

الرد على طلبات الاستيضاح المتعلقة بالمناقصة العمومية لتزيم شراء الرخص والدعم التقني لأنظمة وبرامج الامتثال المعلوماتية العاملة في مصرف لبنان 2024/1066

استناداً إلى دفتر الشروط موضوع المناقصة للمصرف المركزي، وبما أننا شركة أجنبية، نود توضيح النقاط التي تتعلق بـ دفتر الشروط الذي علينا الالتزام به، إذ أن البند 12: في حال كان العارض شركة أجنبية، فهل ان المستندات المطلوبة هي فقط ضمن البند 12 حصرياً، أو أي من البند 26 الآخر على الالتزام بها؟

في حال كان العارض شركة أجنبية، يتوجب الحضور للممثل القانوني عن الشركة أو أن يكون لها وكيل أو ممثل في لبنان مكلف بتوقيع عنها المستندات والوثائق والعقد الناتج عن الالتزام.

في هذه الحالة، يتوجب أيضاً على العارض الأجنبي أن يتقدم بما يلي:

- شهادة تسجيل شركته أو مؤسسته لدى المراجع المعنية في بلده مصدقة من السفارة اللبنانية ووزارة الخارجية في لبنان لا يعود تاريخها لأكثر من سنة.
- إفادة من وزارة الاقتصاد والتجارة اللبنانية تثبت انتظام أحكام قانون مقاطعة إسرائيل على العارض، على أن لا يعود تاريخ تصديقها لأكثر من ثلاثة أشهر من تاريخ جلسة التزيم.
- المستندات المعددة والمطلوبة في المقطع-II-أولاً من المادة (4) من دفتر الشروط (أي المستندات 26) وذلك بحسب قوانين البلد الذي يوجد فيه العارض . (مراجعة دفتر الشروط) مع الاشارة إلى أن المستندات يجب أن تكون مصدقة وفقاً للأصول من المراجع المختصة.

Query on an existing Contracting Entity:

Irrespective of any prior commitment with BDL, any offer submitted by an existing contractual relationship can be accepted by BDL. However, the participant bidder should submit all the required documents related to its respective company.

Query on method of payment:

The documentation mentions LBP payments at the platform rate are to be the method of payment. As our compliance services are contracted without company existing outside Lebanon, payments for such services are to be settled in USD in our company's banks accounts outside of Lebanon.

Kindly note, this is the same method of payments applied globally to all types of clients whether public or private.

Can BDL team confirm payments for the services can be settled in USD outside of Lebanon?
YES

Query on Documentation to be placed in Envelope 1:

As an International Company, we can provide the below out of the list.

- Trade License
- UBO Letter
- VAT certificate
- Company Profile
- Existing Master Agreement copy – attached to the email

Would it be sufficient to be able to participate in the tender, as many of the requirements are not applicable for an entity registered in the UK?

In addition to the documents mentioned above, kindly note that all the mandatory documents applicable and required by the UK laws are requested for this bid.

Please note, if Banque Du Liban assesses any high priority documentation beyond the list above, kindly highlight and we will assess it at our end.

In addition to the documents above, the bidder should abide by the provisions of article 4 of the bidding document, in your case, in accordance with the UK laws.

BDL suggests the below documents (but not limited to) to be submitted:

1. A duly certified Power of Attorney issued by the Bidder appointing a designated person to sign on its behalf.
2. A recent certified copy of the Certificate of Registration of the Bidder issued by the Lebanese Trade Register or its foreign equivalent.
3. A recent certified copy of the Articles of Incorporation (Corporate Bylaws) of the Bidder issued by the Lebanese Trade Register or its foreign equivalent.
4. Where applicable, an original copy of the joint venture agreement or any other document evidencing the joint venture.
5. A summary of major similar contracts awarded to or works executed by the Bidder.
6. Clients references of the Bidder. BDL reserves the right to contact any of these listed clients.
7. Name, title, address and contact numbers of the contact person assigned to liaise with BDL in relation to this bidding.
8. The Letter of Compliance duly signed by the Bidder.
9. Documents showing the settlement of fees related to the municipality or ministry of finance or... if applicable.

10. Bank Guarantee Form” completed and duly signed by Lebanese bank accepted by BDL.

Documents mentioned under subsections (1,2,3 and 4) must be duly legalized (i) by the competent authorities in the country of the foreign Bidder and (ii) by the Lebanese competent authorities.

Query on Article 20-c related to adjustment of contract value:

The initial subscription amount can only be reduced at the termination of the agreement. As a longstanding partner with Banque Du Liban, we aim at providing the most suitable commercials for services contracted, therefore when an order form is signed, the order form amount will be the minimum commitment spend to be maintained for the duration of the term.

BDL will be able to add users throughout the term of the agreement, but removing licenses would not be possible. Kindly note, the above relates to additions and removals, BDL can always swap or unassign licenses at the user level if needed.

Can BDL confirm approval on the above order form stipulation?

Confirmed.

Query on Annex 1 Technical details:

On point 1:

Can you confirm the below list is sufficient for BDL compliance screening requirements, or is there a requirement for additional customization from what's mentioned below?

1. Individuals: Name, Gender, Date of Birth, Country Location, Place of Birth, Citizenship, ID
 - a. In the ID's for Lebanon we do cover National Identification Numbers and Passports
2. Organizations: Name, Registered Country, Identification (Commercial Registry Number)
3. Vessels: IMO number
4. Other (ex: Countries, Airports, Ports)

The list of identifiers provided is sufficient for our workflow (no customization needed).

Will BDL require additional Vessel data beyond screening for AML risk?

NO

Will BDL require access to Media Check to be included within the screening workflow?
(Optional)

What's the approximate number of existing client & 3rd party records at BDL and the approximate, expected number of new clients/3rd parties for the next 12 months?
(5000), not more

On Point 3: Can BDL confirm the information passed into the system is contained within the identifiers we have pointed to above for each type of user?

YES

On Point 4: Data can be uploaded into the system via excel, whereby those names can be screened on an ongoing basis.

Excel or any other means... (*.csv, *.txt)

Can BDL team confirm if this is the intended requirement?

Can BDL share the number of screens expected to be made on an ongoing basis?

Kindly note that the commercials are based on the number of screens requested alongside number of user accesses.

Not applicable, should be open and unlimited.

On Point 8: Our solution has the ability to extract PDF/CSV exports of the cases that were worked on, as well as the case manager which will contain all cases. Can BDL provide more clarity on the type of customization required?

CSV or any standard format is acceptable.

On Point 9: Does BDL have an inhouse interface that is being referred to that will require data to be uploaded into it?

Interfaces will be the responsibility of BDL as long as API is provided by Supplier.

General Query on requested system: Will BDL require any integrations with internal systems within the bank? Or will the compliance setup remain separate from internal systems?

Interfaces will be provided through API to upload Customer Lists.

On Point 12.a: We require additional clarification on the KYC journey expected as part of the platform? Is it solely around storing KYC data or is there more required? What kind of data does BDL pull in the current KYC?

Standard KYC for physical and moral customers, in addition to authorized signatories and shareholders.

On Point 12.c: What's the expectation on the identity verification feature? Is it something for business & individuals? Which country locations & nationalities are you considering?

Business and individuals, all nationalities.

Query on the types of accesses: BDL highlighted two types of users Basic and Advanced. What kind of workflow is expected between the two users? Through our systems, a case can be assigned between the users that are provided, but that assignment is manually done. In addition, the case manager would provide the full audit trail of actions performed on each case. Is that workflow sufficient?

Workflow should be flexible to provide escalation for two levels in the operating unit, and two escalation levels at Compliance level Unit.