

## SUPPLY PROCUREMENT NOTICE

### “Supply of IT Forensics Equipment”

**Pristina-Kosovo**

#### **1. Publication reference**

PROC/139/09/IT FORENSICS EQUIPMENT (EuropeAid/129111/M/SUP/XK).

#### **2. Procedure**

Open Local

#### **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/2008/16/EULEX Kosovo — De Kermabon

#### **5. Contracting authority**

The Head of EULEX Kosovo.

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## CONTRACT SPECIFICATIONS

#### **6. Description of the contract**

The subject of the contract is the supply, delivery (and for some items, the performance of some ancillary services such as training, see lots 2 and 3) by the Contractor of the following goods (*see Annex II and III of the Tender Dossier for the relevant description and quantities per item*): in 5 (five) lots at EULEX Kosovo, Pristina, DDU1. The delivery period i.e. 45 days (forty five days) shall run from the date of signature of the contract by both parties.

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<sup>1</sup> /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>)

## 7. Number and titles of lots

Lot 1	Mobile Phone Forensic Tool Kit
Lot 2	Access Data and training
Lot 3	Computer Forensic Software Tool and training
Lot 4	IT Forensics Hardware
Lot 5	IT Forensics Software

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## 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). Participation is also open to international organizations. Participation of natural persons is directly governed by the specific instruments applicable to the programme under which the contract is financed

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 (1) 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 **(see below table with the amount per lot)** 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.

Lot 1	Mobile Phone Forensic Tool Kit	€ 500	Lot 1
Lot 2	Access Data and training	€ 200	Lot 2
Lot 3	Computer Forensic Software Tool and training	€ 500	Lot 3
Lot 4	IT Forensics Hardware	€ 1,200	Lot 4
Lot 5	IT Forensics Software	€ 200	Lot 5

## 12. Performance guarantee

The successful tenderer will be asked to provide a performance guarantee of **10 %** 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

Deliveries shall take place within 45 (forty five) days after the signature of the contract by both parties.

# 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.
  - a) The average turnover of the tenderer must exceed by three times the amount of its financial proposal for the lot(s) tendered. (i.e. the aggregated value if several lots are tendered).
- 2) **Professional capacity** of tenderer (based on i.a. items 4 and 5 of the Tender Form for a Supply Contract)
  - a) For lots 1 and 2 and 3 the tenderer shall have a manufacturer's authorization form.
  - b) At least two (2) staff currently work for the tenderer in fields related to this contract.

**3) Technical capacity** of tenderer (based on i.a. items 5 and 6 of the Tender Form for a Supply Contract)

- (a) The tenderer has worked successfully on at least three projects directly related to the supply of IT FORENSICS Equipment, in the past three years.

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 must respect the same rules of eligibility and notably that of nationality, as the economic operator.

## **17. Award criteria**

Price.

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# **TENDERING**

## **18. How to obtain the tender dossier**

The tender dossier is available from the following Internet address: <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](mailto:tenders@eulex-kosovo.eu) or to EULEX Procurement Section, Ndërtesa Farmed, “Muharrem 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 Contracting Authority's website <http://www.eulex-kosovo.eu>

## **19. Deadline for submission of tenders**

**On 27<sup>th</sup> October 2009 at 15:00 hrs** (Kosovo time zone) at EULEX, Procurement Section, Ndërtesa Farmed, “Muharrem Fejza” p.n, Lagja e Spitalit, 10000 Pristina, Kosovo.

Any tender received after this deadline will not be considered.

## **20. Tender opening session**

**On 27<sup>th</sup> October 2009 at 15:30 hrs,** (Kosovo time zone) at EULEX, Procurement Section, Ndërtesa Farmed, “Muharrem 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.

**EoT**