***“[place the logo] and the name of Contracting Authority]”***

**B58 - NOTICE ON THE DECISION OF THE CONTRACTING AUTHORITY[[1]](#footnote-1)**

*Pursuant to Articles 43.7 and 44.2 of the Rules and Operational Guidelines for Public Procurement*

**Contract type:** *[enter contract title]*

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Procurement No.:** |  |  |  |  |  |  |  |  |  |

|  |  |  |
| --- | --- | --- |
| **No.** | **Name and address of the participating Economic Operator** | **Total offer value[[2]](#footnote-2)** |
| 1. | *[insert name and address of EO]* | *[insert value]* |
| 2. | ... | ... |
| 3. | ... | ... |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |

Result of the procurement activity:

[*select one option*]

*[insert the name of the Contracting Authority]* **awards** the contract *[enter the name of the winning Economic Operator of the contract]* in total offer value of *[enter total offer value]*

*Or*

*[insert the of the Contracting Authority]* **cancels**[[3]](#footnote-3) procurement activity [*In case of cancellation of procurement activity indicate the reason for cancellation]:*

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name and surname of PPO: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**B42 - Standard letter for theeliminated[[4]](#footnote-4) *[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:

JUSTIFICATION

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

*[Declare detailed reasons for rejection in accordance with circumstances]*

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

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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)*

**B43 - Standard letter for nonqualified[[5]](#footnote-5) candidates**

*[Insert date and place]*

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

*[Insert Candidate’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 request to participate has been thoroughly evaluated according to the conditions and requirements given in the contract notice and in the prequalification document.

We are sorry to inform you that the application submitted by you was not qualified since your application during the re-examination was not identified as the six best applications within the applications that met the requirements specified in the contract notice and in the prequalification document.

We would like to inform you that the candidates qualified are the following:

*“insert List of qualified Candidates”*

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)*

**B44 - Standard letter for qualified[[6]](#footnote-6) candidates**

*[Insert date and place]*

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

*[Insert Candidate’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 request to participate has been thoroughly evaluated according to the conditions and requirements given in the contract notice and in the prequalification document.

We have the pleasure to inform you that your company has been qualified and will soon receive the Invitation to Tender.

For your information the candidates qualified are the following:

*“Insert List of qualified Candidates”*

 Respectfully,

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

 *(Name and Surname of procurement Officer) (Signature)*

**B45 - Standard letter for successful[[7]](#footnote-7) tenderer**

*[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 has been thoroughly evaluated according to the conditions and requirements given in the Contract notice and in the tender dossier.

We have the pleasure to inform you that you have submitted *[the most advantageous economically tender]* *[the lowest price tender]* as a reply to the *[contract notice]* *[invitation to submit tenders in the restricted procedure]* *[invitation to submit tenders in the competitive negotiated procedure]* for the above-mentioned procurement activity.

The contract has been awarded to you with the price specified in your tender *[OPTION: after the correction of the arithmetical errors]* and in compliance with the terms and condition of tender dossier.

The contract award is provisional and does not constitute a contractual arrangement until the interval, *during which unsuccessful tenderers can seek a review of the decision*, has elapsed.

The contract is attached to this letter.

Attachment: Contract

Respectfully,

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

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

**B46 - Standard letter for unsuccessful[[8]](#footnote-8) tenderer**

*[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 has been thoroughly evaluated according to the conditions and requirements given in the Contract notice and in the tender dossier.

We are sorry to inform you that the tender submitted by you was unsuccessful, since your tender *[was not the most advantageous by economical aspect] [was not the lowest price tender]* within the tenders that met the requirements specified in the contract notice and in the tender dossier.

We would like to inform you that contract has been awarded to: *[insert name of the successful tenderer]* for amount of *[insert amount in Euro].*

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.

The contract award is provisional and does not constitute a contractual arrangement until the interval, *during which unsuccessful tenderers can seek a review of the decision*, has elapsed.

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. **Attached to this form are the standard notice letters: B42, B45 and B46 (add notice letters as needed).** [↑](#footnote-ref-1)
2. **In the case of restricted procedures/competitive dialogue procedure, the standard notice letters B43 and B44 should be attached (add standard letters as needed).**  [↑](#footnote-ref-2)
3. **This form is used for cancellation of the procurement activity only in the procurement procedures after the opening of the bids.** [↑](#footnote-ref-3)
4. *This letter is for the tenderers/candidates that have been eliminated; whose tender is rejected from further participation because it was irresponsive and irregular (Add notice letters as needed).* [↑](#footnote-ref-4)
5. *This letter is for the nonqualified candidates, who have met the specified selection criteria presented in the contract notice and in the prequalification documents, but since the number of qualified candidates meeting the selection criteria was above six, they were not chosen among the six most qualified candidates.*  [↑](#footnote-ref-5)
6. *This letter is for the qualified candidates, those who will be invited to submit tenders.* [↑](#footnote-ref-6)
7. *This letter is for the tenderer to whom the contract is awarded* [↑](#footnote-ref-7)
8. *This letter is for the tenderers that have fulfilled all requirements of the contracting authority, presented in the contract notice and in the tender dossier, whom the contract was not awarded, since their tenders were not the best tenders according to the contract award criteria.*  [↑](#footnote-ref-8)