**Standard letter for the eliminated[[1]](#footnote-1) *[tenderer] [candidate]***

*[Insert date and place]*

*[Insert name and address of the contracting authority]*

*[Insert Tenderer’s name and address]*

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Procurement No** |  |  |  |  |  |  |  |  |  |

**Title:** ***[insert title of the procurement activity]***

Dear *[Mr/Ms]* *[insert name of contact person of the economic operator]*

Thank you for participating in the above-mentioned public procurement procedure. The procedure has been conducted in accordance with Public Procurement Law No. 04/L-042, amended and supplemented with the law No. 04/L-237, law No. 05/L-068 and law No.05/L-092 hereinafter quoted as “PPL”.

Your *[tender]* *[request to participate]* has been thoroughly evaluated according to the conditions and requirements given in the contract notice and in the *[tender dossier*] [*prequalification document]*. We are sorry to inform you that you have been eliminated because of the following reasons:

Your *[tender]* *[request to participate*] is administratively irresponsive:

* You have not fulfilled the tender security requirements;
* You have not filled in and duly signed the *[Tender submission form]* *[Application submission form];*
* Your have not fulfilled the tender validity requirements;
* You have not submitted the sufficient number of copies required;
* You have not submitted a statement declaring the selected subcontractors made for the relevant procurement activity;
* Arithmetic error (s) identified is more than two percent (2%) of the total value of the offer;
* *If applicable, any other formal/administrative requirements.*

*[In case of Group of Economic Operators]*

* You have not submitted a clear statement that all members of the group are jointly and severally liable for the contents of the group’s tender and, in the event the group is awarded the contract, the performance of the contract;
* You have not submitted a signed statement from each of the members, confirming their participation in the group and that they are not participating singularly and/or in any other group taking part in the same procurement procedure;
* You have not submitted a statement signed by all members of the group authorising the lead partner to act on behalf of the group;
* Your partner has not fulfilled the eligibility requirements.

*[In case of subcontracting]*

* Your sub-contractor(s) has not fulfilled the eligibility requirements.

Your *[tender]* *[request to participate*] is irresponsive since you have not submitted:

* The required certifications or attestations demonstrating or affirming that you are not disqualified by any provision under Article 65 of the PPL;
* Certificate, document or other sufficient evidence required under Article 66 of the PPL to verify your professional suitability;
* Sufficient evidence required under Article 68 and 69 of the PPL demonstrating that you meet the minimum financial, technical and professional capacity specified in the tender dossier or contract notice.

JUSTIFICATION

*[You have been disqualified] [Your tender has been rejected]* for these reasons:

*[Declare detailed reasons for rejection in accordance with circumstance*s]

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If you believe that the Contracting Authority, during the public procurement procedure, has violated the PPL or the applicable rules, you have the right to file a complaint to **the Contracting Authority** according to article 108/A of the Law No. 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.

Even if we were not able to use your services this time, we believe that you will still be interested in our future procurement initiations.

Respectfully,

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

*[Name and Surname of procurement Officer] [Signature]*

1. *This letter is for the tenderers/candidates that have been eliminated; who’s tender is rejected from further participation because it was irresponsive and irregular.*  [↑](#footnote-ref-1)