|  |  |
| --- | --- |
| **INVITATION TO QUOTE**  **for**  *[insert title of the procurement activity]*  **under the Public Framework Contract ref. no.**[[1]](#footnote-1)  *[insert sequence number of the mini-tender]*  *According to Article 38.5.2 of Law no. 04/L-042, Law on Public Procurement in Republic of Kosovo ,*  *amended and supplemented with the law No. 04/L-237, law No. 05/L-068 and law No.05/L-092*  Date of preparation of the Invitation to Quote :   |  | | --- | |  |     **THIS INVITATION IS COMPOSED OF TWO PARTS:**  **Part A:**  **Information** **to tenderers**  **Part B: Tender Form**    **This document has been prepared in Albanian, Serbian**  **language.**  **In the event there is a discrepancy among the language versions, the** *[insert language]* **language version shall prevail over others.** |

**SUBJECT: INVITATION TO QUOTE for** *[insert title of the procurement activity]* – No. *[insert sequence number of the mini-tender]*

**To:**

**Dear Mr. /Ms.:**

In response to the Public Framework Agreement, *[insert title of the procurement activity]* with procurement number *,* in which your Company became one party of the agreement, you are hereby invited to submit your

quote for the requirements detailed in Price Description, Part B of this Invitation to Quote “ITQ”*.* Please find enclosed the documents, which constitute the ITQ.

You are expected to examine carefully all parts and sections of this ITQ and its annexes and to comply with all requirements, specifications and conditions contained therein.

Your quote must be in accordance with this “ITQ”.

We, as Contracting Authority, will not accept any reservation.

No costs incurred by you in preparing and submitting the quote will be reimbursed and no liability shall be incurred by the contracting authority in case the procedure is cancelled.

We look forward to receiving your quote at the address specified in the “Information to tenderers”, Part A, of this ITQ, before.

By submitting a quote, the tenderer accepts in full and without reservation the contract conditions determined in Part B, Section I-V of the Tender Dossier, as the sole basis.

We look forward to receiving your quote,

Please confirm in writing the receipt of this Invitation.

Yours sincerely,

First and last name:

Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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# *PART A: INFORMATION FOR TENDERERS*

# CONTRACTING AUTHORITY (CA) IDENTIFICATION

**I.1)**

|  |  |
| --- | --- |
| **Name of CA**: | |
| **Address of CA**: | |
| Town: | Postal Code: |
| **Electronic address:** *(if applicable)* : | |
| **Contact person**: | **E-mail:** |
| **Telephone:** | **Fax:** |

# OBJECT OF THE CONTRACT

**II.1) CONTRACT TITLE**

|  |
| --- |
|  |

**II.2)** The object of the contract is:

Classification of Common Procurement Vocabulary (CPV):

II.3) TECHNICAL SPECIFICATIONS

The must fully comply with the technical specifications set out in this ITQ (refer to Annex 1) and conform in all respects with the drawings, quantities, models, samples, measurements and other instructions.

Any specification not complying with the requirements will disqualify the tender.

**II.4) Variants**

Variantsauthorised.

[Tenderers are authorised to submit a quote proposing a variant that complies with a variant of the technical specifications. Tenderers shall submit technical specifications of the offered variant.

The minimum specifications to be respected by a variant are indicated in the technical specifications set out in this ITQ, refer to Annex 1.]

**II.5) Type of Contract**

Unit price.Payment will only be made on the basis of the amount of the Place Order issued by the Contracting Authority.

**II.6) Estimated contract value:**

**The estimated contract value is *[****insert estimated contract value****]***

# DELIVERY REQUIREMENT AND CONDITIONS

* 1. Place for

|  |
| --- |
| *[insert the place where [supplies] [repair works] [services] are to be [delivered] [executed] [performed]* |

**III.2) Delivery condition**

|  |
| --- |
| DDP (delivery duty paid) [*insert any related information if appropriate]* |

III.3) Time limits for start and/or completion of the contract

|  |
| --- |
| shall ONLY take place following the issuance of “Place Order”.  The time limit for completion, after the acceptance of the Place Order, shall be |

**III.4) CONTRACT CONDITIONS**

Contract conditions specified in Part B, Section I-V, of the Tender Dossier.

# tender requirements

IV.1) TENDER SECURITY Requirements

*[If determined in the first phase, while concluding the public framework agreement, insert]*

[The tenderer has to post a tender security. The amount of the Tender Security shall be *[insert the amount in words and figures*] for a validity period of *[insert duration in days or months].* Form of the tender security is specified in Annex 4 of this ITQ.]

*[If it has not been determined during the first stage, during the conclusion of a framework agreement, insert]*

*[No tender security is required.]*

IV.2) PERFORMANCE SECURITY Requirements

*[If determined in the first phase, while concluding the public framework agreement, insert]*

[The tenderer has to post, before contract signature, a performance security. The amount of the Performance Security shall be *[insert the amount in words and figures*] for a validity period of *[insert duration in days or months].* Form of the Performance security as specified in Part B, Section IV, of the Tender Dossier]

*[If it has not been determined during the first stage, during the conclusion of a framework agreement, insert]*

*[No performance security is required.]*

IV.3) TIME LIMIT FOR REQUEST OF ADDITIONAL OR CLARIFYING INFORMATION

The tenderers are allowed to make a written request to the contracting authority for additional or clarifying information which they believe is needed to prepare or submit a responsive tender. Such request must be received by the contracting authority at the latest on:

Such a request may be made by use of the request form (refer to Annex 2) and submitted to the contracting authority by electronic means, letter or fax.

IV.4) TIME LIMIT AND PLACE FOR SUBMISSION OF TENDERS

Tenders shall be received by the contracting authority at the latest:

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Date:** | *[insert date]* | **Time:** | *[insert time]* | **Place:** | *[insert place]* |

Each tender that is submitted after the tender deadline shall be immediately sent unopened to the tenderer.

IV.5) Currency - Price Calculation

**All prices specified in tenders shall be stated in Euro (€)** and shall include all applicable taxes, duties and other charges.

*[Insert either]*

[The unit prices for the offered requirements are fixed and not subject to revision.]

*[If prices are adjustable insert]*

[The unit prices shall be subject to the following adjustments *[insert index or other source of regulating prices].*]

IV.6)  Tender Form and Number of Exemplars of Tenders and List of required documents

The tender shall comprise the following, duly filled in and signed, documents:

1. The Tender Submission Form to be found in Part B of this ITQ;
2. **Statement on technical specifications** of the offered object of contract to correspond to those mentioned in Annex 1 of the ITQ;
3. **Tender security,** *if applicable;*
4. In order to prove that the economic operator continues to **meet the eligibility requirements** specified in the Tender Dossier, Section 6.4 of TDS, the EO must submit a written declaration under oath, signed by the bidder using the form in Annex 2. Evidence regarding eligibility requirements shall be requested by the tenderer whom the contracting authority intends to award the contract. These documents must be submitted by the bidder before awarding the contract. Failure to submit such documentation, tender will be rejected; and
5. [specify any other document required].

Tenders must comply with the following conditions:

1. All tenders must be submitted in one original, placed in one separate envelope marked *“Original”,* and *[insert number]* copies signed in the same way as the original and placed each one in separate envelopes marked *“Copy”.* The tenderer shall quote the Procurement Number and name and address of the tenderer on the front page of each envelope. The envelopes shall then be sealed in an outer envelope bearing only:
2. the address of the place for submission of tenders
3. the Procurement Number
4. the words “Do not open before *[state tender opening date and time]”*
5. the name and address of the tenderer.

IV.7) Tender Validity Period

Tenders shall be valid for: *insert number* calendar days.

Validity period of the tender shall begin on the date of the deadline for submission of tenders.

# Tender Opening MEETING

**V.1** Every tenderer has the right to have a representative present to observe the opening of tenders, which takes place:

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Date:** | *[insert date]* | **Time:** | *[insert time]* | **Place:** | *[insert place]* |

During the tender opening, the contracting authority will read out loud: (i) the name and address of the tenderer and (ii) the total tender price specified in the Tender submission form, and whenever possible, unit prices. When for not instantaneous reasons unit prices cannot be read, such prices in any case shall be visible to all representatives of tenderers in the public opening, e.g. posting them or using any other appropriate method that guarantees transparency. In any case, every page of any financial tender shall be signed during the public opening by a representative of another tenderer. In the event of a procurement activity where the contract award criterion is economically most advantageous tender everything that has to do with figures should be read at loud, such as time of delivery, warranty period etc.

All this will be recorded in the minutes of the tender opening meeting, which shall be signed by the Procurement Officer and by all participants in the process of tender opening. Copies of such minutes shall immediately be distributed to all tenderers.

# CONTRACT AWARD CRITERIA – TENDER EVALUATION

VI.1)CONTRACT Award Criteria

The contract will be awarded to the economic operator having submitted:

[the lowest priced responsive tender]

[the most economically advantageous responsive tender determined by the weighted criteria as stated in Annex 5]

VI.2) TENDER EVALUATION

**Timely** received tenders will be examined, evaluated and compared according to the requirements set forth in this ITQ. A tender is considered to be **responsive** when it complies with all the requirements of this ITQ. **Responsive** tenders will be evaluated and compared against the **contract award criteria** stated in SECTION VI.1. The tenderer having submitted the highest ranked tender will be awarded the contract. In the event that not all economic operators who are party to the framework agreement submit their bids, the mini-tender procedure will be valid.

# complaints

VII.1) GENERAL information

Pursuant to Article 108/A of the Law No. 04/L-042 on Public Procurement of the Republic of Kosovo, amended and supplemented with the law No. 04/L-237, law No. 05/L-068 and No. 05/L-092,a complaint may be submitted, free of charge, by an interested party at any stage of any procurement activity and with respect to any act or omission of the concerned contracting authority that is alleged to be in violation of the present law, or acts issued in its implementation.

The Standard form of the complaint may be downloaded from the PPRC’s or PRB’s websites: [**www.krpp.rks-gov.net**](http://www.ks-gov.net/krpp) or [**www.oshp.rks-gov.net**](http://www.oshp.rks-gov.net).

The complaint shall be submitted in original to the Contracting Authority at the address *[insert address]*.

* Where the complaint relates to the contract notice or the tender documents within five (5) days prior to the deadline for submission of bids;
* Where the complaint relates to the decision to award a contract, within five (5) days after the date of notification of the contract award notice is sent to the complainant.
* Where the complaint relates to the decision to terminate the procurement procedure, within five (5) days from the date the procurement activity was formally terminated through a termination notice.

Against any decision taken by the contracting authority in accordance with Article 108A circumstances any interested party may lodge a complaint with the PRB. The complaint should be submitted only after a preliminary procedure for resolution of the dispute was conducted.

Appeal to the PRB must be submitted within ten (10) days after the decision issued by the contracting authority in the preliminary procedure of dispute resolution in accordance with Article 108A of this Law.

All complainants are required to pay a complaints fee of the amount of *[insert amount]* together with the filing of a complaint. Payment shall be made in cash or cash equivalent into the account established by the PRB.

Refer to the PPL and the Procurement Rules for further complaints procedures.

# Annex 1. MANDATORY TECHNICAL SPECIFICATIONS

1. Describe in a non-discriminating manner, the mandatory characteristics of the object of the contract, such as: Quality, quality assurance, performance, terminology, design requirements, symbols, dimensions, testing and test methods, safety, packaging, marking, labelling.

Technical specifications shall be established in a manner that is both consistent with the purpose of the procurement and directed at providing the greatest possible access to all potentially interested economic operators.

A contracting authority is specifically prohibited from establishing a technical specification that favours or disfavours one or more economic operators.

[2. If variants are allowed the CA shall indicate the minimum specifications to be respected by a variant and any specific requirements for the presentation of a variant.]

# 

# Annex 2. DECLARATION UNDER OATH

I, the undersigned, representing: [*the submitting economic operator*] declare under oath that I am eligible in accordance with Article 65, of Law on Public Procurement in Kosovo, Law No. 04/L-042 on Public Procurement of the Republic of Kosovo, amended and supplemented with the law No. 04/L-237, law No. 05/L-068 and law No. 05/L-092.

I acknowledge to have read the eligibility requirement in Article 65 of the PPL, respectively section 6 of the Information to Tenderers, and fulfil eligibility requirements to participate in this tender process.

I acknowledge the possibility of criminal and civil sanctions, penalties and damages if I intentionally or negligently submit any document, declaration or statement containing materially false or misleading information.

|  |  |
| --- | --- |
| **Economic Operator Identification (EO)** | |
| **Name of EO:** |  |
| **Full Address:** |  |
| **Represented by:** | |
| **Name** |  |
| **Position** |  |
| **Signature** |  |
| **Date** |  |
| **Stamp** |  |

# Annex 3. REQUEST FOR ADDITIONAL INFORMATION

To: <name and address of contracting authority>

WHEREAS [name of economic operator] (hereinafter “the Economic Operator”), having received the tender dossier under the above mentioned Procurement Number., believes that additional or clarifying information is needed as follows:

|  |
| --- |
| *Identification of needed additional or clarifying information, including reference to section(s) of the tender dossier:* |

THEREFORE, I, the undersigned, representing the Economic Operator, hereby request the receipt of the identified information.

|  |  |
| --- | --- |
| **Economic Operator Identification (EO)** | |
| **Name of EO:** |  |
| **Full Address:** |  |
| **Full Address:** | |
| **Name:** |  |
| **Position:** |  |
| **Signature:** |  |
| **Date:** |  |
| **Stamp:** |  |

# Annex 4. TENDER SECURITY

**To: [name of contracting authority]**

(Hereinafter “the Contracting Authority”)

**On behalf of: [name and address of economic operator]**

(Hereinafter “tenderer”)

**Title of the procurement activity:**

**Procurement number:**

**On First Demand Guarantee**

WHEREAS the Tenderer has undertaken to post a tender security referring to Tender Dossier, with the abovementioned procurement number dispatched by the Contracting Authority;

AND WHEREAS the Tenderer wants to post a guarantee for the sum specified in the Tender Dossier;

AND WHEREAS we have agreed to give the Tenderer such a guarantee:

THEREFORE WE hereby affirm that we are Guarantors and responsible to you, on behalf of the Tenderer, up to a total of <amount of the guarantee in words and figures>, and we undertake to pay you, upon your first written demand declaring the Tenderer to be in default because of:

1. the Contracting Authority has determined, on the basis of objectively verifiable evidence, that the Tenderer has provided materially false or misleading information to the Contracting Authority;
2. the Tenderer has withdrawn its tender after the deadline for the submission of tenders but prior to the expiration of the tender validity period specified in the Tender Dossier;
3. the Tenderer was awarded the concerned contract on the basis of its tender and the Tenderer then refuses or fails:

* to post any required performance security specified in the Tender Dossier;
* to comply with any other condition precedent to the signing of the concerned contract as specified in the Tender Dossier ; or
* to conclude the contract that conforms to the terms and conditions specified in the Tender Dossier.

Any sum within the limits of:< amount of guarantee> as aforesaid, without you’re needing to prove or to show grounds or reasons for your demand or to the sum specified herein.

This guarantee is valid until <date and time>

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

Signature and seal of the Guarantors

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name of financial institution

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address

# Annex 5. CONTRACT AWARD CRITERIA [[2]](#footnote-2)

The following elements to determine criteria are non-exhaustive and non-mandatory. They shall be selected in accordance with the needs of the contracting authority and the subject of the contract.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Categories** | | **Criteria Description** | **Weight**[[3]](#footnote-3) | | **Evaluation method** |
| **1** | **Price** | Score <100x %> for the tender with lowest price. The tender score is calculated proportionally. |  | **%** | [[4]](#footnote-4) |
| **2** | **[Operating, maintenance, other life-time costs]** | Score <100x %> for the tender with best operating cost. The tender score is calculated proportionally (in cost) |  | **%** | [[5]](#footnote-5) |
| **3** | **[Functional, technical, environmental, aesthetic or similar characteristics]** | [Specify][[6]](#footnote-6) [Consider one (or more) objective measurable characteristic(s) and give score <100x %> for the tender with best characteristic(s). The tender score is calculated proportionally (in marks)] |  | **%** | [[7]](#footnote-7) |
| **4** | **[After sale services, technical assistance]** | [Specify][[8]](#footnote-8) [Consider one (or more measurable characteristic(s) and give score <100x %> for the tender with best technical assistance(s). The tender score is calculated proportionally (in marks)] |  | **%** | [[9]](#footnote-9) |
| **5** | **[Quality characteristics]** | [Specify][[10]](#footnote-10) [Consider one (or more) objective measurable characteristic(s) and give score <100x %> for the tender with best characteristic(s). The tender score is calculated proportionally (in marks)] |  | **%** | [[11]](#footnote-11) |
|  |  |  | **100 %** | |  |

# *Part B TENDER SUBMISSION FORM*

# Section I TENDER Form

**To:** *[insert name and address of Contracting Authority]*, (hereinafter “the Contracting Authority”)

Title of contract: *[insert Title]*

In response to your letter of invitation to quote for the above mentioned contract:

We, the undersigned, hereby declare that:

**1.** We have examined and accept in full the content of the ITQ No *[insert Procurement number]* of *[insert date of the ITQ].* We hereby accept its provisions in their entirety, without reservation or restriction.

**2.** We offer to *[deliver] [execute] [perform],* in accordance with the terms of the ITQ and the conditions and time limits laid down, without reserve or restriction.

**3.** Total tender price is:

**Tender price in figures**: [*insert tender price in figures* ***€****]*

**And in words** [*insert tender price in words* ***Euro****]*

4. This offer is valid for a period of *[insert number of days*] from the final date for submission of tenders.

**5.** [If our offer is accepted, we undertake to provide, as required, a performance guarantee prior to the signing of the contract of [*insert amount or percentage of guarantee*].

**6**. I confirm that the quote submitted for this call off requirement will be governed by the terms and conditions specified in Part B, Section I-V, of the Tender Dossier and other information specified in this invitation to quote.

**7.** We note that the Contracting Authority is not bound to proceed with this invitation to tender and that it reserves the right to award only part of the contract and that it will incur no liability towards us should it do so.

**SUBMITTED BY**

|  |  |
| --- | --- |
| **Economic Operator Identification** | |
| **Company Name**[[12]](#footnote-12) |  |
| **Full Address** |  |
| **Represented by:** | |
| **Name & Surname** |  |
| **Position** |  |
| **Signature** |  |
| **Date** |  |
| **Stamp** |  |

**[In case of Group of Economic Operators:]**

**Name and surname name of the person duly authorised to sign the tender on behalf of the Consortium: [insert name and surname]**

**Signature: [signature of the authorised person]**

**Place and date: [insert place and date]**

**Stamp of the Leader: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

NOTES: CA reserves the right, at any time when there are doubts to ask members of the group to produce a statement that they are still together.

# 

# Section II PRICE SCHEDULE

|  |
| --- |
| **LOT[No.]** |
| **Item no.** | **Description** | **unit** | **qty** | **unit price without vat- €** | **vat (%)** | **unit price**  **with vat- €** | Total price with VAT € |
| **1** |  |  |  |  |  |  |  |
| **2** |  |  |  |  |  |  |  |
| **3** |  |  |  |  |  |  |  |
| **etc.** |  |  |  |  |  |  |  |
|  |  | GRAND TOTAL | | | | |  |

|  |  |
| --- | --- |
| **economic operator identification (eo)** | |
| **Name of EO:** |  |
| **name and first name of the representative of EO:** |  |
| **signature:** |  |
| **date:** |  |
| **Stamp:** |  |

1. To be reported on any document or request concerning this procurement activity. [↑](#footnote-ref-1)
2. Non applicable, where the criteria for contract award is specified as “the lowest price responsive tender” [↑](#footnote-ref-2)
3. Weights assigned to each criterion (in % - the total of all weights shall be equal to 100) [↑](#footnote-ref-3)
4. where P= Score for the tender, Ps= Lowest Price, Pt = tender price. [↑](#footnote-ref-4)
5. where O= Score for the tender, Os= Best Operating Cost, Ot = tender operating cost [↑](#footnote-ref-5)
6. If several characteristics are considered, describe weight and set evaluation method for each one. [↑](#footnote-ref-6)
7. where C= Score for the tender, Cs= Best characteristic score, Ct = tender characteristic score [↑](#footnote-ref-7)
8. It could be the number of sales-service points in the specified region, or the number of agents, or the number of technicians, etc… [↑](#footnote-ref-8)
9. where S = Score for the tender, Ss= Best TA marks, St = tender TA marks [↑](#footnote-ref-9)
10. If several characteristics are considered, describe weight and set evaluation method for each one. [↑](#footnote-ref-10)
11. where Q= Score for the tender, Qs= Best quality score, Qt = tender quality score [↑](#footnote-ref-11)
12. In case of Group of EO insert the name of the leader [↑](#footnote-ref-12)