



## EUROPEAN UNION RULE OF LAW MISSION IN KOSOVO EULEX KOSOVO

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### CLARIFICATIONS (1)

#### PUBLICATION REFERENCE:

PROC/202/10/Radio VOiP Terminals and Telecom Spare Parts  
(EuropeAid/130042/M/SUP/XK).

Questions regarding Part B ; Draft Contract, General and Special Conditions of the Contract and Annexes

No	Reference	Clarifications
1	The general conditions and special conditions of the contract are not negotiable.	<p>Any request at the time of tendering (with the offer), i.e. after the deadline for submission of offers, to negotiate or amend the general and special conditions would lead to the rejection of the entire offer in accordance with article 20.1 of the instructions to tenderers.</p> <p>Any request to negotiate the general and special conditions after the award approval i.e. any refusal to sign the contract without amendments, would lead to the application of the provisions of article 21.6 of the instruction to tenders. i.e. <i>If the successful tenderer fails to sign and return the contract and any financial guarantee required within 30 days after receipt of notification, the Contracting Authority may consider the acceptance of the tender to be cancelled without prejudice to the Contracting Authority's right to seize the guarantee, claim compensation or pursue any other remedy in respect of such failure, and the successful tenderer will have no claim whatsoever on the Contracting Authority.</i></p>
2	<p><b>Financial offers must be calculated on a basis of DDU.</b></p> <p>DDU (delivered duty unpaid)&gt; - Incoterms 2000 International Chamber of Commerce - <a href="http://www.iccwbo.org/incoterms/id3040/index.html">http://www.iccwbo.org/incoterms/id3040/index.html</a></p>	<p>The use of other Incoterms than DDU, would lead to the entire offer being rejected as administratively non compliant, in accordance with article 20.1 of the instructions to tenderers.</p>