

**SUPPLY PROCUREMENT NOTICE**  
**Framework Contract for the**  
**“Supply of Spare Parts and Maintenance of Vehicles No 2”.**

**Location – Kosovo**

**1. Publication reference**

PROC/208/10/ Spare Parts and Maintenance of Vehicles no 2, *EuropeAid/130116/SUP/LXK*.

**2. Procedure**

Local 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

**5. Contracting authority**

The Head of EULEX Kosovo.

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**CONTRACT SPECIFICATIONS**

**6. Description of the contract.**

- a. The subject of the framework contract is to settle the terms governing the supply and delivery of spare parts for vehicles, as well as the performance of some ancillary services (installation of spare parts, maintenance, repair of vehicles, etc) by the Contractor (*see the draft contract, special clauses, and Annex II and III of the Tender Dossier for the relevant description of the items and ancillary services and the yearly estimated quantities that may be ordered during the duration of the framework contract*): in three lots at EULEX Kosovo, Pristina, [DDU](#)<sup>1</sup>.
- b. The framework contract shall be concluded for a period of one year (1 year) with effect on the date on which it enters into force, (although the Framework contract may be terminated at short notice. See article 36 of the special conditions of the draft contract).

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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)

- c. The Contracting Authority may take the initiative after the initial period of implementation of one year, to extend the project in duration and/or scope subject to the availability of funding, up to a maximum not exceeding the length and value of the initial contract. Such request for extension of the contract duration shall be approved by the Contractor. Any extension of the contract would be subject to satisfactory performance by the Contractor as well as a possible extension of the mission’s mandate.
- d. Tender prices shall be firm for the first year of implementation of the framework contract but a price revision clause may be applied, in case of extension of the contract duration after the initial period of implementation of one year, see article 15 of the special conditions.
- e. The signature of the framework contract imposes no obligation on the Contracting Authority to order any of the quantities of spare parts or ancillary services estimated in Annex II and III of the “tender dossier”. Deliveries of spare parts or performance of ancillary services shall only take place following the issuance by the contracting authority of “purchase orders”, specifying the list and quantities of items intended to be supplied and/or specifying the scope of services to be performed.
- f. Deliveries of spare parts shall take place within 14 (fourteen) days after the receipt by the contractor of a “purchase order”.
- g. Ancillary services shall be performed in accordance with the terms of the special conditions of the contract, (see also the “sequence of events” attached to the technical specifications”).

**7. Number and titles of lots**

Lot 1	Trucks
Lot 2	Specialised Vehicles
Lot 3	Other Makes

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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 paragraph 22 below). Participation is also open to international organisations. Participation of natural persons is directly governed by the specific instruments applicable to the programme under which the framework 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 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	Trucks	<b>Euros 1,400</b>	Lot 1
Lot 2	Specialised Vehicles	<b>Euros 400</b>	Lot 2
Lot 3	Other Makes	<b>Euros 750</b>	Lot 3

## 12. Performance guarantee

The successful tenderer will be asked to provide a performance guarantee of **5 % (five %)**, of the yearly (maximum) amount of the framework 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

An optional information meeting will be held on **01/06/2010 at 15:00 hrs** at EULEX Procurement Section, Ndërtesa Farmed, “Muharren Fejza” p.n, Lagja e Spitalit, 10000 Pristina, Kosovo. Contact details to confirm attendance: [tenders@eulex-kosovo.eu](mailto:tenders@eulex-kosovo.eu)

## 14. Tender validity

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

## Period of implementation of tasks

The framework contract shall be concluded for a period of one year (1 year) with effect on the date on which it enters into force, but it will be only be implemented by means of “purchase orders” i.e. deliveries or performance of ancillary services, shall only take place following the issuance by the contracting authority of “purchase orders”.

The Framework contract may be terminated at short notice. (See article 36 of the special conditions of the draft contract).

The Contracting Authority may take the initiative after the initial period of implementation of one year, to extend the project in duration and/or scope subject to the availability of funding, up to a maximum not exceeding the length and value of the initial contract. Such request for extension of the contract duration shall be approved by the Contractor. Any extension of the contract would be subject to satisfactory performance by the Contractor as well as a possible extension of the mission’s mandate.

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## SELECTION AND AWARD CRITERIA

### 15. 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 selection criteria to assess the **economic and financial capacity are NOT cumulative** in case several lots are tendered i.e. in case a tenderer submits an offer for different lots, it will be considered to have the Economic and financial capacity for all lots it tenders for, as long as it has the economic and final capacity to tender for the most valuable lot for which it submits an offer.

- **For lot 1: Trucks:** the average annual turnover of the tenderer must exceed by **two times** the amount of its financial offer for the year 2009.
- **For lot 2: Specialised Vehicles:** the average annual turnover of the tenderer must exceed by **three times** the amount of its financial offer for the year 2009.
- **For lot 3: Other Makes :** the average annual turnover of the tenderer must exceed by **two times** the amount of its financial offer for the year 2009.

2) **Professional capacity** of tenderer (based on i.a. items 4 and 5 of the Tender Form for a Supply Contract)

**A. Requirements in terms of experience and qualifications.**

- **For lot 1 : Trucks:** the vehicles must be serviced and maintained by a company with a proven track record in the repair and maintenance of trucks or heavy/special vehicles.
- **For lot 2: Specialized Vehicles :** the vehicles must be serviced and maintained by a company with a proven track record in the repair and maintenance of trucks or heavy/special vehicles.
- **For lot 3 : Other Makes :** the vehicles must be serviced and maintained by a company with a proven track record in the repair and maintenance of vehicles

**B. Contractor's premises.**

1. The contractor's premises, for Pristina region must be located at less than **Thirty 30 minutes** driving distance (calculated during working days/hours) from :

EULEX Transport HQ:  
Str."Lidhja e Pejes" p.n. (Airport Road)  
P.O.Box: 268  
10000, Pristina, Kosovo

**c. Human resources.**

**The below requirements in terms of Human Resources are NOT cumulative** in case several lots are tendered.

- **For lot 1: Trucks two (2)** Qualified Vehicle Technicians work for the tenderer.
- **For lot 2: Specialised Vehicles two (2)** Qualified Vehicle Technicians work for the tenderer.
- **For lot 3: Other Makes: two (2)** Qualified Vehicle Technicians work for the tenderer.

**D. minimum equipment for lot 3 “Other Makes”:**

**ONLY For lot 3: “Other makes”:** minimum Requirement in terms of material and installation concerning the tenderer's workshop in **Pristina region ONLY.**

- Hydraulic Ramps X 2
- Workshop floor space: 200 square metres

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

Tenderers shall provide three (3) references e.g. copies of contracts related to similar services rendered (during the last 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, 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.

## 16. Award criteria

Price.

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# TENDERING

## 17. 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, “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 or minor changes to the tender dossier shall be published at the latest 11 days before the submission deadline on the Contracting Authority's website at <http://www.eulex-kosovo.eu>

## 18. Deadline for submission of tenders

On **24/06/2010 at 15:00 hrs**, (Kosovo time zone) at EULEX, Procurement Section, Ndërtesa Farmed, “Muharren Fejza” p.n, Lagja e Spitalit, 10000 Pristina, Kosovo.

Any tender received after this deadline will not be considered.

## **19. Tender opening session**

On **24/06/2010 at 15:30 hrs**, (Kosovo time zone) at EULEX, Procurement Section, Ndërtesa Farmed, “Muharren Fejza” p.n, Lagja e Spitalit, 10000 Pristina, Kosovo.

## **20. Language of the procedure**

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

## **21. Legal basis**

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

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