**ADDITIONAL INFORMATION ABOUT THE CONTRACT NOTICE**

**Purchase of Next Generation Firewall, Core and Distribution Switches**

Pristina, Kosovo

1. **Nature of contract**

**Unit price**

1. **Programme title**

Council decision (CFSP) 2025/1161 of 05 June 2025 amending Joint Action 2008/124/CFSP on the European Union Rule of Law Mission in Kosovo (EULEX Kosovo).

1. **Financing**

CFSP/2025/04/EULEX Kosovo

1. **Legal basis, eligibility and rules of origin**

Council Joint Action 2008/124/CFSP of 04 February 2008, on the European Union Rule of Law Mission in Kosovo, (hereafter “EULEX Kosovo”) as amended by Joint Action 2009/445/CFSP of 9 June 2009 and by Council Decision 2010/322/CFSP of 8 June 2010, Council Decision 2012/291/CFSP of 5 June 2012, Council Decision 2013/241/CFSP of 27 May 2013, Council Decision 2014/349/CFSP of 12 June 2014, Council Decision 2014/685/CFSP of 29 September 2014 and Council Decision (CFSP)2015/901 of 11 June 2015, Council Decision (CFSP)2016/947 of 14 June 2016, Council Decision (CFSP) 2016/1990 of 14 November 2016 Council Decision (CFSP) 2017/973 of 8 June 2017, Council Decision (CFSP) 2018/856 of 8 June 2018, Council Decision (CFSP) 2020/792 of 11 June 2020, Council Decision (CFSP) 2021/904 of 03 June 2021, Council Decision (CFSP) 2023/1095 of 05 June 2023 and Council Decision (CFSP) 2025/1161 of 05 June 2025.

Participation is open to all natural persons and/or legal persons participating either individually or in a grouping (consortium), as authorized by Council Decision (CFSP) 2025/1161 of 05/06/2025 amending Joint Action 2008/124/CFSP on the European Union Rule of Law Mission in Kosovo (EULEX KOSOVO). The participation of natural and legal persons in the award of procurement contracts financed out of the Mission's budget is open without limitations. Participation is also open to international organisations.

No rule of origin is applied.

1. **Candidature**

**All eligible natural and legal persons (as per item 4 above) or groupings of such persons (consortia) may participate or tender.**

**A consortium may be a permanent, legally established grouping or a grouping which has been constituted informally for a specific procurement procedure. All members of a consortium (i.e., the leader and all other members) are jointly and severally liable to the contracting authority.**

**The participation or tender of an ineligible natural or legal person will result in the automatic exclusion of that person. In particular, if that ineligible person belongs to a consortium, the whole consortium will be excluded.**

1. **Number of requests to participate or tenders**

**No more than one request to participate or tender 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 request to participate or tender). In the event that a natural or legal person submits more than one request to participate or tender, all requests to participate or tenders in which that person has participated will be excluded.**

In case of lots, the candidates or tenderers may submit only one request to participate or tender per lot. Contracts will be awarded lot by lot and each lot will form a separate contract. If the tenderer is awarded more than one lot, a single contract may be concluded covering all those lots.

1. **Sub-contracting**

Sub-contracting is allowed.

1. **Period of implementation of tasks**

The implementation shall run from the date of signature of the contract by both parties. The time limits for the delivery of items shall be:

**Lot 1:** The delivery period is **60 calendar days** and shall run from the date of signature of the contract by both parties.

**Lot 2:** The delivery period is **90 calendar days** and shall run from the date of signature of the contract by both parties.

**Lot 3:** The delivery period is **90 calendar days** and shall run from the date of signature of the contract by both parties.

In case that the mission’s mandate ends earlier this contract is terminated automatically. In addition to the grounds for termination defined in the General Conditions, the Contracting Authority may terminate the contract, in whole or in part, at any time after giving **thirty (30) days notice** to the Contractor, in case EULEX’s mandate was not to be prolonged and/or in case of budgetary issues affecting the financing of the project.

In case of termination of the contract on such grounds, the Contractor shall not be entitled to claim any indemnity for loss suffered.

The Contractor shall only be entitled to claim for sums owing to it for services already provided and/or for services to be provided until the actual date of termination of the contract.

1. **Language of the procedure**

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

1. **Additional information**

Financial data to be provided by the candidate in the request to participate form or the tenderer in the tender submission form must be expressed in EUR. If applicable, where a candidate or tenderer refers to amounts originally expressed in a different currency, the conversion to EUR shall be made in accordance with the InforEuro exchange rate of **October 2025** of the applicable InforEuro exchange rate, which can either correspond to the month and year of the publication of the present contract notice or the month and year corresponding to the deadline for submitting requests to participate, which can be found at the following address: <http://ec.europa.eu/budget/graphs/inforeuro.html>.

**SELECTION CRITERIA**

1. **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 which 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 fulfil the selection criteria for which the economic operator relies on them. **Furthermore, the data for this third entity for the relevant selection criterion should not be included in the request to participate form but 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.

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#### Lot no: 1, 2 and 3

The selection criteria for tenderers to Lot n° 1, 2 and 3 are as follows:

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

**For LOT ONE (1)**

The average turnover of the tenderer for the last three (3) years must **exceed 130,000 EURO.**

**For LOT TWO (2)**

The average turnover of the tenderer for the last three (3) years must **exceed 115,000 EURO.**

**For LOT THREE (3)**

The average turnover of the tenderer for the last three (3) years must **exceed 25,000 EURO.**

***Note: In case the tenderer submits an offer for more than one lot the Economic and financial capacity criteria will be cumulative.***

1. **Professional capacity** (based on items 4 and 5 of the request to participate form for service contracts and on items 4 and 5 of the tender submission form for supply contracts). The reference period which will be taken into account will be **the last 3 years preceding the submission deadline**.

**For LOT ONE (1)**

a) the Tenderer has a Manufacturer Authorization Form to sell the offered products;

b) the tenderer has a minimum of (2) two staff employed on permanent basis out of which at least one staff is working in the fields related to this contract who is experienced in Next Generation Firewalls technologies and will be able to implement the offered by the tenderer solution according to the Technical Specification.

**For LOT TWO (2) and THREE (3)**

a) the Tenderer has a Manufacturer Authorization Form to sell the offered products;

b) the tenderer has a minimum of (2) two staff employed on permanent basis out of which at least one staff is working in the fields related to this contract.

***Note: In case the tenderer submits an offer for more than one lot the professional capacity criteria will NOT be cumulative.***

1. **Technical capacity** (based on item 6 of the request to participate form for service contracts and on item 6 of the tender submission form for supply contracts).

**For LOT ONE, TWO, THREE (1, 2, 3)**

a) The tenderer has delivered supplies under at least one (1) contract with a budget of at **least of 15,000.00** in the fields related to this contract which was implemented at any moment in the past three (3) years from the submission deadline.

***Note: In case the tenderer submits an offer for more than one lot the technical capacity criteria will be cumulative and must be fulfilled as requested above.***

This means that the contract the candidate or tenderer refers to could have been implemented 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. Candidates or tenderers are allowed to refer either to projects completed within the reference period (although started earlier) or to projects partially implemented during, but not yet completed within the reference period. Only the part completed during the reference period will be taken into consideration. This part will have to be supported by documentary evidence (approval of report or deliverable, proof of payment, statement or certificate from the entity which awarded the contract) also detailing its value. If a candidate or tenderer has implemented the project in a consortium, the part that the candidate or tenderer has successfully completed must be clear from the documentary evidence (such as consortium agreement and bank transfers between consortium members), together with a description of the nature of the services provided/supplies delivered.

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