



# KOSOVO SPECIALIST CHAMBERS & SPECIALIST PROSECUTOR'S OFFICE

## **SUPPLY CONTRACT NOTICE**

### **Supply and delivery of three passenger minivans to the Kosovo Specialist Chambers**

**The Hague, The Netherlands**

**1. Reference**

KSCR/PROC/2023-2025/1136

**2. Procedure**

Local open tender procedure

**3. Programme title**

Not applicable

**4. Financing**

EU Grant Contract CFSP/2023/12 Kosovo Specialist Chambers

**5. Contracting authority**

Kosovo Specialist Chambers

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## **CONTRACT SPECIFICATION**

**6. Nature of contract**

Unit-price

**7. Contract description**

Supply and delivery of three passenger minivans to the Kosovo Specialist Chambers in The Hague,  
The Netherlands

## **8. Number and titles of lots**

One lot only.

## **9. Not applicable**

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# **CONDITIONS OF PARTICIPATION**

## **10. Legal basis, eligibility and rules of origin**

The legal basis of this procedure is:

- Council Decision (CFSP)2023/1095;
- EU Grant Contract CFSP/2023/12 Kosovo Specialist Chambers;
- Article 4 Kosovo Law No.05/L-053;
- Article 6 Agreement between the Kingdom of The Netherlands and the Republic of Kosovo concerning the Hosting of the Kosovo Relocated Specialist Judicial Institution in The Netherlands (Art. 4 of the related Interim Agreement).

Participation is open to all natural and legal persons (participating either individually or in a grouping – consortium – of tenderers) without limitation.

No rule (of limitation) of origin shall apply for any goods purchased.

## **11. Number of tenders**

No more than one tender (per lot) can be submitted by a natural or legal person whatever the form of participation (as an individual legal entity or as leader or member of a consortium submitting a tender). In the event that a natural or legal person submits more than one tender, all tenders in which that person has participated will be excluded.

## **12. Grounds for exclusion**

As part of the tender, tenderers must submit a signed declaration, included in the tender form, to the effect that they are not in any of the exclusion situations listed in Section 2.6.10.1. of the practical guide.

Tenderer included in the lists of EU restrictive measures (see Section 2.4. of the PRAG) at the moment of the award decision cannot be awarded the contract.

## **13. Sub-contracting**

Subcontracting is allowed.

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# **PROVISIONAL TIMETABLE**

## **14. Provisional commencement date of the contract**

Upon signature by both parties

## 15. Implementation period of the tasks

Delivery to the Kosovo Specialist Chambers in The Hague no later than **14 June 2025**.

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## SELECTION AND AWARD CRITERIA

### 16. Selection criteria

Capacity-providing entities

An economic operator (i.e. candidate or tenderer) may, where appropriate and for a particular contract, rely on the capacities of other entities, regardless of the legal nature of the links it has with them. If the economic operator relies on other entities, it must in that case prove to the contracting authority that it will have at its disposal the resources necessary for the performance of the contract by producing a commitment by 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 relying on them and must comply with the selection criteria for which the economic operator relies on them. **Furthermore, the data for this third entity for the relevant selection criterion should be included in a separate document.** Proof of the capacity will also have to be provided when requested by the contracting authority.

With regard to technical and professional criteria, an economic operator may only rely on the capacities of other entities where the latter will perform the tasks for which these capacities are required.

With regard to economic and financial criteria, the entities upon whose capacity the economic operator relies, become jointly and severally liable for the performance of the contract.

The following selection criteria will be applied to the tenderers. In the case of tenders submitted by a consortium, these selection criteria will be applied to the consortium as a whole if not specified otherwise. The selection criteria will not be applied to natural persons and single-member companies when they are sub-contractors.

**1) Economic and financial capacity of the tenderer** (based on item 3 of the tender form). In case of tenderer being a public body, equivalent information should be provided. The reference period which will be taken into account will be the last three financial years for which accounts have been closed.

The selection criteria for each tenderer are as follows:

- the average annual turnover of the candidate or tenderer for the fiscal years 2020, 2021 and 2022 must be equal or greater than 150.000,00 EUR.

**2) Professional capacity of the tenderer** (based on items 4 of the tender form).

The selection criteria for each tenderer are as follows:

- at least 4 staff currently work for the tenderer in fields related to this contract (supply and/or maintenance of vehicles);
- tenderer is a manufacturer-authorized reseller of the vehicle brand(s) offered.

**3) Technical capacity of tenderer** (based on items 5 and 6 of the tender form). The reference period which will be taken into account will be the last three years preceding the submission deadline.

The selection criteria for each tenderer are as follows:

- The tenderer has supplied vehicles designated for transport of persons under at least 2 contracts with a budget of at least 45.000,00 EUR each.

This means that the contracts the tenderer refers to could have been started at any time during the indicated period but it does not necessarily have to be completed during that period, nor implemented during the entire period. Tenderers are allowed to refer either to supply contracts completed within the reference period (although started earlier) or to supply contracts not yet completed. Only the portion satisfactorily completed during the reference period will be taken into consideration. This portion will have to be supported by documentary evidence (statement or certificate from the entity which awarded the contract, proof of payment) also detailing its value. If a tenderer has implemented the supply contract in a consortium, the percentage that the tenderer has successfully completed must be clear from the documentary evidence, together with a description of the nature of the supplies provided if the selection criteria relating to the pertinence of the experience have been used.

Previous experience which would have led to breach of contract and termination by a contracting authority shall not be used as reference. This is also applicable concerning the previous experience of experts required under a fee-based service contract.

## **17. Award criteria**

Price

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# **TENDERING**

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

The deadline for submission of tenders is **23 April 2024, 17:00h.**

## **19. Tender format and details to be provided**

Tenders must be submitted using the standard tender form.

The tender must be accompanied by a declaration on honour on exclusion and selection criteria included in the tender dossier.

Any additional documentation (brochure, letter, etc.) sent with a tender will not be taken into consideration.

## **20. How tenders may be submitted**

Tenders must be submitted in English exclusively to the contracting authority, using the means specified in point 10 of the instructions to tenderers.

Tenders submitted by any other means will not be considered.

By submitting a tender, tenderers accept to receive notification of the outcome of the procedure by

electronic means.

### **21. Alteration or withdrawal of tenders**

Tenderers may alter or withdraw their tenders by written notification prior to the deadline for submission of tenders. No tender may be altered after this deadline.

Any such notification of alteration or withdrawal shall be prepared and submitted in accordance with point 15 of the instructions to tenderers.

### **22. Operational language**

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

### **23. Additional information**

Financial data to be provided by the candidate in the standard application form must be expressed in EUR.