**Additional information about the Contract Notice**

**Supply of Medicaments and Medical Products**

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 framework contract shall be concluded for a period of **24 months** with effect on the date on which it enters into force, although the Framework contract may be terminated at short notice.

The framework contract will enter into force on the date of its signature by both parties, but it will only be implemented by means of “order forms” i.e. deliveries shall only take place following the issuance by the Contracting Authority of “order forms”. Deliveries shall take place for **Lot 1: within 60 (sixty) calendar days and Lot 2: within 90 calendar days after the signature of an “order form” by both parties.** The contractor shall provide the countersigned order form within 5 calendar days from its receipt from the Contracting Authority.

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 **February 2026** 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.

The following selection criteria will be applied to candidates or tenderers. **In the case of requests to participate or tender submission forms submitted by a consortium, these selection criteria will be applied to the consortium as a whole, unless specified otherwise.** The selection criteria will not be applied to natural persons and single-member companies when they are sub-contractors.

The candidate or tenderer shall not use previous experience which caused breach of contract and termination by a contracting authority as a reference for selection criteria.

#### Lot n°: 1 and 2

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

1. **Economic and financial capacity** (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 reference period which will be taken into account will **be the last three financial years for which accounts have been closed.**

**For LOT ONE (1)**

The tenderer’s average annual turnover of the last 3 financial years for which the accounts have been closed must be not less than **33,120.00 EUR**

**For LOT TWO (2)**

The tenderer’s average annual turnover of the last 3 financial years for which the accounts have been closed must be not less than **41,400.00 EUR**

**Note: The criteria will be cumulative in case a tenderer decides to submit an offer for both lots.**

**2) Professional capacity of tenderer** (based on i.a. items 4 and 5 of the tender form for a supply contract). The reference period which will be taken into account will **be the last three years preceding the submission deadline.**

**For LOT ONE (1)**

a) the tenderer has, during the current year and the previous two years, on average, at least: (2) two personnel directly employed or otherwise legally contracted on a permanent or non-permanent basis in areas of specialist knowledge related to this contract.

b) the tenderer is not subject to professional conflicting interests which may negatively affect contract performance. The presence of professional conflicting interests shall be examined on the basis of the statements made through the Declarations on Honour and, where applicable, the statements and other documents submitted.

c) the Tenderer has a valid license for sale of pharmaceutical products (including operations with narcotics) issued by Kosovo Medicines Agency.

**For LOT TWO (2)**

a) the tenderer has, during the current year and the previous two years, on average, at least: (2) two personnel directly employed or otherwise legally contracted on a permanent or non-permanent basis in areas of specialist knowledge related to this contract.

b) the tenderer is not subject to professional conflicting interests which may negatively affect contract performance. The presence of professional conflicting interests shall be examined on the basis of the statements made through the Declarations on Honour and, where applicable, the statements and other documents submitted.

c) has a valid license as a wholesaler for medical products and devices issued by Kosovo Medicines Agency.

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

**For LOT ONE (1)**

- The tenderer has completed supplies under at least **1 contract** implemented at any moment during the last **four years** before submission deadline.

- For each contract,the value of the supplies completed must not be less than **26,496.00 EUR**.

- The completed supplies are in the domain of the delivery of Medicaments.

**For LOT TWO (2)**

- The tenderer has completed supplies under at least **1 contract** implemented at any moment during the last **four years** before submission deadline.

- For each contract,the value of the supplies completed must not be less than **33,120.00. EUR**.

- The completed supplies are in the domain of the delivery of Medical Products.

**Note: The criteria will be cumulative in case a tenderer decides to submit an offer for both lots meaning that the tenderer will have to present 2 contracts with a budget of at least of 26,496.00 Euros, respectively 33,120.00 Euros each, in the fields related to this contract which was implemented at any moment in the past four (4) years** **from the submission deadline.**

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.