

## TERMS OF REFERENCE

### **Tender for selecting the centralized data base administrator for number portability implementation in the Republic of Moldova**

#### **I. GENERAL PROVISIONS**

1. The **Tender for selecting CDB Administrator for number portability implementation in the Republic of Moldova**, hereinafter – the Tender, shall be organized by the National Regulatory Agency for Electronic Communications and Information Technology, hereinafter – the Agency.

2. The Tender shall take place at the Agency office, under the following identification data:

**1) Office address and contact details of the Agency:**

134 Stefan cel Mare bd., MD -2012, Chisinau mun., Republic of Moldova;  
tel.:+373 22251317, fax: +373 22222885, e-mail: [office@anrceti.md](mailto:office@anrceti.md).

**2) Bank details for economic entities from the Republic of Moldova:**

*Fiscal code 1006601003359 account: 2224232001310 "Moldindconbank" SA, Branch Telecomtrans, bank/code MOLDM2X332;*

**3) Bank details for economic entities from abroad:**

*Fiscal code 1006601003359 cont: 2224532701310 (EURO) "Moldindconbank" SA, Branch Telecomtrans, bank/code MOLDM2X332.*

3. The objective of the Tender is the organization, operation, administration and maintenance of the centralized data base, hereinafter – the CDB, for the implementation of number portability in the Republic of Moldova, coordination and supervision of the number porting process in a centralized manner, hereinafter – provision of number porting administration services.

4. The purpose of the Tender is to select the bid which will serve as legal basis for the nomination of the tender winner and, accordingly, for the designation of the CDB Administrator for the implementation of number portability in the Republic of Moldova.

5. The winner of the Tender shall be designated by the Agency as the single Administrator of the CDB, for a 10-year timeframe. This timeframe can be renewed on basis of another Tender, organized and held in compliance with the legislation and regulations in force, issued in this respect.

6. The CDB Administrator shall act under the legislation in force.

7. The location of the CDB and of the porting process administration shall be the Republic of Moldova.

8. The number porting shall be launched, first, in public mobile telephone networks, before 01.04.2013, subsequently, in public fixed telephone networks, before 31.08.2013.

9. Both the Terms of Reference and the bid of the winner shall be a component of the Agreement for the provision of number porting administration services, signed between the Agency and the CDB Administrator.

10. The Tender shall take place in accordance with the *Procedure for organizing and conducting a Tender for selection of the CDB Administrator for number portability implementation in the Republic of Moldova*, approved by Agency Administrative Board Decision no. 13 of 05.06.2012, hereinafter Procedure no.13 /2012.

11. The Tender shall be conducted by the Tender Commission, created by Agency Administrative Board Decision no. 14 of 05.06.2012, hereinafter – the Commission.

12. The general conditions and principles for the implementation of number portability are established in the *Regulations on Number Portability*, approved by the Agency Administrative Board Decision no. 34 of 01.12.2011, hereinafter Regulations no. 34/2011.

13. The Tender shall be organized and held according to the actions and terms, as follows:

No.	Action	Term of implementation (estimated)
1.	Submission by potential candidates of inquiries for clarification on Terms of Reference provisions	from 15.06.2012 to 20.07.2012
2.	Responses from the Agency to inquiries for clarifications, submitted by potential candidates	from 15.06.2012 to 25.07.2012
3.	Lodging applications for participation in the Tender	from 15.06.2012 to 30.07.2012 16.00 (Chisinau time)
4.	Timeframe of the Tender	From 06.08.2012 to 20.08.2012
5.	Opening the Tender	at 10.00 on 06.08.2012
6.	Nomination of the winner	before 20.08.2012
7.	Designation of the CDB Administrator	before 25.08.2012
8.	Signing the Agreement for provision of number porting administration services by the Agency and the CDB Administrator	before 25.09.2012

14. The implementation of number portability shall be ensured according to the actions and terms, as follows:

No.	Action	Term of implementation (estimated)
1.	Drafting and approval of technical and commercial conditions for number portability implementation	Up to 2 months after the CDB Administrator is designated (before 25.11.2012)
2.	Operation of modifications in mobile telephone networks Negotiation and conclusion of contracts between fixed/mobile telephone service providers and the CDB Administrator	Up to 4 months after the approval of the technical and commercial conditions (before 25.03.2013)
3.	CDB organization and testing	Up to 4 months after the approval of the technical and commercial conditions (before 25.03.2013)
4.	Number portability implementation in mobile	before 01.04.2013

	telephone networks	
5.	Operation of modifications in fixed telephone networks and adjustments to the CDB for number portability implementation in fixed networks.	before 31.07.2013
6.	Number portability implementation in fixed telephone networks	before 31.08.2013

**15.** The Tender participation fee shall be 20 000 Euro. The Tender participation guarantee shall be 200 000 Euro. The contractual guarantee shall be 1 000 000 Euro. Euro shall be the monetary unit used for the Tender.

**16.** The version written in Romanian shall be the official version of the Terms of Reference. The translation in English, if appropriate in Russian, shall only bear informative character. Where contradictions shall arise between these versions, the version in Romanian shall prevail.

**17.** The Tender candidates/participants are required to study the contents of the Terms of Reference, including all annexes and all the documents specified herein, to ensure the conformity of the application for participation and the bid with the Terms of Reference herein.

**18.** Before the expiry of the deadline for submitting applications for participation and bids, the Agency shall have the right, on its own initiative, to modify the Terms of Reference, only for the purpose of explaining and clarifying particular clauses. Such modifications shall be an integral part to the Terms of Reference and shall be published in the same sources as the Terms of Reference, not later than 20 days before the expiry of the deadline for submission of applications, accompanied by bids. The modifications shall be published, at latest, on the day following the adoption of a decision to this effect.

**19.** If Agency, for well-justified reasons, decides to cancel the Tender, the given decision shall be taken not later than the first half of the timeframe after the Tender was announced and shall be published, at latest, on the next working day after the adoption of the decision. The decision shall be published in the same sources as the Tender announcement and the Terms of Reference.

## **II. REQUIREMENTS FOR APPLICATIONS FOR PARTICIPATION IN THE TENDER, BIDS OR OTHER DOCUMENTS/INFORMATION AND MANNER OF DELIVERY**

**20.** Any Tender candidates, hereinafter - candidate, shall submit a written application for participation in the Tender, in Romanian, by filling in the form according to Annex 1 to the Terms of Reference.

**21.** The following documents shall be attached to the application for Tender participation:

1) certificate and/or extract of candidate registration in the original language, in a copy legalized by a notary, supplemented with a translation in Romanian, legalized by a notary;

2) the constitutive document of the candidate with due modifications, in a copy, supplemented with a translation in Romanian, legalized by a notary;

3) power of attorney, legalized by a notary, in Romanian or in English, which confirms the natural person's right to represent the Tender participant;

4) Honor declaration confirming that the candidate does not hold a license for the use of numbering resources in the provision of public fixed and/or mobile telephone services/networks in the Republic of Moldova nor is a provider of public fixed and/or mobile telephone networks and/or services from the Republic of Moldova and/or a provider from the Republic of Moldova

that operates a switch or an equivalent elements (gateway) used for international call termination;

**5)** Written confirmation, in Romanian, issued by the corresponding authorities from the Republic of Moldova, if necessary, an honor declaration confirming that the candidate does not have shares (social parts), directly or indirectly, within any of the persons mentioned in paragraph 4) above and/or is not a person affiliated to any of the persons mentioned in paragraph 4) above and/or is not a person that has structural links or other economic or property interests with the persons mentioned in paragraph 4) above;

**6)** Confirmative documents attesting the candidate's experience in the organization, operation, administration and maintenance of the CDBs for number portability implementation, coordination and supervision of the number porting process on centralized basis, issued by competent authorities in the original language, in copy legalized by a notary, supplemented with a translation in Romanian, legalized by a notary;

**7)** Document confirming due payment of participation fee and guarantee, to the indicated account;

**8)** Documents to represent proof of the requirements established in sections 43 and 44 of Chapter III "Eligibility Criteria and Manner of Estimating Candidates' Qualification Data";

**9)** Honor declaration of the candidate's legal or mandated representative confirming veracity of data, authenticity of information and completeness of the submitted documents;

**10)** The bid, which shall include:

a) the technical concept of the CDB that shall ensure the minimum general requirements of CDB functionality, administration, security, the algorithm of number porting administration process, the minimum requirements for the CDB technical center, set in paragraph 1) – 6) of section 45, of the Terms of Reference;

b) the financial concept of the CDB (bid price) that shall specify the elements of the bid price, as established in paragraph 7) of section 45, which shall be calculated and paid under Chapter VIII of Regulations no. 34/2011.

**22.** The application for participation, supplemented with information regarding the candidate qualifications, prepared by obligatorily filling out Annex 2, the documents specified in paragraphs 1) - 9) of section 21, shall be numbered consecutively, filed together, the last page of the filed documents shall be endorsed with the signature of the candidate's manager (head of entity) or physical person empowered to represent the candidate, shall contain the candidate's stamp and shall be sealed in a separate envelope, which shall be included in the parcel together with the envelope with the bid;

**23.** Where the application is submitted by a civil society/association, the application and the bid shall be signed by the general head or the head of entity-part of the given society/association, nominated with the joint consent of all the civil society/association members and shall be certified with the stamp of the candidate or entity, whose head has signed the application, the due Agreement and/or mandate attached herewith.

**24.** All the documents and information submitted for participation in the Tender shall be signed by a single person – candidate's representative; where some of them are signed by other persons, these shall be confirmed by the signature of the head or the person mandated by the candidate and shall be certified with the candidate's stamp or, as appropriate, the stamp of an entity-part of the society/association, duly mandated.

**25.** The application and the bid, other relevant documents and information for the Tender, shall be submitted to the Agency office address, as required under Procedure no. 13 /2012.

**26.** Inquiries for clarifications from candidates can be referred to the Commission in written form, by fax or e-mail or to the Agency office address.

27. The applications submitted after the deadline (date and time), as established, shall not be considered and shall be returned, unopened, to the candidate's address indicated on the parcel.

28. The bid, which initially shall include the information filled into Annex 3, the documents and information, which are integral part of the bid, shall be consecutively numbered, filed together, (except the information specifying the bid price), shall be signed and certified, according to the requirements set in section 22 or, where appropriate, section 23 above.

29. The information with reference to the bid price, other documents pertaining to the bid price, shall be consecutively numbered, filed together, signed and certified according to the requirements set in section 22 or, where appropriate, section 23 above and sealed in a separate envelope, included in the envelope with the bid.

30. All the documents shall be filed so as to avoid deterioration of signatures and stamps applied.

31. The hardcopy of the bid shall be submitted in the original - in Romanian (one copy), a hardcopy in English (one copy) and two PDF scanned copies (Romanian and English) on a compact disc, in the sealed envelope with the bid in the original. Where contradiction arises between the versions, the Romanian version shall prevail.

32. Where the electronic version of the copy differs from the original bid, the bid of this candidate shall be rejected.

33. The application, the bid and other accompanying information shall not contain insertions, additions or other superscriptions.

34. The parcel, as well as the envelopes included therein and submitted for the Tender shall be sealed and shall contain the following information:

1) Name and address of the organizer, as indicated in sections 1 and 2 paragraph 1) of the Terms of Reference;

2) Name and address of candidate;

3) Destination: "Tender for selecting the CDB Administrator";

4) The sealed envelope containing the application shall be additionally marked with the note "**Application**";

5) The sealed envelope containing the bid shall be additionally marked with the note "**Bid**";

6) The envelope containing information on bid price shall be additionally marked with the note "**Bid price**";

7) The original of the bid shall be additionally marked with the note "**Original**"; copies of the bid shall be additionally marked with the note "**Copies**".

35. At the candidate request, the Agency shall issue and deliver a written confirmation that the application has been received, specifying the date and time of receipt.

36. Where the bids contain documents with confidential information, these shall be duly marked, the candidate explicitly notifying about the confidentiality of this particular information.

37. The bid price shall not be confidential information.

38. The Commission shall decide if it is necessary to apply the confidential document character in compliance with the legislation in force in the Republic of Moldova.

39. In the application the candidate shall provide a fax number and an e-mail address for eventual messages from the Commission.

40. The fax messages the candidate receives from the Commission shall be considered as delivered on the moment the Commission has received the fax transmission confirmation.

41. The bids shall be valid till the self-dismissal of the Tender Commission.

42. The Commission shall reject the application and/or bid in the following cases:

- 1) The application or bid, including the information attached thereto, are not numbered, filed, signed, certified according to the requirements;
- 2) The parcel, envelope or bid are not duly sealed and marked;
- 3) The bid is incomplete, or the bid text has been corrected, modified at least at one item.
- 4) The candidate does not meet the eligibility criteria, as established in the Terms of Reference;
- 5) The bid does not meet the evaluation criteria, as established in the Terms of Reference;
- 6) The participation guarantee has not been paid in due amount and terms;
- 7) The candidate has submitted alternative bids or bids pertaining to separate parts of the bid (either to provide only CDB organization services, or to provide equipment only, etc.)
- 8) Several bids of different candidates contain the same technical concept;
- 9) The bid does not comply with all the requirements specified by the Terms of Reference.
- 10) The Commission has acquired information that the bank or entity that issued a guarantee of capital availability for CDB organization has become insolvent;
- 11) It has been detected that the data provided by the candidate are false or incorrect.

### **III. ELIGIBILITY CRITERIA AND MANNER OF ESTIMATING CANDIDATES' QUALIFICATIONS**

**43.** In order to be admitted to the stage of bid consideration, evaluation and comparison, the candidate shall have to cumulatively fulfill the following conditions:

- 1) submit all the documents under the Terms of Reference and Procedure no. 13 /2012 before the deadline for submission;
- 2) be a legal person registered in the Republic of Moldova or abroad; or civil society/association of legal persons from the Republic of Moldova and/or foreign, created of two or more legal persons, from the Republic of Moldova and/or abroad;
- 3) in the recent 5 years, has not been/is not under an insolvency or liquidation procedure and/or under restructuring as a result of insolvency; his entrepreneurial activity has not been/is not suspended or has not been/is not subject to a legal procedure leading to the establishment of such a situation;
- 4) has no payment obligation whatsoever to the Agency, payable and unfulfilled at the moment the application is submitted;
- 5) has no payment debt in relation to the public budget, taxes, fees, contributions, etc. The taxes, fees, contributions etc., subject to exemptions from payment (deferred payments, installment payments, etc.), granted by competent authorities, shall not be considered payable obligations, as long as all the conditions for granting exemptions in the Republic of Moldova have been fulfilled;
- 6) has paid the participation fee and guarantee in due form and amount;

**Remarks:**

- *where civil societies/associations are concerned, every member of these shall comply with the requirements specified in paragraph 3), 4) and 5) ;*
- *where civil societies/associations are concerned, the requirements from paragraph 6) can be fulfilled either by every member of these, or cumulatively.*

**44.** Eligibility and estimation of candidates qualification data shall be performed taking into account the following criteria:

- 1) Financial capacity.** The candidate shall prove that:

a) Possesses sufficient financial capital necessary to organize a CDB for number portability implementation in the Republic of Moldova, in accordance with the commitments made through the bid, (by presenting the bank guarantee valid for at least 3 months from the date the Tender is open and which shall guarantee the issue of a contractual guarantee, in case if the Tender participant shall be designated as CDB administrator).

b) The turnover for 2010 – 2011 exceeds 10 million Euro per year, in information technology and communications, including in the field of number porting administration.

c) The candidate's financial stability index for the last financial year shall not be lower than 1,8 (according to rapid audit report presented).

*Remark: The requirements listed in sections a), b) and c) shall be fulfilled within the candidate entity or by at least one member entity of the candidate society/association.*

**2) Professional capacity.** The candidate shall prove that he:

a) Is duly specialized and specifically experienced in number porting administration by using the CDB in at least one (1) country;

b) Has been performing activity in information technology and communications, for 5 years, in particular, at least for last year in number porting administration;

c) Has at least 35 people average annual number of employees, including at least 10 persons engaged in the process of development and/or provision of services ensuring the CDB functionality (by presenting due information in this respect for at least the last year, before the Tender date);

d) At least in one country where the CDB is installed/implemented by the candidate, the prices established for number porting administration in the given country are cost-oriented (by presenting at least one report made by an independent audit company to confirm the fact);

e) Is manufacturer or owner of the program code, according to the bid, retains all the intellectual property rights on it, including copyrights both on property and without property or has the right to modify the program code and for unlimited usage, holds all the due authorizations;

f) Is experienced in the installation and/or implementation of his own or other manufacturers' CDBs by winning open auctions/Tenders, has had direct contracts during the recent 2 years, in at least 1 (one) country besides the country where the candidate is registered, a developing country (according the UNDP Development Program), the HDI (Human Development Index) in developing countries is lower than 0,9) or in Eastern European countries – Middle East;

g) Is experienced in the installation and/or implementation, by winning open auctions/Tenders or direct contracts in the recent 2 years, of his own or any other CDB for number portability implementation both in fixed and mobile networks.

*Remark: the requirements listed in section 2) shall be fulfilled within the candidate entity or at least one entity-member of the candidate association/society.*

#### **IV. BID EVALUATION CRITERIA**

**45. Bid evaluation shall be based on the following criteria:**

**1) The technical concept of the proposed CDB shall ensure the following minimum requirements:**

a) Serve the providers of public electronic communications networks and/or services, hereinafter providers, for number porting both in public fixed and mobile networks, regardless of the technology applied;

b) Ensure the administration of the number porting process for the following categories of numbers:

- i.** non-geographic numbers used for the provision of public mobile telephone services;
- ii.** geographic and non-geographic numbers, including those independent of location, used for the provision of public fixed telephone services;
- c)** Store information about the numbers allocated to all the providers;
- d)** Have due capacity for administration of all the ported numbers, not less than 5 000 000 numbers, as well as the possibility to raise this number, with no essential technical modification to the CDB hardware and/or software;
- e)** Have administration capacity of at least 100 fixed and mobile networks, including MVNO, as well as possibility of raising their number, with no essential technical modification to the CDB hardware and/or software;
- f)** Ensure several languages for the CDB human interface, obligatory Romanian, Russian and English;
- g)** Ensure non-stop operation (24 hours/7 days per week);
- h)** Ensure at least 99,7% annual availability of the CDB;
- i)** Be extensible with additional modules, with no essential technical modification to the CDB hardware and/or software, which would condition the allocation of major additional resources from providers;
- j)** Stock the necessary technical information for removal of defects, maintenance of the system and procedures for defect prevention;
- k)** Maintain simultaneously different number porting processes (for mobile number porting and for fixed number porting) with the possibility to isolate different participants (fixed telephone service providers from mobile ones);
- l)** Graphically show every stage of the number porting process, with the possibility to identify the number porting stage;
- m)** Verify all the information conveyed via the CDB in accordance with the porting process as described in the bid and in the National Numbering Plan of the Republic of Moldova (NNP) included in the CDB;
- n)** Confirm, automatically, the receipt of demand validation messages, about the validation in compliance with the validation criteria or about non-validation of demand, indicating the errors;
- o)** Stock and keep the information on number porting history for at least 5 years;
- p)** Maintain the NNP with its detailed description;
- q)** Ensure the possibility of numbering resource allocation to providers;
- r)** Ensure the modification of the NNP in real time without ceasing the CDB operation;
- s)** Ensure that any modification of the NNP takes place via the graphic window of the user (graphic user interface -GUI);
- t)** Prohibit any modification in the NNP for the numbers subject to number porting, until the end of the process;
- u)** Ensure the possibility of classifying the numbers in blocks, by their status, type as classified in the NNP and their affiliation to a provider;
- v)** Ensure the possibility of dividing the number blocks into sub-blocks manually, by indicating the peripheral numbers of the sub-blocks;
- w)** Ensure the possibility of dividing the number blocks into sub-blocks automatically, according to a number of division criteria;
- x)** Indicate the status of every number or block of numbers in terms of the possibility for their porting;
- y)** Maintain the possibility of NNP inclusion in the CDB with the use of files;
- z)** Equip the CDB with a platform for testing the CDB modifications and connection of new providers;



- aa) The platform for testing shall represent a configuration identical to the configuration of the CDB working system;
- bb) The platform for testing shall, in a maximum rapid regime, emulate the CDB work with the real time parameters and with the possibility of viewing the testing process;
- cc) Ensure the organization and maintenance, efficiently and automatically, of the process of number porting administration of between providers;
- dd) Ensure the possibility for providers to receive, in real time, information from the CDB, necessary for synchronizing the CDB data with their own operational data bases for routing the calls to ported numbers;
- ee) Ensure the possibility for providers to receive, every 24 hours, information from the CDB, necessary for synchronizing the CDB data with their operational data bases for routing the calls to ported numbers;
- ff) Ensure the possibility for the user to withdraw applications for number porting, under the Terms established in Regulations no. 34/2011;
- gg) Ensure the possibility of returning the number(s) to the donor provider who holds the license for the use of the given number(s), in case the user terminated the contract with the accepting provider;
- hh) Ensure the possibility of returning to the donor provider - licensed for the given number(s), one or more numbers from the block of range of ported numbers, in case the user(s) terminated contract(s) with the accepting provider.
- ii) Ensure the possibility to immediately return to the donor provider a number ported by mistake;
- jj) Ensure the possibility to realize the porting process for separate numbers, where the application has requested the porting of a block or range of numbers, while a part of these numbers have subsequently been withdrawn from the porting process for justified reasons;
- kk) Describe the new porting processes or modify the existing ones with no essential modification of the CDB software;
- ll) As appropriate, within 2 months from the date of adoption of a normative act, which will establish requirements of ensuring short number portability or fixed-mobile/mobile-fixed number portability, the CDB shall support this requirement, with no essential modifications to the hardware and/or software of the CDB. The CDB administrator shall ensure other additional activities according to the requirements and terms, established through normative acts additionally issued to this effect.

**2) CDB shall implement the algorithm of number porting process between providers in compliance with the following requirements:**

- a) The number porting process shall be centralized ;
- b) The CDB shall record all the terms and stages of the porting process and their compliance with the established terms;
- c) The CDB shall provide the possibility for the providers' operational data bases as well as for their employees to participate in the porting process.

**3) Directions for the algorithm of the number porting process:**

- a) The number porting application shall include the following elements, to be filled out by the accepting provider, or where appropriate, by the CDB Administrator:
  - i. Date and time requested for finalizing the number porting process;
  - ii. Date and time requested for performing the number porting process;
  - iii. Data about the natural person, employer of the accepting provider who received the porting application: name, surname and contact information (telephone numbers, fax, e-mail);
  - iv. Information about the subscriber requesting number(s) porting;

- For a natural person: name, surname, personal identification code and contact information (telephone numbers, fax, e-mail);
- For a legal person: name of the legal person, identification code and contact information (telephone numbers, fax, e-mail);

*Remark: the information indicated under sub-section iv shall be removed from the data base immediately after the number porting process ended.*

- v. The numbers to be ported shall be introduced one by one, or as a block, or as a range or in any other combination, according to the porting application;
  - vi. Name of the donor provider;
  - vii. Name of the accepting provider;
  - viii. Other data relevant for the porting process;
- b) The CDB shall verify the deadlines for the realization of the number porting process as established in Regulations no. 34/2011 and shall provide a report with reference to the number porting application, which is to be validated or modified by the accepting provider;
- c) After the accepting provider validates the number porting application, the CDB shall save this application, shall give it the status of *"new application"* and shall send due notification to the donor and accepting providers for the realization of the porting process;
- d) The CDB shall assign a single number to every new application;
- e) The donor provider, upon receiving the number porting application, shall include in it, in the appropriate application field, the information to confirm the veracity of the documents and the information presented by the requesting subscriber, or where appropriate, reject the application, providing the reasons for that action, as established in Regulations no. 34/2011;
- f) The CDB shall save the information introduced by the donor provider, giving the status of *"accepted application"* or the status of *"rejected application"*, providing the reasons for rejection and shall inform the accepting provider of that;
- g) Where the porting process is cancelled by the donor provider, the application shall include the following elements, to be filled out by the donor provider:
- i. Date and time of porting application cancellation;
  - ii. Reason for porting application cancellation;
  - iii. Data about the natural person, employer of the accepting provider who filled out the number porting application: name, surname and contact information (telephone numbers, fax, e-mail);
  - iv. Any other information with reference to the cancellation of the number porting application.
- h) Where the donor provider fails to respond to the application of the accepting provider within the timeframes established in the technical and commercial conditions for the implementation of number portability, upon the expiry of this term, the CDB shall automatically validate the number(s) porting application;
- i) The CDB shall give the application the status of *"validated application"*;
  - j) The CDB shall duly notify the donor provider and the accepting provider and all the providers connected to the CDB, indicating the date and time of the porting;
  - k) The donor provider shall deactivate the ported number(s) before the time specified by the CDB and shall send a declaration to confirm the number deactivation at the CDB;
  - l) The accepting provider shall activate the ported number(s) before the time specified by the CDB and shall send a declaration to confirm the number the number activation at the CDB;
  - m) The CDB shall give the application the status of *"activated application"* and shall include sufficient information in CDB on the ported number to be accessible to all the providers connected to the CDB.

**4) The CDB shall comply with the following minimum functional requirements:**

- a) Stock, for the entire operation timeframe, the following information:
  - i. All the numbers allocated to providers;
  - ii. All the ported numbers;
  - iii. Name of the accepting provider the ported number belongs to at the moment;
  - iv. Name(s) of the donor provider(s) the ported number(s) previously belonged to;
  - v. Records about the number porting (the message flux of the ported number and related information);
  - vi. How often the number has been ported;
- b) All the information stocked in the CDB, pertaining to a provider of special electronic communications networks and/or services and which must be accessible only to this particular provider;
- c) The CDB shall ensure the possibility:
  - i. To search the information according to every feature of stored information or part of it;
  - ii. to the Agency and providers, to administrate (filter, classify the information stored in the CDB) the data accessible for generation of statistical reports;
  - iii. to the Agency and providers, to receive electronic statistical reports, including graphic reports depending on every characteristic feature, or a combination of features, using the information stored by the CDB on number portability;
  - iv. The accepting provider and donor provider, to see all the messages, their content and the entire flux of messages with reference to a number porting process (registration, validation and assignment of a status to the porting application, other information available);
  - v. Providers, to request, reject or receive messages with information referring to:
    - Modifications to the CDB;
    - Defected operation, deterioration and/or restoration of CDB functionality;
    - Other messages.

**5) Minimum requirements for CDB administration and security:**

- a) The providers, the Agency and the authorities empowered, under the legislation in force, to carry out operative investigation shall be responsible for the connection to the CDB;
- b) The Agency and authorities, empowered under the legislation in force to carry out operative investigation, shall be provided with their own interfaces for their CDB-involving activity, which shall be as functional as the interfaces of providers connected thereto;
- c) The access of the representatives of CDB-connected providers and the Agency representatives, for check-ups, shall be ensured in compliance with the conditions of CDB security and private data protection;
- d) The access of the representatives of the operative investigation authorities shall be offered under the legislation in force;
- e) The access of providers can be limited under certain conditions, stipulated for the purpose of ensuring the CDB security and personal data protection;
- f) The access of providers shall be coordinated and supervised only by the CDB Administrator;
- g) The connections to the CDB shall be accessible by means of encoded channels;

*Remark: the Tender candidate may propose different ways of access to the CBD, to providers, the Agency, operative investigation authorities, on condition that the integrity of the provided information is ensured. The CDB Administrator shall be responsible for the CDB security.*

**6) The CDB technical center to which the public networks of all providers are connected, shall comply with the following minimum requirements:**

- a) The technical center where the CDB shall be located in Chisinau municipality;
- b) The staff engaged in technical servicing and maintenance shall be available 24h/7 days per week;
- c) The building of the technical center shall follow the seismic safety standards;
- d) For protection against floods, the technical center shall not be located in the basement, semi-basement, on the upper floor or on the roof of the building;
- e) The floor of the building shall be doubled with a fake floor assembled at minimum 10 centimeters above the basic floor;
- f) The technical center premises and the perimeter, including the entrance in the technical center shall be subject to video monitoring 24h; the video recordings shall be stored for at least one month;
- g) The premises shall have two protection areas (the perimeter of the technical center and the interior of the premises) provided with equipment for entrance supervision;
- h) The premises of the technical center shall be provided with the following equipment:
  - i. Fire protection;
  - ii. Water evacuation;
  - iii. Air cleaning;
  - iv. Temperature maintenance: +15°C to + 25°C within the technical center, 24 hours/7 days;
  - v. Relative humidity maintenance: from 40% to 65% in the technical center, 24 hours/7 days;
- i) The rooms of the technical center shall not have exterior windows;
- j) Electricity shall be supplied through two separate cables from different stations;
- k) Duplication equipment shall be installed for continuous provision of electricity (hereinafter – the UPS);
- l) The UPS shall be duplicated by a diesel generator, the power of which is twice as high as the power of the UPS;
- m) The emergency system, as well as the system of automatic change that supports the automatic switching from one power source to another shall be available within the technical center;
- n) equipment to ensure the backup copies of the data included in the CBD shall be located in another place than the CBD technical centre;
- o) two copies of each action/modification made in the CBD shall be done in real time and be stored in different places; a copy of the entire CBD shall be made once a day;
- p) the right of access to the technical center shall be granted only to persons duly authorized for that and any access shall be recorded;
- q) the technical center can be property of the tender candidate/participant or can be rented for at least a 10-year timeframe by the CDB Administrator. The latter shall bear all the risks related to the rent of premises;

**7) Bid price:**

- a) The bid shall specify the following elements of the bid price, calculated and paid under the conditions of Chapter VIII of Regulations no. 34\2011:
  - i. The total sum for CDB organization and implementation;
  - ii. The amount of the monthly tariff for number porting services, administration, and maintenance of the CDB;
- b) The payable amounts mentioned in section a) above shall be considered as the bid price;
- c) The bid price shall be in Euro including all the taxes, except the value-added tax (hereinafter – the VAT).

- d) The bid price shall be final, include all the services related to the porting process and shall not be modified or recalculated during the Tender ;
- e) After the Agreement between the Tender winner and the Agency has been signed, the bid price, the provisions of the Terms of Reference shall not be modified by the CDB Administrator;
- f) As long as the Agreement is valid, the bid price can be changed, for justified reasons, with the consent of the Agency, as a result modifications to obligatory taxes established in Republic of Moldova;
- g) When considering the bids, the Commission shall reject bids in the following cases:
- i. The envelope “bid price” does not contain information as to the bid price;
  - ii. The documents, including the annexes, which provide for the bid price are not consecutively numbered, consecutively filed and duly certified according to requirements;
  - iii. The information on bid price is not complete;
  - iv. The text has at least one change, addition or correction;
  - v. The information on bid price does not meet the essential requirements, as set in the Terms of Reference;
- h) Where bids are rejected for reasons indicated in section g) the Commission shall take the appropriate decision and shall modify the minutes. The Agency shall notify, in written form, the Tender candidates/participants whose bids are rejected, specifying the reasons.

## V. EVALUAREA OF BIDS AND THE SCORE GRID

46. The bids accepted by the Commission during the pre-selection stage, as a result of estimating the qualification data of candidates, pursuant to the eligibility criteria set in Section II, shall be examined as follows:

- 1) The bid envelope shall be opened, the envelope containing the bid price shall not be opened;
- 2) First the Commission shall evaluate the bids according to the technical criteria specified in section 45, paragraphs 1) - 6), by filling out the bid evaluation forms in compliance with the technical criteria provided by the Terms of Reference;
- 3) The bid inconsistent with the technical requirements shall be rejected, whereas the envelope containing the bid price shall not be opened;
- 4) The envelopes with bid prices shall be opened only for the bids qualified as compliant to the technical criteria specified in the Terms of Reference, in the presence or absence of the authorized or mandated representatives of the participants;
- 5) The envelopes with the bid prices shall be opened by one of the Commission members, who shall announce the price for every bid, which shall further be included in the bid evaluation forms;

47. The real evaluation of the price for every bid shall take place in the following way:

$$Kof = \frac{K_{NP}}{vm(K_{NP})} \cdot 0,7 + \frac{K_{UN}}{vm(K_{UN})} \cdot 0,3$$

Where:

$Kof$  is the bid price;

$K_{NP}$  is the amount of the monthly tariff for number porting services, administration, operation and maintenance of the CDB, payable by every provider; it shall be determined proportionally to the quantity of numbers, as mentioned in section 5 of the Regulations no. 34/2011, allocated to every provider by the Agency, from which the quantity of numbers ported

to other providers shall be subtracted, whereas the quantity of numbers ported back to this providers shall be added, according to the situation as per the first day of the month for which the payment is made;

$K_{UN}$  is the total single sum for the CDB organization and implementation, regularly levied under section 105 of Regulations no. 34/2011, from all providers, provided with numbers from the NNP, intended for recovery of investments into the CDB organization;

$vm$  is the arithmetic average of tariffs/prices proposed to all the Tender participants;

0.7 significance coefficient;

0.3 significance coefficient.

**48.** The activity performed by a Tender candidate (manner in which he presented his capacity to apply his offer) shall be evaluated by means of a 30-point system, taking into account the professional capacity in compliance with the criteria defined in paragraph 2) of section 44. The number of points obtained as a result shall be assimilated with  $C_p$  coefficient, at the scale of **0 to 30** points, which correspond respectively to the significance coefficient from 0 to 0.3.

**49.** The technical concept presented in accordance with the technical criteria as defined in paragraphs 1)- 6) of section 45 shall be evaluated by means of a 30-point system, taking into account the efficiency of technical specifications etc. presented by the Tender participant. The total of points obtained as a result shall be assimilated with  $S_t$  coefficient, at the scale **from 0 to 30** points, which respectively correspond to the significance coefficient from 0 to 0.3.

**50.** The Chairman and Secretary of the Commission, on basis of the evaluation of the forms filled out by themselves and the Commission members, shall determine the evaluation scores of the bids, as follows:

1) The score assigned by every member of the Commission to every participant on basis of the criteria provided by the Terms of Reference shall be summed;

2) The sum of the scores assigned to every Tender participant shall be divided to the number of evaluation forms fully and correctly filled out and the final score of every participant shall be calculated.

**51.** The final coefficient  $K_{FAP}$  assigned to every participant shall be calculated as follows:

$$K_{FAP} = K_{OF} (1 - C_p - S_t)$$

**52.** The Commission shall adopt a preliminary decision regarding the bid comparison chart. The information shall be filled into the bid comparison chart in the ascending order of the  $K_{FAP}$  calculated for every participant. The participant whose  $K_{FAP}$  coefficient is the lowest shall be the first entered in the chart.

**53.** By its decision, the Commission shall nominate the winner of the Tender – the participant with the lowest  $K_{FAP}$  coefficient.

## **VI. GENERAL PROVISIONS GOVERNING THE AGREEMENT ON NUMBER PORTING ADMINISTRATION SERVICES**

**54.** The Agency, on basis of its decision designating the CDB Administrator, shall invite the latter to negotiate and sign the Agreement on number porting administration services, hereinafter the Agreement, specifying the deadline for negotiations and signing of the Agreement.

**55.** The Agency shall negotiate and sign the Agreement under the Terms of Reference and Regulations no. 34/2011.

**56.** If the nominated winner is registered in the Republic of Moldova, the Agreement shall be signed with his legal representative; if the nominated winner is a foreign person – the Agreement shall be signed with the head of the newly-founded legal entity, registered in the Republic of Moldova under Regulations no.34 /2011 and Procedure no. 13/2012.

**57.** The Agreement shall be signed by the Agency only after the winner has lodged, in due time and amount, the contractual guarantee of 1 000 000 Euro, issued by a bank, confirmed by the signatures of bank manager or a duly authorized person and a person in charge of bank finances, confirmed by bank stamp. The guarantee shall specify that the sum indicated therein shall be transferred to the Agency, totally or partially, on basis of a letter from the Agency, stating the actions and obligations stipulated in the Agreement and unfulfilled by the CDB Administrator in due time.

**58.** The Agreement shall be written in Romanian;

**59.** The Agreement shall be negotiated and signed under the legislation of the Republic of Moldova.

**60.** Disputes between the Parties shall be solved in the courts, referable according to the Agency address.

**61.** The Agreement shall include all the engagements of the Agency and the CDB Administrator.

**62.** When the Agreement is signed, the Agency shall have the right to adjust the terms for the actions provided in the Terms of Reference and in any other additional documents related to the number porting implementation procedure, consent to all the terms and conditions of the Agreement and take all due actions to meet all the Terms, even if the latter are not directly stipulated in the Terms of Reference.

**63.** If the Agreement is not signed with the winner for reasons indicated in Procedure no. 13/2012, the Agency shall invite the next participant nominated by the Commission. If the Agreement is not signed with the second participant, the Agency may invite other participants nominated by the Commission, by order of the scores obtained according to the evaluation chart.

**64.** The Agency shall negotiate the Agreement separately with every participant, under non-discriminatory conditions.

**65.** The Agency shall publish a press release about the signed Agreement on its Internet site and in a daily national publication. The press release shall specify the name of the CDB Administrator, the main terms and conditions for number portability implementation except confidential data, considered as state secret, commercial, industrial, professional secret, the name of bank - issuer of the contractual guarantee.

**66.** The decisions of the Commission with reference to conducting the Tender and nomination of the winner, as well as the decisions of the Agency regarding the designation of the CDB Administrator shall be made publicly available after the Agreement with the CDB Administrator has been signed.

## **VII. ANNEXES**

**67.** The Terms of Reference is supplemented by the following Annexes:

- 1) Standard form of the application for participation in the Tender (Annex 1);
- 2) Information on candidate's qualification (Annex 2);
- 3) Information on bid evaluation (Annex 3);
- 4) Information on bid price (Annex 4);
- 5) List of legislative documents and regulations in force in the Republic of Moldova, at the moment the Terms of Reference are approved (Annex 5);

- 6) General data about the Republic of Moldova (Annex 6);
- 7) General information on the situation of electronic communications in the Republic of Moldova (Annex 7);
- 8) Detailed information on the situation on fixed and mobile telephone market. (Annex 8).



**Annex 1**  
to Terms of Reference  
for the Tender  
for selection of CDB Administrator

**Standard Form**

**Application for participation in the Tender for selection of the CDB Administrator  
for number portability implementation in the Republic of Moldova**

**To: Tender Commission**

Herewith, \_\_\_\_\_

(name of candidate)

\_\_\_\_\_  
(address of candidate's premises, identification code)

\_\_\_\_\_  
(contact details: telephone, fax, e-mail)

\_\_represented \_\_by \_\_\_\_\_  
(Name, surname of natural person representing the candidate, position)

is expressing intention and certifying that he has taken note of and agrees with the requirements and criteria for selecting the CDB Administrator, as set out in the Terms of Reference and request approval for participation in the Tender for selecting the CDB Administrator.

\_\_\_\_\_  
(Signature)

Candidate's signature

**INFORMATION**

**On Candidate Qualification**

1. Hereby,

Represented by \_\_\_\_\_  
(Name, surname of natural person representing the candidate, position)

Certify that the qualification criteria we hereby present for participation in the Tender for selecting the CDB Administrator are consistent with the requirements established in the Terms of Reference as follows:

No.	Qualification criteria established in the Terms of Reference	Conformity of candidate's qualification criteria with the criteria provided by the Terms of Reference		
		Confirmation by the candidate <i>(to be filled out by the candidate with Yes/No)</i>	Number of pages and name of the documents to confirm that the criterion specified in column 2 of this chart has been met <i>(to be filled out by the candidate)</i>	
1.	2.	3.		4.
1.	The candidate is a legal person registered in the Republic of Moldova or abroad; or is a civil society/association of legal persons from the Republic of Moldova and/or foreign, created of two or more legal persons, from the Republic of Moldova and/or abroad;	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
2.	The candidate does not hold a license for the use of numbering resources in the provision of public fixed and/or mobile telephone services/networks in the Republic of Moldova nor is a provider of public fixed and/or mobile telephone networks and/or services	Yes <input type="checkbox"/>	No <input type="checkbox"/>	

	from the Republic of Moldova and/or a provider from the Republic of Moldova that operates a switch or equivalent elements (gateway) used for international call termination;			
3.	The candidate does not have shares (social parts), directly or indirectly, within any of the persons mentioned in section 2) above nor is a person affiliated to any of the persons mentioned in section 2) above nor is a person that has structural links or other economic or property interests with any of the persons mentioned in section 2).	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
4.	The candidate has experience in the field of information technology and communications, as well as in organization, operation, administration and maintenance of CDBs for the implementation and realization of number portability, coordination and supervision of the number porting process.	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
5.	The candidate is duly specialized and specifically experienced in number porting administration by using the CDB in at least one (1) country.	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
6.	The candidate has been performing activity in information technology and communications, for 5 years, in particular, at least the last year in number porting administration	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
7.	The average annual number of employees is at least 35 people, including at least 10 persons engaged in the process of CDB development (calculation to be provided for at least the last year before the Tender date);	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
8.	At least in one country where the CDB is installed/implemented by the candidate, the prices established for number porting administration in the given country are cost-oriented (at least one report to be presented, made by an independent audit company to confirm the fact);	Yes <input type="checkbox"/>	No <input type="checkbox"/>	

9.	The candidate is manufacturer or owner of the program code, according to the bid, retains all the intellectual property rights on it, including copyrights both on property and without property or has the right to modify the program code and for unlimited usage, holds all the due authorizations.	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
10.	The candidate is experienced in the installation and/or implementation of his own or other manufacturers' CDBs by winning open auctions/Tenders, has had direct contracts during the recent 2 years, in at least 1 (one) country besides the country where the candidate is registered, a developing country (according the UNDP Development Program), the HDI (Human Development Index) in developing countries is lower than 0,9) or in Eastern European countries – Middle East;	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
11.	The candidate is experienced in the installation and/or implementation, by winning open auctions/Tenders or direct contracts in the recent 2 years, of his own or any other CDB for number portability implementation both in fixed and mobile networks.	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
12.	The candidate, in the recent 5 years, has not been/is not under an insolvency or liquidation procedure and/or under restructuring as a result of insolvency; his entrepreneurial activity has not been/is not suspended or has not been/is not subject to a legal procedure leading to the establishment of such a situation	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
13.	The candidate has no payment obligation whatsoever to the Agency, payable and unfulfilled at the moment the application is submitted;	Yes <input type="checkbox"/>	No <input type="checkbox"/>	

14.	The candidate's right to provide networks and/or services in electronic communications and information technology has not been withdrawn totally or partially, through his fault.	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
15.	The candidate has no payment debt in relation to the public budget, taxes, fees, contributions, etc. Taxes, fees, contributions etc., subject to exemptions from payment (deferred payments, installment payments, etc.) granted by competent authorities, shall not be considered payable obligation, as long as all the conditions for granting exemptions in the Republic of Moldova have been fulfilled.	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
16.	The candidate possesses sufficient financial capital necessary to organize a CDB for number portability implementation in the Republic of Moldova, in accordance with the commitments made through the bid.	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
17.	The candidate's turnover for 2010 – 2011 exceeds 10 million Euro per year, in information technology and communications, including in the field of number porting administration	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
18.	The candidate's financial stability index for the last financial year shall not be lower than 1,8 (according to rapid audit report presented)	Yes <input type="checkbox"/>	No <input type="checkbox"/>	

*Remarks:*

- *The information on candidate qualification, filled into this Annex, shall supplement the application for participation in the Tender.*

- *The candidate shall submit the documents attesting conformity with the criteria and requirements established by this Annex.*

2. Hereby I certify the fact that the submitted documents meet the requirements and criteria set forth in the Terms of Reference.

3. Hereby, I certify my awareness of the fact that in case the Commission finds that the data and information submitted according to this document are incorrect or false,

---

(Name of candidate)

shall not be admitted to the stage of evaluation, qualification and comparison of bids, the proposed bid shall be rejected, the participation guarantee shall not be reimbursed, the Tender organizer shall exercise his right to the guarantee.

---

(signature)

Candidate Stamp

**INFORMATION**  
**FOR BID EVALUATION**

1. Hereby,

\_\_\_\_\_  
(Name of participant)

Represented by \_\_\_\_\_  
(Name, surname of the natural person representing the participant, position)

Hereby certifies that the criteria for bid evaluation we present for participation in the Tender for selecting the CDB Administrator meet the requirements established in the Terms of Reference as follows:

No.	Evaluation criterion	Conformity of candidate's bid evaluation criteria with the criteria provided by the Terms of Reference		
		Confirmation by the candidate <i>(to be filled out by the candidate by ticking with Yes/No)</i>	Number of pages and name of the documents to confirm that the criterion specified in column 2 of this chart has been met <i>(to be filled out by the candidate)</i>	
1.	2.	3.		4.
1.	The CDB shall serve providers of public electronic communications networks and/or services, for number porting both in public fixed and mobile networks, regardless of the technology applied	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
2.	The CDB shall ensure the administration of the number porting process for non-geographic numbers used for the provision of public mobile telephone services	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
3.	The CDB shall ensure the administration of the number porting process for geographic and non-geographic numbers, including those	Yes <input type="checkbox"/>	No <input type="checkbox"/>	

	independent of location, used for the provision of public fixed telephone services			
4.	The CDB shall store information about the numbers allocated to all the public telephone network and/or service providers	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
5.	The CDB shall have due capacity for administration of all the ported numbers, not less than 5000000 numbers, as well as the possibility to raise this number, with no essential technical modification to the CDB hardware and/or software	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
6.	The CDB shall have due capacity for administration of at least 100 fixed and mobile networks, including MVNO, as well as possibility of raising their number, with no essential technical modification to the CDB hardware and/or software	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
7.	The CDB human interface shall ensure several languages, obligatorily, Romanian, Russian and English	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
8.	The CDB shall function non-stop (24 hours/7 days per week)	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
9.	h) The CDB shall ensure at least 99,7% annual availability	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
10.	The CDB shall be extensible with additional modules, with no essential technical modification to the CDB hardware and/or software that would condition the allocation of major additional resources from providers	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
11.	The CDB shall stock the necessary technical information for removal of defects, maintenance of the system and procedures for defect prevention	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
12.	The CDB shall maintain simultaneously different number porting processes (for mobile number porting and for fixed number porting) with the possibility to isolate different participants (fixed telephone service providers from mobile ones);	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
13.	The CDB shall graphically show every stage of the number porting	Yes <input type="checkbox"/>	No <input type="checkbox"/>	

	process, with the possibility to identify the number porting stage;			
14.	The CDB shall verify all the information conveyed via the CDB in accordance with the porting process as described in the bid and in the National Numbering Plan of the Republic of Moldova (NNP) included in the CDB;	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
15.	The CDB shall confirm, automatically, the receipt of demand validation messages, its validation in compliance with the validation criteria or about non-validation of demand, indicating the errors	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
16.	The CDB shall stock and keep the information on number porting history for at least 5 years	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
17.	The CDB shall maintain the NNP with its detailed description	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
18.	The CDB shall ensure the possibility of numbering resource allocation to providers	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
19.	Any modification of the NNP included in the shall take place via the graphic window of the user (graphic user interface - GUI);	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
20.	The CDB shall prohibit any modification in the NNP for the numbers subject to number porting, until the end of the porting process	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
21.	The CDB shall ensure the possibility of classifying the numbers in blocks, by their status, type as classified in the NNP, provider they belong to ;	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
22.	The CDB shall ensure the possibility of dividing the number blocks into sub-blocks manually, by indicating the peripheral numbers of the sub-blocks	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
23.	The CDB shall ensure the possibility of dividing the number blocks into sub-blocks automatically, according to a number of division criteria	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
24.	The CDB shall indicate the status of every number or block in terms of porting possibility	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
25.	The CDB shall maintain the possibility of NNP inclusion in the CDB with the use of files	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
26.	The CDB shall be equipped with a	Yes	No	



	platform for testing the CDB modifications and connection of new providers;	<input type="checkbox"/>	<input type="checkbox"/>	
27.	The platform for testing shall represent a configuration identical to the configuration of the CDB working system	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
28.	The platform for testing shall, in a maximum rapid regime, emulate the CDB work with the real time parameters and with the possibility of viewing the testing process	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
29.	The CDB shall ensure the organization and maintenance, efficiently and automatically, of the process of number porting administration between providers;	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
30.	The CDB shall ensure the possibility for providers to receive, in real time, information from the CDB, necessary for synchronizing the CDB data with the operational data bases of providers for routing the calls to ported numbers	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
31.	The CDB shall ensure the possibility for providers to receive, every 24 hours, information from the CDB, necessary for synchronizing the CDB data with the operational data bases of providers for routing the calls to ported numbers	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
32.	The CDB shall ensure the possibility for the user to withdraw the number porting application under the Terms established in Regulations no. 34/2011 on number porting	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
33.	The CDB shall ensure the possibility of returning the number(s) to the donor provider who holds the license for the use of the given number(s), in case the user terminated the contract with the accepting provider	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
34.	The CDB shall ensure the possibility of returning to the donor provider who holds the license for the given number(s), one or more numbers from the block of range of ported numbers, in case the user(s) terminated contract(s) with the accepting provider;	Yes <input type="checkbox"/>	No <input type="checkbox"/>	

35.	The CDB shall ensure the possibility to immediately return to the donor provider a number ported by mistake;	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
36.	The CDB shall ensure the possibility to realize the porting process for separate numbers, where the application has requested the porting of a block or range of numbers, while a part of these numbers have subsequently been withdrawn for justified reasons	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
37.	The CDB shall describe the new porting processes or modify the existing ones with no essential modification of the CDB software	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
38.	The CDB shall implement the algorithm for the realization of the number porting process between providers in compliance with the requirements of paragraphs 2) and 3) section 45 of The Terms of Reference	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
39.	The CDB shall meet the functionality requirements set in paragraph 4) section 45	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
40.	The right of access granted to providers shall be coordinated and controlled only by the CDB Administrator	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
41.	Connections to the CDB shall be accessible by means of encoded channels	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
	The CDB technical center to which the public networks of all providers are connected, shall comply with the following minimum requirements:	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
42.	The technical center where the CDB is located shall be in Chisinau	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
43.	b) The staff engaged in technical servicing and maintenance shall be available 24h/7 days per week	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
44.	c) The building of the technical center shall follow the seismic safety standards	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
45.	The technical center shall not be located in the basement, semi-basement, on the upper floor or on the roof of the building	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
46.	e) The floor of the building shall be doubled with a fake floor assembled at	Yes <input type="checkbox"/>	No <input type="checkbox"/>	

	minimum 10 centimeters above the basic floor			
47.	The technical center premises and the perimeter, including the entrance in the technical center shall be subject to video monitoring 24h; the video recordings shall be stored for at least one month	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
48.	The premises shall have two protection areas (the perimeter of the technical center and the interior of the premises) provided with equipment for entrance supervision	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
49.	The premises of the technical center shall be provided with fire protection equipment	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
50.	The premises of the technical center shall be provided with water evacuation equipment	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
51.	The premises of the technical center shall be provided with air cleaning equipment	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
52.	The premises of the technical center shall be provided with equipment to ensure the temperature of +15°C to +25°C inside the center, 24 hours/7 days	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
	Equipment to maintain the relative humidity from 40% to 65% in the technical center, 24 hours/7 days;	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
53.	The rooms of the technical center shall not have exterior windows	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
54.	Electricity shall be supplied through two separate cables from different stations	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
55.	Duplication equipment (UPS) shall be installed for continuous provision of electricity;	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
56.	The UPS shall be duplicated by a diesel generator, the power of which is twice as high as the power of the UPS	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
57.	The emergency system, as well as the system of automatic change that supports the automatic switching from one power source to another shall be available within the technical center	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
58.	The equipment to ensure the backup copies of the data included in the CBD shall be located in another place than	Yes <input type="checkbox"/>	No <input type="checkbox"/>	

	the CBD technical centre			
59.	Two copies of each action/change made in the CBD shall be done in real time and be stored in different places; a copy of the entire CBD shall be made once a day	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
60.	The right of access to the technical center shall be granted only to persons duly authorized for that and any access shall be recorded	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
61.	As appropriate, within 2 months from the date of adoption of the normative document, providing for short number portability or number portability from a public fixed telephone service provider to a mobile one or vice versa, the CBD shall support this requirement, with no essential modifications to the technical equipment or software	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
62.	The CBD shall ensure other additional activities according to the requirements and terms additionally issued to this effect	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
63.	The CBD Administrator, jointly with the providers, shall draft and submit to the Agency for approval, the technical and commercial conditions for number portability implementation in 2 months after the CBD Administrator is designated (before 25.11.2012)	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
64.	The Agreements between the CBD Administrator and fixed and mobile telephone service providers shall be negotiated and signed within 6 months after the technical and commercial conditions have been approved (before 25.03.2013)	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
65.	The CBD shall be organized and tested within 6 months after the technical and commercial conditions have been approved (before 25.03.2013)	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
66.	Number portability in mobile telephone networks shall be implemented before 01.04.2013	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
67.	The CBD shall be adjusted for number portability implementation in fixed networks before 31.07.2013	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
	Number portability in fixed telephone	Yes	No	

68.	networks shall be implemented before 31.08.2013	<input type="checkbox"/>	<input type="checkbox"/>	
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**Remark:**

*The information pertaining to the bid evaluation, filled into this document shall supplement the bid.*

*The participant shall present the due documents to prove the conformity with the criteria and requirements established in this document.*

2. Hereby I certify the fact that the submitted documents meet the requirements and criteria set forth in the Terms of Reference.

3. Hereby, I certify my awareness of the fact that in case the Commission finds that the data and information submitted according to this document are incorrect or false, the bid presented by

\_\_\_\_\_ (Name of candidate)

shall be rejected, the participation guarantee shall not be reimbursed, the Tender organizer shall exercise his right to the guarantee.

\_\_\_\_\_  
(signature)

Stamp

**INFORMATION  
ON BID PRICE  
for the Tender**

**for selection of the CDB Administrator to implement and realize the number  
portability in the Republic of Moldova**

1. Hereby,

\_\_\_\_\_

(name of participant)

Represented by \_\_\_\_\_

Certify that we propose, in compliance with the Terms of Reference, to offer to provide services of number porting administration (organization, operation, administration and maintenance of the CDB for the implementation of number portability in the Republic of Moldova, coordination and supervision of the number porting process on a centralized basis) for payments as specified below:

1) Total sum for CDB organization and implementation, which is to be recovered from all the providers, under sections 104-107 of Regulations no. 34\2011 and technical and commercial conditions of number portability implementation shall constitute \_\_\_\_\_ Euro,

(write in letters)

Including all taxes, except the value-added tax;

2) The value of the monthly tariff for services of number porting, administration, operation and maintenance of the CDB shall constitute \_\_\_\_\_ Euro,

(write in letters)

Including all taxes, except the value-added tax;

2. Hereby I certify the fact that the information contained in this document meet the requirements and criteria set forth in the Terms of Reference.

3. Hereby, I certify my awareness of the fact that in case the Commission finds that the data and information submitted according to this document are incorrect or false, the bid presented by

\_\_\_\_\_

(Name of participant)

shall be rejected, the participation guarantee shall not be reimbursed, the Tender organizer shall exercise his right to the guarantee.

\_\_\_\_\_

(signature)

Stamp

**List of legislative acts and regulations from the Republic of Moldova, in force on the date the Terms of Reference are approved**

1. Civil Code of the Republic of Moldova. Law no.1107-XV of 06.06.2002, *published in the Official Gazette of the R. of Moldova no. 1107-XV of 16.06.2002.*
2. Contravention Code of the R. of Moldova. Law no. 218-XVI of 24.10.2008, *published in the Official Gazette of the R. of Moldova no. 3-6/15 of 16.01.2008.*
3. Criminal Code of the Republic of Moldova. Law no. 985-XV of 18.04.2002, *re-published in the Official Gazette of the R. Moldova no. 72-74/195 of 14.04.2009.*
4. Law on Electronic Communications no. 241-XVI of 15.11.2007, *published in the Official Gazette of the R. of Moldova no. 51-54/155 of 14.03.2008.*
5. Law on regulating entrepreneurial activity through licensing no. 451-XV of 30.07.2001, *republished in the Official Gazette of the R. of Moldova no. 26-28/95 of 18.02.2005.*
6. Law on entrepreneurship and enterprises no.845-XII of 03.01.92, *published in the Official Gazette of the R. of Moldova nr.2/33 of 1994.*
7. Law on Competition Protection no.1103-XIV of 30.06.2000, *published in the Official Gazette of the R. of Moldova no. 166-168/1205 of 31.12.2000.*
8. Law on copyright and related rights no. 139 of 02.07.2010, *published in the Official Gazette of the R. of Moldova no.191-193/630 of 01.10.2010.*
9. Law on competition protection no. 105- XV of 13.03.2003, *republished in the Official Gazette of the R. of Moldova no. nr.176-181/513 of 21.10.2011*
10. Law on petitions no.190-XIII of 19.07.94, *republished in the Official Gazette of the R. of Moldova no. 6-8/23 of 24.01.2003.*
11. Law on preventing and combating cybercrime no. 20-XVI of 03.02.2009, *published in the Official Gazette of the R. of Moldova no. 11-12/17 of 26.01.2010.*
12. Law on protecting personal data, no. 133 of 08.07.2011, *published in the Official Gazette of the R. of Moldovanr.107-175/492 of 14.10.2011.*
13. Law on electronic document and digital signature no. 264-XV of 15.07.2004, *published in the Official Gazette of the R. of Moldova no.132-137/710 of 06.08.2004.*
14. Law on investments in entrepreneurial activity no. 81-XV of 18.03.2004, *published in the Official Gazette of the R. of Moldova no.64-66/344 of 23.04.2004.*
15. Law on basic principles of regulating entrepreneurial activity no. 235-XVI of 20.07.2006, *published in the Official Gazette of the R. of Moldovanr.126-130/627 of 11.08.2006.*
16. Law on registers no.71-XVI of 22.03.2007, *published in the Official Gazette no.70-73/314 of 25.05.2007.*
17. Law on commercial secret no.171-XIII of 06.07.1994, *published in the Official Gazette no.13/126 of 10.11.1994.*
18. Government Decree no. 905 of 28.07.2008 on approving the Regulations of the National regulatory Agency for Electronic Communications and Information Technology (ANRCETI), *published in the Official Gazette of the R. of Moldova no. 143-144/917 of 05.08.2008.*
19. Government Decree no. 323 of 18.03.2002 on approving the tariffs for public telecommunications and informatics services, *published in the Official Gazette of the R. of Moldova no.46-48/435 of 04.04.2002.*

**20.** Order of the Ministry of Information Technology and Communications no. 15 of 04.03.2010 on approving the National Numbering Plan, *published in the Official Gazette of the R. of Moldova no. 78-80/298 of 21.05.2010.*

**21.** Order of the Ministry of Information Technology and Communications no. 52 of 30.06.2011 on approving the Program for number portability implementation in the R. of Moldova for 2011-2013, *published in the Official Gazette of the R. of Moldova no. 118-121/918 of 22.07.2011.*

**22.** ANRCETI Administrative Board Decision no. 34 of 01.12.2011 on approving the Regulations on number portability, published in the Official Gazette of the R. of Moldova no. 16-18/58 of 20.01.2012.

**23.** ANRCETI Administrative Board Decision no.16 of 24.05.2001 on approving the Regulations on GSM cell mobile telephony service provision, *published in the Official Gazette of the R. of Moldova no.106 of 30.08.2001.*

**24.** ANRCETI Administrative Board Decision no. 18 of 16.08.2001 on approving the Regulations on fixed telephone service provision, *published in the Official Gazette of the R. of Moldova no. 1-3/1 of 04.01.2002.*

**25.** Regulations on management of names in top-level domain .md, approved by the National Regulatory Agency Telecommunications and Informatics of 28.08. 2000, *published in the Official Gazette of the R. of Moldova no. 25-26/75 of 01.03.2001.*

**26.** ANRCETI Administrative Board Decision no.15 of 23.09.2008 on approving the Regulations on dispute resolution procedure in electronic communications, *published in the Official Gazette of the R. of Moldova no.193-194/576 of 28.10.2008*

**27.** ANRCETI Administrative Board Decision no. 12 of 31.01.2009 on approving the Regulations on interconnection, *published in the Official Gazette of the R. of Moldova no. 51-54/155 of 2008.*

**28.** ANRCETI Administrative Board Decision no. 57 of 21.12.2010 on approving the Regulations on general authorization regime and license issuance for the use of limited resources in the provision of public electronic communications networks and services, *published in the Official Gazette of the R. of Moldova no. 22-24/127 of 04.02.2011*

**29.** ANRCETI Administrative Board Decision no.13 /2012 on approving the Procedure for organizing and conducting Tender for selection of the centralized data base administrator for number portability implementation in the Republic of Moldova, *published in the Official Gazette of the R. of Moldova no.120-125/701 of 15.06.2012."*

**30.** ANRCETI Administrative Board Decision no. 17 of 02.06.2010 on approving the Instruction on regulatory/monitoring fee, *published in the Official Gazette of the R. of Moldova no. 91-93/333 of 08.06.2010.*

**Remark:** The documents mentioned above can be accessed at the following links:

- Documents listed at p. 1. - 30 are available on the Web page of the Ministry of Justice of the Republic of Moldova: <http://www.justice.gov.md> section "***Legislation of the Republic of Moldova***".
- Documents listed at p. 21. - 30, inclusively, are available on ANRCETI Web page: [www.anrceti.md](http://www.anrceti.md) section "***Legislation***".



## I. GENERAL DATA ABOUT THE REPUBLIC OF MOLDOVA

### General Indicators

<b>Population, thousand *</b>	3560,4
<b>Population of the capital, thousand</b>	789,5
<b>Households, thousand units</b>	1131,8
<b>Density of population, per km<sup>2</sup></b>	117,3
<b>Surface area, thousand km<sup>2</sup></b>	29682/33845
<b>Stretch, km:</b>	
- <i>North - South</i>	350
- <i>West - East</i>	150
<b>Administrative – territorial structure of the country:</b>	
- <i>Districts</i>	32
- <i>Municipalities</i>	5
- <i>Cities</i>	60
- <i>Villages (towns)</i>	917
<b>Total localities</b>	1681
<b>Autonomous territorial units</b>	1

\* Population, as of 01.01.2011, according to the current records, (except population of left bank of Dniester and Bender municipality).

**Source:** National Statistical Bureau of the Republic of Moldova.

### Main indicators of the economy of the Republic of Moldova:

Indicator, U.M.	2009	2010	I quarter 2011
GDP, million lei	60430	71849	16784
Growth of GDP, %	-6,0	6,9	8,4
Annual inflation rate, %	12,5	10,0	0,8
Unemployment rate ( <i>rate of unemployed individuals registered with the ILO against the active population</i> ), %	6,4	7,4	9,4
Monthly average salary of a national economy employee, lei	2747,6	2972,2	2902,4
Investment in fixed capital, million lei	10878,9	13098,7	1748,3
Export of goods and services, million USD	1287,5	1582,1	478,6
Growth of export of goods and services, %			

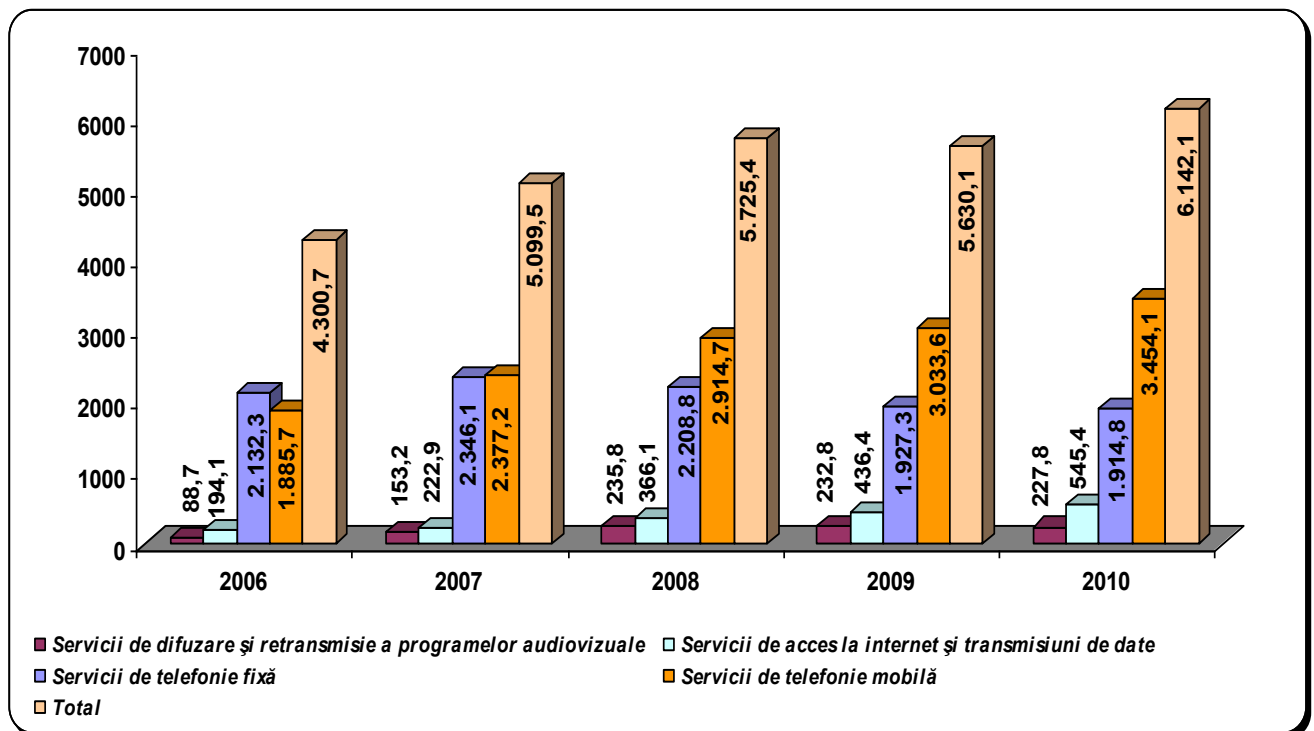
Indicator, U.M.	2009	2010	I quarter 2011
	-19.1	22.9	58,2
Import of goods and services, million USD	3278,3	3855,3	1099,2
Growth of import of goods and services, %	-33.1	17,6	44,0
Volume of State Budget, million lei			
Volume of State Budget, million lei (revenues)	1309988 1,3 thousand lei	16.330.78 9,9 thousand lei	19087181,7 thousand lei
Volume of State Budget, million lei (expenses)	1774836 2,0 thousand lei	19.798.24 8,4 thousand lei	20354074,1 thousand lei
General consolidated budget deficit, % from GDP	-6,35	-2,47	-3,09
Public debt, million USD	1188,6	1552,7	1575,9
- internal, million USD	415,0	436,5	438,9
- external, million USD	773,7	1116,2	1137,0
Current account balance, million USD	-469,2	-522,9	-233,0
Average exchange rate, USD - lei	11,1134	12,3663	12,0603
Average exchange rate, EURO - lei	15,5248	16,3995	16,4776

**Source:** Report on social and economic evolution of the Republic of Moldova in 2010 and Report on social and economic evolution of the Republic of Moldova in I quarter of 2011, published by the Ministry of Economy. ([www.mec.gov.md](http://www.mec.gov.md)).

## SITUATION ON ELECTRONIC COMMUNICATIONS MARKET OF REPUBLIC OF MOLDOVA GENERAL INFORMATION

### General description

In 2010, the total value of electronic communications markets (fixed and mobile telephony, Internet access, audiovisual program broadcasting and retransmission (hereinafter – audiovisual market)) was estimated at 6 billion 142,1 million lei, an 9,1% increase over 2009. Mobile communications had the most significant sales – 3 billion 454,1 million lei – followed by fixed telephony services – 1 billion 914,8 million lei.



*Audiovisual program broadcasting and retransmission services*

*Fixed telephony services*

*Total*

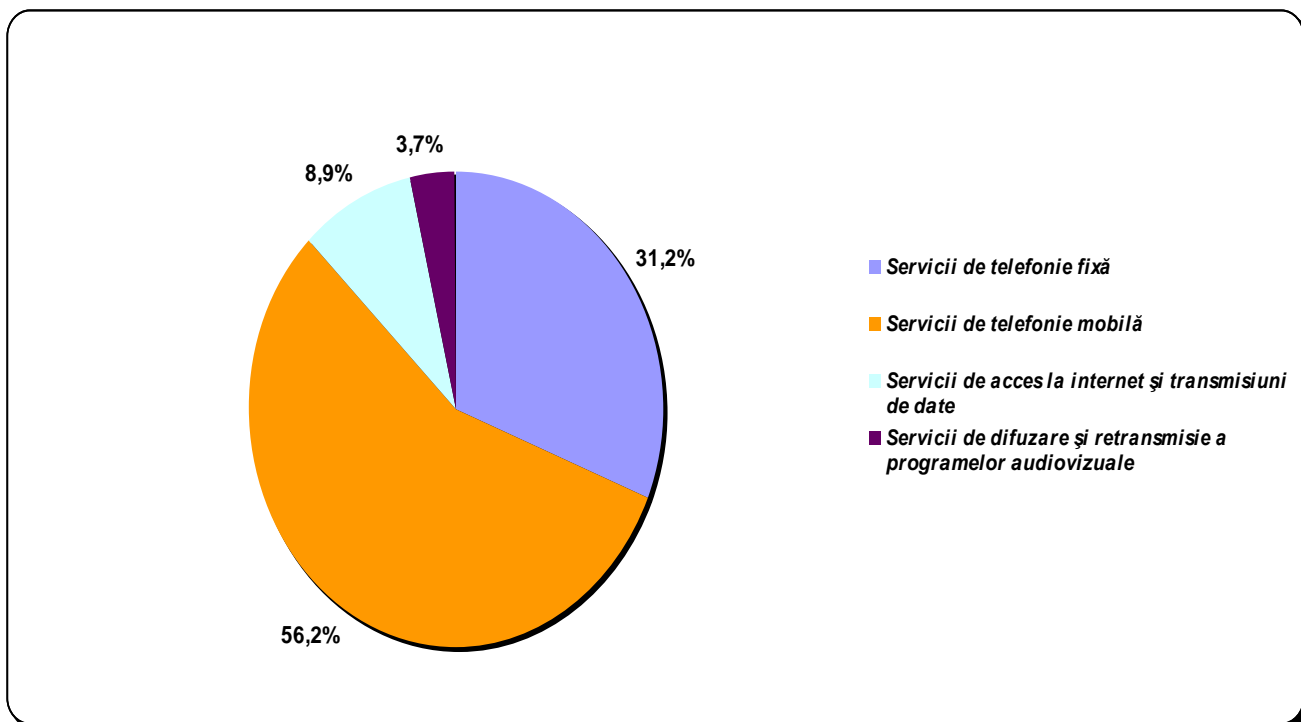
*Internet access and data transmission services*

*Mobile telephony services*

**Fig.1 Evolution of electronic communications markets, by turnover, million lei**

**Source: ANRCETI**

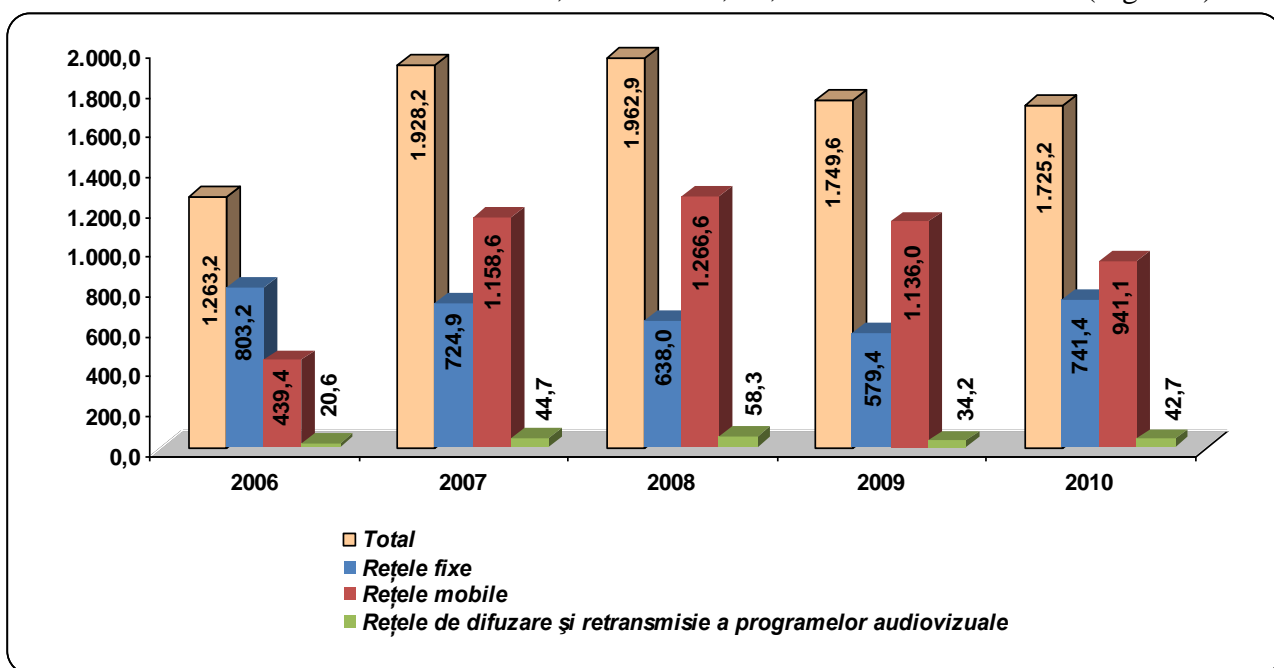
The market structure was as follows: fixed telephony – 31,2%, mobile telephony - 56,2%, Internet access services and data transmission - 8,9%, and broadcasting and retransmission of audiovisual programs - 3,7% (Figure 2).



*Fixed telephony services*  
*Mobile telephony services*  
*Internet access and data transmission services*  
*Audiovisual program broadcasting and retransmission services*

**Fig. 2 Structure of the electronic communications market in terms of sales**  
**Source: ANRCETI**

In 2010 a total of 1 billion 725 million lei was invested in development of electronic communications markets, less by 1,4% than in 2009. The decline was mainly caused by investments in mobile networks reduced by 17,2% - to 941,1 million lei. The investments in fixed<sup>1</sup> networks, due to the increased allocations to optical networks and trunks, increased by 28% to 741,4 million lei, whereas the investments in audiovisual networks were 42,7 million lei, 24,7% increase over 2009. (Figure 3).

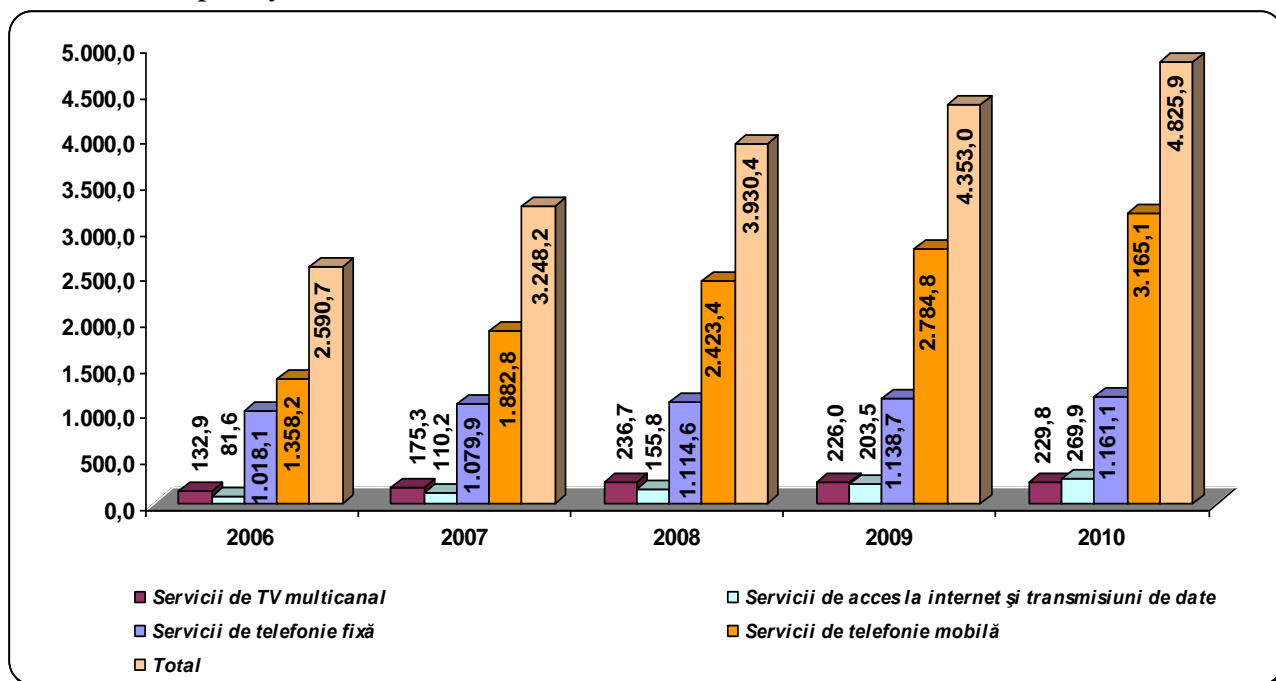


<sup>1</sup> Investments in fixed networks comprise allocations in fixed networks, fixed data transport and Internet access networks.

*Total*  
*Fixed networks*  
*Mobile networks*  
*Audiovisual networks*

**Fig. 3 Evolution of investments in electronic communications networks, million lei**  
**Source: ANRCETI**

The total number was 4 million 825,9 thousand, 10,9% increase over 2009. (Figure 4). The number of users increased as follows: Internet access at fixed locations - 32,6%, mobile – by 13,65 fixed telephony - 1,97% and multichannel TV users - 1,69%.



*Multichannel TV services*  
*Fixed telephony services*  
*Total*  
*Internet access and data transmission services*  
*Mobile telephony services*

**Fig. 4 Evolution of number of electronic communications users, thousand**  
**Source: ANRCETI**

*Remark: Additional information on the situation on the electronic communications market of the Republic of Moldova is available on the Agency's Web page [www.anrceti.md](http://www.anrceti.md)*

**SITUATION ON MOBILE AND FIXED TELEPHONE MARKETS  
DETAILED INFORMATION**

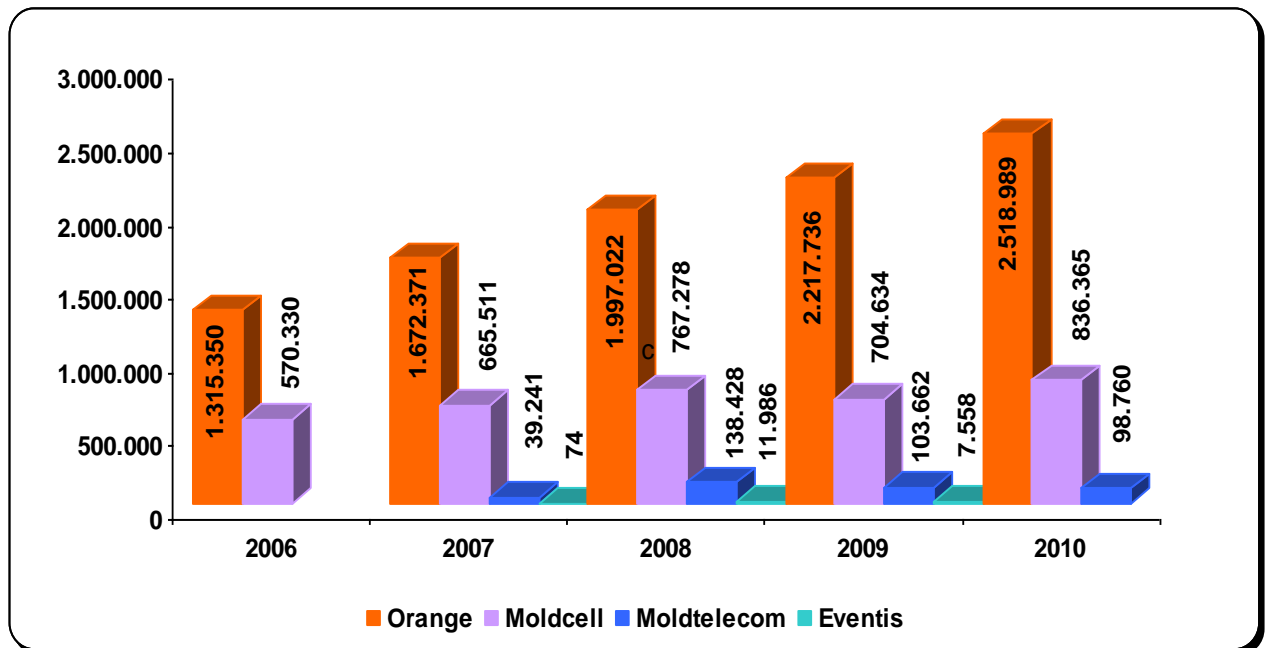
**Mobile market**

In 2010, the mobile market was operated by three providers: „Orange Moldova” JSC, „Moldcell” JSC, - GSM and UMTS standards, „Moldtelecom” JSC, under the brand „Unite”, - CDMA 2000 and UMTS standards (Table 1). JSC „Moldtelecom” launched its UMTS mobile networks in 2010.

**Table 1. Providers of public mobile telephony services and technologies used**

Provider	GSM	CDMA2000 1x/EV-DO	UMTS/ HSPA
„Orange Moldova” JSC	✓	–	✓
„Moldcell” JSC	✓	–	✓
„Moldtelecom” JSC	–	✓	✓

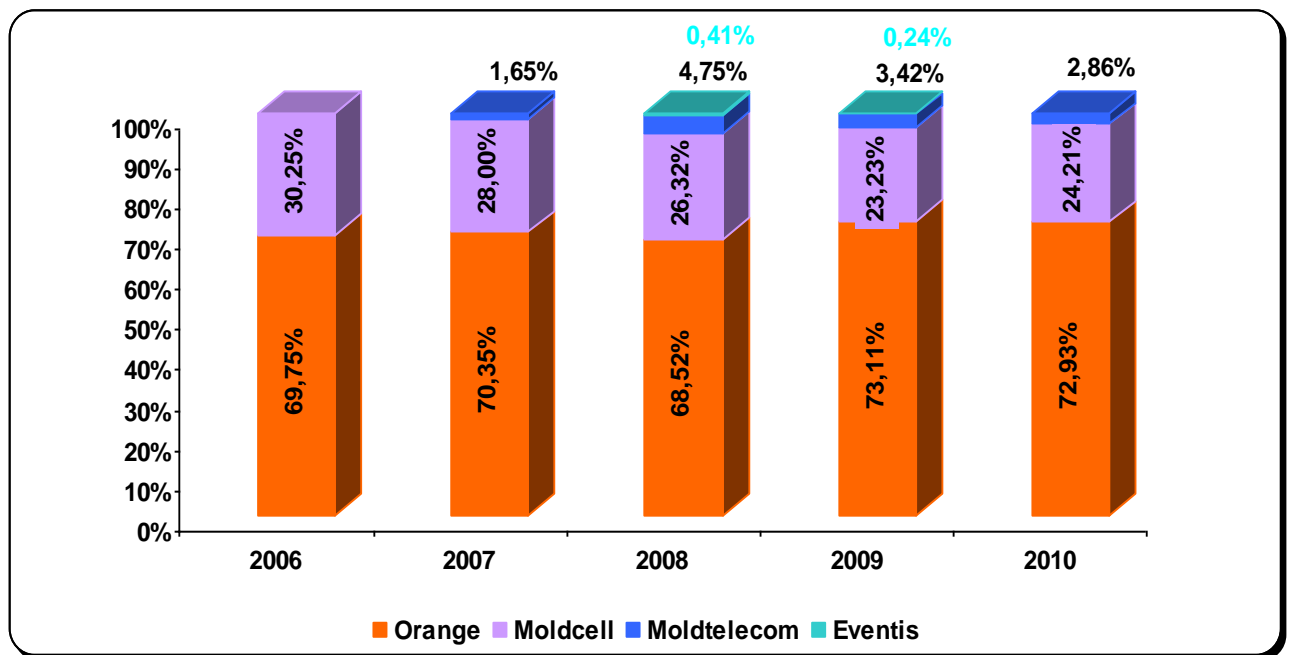
The total sales recorded in 2010 by the three providers increased over 2009 by 420,5 million lei or by 13,86% and exceeded 3 billion 454,1 million lei. The sales of JSC „Moldcell” increased by 18,7% and constituted 836,4 million lei, the sales of „Orange Moldova” JSC – by 13,6% and reached 2 billion 519 million lei. The turnover of JSC „Moldtelecom” dropped by 4,7% to about 98,8 million lei. (Figure 5).



**Figure 5 Evolution of mobile turnover, thousand lei**

Source: ANRCETI

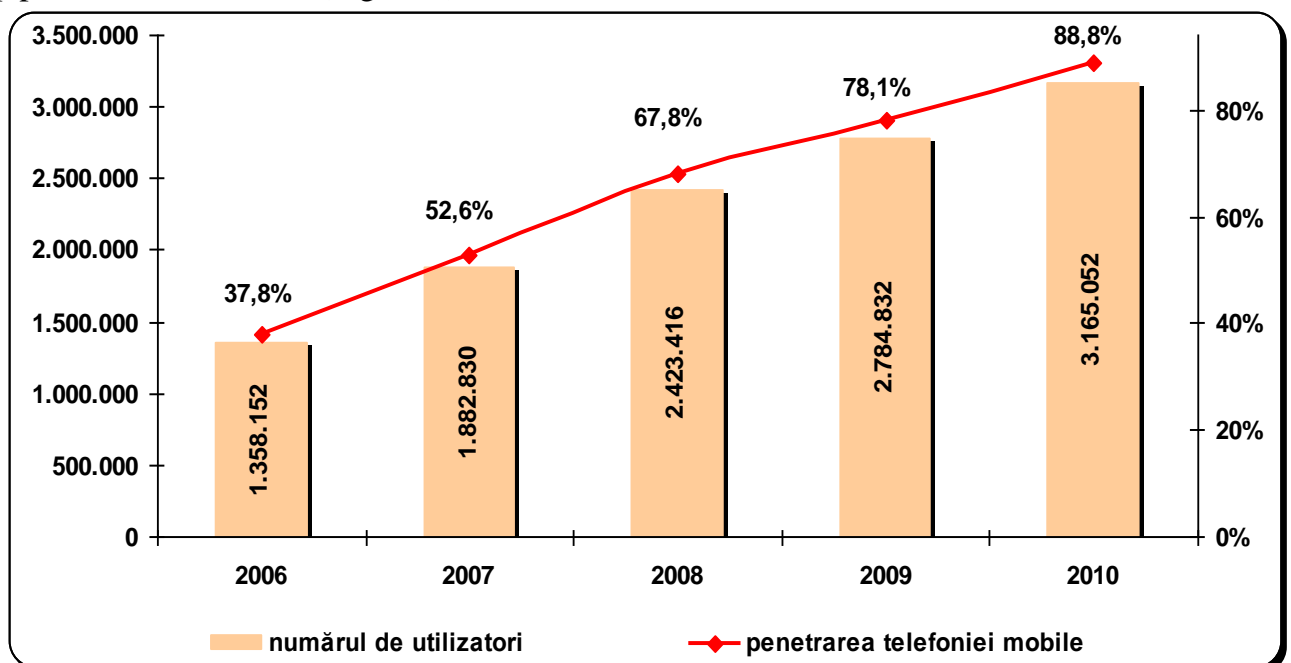
By turnover in 2010, JSC „Orange Moldova” held 72,93% market share, „Moldcell” JSC – 24,21% and „Moldtelecom” JSC – 2,86%. (Figure 6).



**Fig. 6 Market structure, by turnover**  
Source: ANRCETI

The average revenue per user (ARPU) dropped by 0,3 lei: from 97,1 lei, in 2009, to 96,8 lei, in 2010. The only provider capable to increase this indicator – by 2,5% - was „Orange Moldova” JSC. The ARPU of the other two providers was lower compared to 2009.

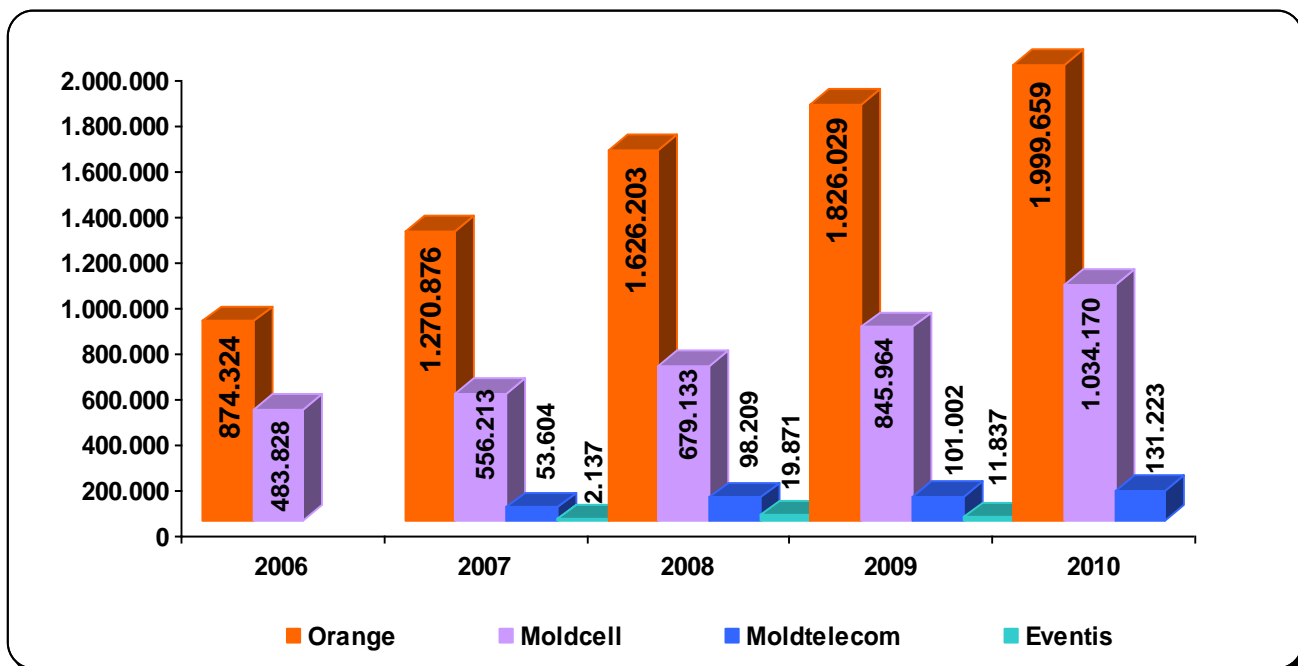
In 2010 the mobile user base continued to grow, their number increasing by 13,65% over 2009 and exceeding 3 million 165,1 thousand, whereas the mobile penetration rate increased by 10,7 p.p and reached 88,8% (Figure 7).



*Number of subscribers*  
*Mobile penetration*

**Fig. 7 Number of mobile users and mobile penetration rate**  
Source: ANRCETI

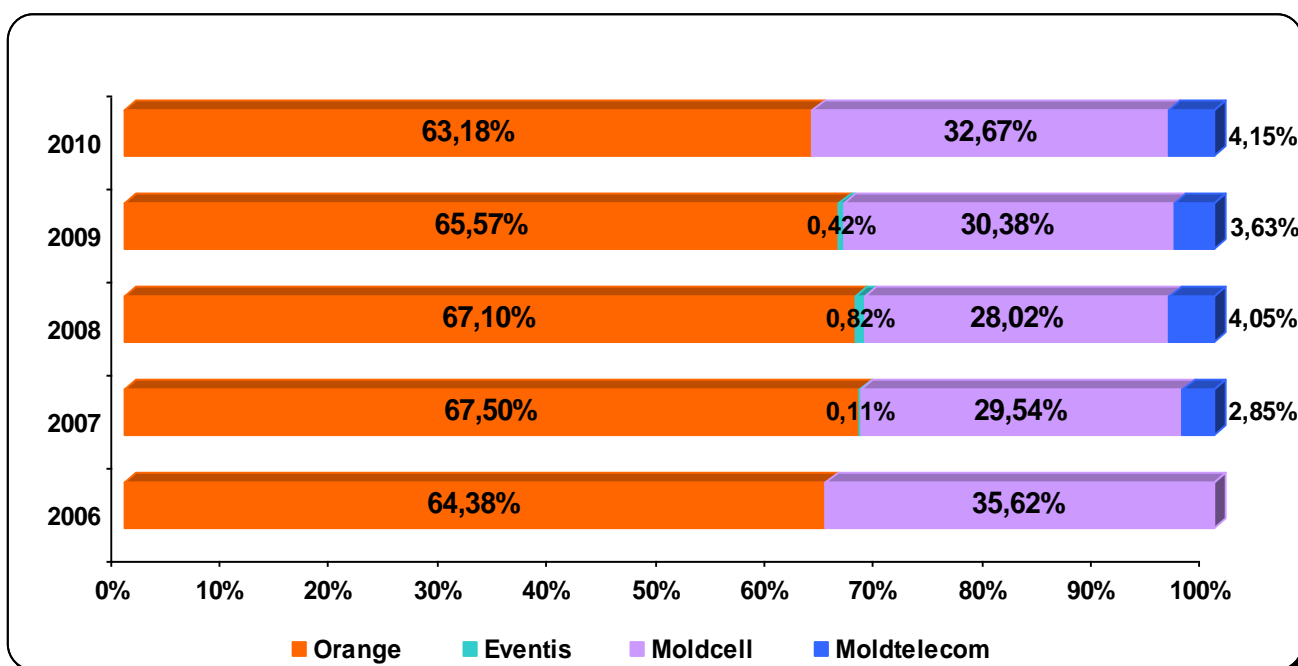
In the reporting timeframe, „Moldcell” JSC had the biggest number of new mobile users connected to its individual mobile network – about 188,2 thousand, the total number of users reaching 1 million 34,2 thousand. The number of users of JSC „Orange Moldova” increased by 173,6 thousand and reached 2 million, the number of users of „Moldtelecom” JSC – by 30,2 thousand and reached 131,2 thousand. (Figure 8)



**Fig. 8 Evolution of number of mobile users, per provider**

Source: ANRCETI

By number of users, „Orange Moldova” JSC held the most significant market share – 63,18%. In comparison with 2009, it reduced by 2,39 p.p. The market share of JSC „Moldcell” increased by 2,39 p.p. and reached 32,7%, the market share of „Moldtelecom” JSC increased by 0,52 p.p. and constituted 4,15% (Figure 9).

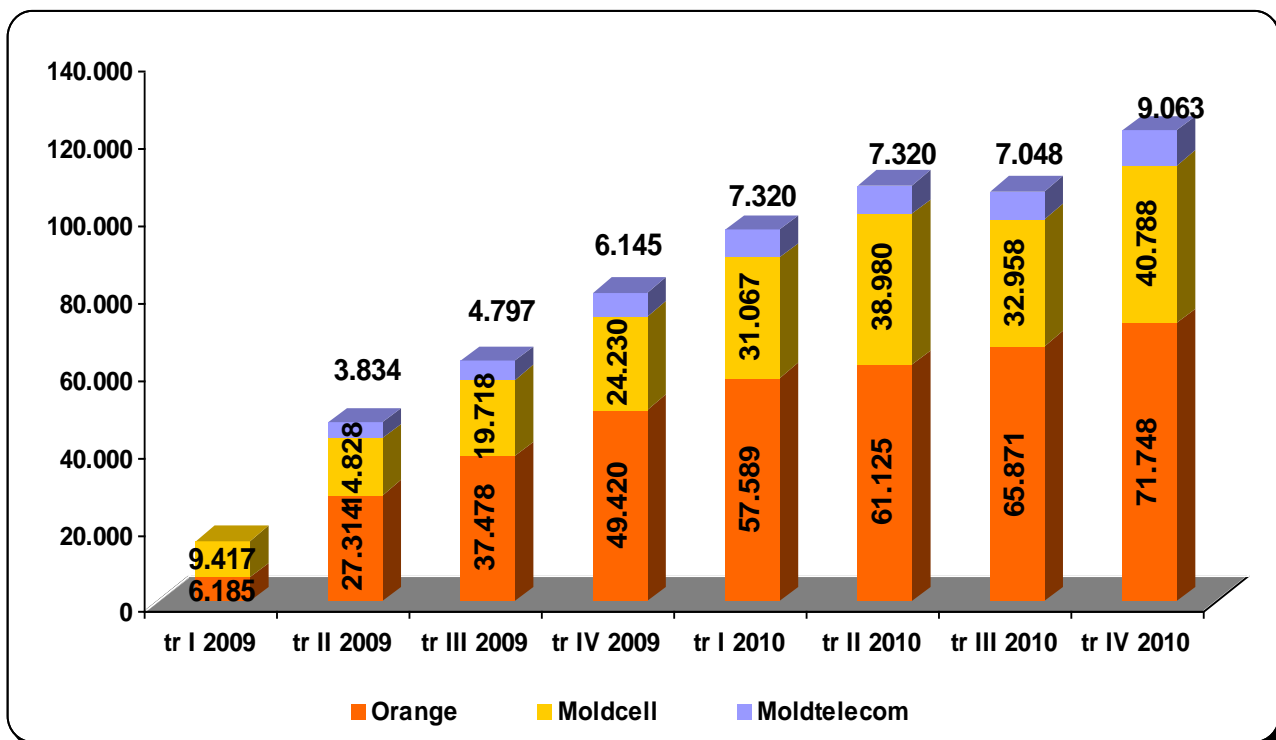


**Fig. 9 Market structure, by number of users**

Source: ANRCETI



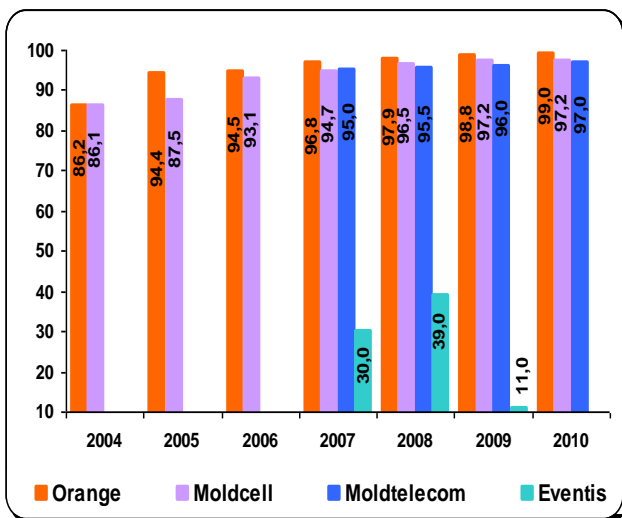
In 2010, the number of mobile users accessing the Internet via the 3D networks and consuming at least 1 MB of traffic, increased over 2009 by 52,4% and was estimated at 121,6 thousand. 59% are users of „Orange Moldova” JSC, 33,5% - „Moldcell” JSC and 7,5% - of „Moldtelecom” JSC (Figure 10).



**Fig. 10 Evolution of number of 3G users that accessed the Internet and consumed at least 1MB traffic**

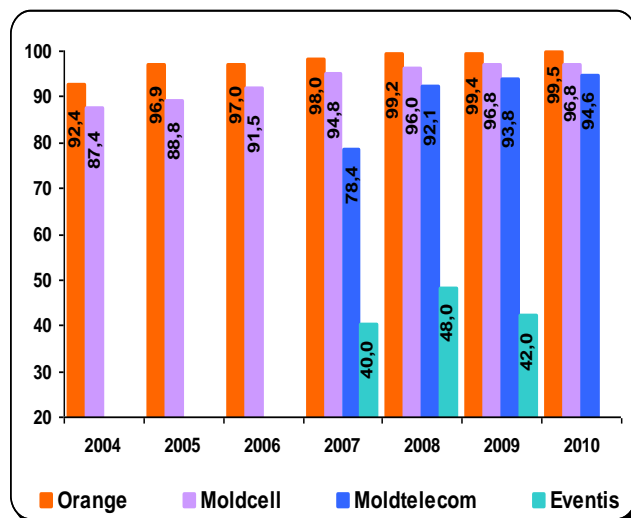
Source: ANRCETI

According to the data submitted by providers, as per 31.12.2010, „Orange Moldova” JSC provided coverage of 99,0% territory and 99,5% population. JSC „Moldcell” covered 97,2% territory and 96,8% population, „Moldtelecom” JSC – 97,0% territory and 94,6% population. (Figures 11 and 12).



**Fig. 11 Evolution of territory coverage %**

Source: ANRCETI

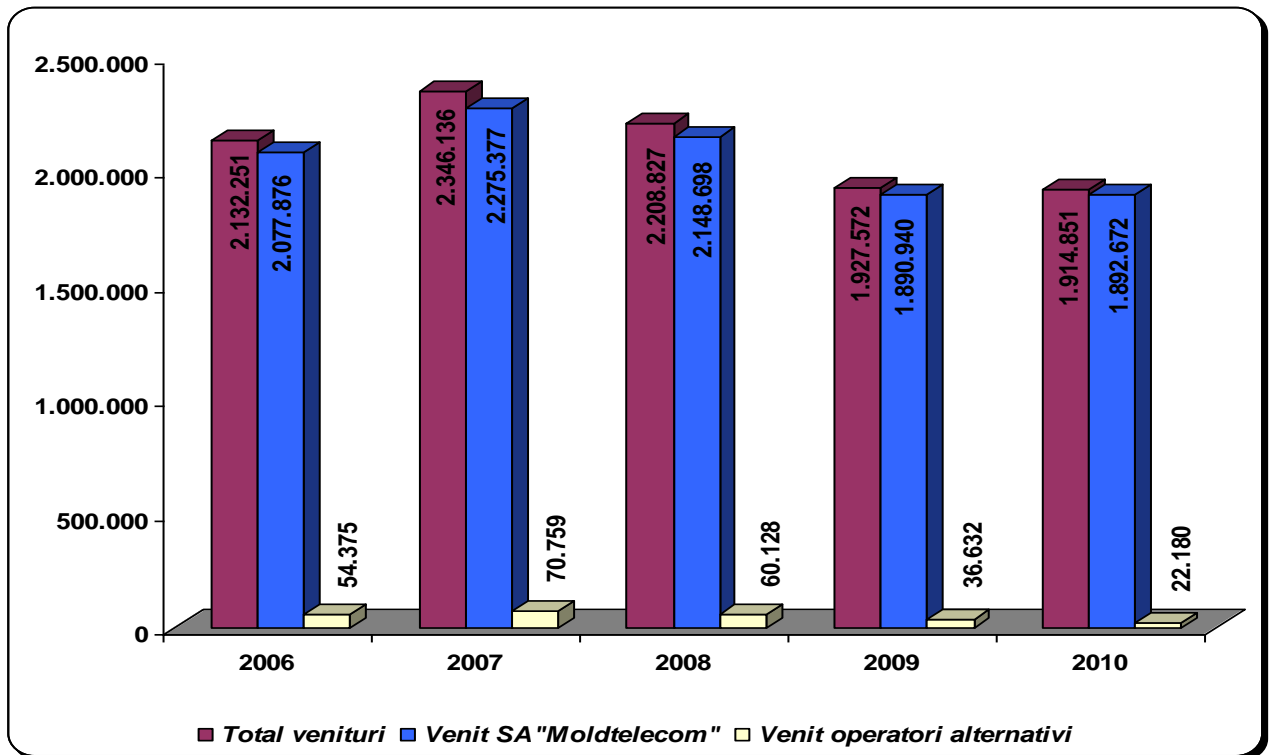


**Fig.12 Evolution of population coverage %**

## Fixed Market

In the reporting timeframe, the fixed telephony market was operated by 17 companies, the main company being the incumbent JSC „Moldtelecom”.

Compared to 2009, the total volume of sales on this market was 1 million 915 million lei, decreased by 0,66%. The sales of the incumbent grew by 0,09%, reaching 1 billion 893 million lei, the sales of alternative providers decreased by 39,4% to 22,18 million lei. As a result, the consolidated market share of alternative providers declined from 1,9%, in 2009, to 1,16%, in 2010 (Figure 13).



*Total revenues*

*Revenue JSC "Moldtelecom"*

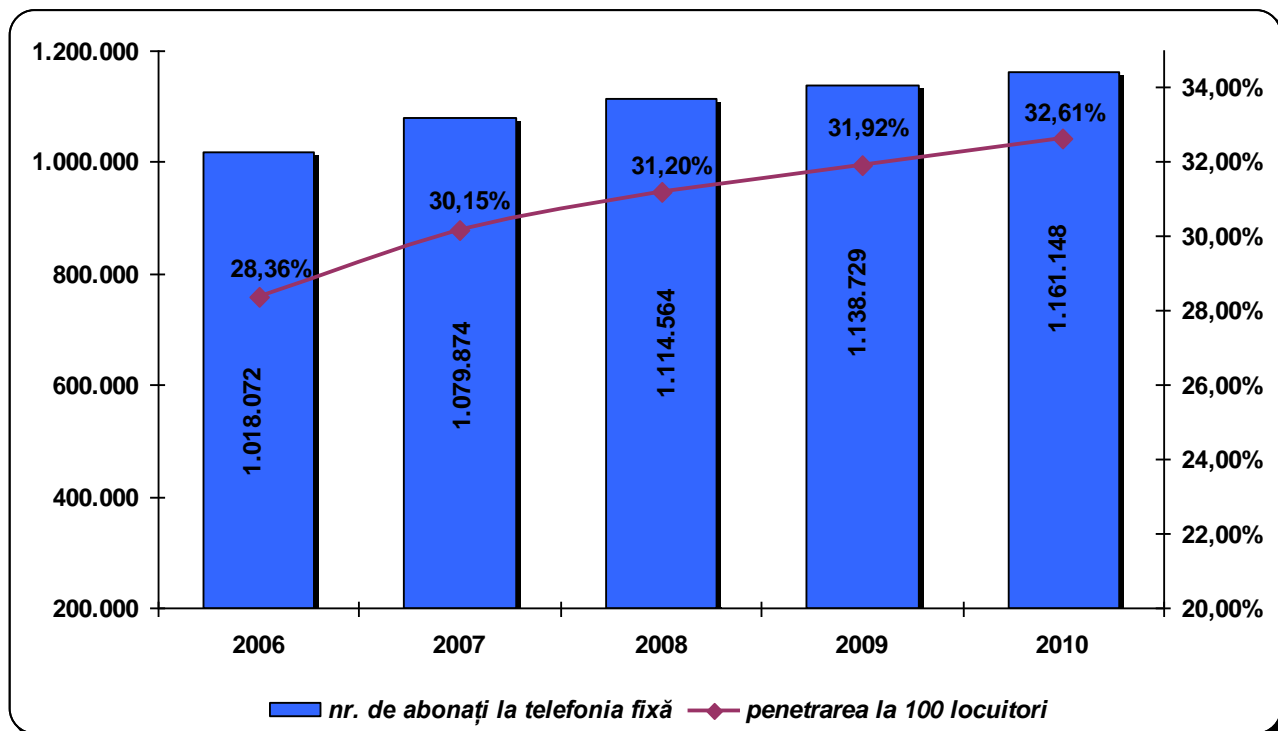
*Revenue alternative providers*

**Fig. 13 Evolution of fixed telephony market, by turnover, thousand lei**

Source: ANRCETI

The average monthly revenue per user (ARPU) of fixed telephony providers increased by 0,67% and was 143,52 lei. This increase against the lower consumption of retail fixed services occurred due to the 11%-increase of international call termination rates in 2010.

. The number of subscribers to fixed telephony services increased over 2009 by 22,4 thousand or by 1,97% and reached 1 million 161 thousand subscribers. JSC „Moldtelecom” connected to its network 13,4 thousand new subscribers or 59,9% of the total connections, alternative providers connected over 9 thousand or 40,1% of the total. As per 31.12.2010, the incumbent had 1 million 123,7 thousand subscribers, the alternative providers - 37,4 thousand, the biggest number being recorded by companies „Arax-Impex” LLC, „Orange Moldova” JSC and „Sicres” LLC. Their market shares were 0,97%, 0,77% and 0,28%. The fixed penetration rate increased by 0,69 p. p. and reached 32,6% (Figure 14).

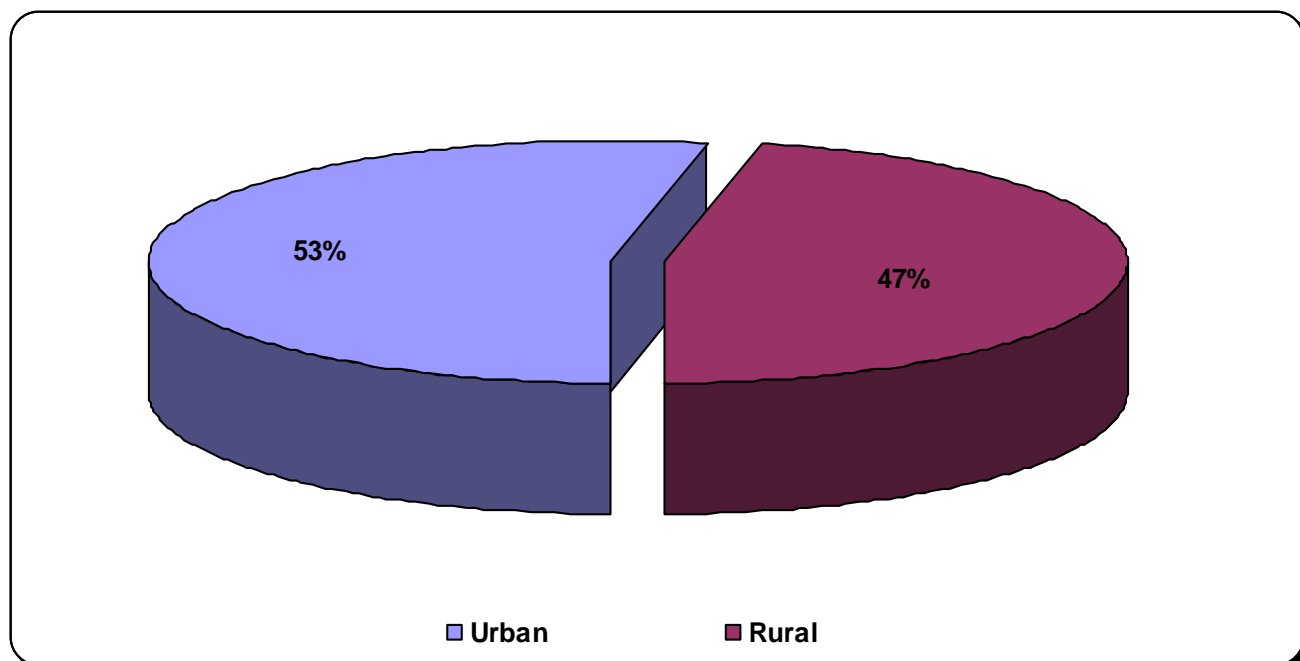


*Number of fixed telephony subscribers*  
*Penetration per 100 population*

**Fig. 14** Number of subscribers and fixed penetration rates

Source: ANRCETI

Out of the total of 1 million 161 thousand subscribers, recorded at the end of 2010, 619,8 thousand or 53% are urban residents and 541,3 thousand or 47% - in rural areas (Figure 11). The fixed penetration rate per 100 population was 42% in urban areas, and - 25,9% in rural ones (Figure 15).



**Fig. 15** Fig. 11 Number of fixed subscribers, by areas of residence

Source: ANRCETI

In 2010, the market share of the incumbent JSC „Moldtelecom” by number of subscribers was 96,8%, less by 0,7 p. p than in 2009. The market share of alternative operators reached 3,2% (Table 2).

**Table 2. Market shares of providers holding more than 0,1% of the market, by number of subscribers**

<b>Furnizorul</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>
<b>Moldtelecom</b>	<b>98,64%</b>	<b>97,87%</b>	<b>97,67%</b>	<b>97,50%</b>	<b>96,80%</b>
<b>Arax-Impex</b>	<b>0,28%</b>	<b>0,62%</b>	<b>0,64%</b>	<b>0,83%</b>	<b>0,97%</b>
<b>Sicres</b>	<b>0,30%</b>	<b>0,58%</b>	<b>0,56%</b>	<b>0,42%</b>	<b>0,28%</b>
<b>Riscom</b>	<b>0,24%</b>	<b>0,28%</b>	<b>0,29%</b>	<b>0,30%</b>	<b>0,29%</b>
<b>Calea Ferată of Moldova</b>	<b>0,43%</b>	<b>0,44%</b>	<b>0,36%</b>	<b>0,29%</b>	<b>0,28%</b>
<b>Orange Moldova</b>	<b>0,08%</b>	<b>0,10%</b>	<b>0,33%</b>	<b>0,26%</b>	<b>0,77%</b>

*Remark: Additional information on the situation on fixed and mobile markets is available on the Agency's Web page [www.anrceti.md](http://www.anrceti.md)*