by the Corporation.

22.2 An Applicant may be "conditionally qualified", that is, qualified on the condition that the Applicant submits or corrects certain non-material documents or deficiencies that satisfy the Corporation requirements.

22.3 Applicants who are conditionally qualified will be informed of the conditions which must be met in a manner acceptable to the Corporation before or at the time of submission of their proposals.

23. Notice of Qualification

23.1 The Corporation will notify all Applicants in writing via e - mail of the names of Applicants who are qualified or conditionally qualified. Also, those Applicants who have been disqualified will be informed separately about the results of the procedure and the reasons for the disqualification.

24. Request for Proposal

24.1 Immediately after the notification of the qualification results, and the passing of the appeal deadlines or after the satisfactory addressing of any appeal that was presented within the appeal period. The Corporation will invite all Applicants who have qualified or conditionally qualified to submit proposals.

24.2 Candidates may be required to provide a Proposal Security acceptable to the Corporation in the form and amount specified in the Request for Proposal.

24.4 Prior to entering into an undertaking, the Corporation will verify that any proposed subcontractor does not meet the requirements and, if so, will ask the Candidate to propose a replacement subcontractor.

25. Changes in the legal structure of the Applicants

25.1 Any change in the legal structure of an Applicant after it has been qualified and invited to submit a proposal (including, in the case of an association of entities, any change in the legal structure or form of any member, including any change in any subcontractor, qualifications and which are deemed to qualify the Applicant) shall be subject to the written approval of the

Corporation prior to the deadline for submission of proposals. Such approval will be denied if, as a result of the change, the Applicant no longer substantially meets the eligibility criteria set forth in Section II (Eligibility Criteria).

25.2 Any such amendment shall be submitted to the Corporation no later than fourteen (14) days after the date of receipt of the Request for Proposal by the Corporation.

26. Procedure for Complaint

26.1 If an Applicant wishes to make a complaint regarding the competition, the Applicant shall submit his complaint by email, to the address:

Attention : *[name of person receiving complaints]*

Title/Position : *[insert title/position]*

Corporation : *[insert name of Corporation]*

Email address : *[insert email address]*

26.2 At this stage, a competition related complaint can be made for one of the following reasons:

1. the terms of the Qualification Document; and
2. the Corporation decision to disqualify an Applicant.

26.3 The standstill period, in relation to the decision of the Corporation to disqualify an Applicant, begins on the day of notification of the applicants for the qualification results and will be five (5) days.

26.4 The standstill period, in relation to the terms of the Qualification Document, begins on the day of publication of the Invitation for Expression of Interest and will be five (5) days.

26.5 When only one application is submitted, the standstill period will not apply.

26.6 The Corporation will consider complaints based on the complaint procedure defined in the Competition Procedure Regulation, published on its website.

Section II - Qualification Terms and Criteria

This section contains all the methods, criteria and requirements that the Corporation will use to evaluate Applications. Information to be provided regarding each request and definitions of relevant terms are included in the relevant application forms in Section III.

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		Requirements for Applicants					Forms to be presented
No.	Qualification criteria	Single Entity	Joint Venture (existed or intended)			Nën-kontraktor	
			All members combined	Each Member	One Member		
1. Administrative and Legal Criteria							
1.1	Information on the Applicant	Must meet the requirement	Must meet the requirement	Must meet the requirement	N/A	N/A	Forms 1.1 and 1.2
1.2	The applicant is not in the process of bankruptcy and/or liquidation	Must meet the requirement	Must meet the requirement	Must meet the requirement	N/A	N/A	Forms 1.1 and 1.2
1.3	The applicant has not been convicted by final court decision for offenses against property, in the economic sphere and in the professional activity	Must meet the requirement	Must meet the requirement	Must meet the requirement	N/A	N/A	Forms 1.1 and 1.2
1.4	The Applicant's capital and assets are not subject to mandatory execution procedures by the enforcement service	Must meet the requirement	Must meet the requirement	Must meet the requirement	N/A	N/A	Application Letter
1.5	The applicant has regularly fulfilled the obligations related to the payment of taxes and duties	Must meet the requirement	Must meet the requirement	Must meet the requirement	N/A	N/A	Application Letter
1.6	The applicant has fulfilled the obligations for the payment of social security contributions	Must meet the requirement	Must meet the requirement	Must meet the requirement	N/A	N/A	Application Letter
1.7	The applicant does not fall within the conditions stipulated by Article 131 of Law No. 9920/2008 "On Tax Procedures in the Republic of Albania"	Must meet the requirement	Must meet the requirement	Must meet the requirement	N/A	N/A	Application Letter
1.8	The applicant is not subject to administrative measures	Must meet the requirement	Must meet the requirement	Must meet the requirement	N/A	N/A	Application Letter
1.9	The applicant is not under criminal investigation for offenses against property, in the economic sphere and in the professional activity	Must meet the requirement	Must meet the requirement	Must meet the requirement	N/A	N/A	Application Letter
2. Financial Criteria							
2.1	The applicant has economic and financial stability, demonstrated through the asset /liability ratio, where short-term assets exceed short-term liabilities during the last three (3)	Must meet the requirement	Must meet the requirement	Must meet the requirement	N/A	N/A	Form 2.1

		Requirements for Applicants					Forms to be presented
No.	Qualification criteria	Single Entity	Joint Venture (existed or intended)			Nën-kontraktor	
			All members combined	Each Member	One Member		
	years.						
2.2	The applicant has the financial capacity to finance the development / management of the park in the amount of no less than 10 (ten) million Euros. The applicant shall list the proposed sources of project funding.	Must meet the requirement	Must meet the requirement	N/A	Must meet the requirement	N/A	Form 2.2
3. Technical Criteria							
3.1	The applicant, himself or through subcontractors, provides experience in similar projects related to the development and / or management of a technological park	Must meet the requirement	Must meet the requirement	N/A	Must meet the requirement	Must meet the requirement	Form 3.1 Application Letter
3.2	The Applicant, either by themselves or through their subcontractors, ensures the professional licenses related to the execution of the works that will be outlined in the development plan	Must meet the requirement	Must meet the requirement	N/A	Must meet the requirement	Must meet the requirement	Application Letter
3.3	The Applicant, either by themselves or through their subcontractors, secures the educational and professional qualifications of the responsible staff in relation to the implementation of the development plan.	Must meet the requirement	Must meet the requirement	N/A	Must meet the requirement	Must meet the requirement	Application Letter
3.4	The Applicant, either by themselves or through their subcontractors, ensures the average workforce in relation to the implementation of the development plan.	Must meet the requirement	Must meet the requirement	N/A	Must meet the requirement	Must meet the requirement	Application Letter
3.5	The Applicant, either by themselves or through their subcontractors, secures equipment, tools, and technical devices to carry out the works that will be outlined in the development plan.	Must meet the requirement	Must meet the requirement	N/A	Must meet the requirement	Must meet the requirement	Application Letter
3.6	It proposes the inclusion of a higher education institution, domestic or foreign, accredited	Must meet the requirement	Must meet the requirement	N/A	N/A	N/A	Application Letter

		Requirements for Applicants				Forms to be presented
No.	Qualification criteria	Single Entity	Joint Venture (existed or intended)			
			All members combined	Each Member	One Member	
	according to the relevant legislation of the country of origin.					

Section III - Application Forms

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Application Letter

Date: *[insert day, month and year]*
Project Name: *[insert name]*
Contract's Title: *[insert title]*

To: Albanian Investment Corporation

We, the undersigned, apply to qualify for the contract referred to above and declare that:

- a. **Reservations:** We have reviewed and have no reservations about the Invitation for Expressions of Interest, including the Addendum (s) issued to Applicants: *[insert number and date of issue of each addendum]*;
- b. **Conflict of interest:** We have no conflict of interest in accordance with clause 2.5 of the Instructions to Applicants;
- c. **Eligibility:** We (and our subcontractors) meet the eligibility requirements in accordance with clause 2.4 of the Instructions to Applicants;
- d. **Application validity:** We (and our subcontractors) meet the administrative, legal and technical criteria, in accordance with clauses 1.4, 1.5, 1.6, 1.7, 1.8, 1.9, 3.1, 3.2, 3.3, 3.4 and 3.5 of Section II - Qualification Terms and Criteria;
- e. **Commitments:** We commit to include an accredited institution of higher education in the park's development plan;
- f. **Subcontractors:** We, in accordance with points 19.1 and 20.2 of the Instructions to Applicants, plan to subcontract the following activities and/or certain aspects of the commitments related to this project:

[Insert the main activities that the Applicant intends to subcontract together with full information on the subcontractors/partners, their qualification and experience]
- g. **Disclaimer:** We understand that you, without any obligation to the Applicants, may cancel the qualification process at any time and that you are under no obligation to accept any application that you may receive or invite qualified Applicants to propose for the object of this qualification process, in accordance with point 21.1 of the Instructions to Applicants.

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- h. **Truthfulness and accuracy of information:** All information, statements and descriptions contained in the Application are in all respects true, correct and complete to the best of our knowledge. We authorize the Corporation to verify the information and documents attached to the application.

Signature _____ *[insert signature(s) of an authorized representative(s) of the applicant]*

Name [insert full name of person signing the Application]

In the capacity of _____
[indicate the quality of the person signing the Application]

Authorized to sign the Application for and on behalf of:

[insert Applicant's full name]

Address _____
[insert street number/town or city/country address]

Date _____ *[insert number of date, month, year]*

[For a Joint-Venture, only the authorized representative must sign, in this case the authorization to sign on behalf of all members of the Joint-Venture shall be attached to the Application Letter]

Form 1.1

Legal - Administrative Criteria of the Applicant

Date: *[insert day, month, year]*
 Project Name: *[insert number and title]*
 Contract's Title: *[insert title]*

Page *[insert page number]* of *[insert total number]*

Name of Applicant <i>[insert full name]</i>
Information of the authorized representative of the Applicant Name: <i>[insert full name]</i> Address: <i>[insert street/number/city or town/state]</i> Phone numbers: <i>[insert phone numbers, including country and city codes]</i> E-mail address: <i>[indicate e-mail address]</i>
1. Attached are the following documents: <ul style="list-style-type: none"> - Historical extract of the Applicant 's registration, issued by the competent authority. - Certification that the Applicant is not in the process of bankruptcy and/or liquidation. - Certification that the Applicant has not been convicted by final court decision for offenses against property, in the economic sphere and in the professional activity. - Certification for the ultimate beneficiaries of the Applicant (beneficial owner).

Signed *[insert signature(s) of an authorized representative(s) of the applicant]*

Form 1.2

Legal - Administrative Criteria of Applicant Members

[The following form is in addition to Form 1.1., and will be completed to provide information about each member of the joint venture (if the applicant is a joint venture), as well as any Specialized Subcontractor proposed to be used by the Applicant for any part of the project resulting from this qualification]

Name of Applicant: *[insert full name]*
 Date: *[insert day, month, year]*
 Name of Applicant's Member: *[insert full name]*
 Project Name: *[insert number and title]*
 Contract's Title: *[insert title]*

Page *[insert page number]* of *[insert total number]*

Name of Applicant: <i>[insert full name]</i>
Name of the member in the applicant's JV: <i>[insert full name of Applicant's JV]</i>
Information of the authorized representative of the member of the applicant's JV Name: <i>[insert full name]</i> Address: <i>[insert street/number/city or town/state]</i> Phone numbers: <i>[insert phone numbers, including country and city codes]</i> E-mail address: <i>[indicate e-mail address]</i>
1. Attached are the following documents: <ul style="list-style-type: none"> - Historical extract of the member in the applicant's association of companies, issued by the competent authority. - Certification that the member in the merger of the Applicant's companies is not in the process of bankruptcy and/or liquidation. - Certification that the member in the joint venture has not been convicted by final court decision for offenses against property, in the economic sphere and in the professional activity. - JV agreement or Letter of intent to form a JV. - Certification for the ultimate beneficiaries of the Applicant (beneficial owner) of each member of the joint - venture.

Signed *[insert signature(s) of an authorized representative(s) of the applicant]*

Form 2.1

Economic and Financial Stability

[The following table shall be completed for the applicant and for each member of a joint venture]

Name of Applicant: *[insert full name]*
 Date: *[insert day, month, year]*
 Name of the member of the JV: *[insert full name]*
 Project Name: *[insert name]*
 Contract's Title: *[insert title]*

Page *[insert page number]* of pages *[insert total number]*

1. Financial data

The type of financial information in (currency)	Historical information for <i>previous years</i> _ <i>[insert number]</i>, <i>[insert word]</i> (amount in EURO, exchange rate*)		
	Year 1	Year 2	Year 3
Statement of Financial Position (Information from the Balance Sheet)			
Total assets			
Total liabilities			
Total capital/Net worth			
Current assets			
Current liabilities			
Working capital			
Information from the Income Statement			
Total revenue			
Earnings before taxes			
Cash flow information			
Cash flows from operating activities			

* Refer to clause 10.2 of Instructions to Applicants

2. Financial documents

The applicant and its partners shall provide copies of financial statements for three (3) years in accordance with Section II, Qualification Terms and Criteria, in sub - factor 3.1. The financial statements must:

- (a) reflect the financial situation of the applicant or members in the JV, and not a related entity (such as the parent company or group member).
- (b) be independently audited or certified (if required).
- (c) be complete, including all notes to the financial statements.
- (d) corresponds to accounting periods already completed and audited.

Attached are copies of the financial statements¹ for three (3) the years required above; and in accordance with the requirements.

Signed *[insert signature(s) of an authorized representative(s) of the applicant]*

¹If the most recent set of financial statements is for a period earlier than 12 months from the date of Application, the reason for this must be justified.

Form 2.2 Financial Capacity

[The following table shall be completed for the applicant and for each member of a joint venture]

Name of Applicant: *[insert full name]*
 Date: *[insert day, month, year]*
 Name of the member of the joint venture: *[insert full name]*
 Project Name: *[insert name]*
 Contract's Title: *[insert title]*

Page *[insert page number]* of pages *[insert total number]*

[The following table shall be completed for the applicant and all the combined members in the case of a joint venture]

Specify financial sources to meet cash flow requirements for project future commitments.

No.	Source of funding	AMOUNT (equivalent to EUR)
1		
2		
3		

1. Supporting documents

Provide supporting documents for financial sources such as financial statements, lines of credit, letters of interest for project financing from third parties, etc..

Signed *[insert signature(s) of an authorized representative(s) of the applicant]*

Form 3.1 Similar Experience

[The table below will be completed for the applicant and for each member of the joint venture]

Name of Applicant: *[insert full name]*
 Date: *[insert day, month, year]*
 Name of JV Member: *[insert full name]*
 Project Name: *[insert name]*
 Contract's Title: *[insert title]*

Page *[insert page number]* of pages *[insert total number]*

[Identify contracts /agreements that demonstrate similar work/service over the past five (5) years of the applicant or subcontractors/members of the JV. List the contracts chronologically, according to their start (start) dates.]

Starting year	Completion year	Identification of the contract/project	The role of the applicant/ subcontractors/ members of the JV
<i>[indicate the year]</i>	<i>[indicate the year]</i>	Contract/project name: <i>[insert full name]</i> Brief description of activities similar to those of the project carried out by the Applicant/member of the JV/subcontractor: _____ Value of activities: <i>[insert the amount in currency, mention the currency used, the exchange rate and the equivalent in EURO *]</i> Name of Employer / Partner: _____ Address: <i>[indicate street/number/city or city/country]</i>	<i>[insert "Main Contractor" or "Partner" or "Subcontractor" or "Managing Contractor"]</i>

* Refer to the Instructions to Applicants, clause 10.2, for the date and source of the exchange rate.

PART 2 – Project Description

Section IV - Description of the Project

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1. Purpose of the Project and Legal Framework

1. Project Purpose

In recent years, Albania has made significant strides in investing and consolidating key partnerships in established markets and a range of new and emerging industries, including information technology, artificial intelligence, and industrial manufacturing. These industries are represented by international and multinational organizations and corporations, which often aim to expand their activities into new and developing territories, bringing considerable employment opportunities and enhancing local capacities through knowledge transfer.

Albania is at a crucial economic and social turning point due to a series of transformative challenges led by the fourth industrial revolution. This term defines the use and development of digital technologies, the automation of production processes, artificial intelligence, the internet of things, robotics, and significant advancements in the field of computing and telecommunications. To meet the challenges of the coming decades, the Albanian government has adopted three high-importance national strategies:

- Business Development and Investment Strategy 2021-2027;¹
- National Strategy for European Development and Integration 2022–2030;²
- National Strategy for Scientific Research, Technology, and Innovation 2023-2030,³

which aim to achieve ambitious goals in the sector of the digital economy, technological innovation, contemporary entrepreneurship methods, and business management.

The vision outlined by the government is for a competitive Albanian economy, driven by innovation and based on knowledge, which creates new and higher-quality jobs, leveraging the opportunities offered by digital transformation and the transformation of international value chains, with a focus on sustainable development, European integration, and regional integration.

The focus has been placed on creating scientific excellence, attracting qualified individuals within the Albanian enterprise and scientific research system, and strengthening the links between scientific research organizations and the private sector to foster innovation as a basis for economic growth and job creation.

The challenges identified within the strategic and regulatory framework, because of a fragmented ecosystem, include difficulties in securing funding for innovative projects, limitations in the efficiency of technology transfer, and the need for more comprehensive infrastructure, such as science and technology parks. These obstacles have hindered the country's potential to achieve sustainable innovation and expanded development.

¹ <https://qbz.gov.al/share/BmpDqyOGT9Kkl4doU-vrYQ>

² <https://qbz.gov.al/share/CziCAqPkOiEëQq4TCnGR-g>

³ <https://qbz.gov.al/share/CziCAqPkOiEëQq4TCnGR-g>

To address these issues and to encourage the private sector to take bold steps towards contemporary economic configurations, the Parliament of Albania, upon government proposal and based on the aforementioned strategies, has passed two key laws:

- **Law No. 25/2022, March 10, 2022, "On the Support and Development of Startups,"** aimed at building a favorable regulatory and institutional framework for the creation and development of startups as well as supporting their ecosystem, to foster the research, realization, and utilization of innovative ideas, as well as new models, products, and processes.
- **Law No. 58/2022, August 12, 2022, "On the Creation, Organization, and Functioning of Technology and Science Parks" (LPARK),** with the goal of creating and operating technology and science parks to promote the development of high-tech industries and innovation, research-development for new products and services, and the improvement of existing ones, as well as creating qualified job opportunities for professionals in the fields of science and technology.

“Durana Tech Park” is designed to attract and encourage major companies operating in the technology sector to develop and expand their operations in Albania, offering them a unique platform for innovation and the development of new products. This initiative aims not only to stimulate innovation in the country but also to create opportunities for companies to export their technologies and products abroad, thus contributing to the integration and economic growth of Albania in global markets.

With a special focus on sustainable development, European and regional integration, “Durana Tech Park” is expected to play a decisive role in fostering creativity, collaboration, and technological advancement. This technology park will serve as a catalyst for attracting foreign investments and will establish Albania as a hub for technology and entrepreneurship in the region and beyond. Albania's commitment to fostering a dynamic ecosystem of innovation, collaboration, and economic growth is clearer than ever with the realization of this ambitious project.

2. Legal Framework

Under Law No. 58/2022 "On the Creation, Organization, and Functioning of Technology and Science Parks," the Council of Ministers has approved the following decisions:

1. Decision No. 337, dated May 31, 2023, "On the Determination of Procedures and Criteria for the Selection of the Developer of Technology and Science Parks", as amended ("CM Decision – Developer").
2. Decision No. 418, dated July 7, 2023, "On Approving the Procedures for the Selection of Users in Technology and Science Parks" (CM Decision – User).
3. Decision No. 417, dated July 7, 2023, "On the Use of State Immovable Property in Technology and Science Parks and the Approval of the Lease Contract Model" ("CM Decision – Immovable Properties").

4. Decision No. 416, dated July 7, 2023, "On Approving the Criteria, Rules, and Procedures for Benefiting from Fiscal Incentives by Developers and Users Operating in Technology and Science Parks", as amended ("CM Decision – Fiscal Incentives").
5. Decision No. 835, dated December 28, 2023, "On Some Additions to Decision No. 337, dated May 31, 2023, of the Council of Ministers, 'On the Determination of Procedures and Criteria for the Selection of the Developer of Technology and Science Parks'."
6. Decision No. 185, dated March 27, 2024, "On the Transfer of Administrative Responsibility from the Albanian Radio Television to the Ministry of Economy, Culture, and Innovation of State Immovable Properties Nos. 336, 338/1, 318 in the cadastral zone No. 3852, Xhafzotaj, Municipality of Durrës, and the Approval of the Opening of the Technology and Science Park 'DURANA tech park'."

2.1. Fiscal Incentives – Developer and User

Based on Article 12(1) of Law No. 58/2022 "On the Establishment, Organization, and Operation of Technological and Scientific Parks" and its implementing sub-legal acts as well as the legislation for social insurance, the Developer and User (primary/secondary Applicant's fiscal number) in the exercise of their activities within the park benefit from the following fiscal incentives:

1. Customs relief on the entry and exit of goods that are used in the creation of innovative products within and outside the park;
2. Supply of Albanian goods used for producing the innovative product for use within the park are considered as exports with a zero VAT rate and according to customs legislation;
3. The corporate income tax rate is zero for 15 consecutive years for revenues generated from activities within the park;
4. Salaries of personnel working in research and development for the user in the park and all staff of the developer are exempt from all taxes for a 10-year period;
5. Goods, equipment, and services used in the park that serve the production of the "innovative product" are exempt from VAT;
6. Exemption from infrastructure impact taxes;
7. Exemption from real estate taxes for a 10-year period for constructions carried out in the park;
8. Partial reimbursement by the state of the costs of training scientific and technical employees, according to criteria set by the Council of Ministers.
9. Social security contributions can be paid at the level of the minimum monthly wage nationally, with the prior approval of the employee, regardless of the gross wage declared for individuals employed in the field of information technology.

2. Terms of Reference

A. Key Partners

1. The Corporation in the Role of Authorized Developer

With the Decision of the Council of Ministers No. 185, dated March 27, 2024, "On the transfer from the Albanian Radio Television to the administrative responsibility of the Ministry of Economy, Culture, and Innovation, of state immovable properties No. 336, No. 338/1, No. 318, located in cadastral zone 3852, Xhafzotaj, Municipality of Durrës, and the approval of the opening of the 'Durana Tech Park' Technological and Scientific Park," the Council of Ministers decided:

- a. To transfer to the Ministry of Economy, Culture, and Innovation several state immovable properties of agricultural land with a total area of 262,200 m², located in the Community of Xhafzotaj, in the District of Durrës;
- b. On this land to build the technological and scientific park named "Durana Tech Park";
- c. Authorized as the developer of this project, the Albanian Investment Corporation (Corporation), a joint-stock trading company with 100% state capital, which has the Ministry of Economy, Culture, and Innovation as its sole shareholder.

The Corporation is organized and operates under Law No. 71/2019, dated October 17, 2019, "On the Albanian Investment Corporation."

According to Article 5(1) of the law "On the Albanian Investment Corporation," the Corporation's function is to develop and manage properties and projects in support of state development policies. This function aligns with the purpose of the law "On the Creation, Organization, and Functioning of Technology and Scientific Parks," which aims to boost the information technology sector through the development of technology parks, which are planned as state development policies.

In fulfilling its duties as a developer, in accordance with DCM 337, May 31, 2023, "On Procedures and Criteria for the Selection of Developers of Scientific and Technological Parks," as amended, the Corporation aims to enter into a partnership with private entities through a competitive procedure for managing/administering and operating the park, as well as to enable professional selection of users. The partnership between the Corporation and the private partner can take the legal form of a Special Purpose Vehicle ("SPV").

The corporation aims to create an innovative space that attracts well-known international technology companies. These companies will use the park as a platform to innovate and develop new products and services. This model involves close collaboration among startups, digital nomads, universities with development and scientific capabilities, and research centers, who will interact within the park to stimulate the economy, innovation, and scientific research.

The corporation aims to create a dynamic ecosystem where human resources, funding, and advanced technological infrastructure are available to all participants. This ecosystem is designed to accelerate the pace of technological advancements and to maximize the synergies that promote mutual growth and knowledge exchange.

Startups play a significant role in this model, with dedicated spaces for incubation, mentoring programs, and numerous funding opportunities. By positioning these at the center of the park, near technology companies and academic institutions, the created synergies are destined to spur innovation and development.

Furthermore, the technology and science park is an ideal destination for digital nomads, offering flexible spaces equipped with the latest technology. This inclusion ensures the attraction of a wide range of talents and expertise, creating a rich collaborative environment where new ideas are born and freely implemented.

Strategic partnerships with institutions of higher education ensure a direct link to market needs and industry trends, making the park a powerful center for the convergence of academia, startups, and large technology corporations, all collaborating to drive innovation, economic growth, and the spread of knowledge.

2. Park Manager/Administrator

The Corporation, in the role of the authorized developer, is conducting a competitive procedure to receive proposals for selecting a park manager/administrator with the goal of ensuring the fulfillment of the necessary conditions for the development and management of the park. In any case, the authorized developer remains responsible for its obligations to the responsible institution and state bodies.

Also, the partner must prove that it engages/attracts users who should be as numerous as possible (in any case, not less than 5) and also have such financial and professional capacities (no less than 1 user listed on a stock exchange of an OECD country) that can ensure an efficient technological park, with a successful business model.

For the development and management of the park, the Corporation offers a potential management model through the creation of an SPV, in the legal form of a commercial company, jointly created with the winning candidate.

The SPV generates income based on the economic activity of users (not less than 1% of the annual turnover), as well as other identified or unidentified revenues in the business plan to be presented by the partner in this competitive procedure.

3. Park Users

The developer selects the park users according to the procedures approved by subsidiary legal acts issued in implementation of Law No. 58/2022, "On the Creation, Organization, and Functioning

of Technology and Science Parks," and based on the Corporation's regulations for the competitive selection procedure for partnerships and enters contractual relations with them.

The candidate for the status of park user, either by themselves or through the manager/administrator partner, must attach the following documentation to their application:

- a. a commercial register extract for the entity's data, and an extract for the entity's history;
- b. a self-declaration that the entity has paid its tax obligations and social security;
- c. a self-declaration that it is not under criminal prosecution, and has no legal proceedings related to its activities;
- d. a self-declaration that it is not in bankruptcy proceedings and its assets are not in the process of execution by bailiffs;
- e. a feasibility study for the activity it will undertake in the park.

When the user candidate is a physical, legal, foreign person, they must present an official document that proves that they are registered in the respective commercial registers or a similar document, issued by the relevant institutions in the country of origin.

Documents obtained outside the territory of the Republic of Albania by foreign legal entities must be notarized, in accordance with the legislation in force for the legalization of documentation of foreign nationals conducting activities in the Republic of Albania.

The candidate for the status of park user will not be granted the status of user, if it is subject to one or more of the following restrictions:

- a. 25 or more percent of the authorized capital, directly or indirectly, belongs to central or local government bodies;
- b. Is organized as a nonprofit organization according to the definition given in the current legislation for nonprofit organizations;
- c. In whose authorized capital 25 percent or more is directly or indirectly owned by legal entities registered, declared on the list of terrorist financiers;
- d. When it is declared bankrupt in accordance with the current provisions of the law on bankruptcy;
- e. When it is in the process of liquidation, except for transformation.

B. Permitted activities in the Park

The types of activities to be carried out in the park include:

- a. Software design. This includes, but is not limited to, systems software requirements analysis, architecture design, and detailed design of these systems;

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- b. Development and maintenance of software systems. This includes, but is not limited to, software systems programming, coding, installation, integration of all components, documentation, identification and correction of errors, modifications (after the software is operational), maintenance of all components, system support as a group of components that, in their operation, fulfill the purpose of the information technology solution;
 - c. Software testing. This includes, but is not limited to, testing of functionality, workload, performance, code issues, availability, and security of the software system;
 - d. Design and development of communication systems. This includes, but is not limited to, analysis, planning, design, implementation, commissioning, and maintenance of network communication systems of information technology devices (LAN/WAN/WLAN/MAN/SAN/CAN);
 - e. Design and development of security systems. This includes, but is not limited to, client security requirements analysis, architecture design, component installation and configuration, implementation, testing, and maintenance of security systems and products;
 - f. Development of migration systems. This includes, but is not limited to, the transfer of data and the corresponding infrastructure from an old technology to a new one and the improvement of information technology systems;
 - g. Analysis of systems with large quantities of data. Analysis of data processing systems and analysis of large quantities of data, known as Big Data. Based on these data, models can be built, which can then be utilized for various business activities using artificial intelligence;
 - h. Consultancy for innovation. Consultancy for the use of information technology for the purpose of innovation (re-engineering) of business processes with the development of technical requirements for information systems and software;
 - i. Consultancy for information security. Consultancy for technical and cryptographic protection of information, including the use of digital electronic signature;
 - j. Consultancy in audits, operations, management, user support, training, and consultancy for information technology audits for software systems;
 - k. Research in the field of communication. Research and development in the field of natural and technical sciences involving information and communication technologies;
 - l. Research in the field of developing innovative programs. Research and development mean creative and systematic activities undertaken to increase the group of knowledge and to create new applications of available knowledge. The term research and development includes three types of research:

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- i. basic research;
 - ii. applied research;
 - iii. experimental development.
 - m. Research and development in the field of robotics. Design (engineering), research, testing of activities involving robotic technologies, devices, and systems using computerized control systems;
 - n. Activities in the field of Cloud Computing. Research in Cloud Computing and the risk assessment of migrating on-premises services to Cloud services;
 - o. Other activities in the field of information technology, defined by the responsible institution, according to the authorization of this decision.

C. Initial Proposal and Development Plan

The private partner in their initial proposal (only the qualified applicant) will present a detailed development/management plan for the park, which includes, among other things, the following information:

- a. the value of the investment,
- b. the source and method of financing,
- c. a list of potential users,
- d. the specific role of a university,
- e. the business plan,
- f. potential partnerships,
- g. the schedule, phases, and deadlines for the execution of investments for the development of the park,
- h. an assessment of the social, economic, environmental, and strategic impact of the project, and
- i. the organizational structure of management.

After selecting the private partner, the Corporation will sign a contract with the private partner based on their negotiated proposal (final proposal). Subsequently, the detailed development and management plan of the park will be agreed upon between the partners.

This plan will be submitted by the Corporation for approval to the ministry responsible for the economy, which will assess the plan for the following aspects:

- a. the technical project proposal;
- b. an assessment of the social, economic, and strategic impact of the project;
- c. environmental impact;

- d. the schedule, phases, and deadlines for the execution of investments for the development of the park;
- e. the business plan;
- f. a bank guarantee for the necessary financial capital to carry out the investment in the park.

After evaluating the detailed development plan as above, the ministry responsible for the economy will propose to the Council of Ministers its approval along with the lease contract for the use of state immovable properties.

D. Key Terms of the management/administration contract

The key terms of the management/administration contract, as well as the guidelines for implementing the basic plus criteria and the selection criterion, are defined in the Phase II document (negotiation and selection), which will be sent to the qualified Candidates of Phase I.

3. Information on the Property

The property where "Durana Tech Park" will be developed is designated by the Council of Ministers' decision No. 185, dated March 27, 2024, "On the transfer from Albanian Radio Television to the administrative responsibility of the Ministry of Economy, Culture, and Innovation, of state immovable properties No. 336, No. 338/1, No. 318, in the cadastral zone 3852, Xhafzotaj, Municipality of Durrës, and the approval of the opening of the Technological and Scientific Park 'Durana Tech Park'."

Specifically, regarding the property, the decision stipulates the following:

1. The transfer from Albanian Radio Television to the administrative responsibility of the Ministry of Economy, Culture, and Innovation, of state immovable properties No. 336, with an area of 140,400 square meters, No. 338/1, with an area of 40,600 square meters, and No. 318, with an area of 81,200 square meters, classified as "land," located in cadastral zone 3852, named "Radiostation," located in Xhafzotaj, Municipality of Durrës, according to the property documentation/charts attached to this decision and forming an integral part of it, to be used for the creation/opening of the technological and scientific park "Durana Tech Park."
2. The approval of the opening of the technological and scientific park, named "Durana Tech Park," with an area of 140,400 square meters, located in Xhafzotaj, Municipality of Durrës, on property No. 336, classified as "land," in cadastral zone 3852, according to the boundaries and territorial extension, which are determined in the cadastral map fragments below.

No.	Cadastral - Zone	Property No.	Designation	Area (m ²)	Ownership Status
1	3852	336	Radiostacioni	140,400	Ministry of Economy, Culture and Innovation
2	3852	338/1	Radiostacioni	40,600	Ministry of Economy, Culture and Innovation
3	3852	318	Radiostacioni	81,200	Ministry of Economy, Culture and Innovation

	<u>262,200</u>	
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Additionally, considering the state-owned property areas near the declared park zone and the spatial situation of the area surrounding the park, there is the possibility of expanding the park to over 825,000 m², depending also on the needs anticipated in the development plan.

Position of the properties on the cadastral map of the properties:



