



EUROPEAN UNION RULE OF LAW MISSION IN KOSOVO EULEX KOSOVO

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CLARIFICATIONS (1)

PUBLICATION REFERENCE:

PROC/619/16/Safety Equipment and Climbing Protective Gear (EuropeAid/137939/ID/SUP/XK)

No	Question	Answer
1	<p>Selection criteria 16.2: tenderer must present a valid manufacturer/distributor authorization for LOT 1. Could you please confirm that such authorization is not required in case of bidders that are also manufacturers of offered goods?</p>	<p>A supporting document/ statement confirming that the Tenderer is the Manufacturer of the items contained in Lot 1 would be acceptable.</p>
2	<p>ITB Section 11, Part 3: documentation. Tenderers are required to provide <i>"documentary proof or statements required under the law of the country in which the company is established, to show that it is not in any of the exclusion situations listed in section 2.3.3 of the Practical Guide to contract procedures for EU external action. In addition, a statement must be furnished stating that the situations described in these documents have not changed since then."</i></p> <p>By the other side in Section 21.1 it is also stated that <i>"Before the Contracting Authority signs the contract with the successful tenderer, the successful tenderer must provide the documentary proof or statements required under the law of the country in which the company (or each of the companies in case of a consortium) is established, to show that it is not in any of the exclusion situations listed in section 2.3.3 of the Practical Guide to contract procedures for EU external actions."</i></p> <p>Tenderers indeed are required to include in their offer a declaration on honour on exclusion criteria and selection criteria.</p>	<p>As specified in Section 11. Contents of Tenders of the Instruction to tenderers Part 3: Documentation.</p> <p>Tenderers are required to provide Documentary proof or statements required under the law of the country in which the company (or each of the companies for consortia) is established, to show that it is not in any of the exclusion situations listed in section 2.3.3 of the Practical Guide to contract procedures for EU external action. This evidence, documents or statements must be dated, no more than 1 year before the date of submission of the tender. In addition, a statement must be furnished stating that the situations described in these documents have not changed since then."</p> <p>Should the Tenderer be unable to provide the above-mentioned documentation with their offer, the Tenderers Declaration will suffice in the first instance. However, please note that it is mandatory that before the Contracting Authority signs the contract with the successful tenderer, the successful tenderer must provide the documentary proof or statements required under the law of the country in which the company (or each of the companies in case of a consortium) is established, to show that it is not in any of the exclusion situations listed in section 2.3.3 of the</p>

	Could you please confirm that documentary proof that exclusion criteria are satisfied shall be provided only by awarded tenderer and not by all bidders at this stage?	Practical Guide to contract procedures for EU external actions."
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