

SUPPLY PROCUREMENT NOTICE

Supply of 4x4 Medium Size Vehicles (Framework Contract)

Pristina, Kosovo

1. Publication reference

EuropeAid/129828/D/SUP/XK

2. Procedure

Open

3. Programme

Council Joint Action 2008/124/CFSP of 04 February 2008 on the European Union Rule of Law Mission in Kosovo, (hereafter “EULEX Kosovo”).

4. Financing

Budget article 19 03 03.

Contract No CFSP/2009/24/EULEX Kosovo — De Kermabon

This tender procedure is launched before the financing decision or the signature of the financing agreement between the Commission and the recipient. The award of the contract is subject to the conclusion of the financing agreement and therefore, to the allocation of the corresponding funds.

5. Contracting Authority

The Head of EULEX Kosovo.

CONTRACT SPECIFICATIONS

6. Description of the contract

The subject of the framework contract is the supply, delivery, commissioning, after-sales service (regular maintenance + repair and training) of up to three hundred (300) 4x4 medium size vehicles to EULEX Transport Compound in Pristina, Kosovo DDU¹. The framework contract will be implemented by purchase orders.

7. Number and titles of lots

This contract is not divided into lots.

¹ DDU (Delivered Duty Unpaid) - Incoterms 2000 International Chamber of [Commerce - http://www.iccwbo.org/incoterms/id3040/index.html](http://www.iccwbo.org/incoterms/id3040/index.html)

TERMS OF PARTICIPATION

8. Eligibility and rules of origin

Participation in tendering is open to all legal persons participating either individually or in a grouping (consortium) of tenderers which are established in a Member State of the European Union, in an official candidate country, or a country that is a beneficiary of the Instrument for Pre-Accession Assistance, in a Member State of the European Economic Area, a country of the Western Balkans region or a contributing third State, as authorized by Council Joint Action 2008/124/CFSP of 04 February 2008 on EULEX KOSOVO, (see item 22 below).

The rule of origin has been derogated.

9. Grounds for exclusion

Tenderers must submit a signed declaration, included in the Tender Form for a Supply Contract, to the effect that they are not in any of the situations listed in point 2.3.3 of the Practical Guide to contracts procedures for EC external actions.

10. Number of tenders

Tenderers may submit only one tender per lot. Tenders for parts of a lot will not be considered. Any tenderer may state in its tender that it would offer a discount in the event that its tender is accepted for more than one lot. Tenderers may not submit a tender for a variant solution in addition to their tender for the supplies required in the tender dossier.

11. Tender guarantee

Tenderers must provide a tender guarantee of **EUR 90,000** when submitting their tender. This guarantee will be released to unsuccessful tenderers once the tender procedure has been completed and to the successful tenderer(s) upon signature of the contract by all parties. This guarantee will be called upon if the tenderer does not fulfil all obligations stated in its tender.

12. Performance guarantee

The successful tenderer will be asked to provide a performance guarantee of **5 %** of the amount of the contract at the signing of the contract. This guarantee must be provided together with the return of the countersigned contract no later than 30 days after the tenderer receives the contract signed by the Contracting Authority. If the selected tenderer fails to provide such a guarantee within this period, the contract will be void and a new contract may be drawn up and sent to the tenderer which has submitted the next cheapest compliant tender.

13. Information meeting and/or site visit

No information meeting is planned

14. Tender validity

Tenders must remain valid for a period of 90 days after the deadline for submission of tenders.

15. Period of implementation of tasks

The Period of implementation of the Framework Contract shall be 24 (twenty four) months. The framework contract will be implemented by purchase orders.

- The delivery shall be concluded
 - For purchase order no 1 within one hundred and eighty (180) days from its receipt by the Contractor.
 - For all other purchase orders within one hundred and twenty (120) days from its receipt.
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SELECTION AND AWARD CRITERIA

16. Selection criteria

The following selection criteria will be applied to tenderers. In the case of tenders submitted by a consortium, these selection criteria will be applied to the consortium as a whole:

- 1) Economic and financial capacity of tenderer (based on i.a. item 3 of the Tender Form for a Supply Contract). In case of tenderer being a public body, equivalent information should be provided.
 - The average turnover of the tenderer for the last two (2) business years must exceed EUR 3,000,000.
- 2) Professional capacity of tenderer (based on i.a. items 4 and 5 of the Tender Form for a Supply Contract)
 - The tenderer must be an authorized dealer of the manufacturer whose vehicles he/she is offering in this tender procedure (manufacturer authorization form).
 - The tenderer must have at least fifteen (15) staff currently working for him/her in fields related to this contract; and
- 3) Technical capacity of tenderer (based on i.a. items 5 and 6 of the Tender Form for a Supply Contract)
 - The tenderer must have sold in one of the past three (3) business years at least two hundred (200) vehicles. Indicate the total number of vehicles, the types of vehicles supplied and the aggregated value of all vehicles.
 - The tenderer must have had in the past three business years at least one contract whose subject was the delivery of at least twenty (20) vehicles to one and the same customer.

An economic operator may, where appropriate and for a particular contract, rely on the capacities of other entities, regardless of the legal nature of the links which it has with them. It must in that case prove to the Contracting Authority that it will have at its disposal the resources necessary for performance of the contract, for example by producing an undertaking on the part of those entities to place those resources at its disposal. Such entities, for instance the parent company of the economic operator, must respect the same rules of eligibility and notably that of nationality, as the economic operator.

17. Award criteria

Price.

TENDERING

18. How to obtain the tender dossier

The tender dossier is available from the following Internet address: <https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?do=publi.welcome> and <http://www.eulex-kosovo.eu>

The tender dossier is also available from the Contracting Authority. Tenders must be submitted using the standard Tender Form for a Supply Contract included in the tender dossier, whose format and instructions must be strictly observed.

Tenderers with questions regarding this tender should send them in writing to tenders@eulex-kosovo.eu or to EULEX Procurement Section, Ndërtesa Farned, “Muharren Fejza” p.n, Lagja e Spitalit, 10000 Pristina, Kosovo; (mentioning the publication reference shown in item 1) at least 21 days before the deadline for submission of tenders given in item 19. The Contracting Authority must reply to all tenderers' questions at least 11 days before the deadline for submission of tenders. Eventual clarifications to the tender dossier shall be published on the EuropeAid website at <https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?do=publi.welcome> and on the Contracting Authority's website <http://www.eulex-kosovo.eu>

19. Deadline for submission of tenders

On **19 August 2010 at 15:00** hrs, (Kosovo time zone) at EULEX, Procurement Section, Ndërtesa Farned, “Muharren Fejza” p.n, Lagja e Spitalit, 10000 Pristina, Kosovo.

Any tender received after this deadline will not be considered.

20. Tender opening session

On **19 August 2010 at 15:30** hrs, (Kosovo time zone) at EULEX, Procurement Section, Ndërtesa Farned, “Muharren Fejza” p.n, Lagja e Spitalit, 10000 Pristina, Kosovo.

21. Language of the procedure

All written communications for this tender procedure and contract must be in English.

22. Legal basis

Council Joint Action 2008/124/CFSP of 04 February 2008 on the European Union Rule of Law Mission in Kosovo, EULEX Kosovo.