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**RS-Pristina: framework contract for the supply of spare parts and maintenance of vehicles  
2012/S 50-080685**

**Kosovo**

**Supply procurement notice**

1. **Publication reference:**  
EuropeAid/132448/D/SUP/XK/supply of spare parts and maintenance of vehicles (PROC/339/12).
2. **Procedure:**  
International open.
3. **Programme:**  
Council Joint Action 2008/124/CFSP of 4.2.2008, on the European Union Rule of Law Mission in Kosovo (hereafter 'EULEX Kosovo') as amended by JA 2009/445/CFSP and by Council Decision 2010/322/CFSP.
4. **Financing:**  
Contract No CFSP/2011/30/EULEX Kosovo — Bout de Marnhac.  
This tender procedure is launched under suspensive clause, i.e. provision of the services concerned is subject to availability of the budget funds (see paragraph 2.4.12 of the 'Practical Guide to contract procedures for EU external actions').
5. **Contracting authority:**  
The Head of EULEX Kosovo, Pristina, KOSOVO.

**Contract specifications**

6. **Description of the contract:**
  - a. The subject of the framework contract is 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 Annexes II and III of the tender dossier for the relevant description of the items and ancillary services and estimated quantities for 2 years that may be ordered during the duration of the framework contract): in 6 lots at EULEX Kosovo, Pristina, DAP (delivery at place — Incoterms 2010 International Chamber of Commerce — <http://www.iccwbo.org/incoterms/id3040/index.html>).
  - b. The framework contract shall be concluded for a period of 2 years 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).
  - c. The contracting authority may take the initiative after the initial period of implementation of 2 years, 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 a 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 2 years of implementation of the framework contract but a price revision clause may be applied in the case of extension of the contract duration, 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 Annexes 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 15 calendar 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 and description of ancillary services' in Annex II — technical specifications).

7. **Number and titles of lots:**

Lot 1: Toyota.

Lot 2: Volkswagen group.

Lot 3: Nissan.

Lot 4: Mercedes.

Lot 5: heavy, special vehicles & other makes.

Lot 6: spare parts for armoured vehicles (no maintenance).

**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) or 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 authorised by Council Joint Action 2008/124/CFSP of 4.2.2008 on EULEX Kosovo as amended by JA 2009/445/CFSP and by Council Decision 2010/322/CFSP. The participation is also open to international organisations. The participation of natural persons is directly governed by the specific instruments applicable to the programme under which the contract is financed.

No rule of origin is applied.

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 contract procedures for EU external actions'.

10. **Number of tenders:**

Tenderers may submit only 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 1 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 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 — Toyota — 5 000 EUR.

Lot 2 — Volkswagen group — 3 000 EUR.

Lot 3 — Nissan — 13 000 EUR.

Lot 4 — Mercedes — 300 EUR.

Lot 5 — heavy, special vehicles & other makes — 3 500 EUR.

Lot 6 — spare parts for armoured vehicles — 6 500 EUR.

12. **Performance guarantee:**

The successful tenderer will be asked to provide a performance guarantee of 5 % 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. **Clarification meeting:**

An optional clarification meeting will be held on 12.4.2012 (10:00) at EULEX Kosovo — Procurement Section, Main Warehouse Compound, Industrial Zone Veternik (opposite Gorenje Hotel, next to fuel station), 10000 Pristina, KOSOVO to answer any questions on the tender dossier which have been forwarded in writing or are raised at the meeting.

14. **Tender validity:**

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

15. **Period of implementation of tasks:**

The framework contract shall be concluded for a period of 2 years 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 2 years, 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.

**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 the case of the tenderer being a public body, equivalent information should be provided:

— the average annual turnover of the tenderer for the last 3 years (i.e. 2011, 2010 and 2009) must be at least equal to the amount of its financial proposal(s) for the lot(s) tendered for (i.e. aggregated value in case several lots are tendered for).

2) Professional capacity of tenderer (based on i.a. items 4 and 5 of the tender form for a supply contract):

— The tenderer must have at least the following employees permanently employed with the tenderer:

lot 1 (13 employees); lot 2 (10 employees); lot 3 (15 employees); lot 4 (10 employees); lot 5 (10 employees); lot 6 (5 employees).

— The tenderer must have at least the following qualified employees currently working for the tenderer in fields related to this contract:

Lot 1 (5 employees):

1 senior mechanic/technician with minimum 5 years' experience in the field

3 general mechanics/technicians with minimum 3 years' experience in the field

1 after-sales service manager with 5 years' experience in the field.

Lot 2 (4 employees):

1 senior mechanic/technician with minimum 5 years' experience in the field

2 general mechanics/technicians with minimum 3 years' experience in the field

1 after-sales service manager with 5 years' experience in the field.

Lot 3 (6 employees):

1 senior mechanic/technician with minimum 5 years' experience in the field

4 general mechanics/technicians with minimum 3 years' experience in the field

1 after-sales service manager with 5 years' experience in the field.

Lot 4 (4 employees):

1 senior mechanic/technician with minimum 5 years' experience in the field

2 general mechanics/technicians with minimum 3 years' experience in the field

1 after-sales service manager with 5 years' experience in the field.

Lot 5 (5 employees):

1 senior mechanic/technician with minimum 5 years' experience in the field

3 general mechanics/technicians with minimum 3 years' experience in the field

1 after-sales service manager with 5 years' experience in the field.

Lot 6 (1 employee):

1 after-sales service manager with 5 years' experience in the field.

Tenderers must provide the CVs of each of the above qualified employees including:

— a copy of the diplomas mentioned in their CVs,

— a copy of the employers' certificates or references proving the professional experience indicated in their CVs.

3) Technical capacity of tenderer (based on i.a. items 5 and 6 of the tender form for a supply contract):

— the tenderer has worked successfully on at least 3 projects in the field of repair, maintenance and supply of spare parts in the past 3 years (i.e. 2011, 2010, 2009), with a budget of at least equivalent to that of its financial offer(s) for the lot (s) tendered for (i.e. aggregated value in case several lots are tendered for).

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. Some examples of when it may not be considered appropriate by the contracting authority are when the tenderers rely in majority on the capacities of other entities or when they rely on key criteria. If the tenderer relies on other entities it must 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. Furthermore, the data for this third entity for the relevant selection criterion should be included in the tender in a separate document. Proof of the capacity will also have to be furnished when requested by the contracting authority.

17. **Award criteria:**

Price.

**Tendering**

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

The tender dossier is available from the following Internet address:

<https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?do=publi.welcome>

The tender dossier is also available from the contracting authority at: <http://www.eulex-kosovo.eu/en/tenders/>

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:

EULEX Kosovo — Procurement Section, Main Warehouse Compound, Industrial Zone Veternik (opposite Gorenje Hotel, next to fuel station), 10000 Pristina, KOSOVO. E-mail: [tenders@eulex-kosovo.eu](mailto:tenders@eulex-kosovo.eu) (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 EuropeAid website at <https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?do=publi.welcome> and EULEX website at: <http://www.eulex-kosovo.eu/en/tenders/>

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

15.5.2012 (15:00), Kosovo time zone at EULEX, Procurement Section, Main Warehouse Compound, Industrial Zone Veternik (opposite Gorenje Hotel, next to fuel station), 10000 Pristina, KOSOVO.

Any tender received after this deadline will not be considered.

20. **Tender opening session:**

15.5.2012 (15:30), Kosovo time zone at EULEX, Procurement Section, Main Warehouse Compound, Industrial Zone Veternik (opposite Gorenje Hotel, next to fuel station), 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 4.2.2008, on EULEX Kosovo as amended by JA 2009/445/CFSP and by Council Decision 2010/322/CFSP.