



*Agenzia Italiana  
per la Cooperazione allo Sviluppo*

Tirana office

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## **SUPPLY CONTRACT NOTICE**

### **Supply of a lot of consumable and reagent for the Microbiological Lab of UCCK**

#### **Location: Kosovo – Prishtinë**

In the framework of the intergovernmental agreement signed between the Government of Kosovo and the Italian Government to strengthen the health system in Kosovo, with a total grant of 3.069.900 Million Euro, the Italian Agency for Development Cooperation (AICS) intends to acquire a lot of consumable and reagents for the Microbiological Lab of UCCK of Kosovo based in Pristina.

**1. Contract N°8260014B2D**

**2. UCCK, Italian Embassy in Pristina and AICS Tirana web site**

**3. Procedure**

Open local

**4. Programme title**

Supply of a single lot of consumable and reagents for the Microbiological Lab of UCCK of Kosovo based in Pristina.

**5. Financing**

Grant of the Italian Government

**6. Contracting authority**

Italian Agency for Development Cooperation (AICS) Tirana Office AICS office in Tirana  
Rruga Abdi Toptani, Torre Drin, 5 th floor Tirana, Albania

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## **CONTRACT SPECIFICATIONS**

**7. Description of the contract**

This contract is intended to provide a single lot of consumable and reagents for the Microbiological Lab of UCCK of Kosovo based in Pristina.

## **8. Number and titles of lots**

One lot – consumable and reagents

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## **TERMS OF PARTICIPATION**

### **9. Eligibility and rules of origin**

Participation is open to all legal persons participating either individually or in a grouping (consortium) of Tenderers with no limitation as regards the country of origin, which meet the minimum requirements set out at Point 16.

For these purposes, ‘origin’ means the place where the goods are mined, grown, produced or manufactured and/or from which services are provided. The origin of the goods must be determined according to the relevant international agreements (notably WTO agreements), which are reflected in EU legislation on rules of origin for customs purposes: the Customs Code (Council Regulation (EEC) No 2913/92) in particular its Articles 22 to 246 thereof, and the Code's implementing provisions (Commission Regulation (EEC) No 2454/93).

Tenderers must provide an undertaking signed by their representative certifying compliance with this requirement. The Tenderer is obliged to verify that the provided information is correct. Otherwise, the Tenderer risks to be excluded because of negligently misrepresenting information. For more details, see Section 2.3.5. of the practical guide.

### **10. Grounds for exclusion**

Natural or legal persons are not entitled to participate in competitive tendering or be awarded contracts if:

- They are in the conditions as referred to in the Italian Legislative Decree 8.8.1994, n. 490 (“Antimafia”). Italian Tenderers/Offerers must provide a self-declaration that they are not in the conditions as referred to in the Italian Legislative Decree 8.8.1994, n. 490 (“Antimafia”). Non-Italian Tenderers/Offerers must provide an equivalent self-declaration, if issuable under their respective National law.
- They are bankrupt, or being wound up, or are having their affairs administered by the courts, or have entered into an arrangement with creditors, or have suspended their business activities, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations.
- They are the subject of proceedings for a declaration of bankruptcy, for winding-up, for administration by the courts, for an arrangement with creditors or for any similar procedure provided for in national legislation or regulations.
- They or their directors or partners have been convicted of an offence concerning professional conduct by a judgement which has the force of *res judicata*.
- They are guilty of grave professional misconduct proven by any means which the Contracting Authority can justify.
- They have not fulfilled obligations related to the payment of social security contributions in accordance with the legal provisions of the country where they are established.
- They have not fulfilled obligations related to the payment of taxes in accordance with the legal provisions of the country where they are established.
- They are guilty of serious misrepresentation in supplying the information required by the Italian Agency for the Development Cooperation – AICS as a condition of participation in a tender procedure or contract.
- They have been declared to be in serious breach of contract for failure to comply with

obligations in connection with another contract with the Italian Agency for the Development Cooperation – AICS and with the Italian Ministry of Foreign Affairs and International Cooperation / Directorate General for the Development Cooperation – MAECI-DGCS or with another contract financed with Italian funds.

Tenderers must submit a signed declaration, included in the tender form for a supply contract, to the effect that they are not in any of the situations listed in Section 2.6.10.1 of the practical guide.

Tenderers included in the lists of EU restrictive measures (see Section 2.4 of the PRAG) at the moment of the award decision cannot be awarded the contract.

#### **11. Number of tenders**

The Candidates may submit only one application per lot. Tenders for parts of a lot will not be considered. Tenderers may not submit a tender for a variant solution in addition to their tender for the supplies required in the tender dossier.

Any Tenderer may state in its tender that it would offer a discount in the event that its tender is accepted for more than one lot..

#### **12. Performance guarantee**

The successful Tenderer will be asked to provide a performance guarantee of 10 % of the amount of the contract at the signing of the contract. This guarantee must be provided together with the return of the countersigned contract no later than 30 days after the Tenderer receives the contract signed by the Contracting Authority. If the selected Tenderer fails to provide such a guarantee within this period, the contract will be void and a new contract may be drawn up and sent to the Tenderer which has submitted the next cheapest compliant tender.

#### **13. Information meeting and/or site visit**

No information meeting is planned.

A mandatory site visit will be held on in UCKK, Microbiological Lab . All the costs of attending the mandatory site visit will be borne by the Tenderers. Other than this site visit for all prospective Tenderers, no visits by individual prospective Tenderers can be organised during the tender period. Attendance shall be confirmed to the following email address: [liridon.blakaj@aics.gov.it](mailto:liridon.blakaj@aics.gov.it)

#### **14. Tender validity**

Tenders must remain valid for a period of 120 days after the deadline for submission of tenders.

In exceptional cases and prior to the expiry of the original tender validity period, the Contracting Authority may ask Tenderers in writing to extend this period by 40 days. Such requests and the responses to them must be made in writing. Tenderers that agree to do so will not be permitted to modify their tenders and they are bound to extend the validity of their tender guarantees for the revised period of validity of the tender. If they refuse, without forfeiture of their tender guarantees, their participation in the tender procedure will be terminated.

The successful Tenderer will be bound by its tender for a further period of 60 days. The further period is added to the validity period of the tender irrespective of the date of notification.

#### **15. Period of implementation of tasks**

45 days, starting from the commencement order until the provisional acceptance.

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## **SELECTION AND AWARD CRITERIA**

#### **16. Selection criteria**

The following selection criteria will be applied to Tenderers. In the case of tenders 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:

- 1) Economic and financial capacity of Tenderer (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.

The total turnover of the Candidates/Bidders in the last three years (i.e. 2019, 2018, 2017) in the same field of the bid must be at least two times the maximum budget of the contract; enterprises that have been established for less than three years may prove their economic and financial standing with any document which the contracting authority may deem appropriate.

- 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.

The Tenderer (from each member if a consortium) must have been continuously registered, in the last three years (i.e. 2019, 2018, 2017), in the Chamber of Commerce of its country of origin or at other relevant authorising/regulatory bodies with a scope of its business equivalent or homogeneous to the scope of this supply contract.

The Tenderer shall be ISO 9001 and/or ISO 13485 certified; copy of certification shall be submitted along with all the required administrative documentation.

- 3) Technical capacity of Tenderer (based on i.a. items 5 and 6 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.

The Tenderer or Consortium must have concluded in the last three years (i.e. 2019, 2018, 2017), contracts of a similar nature to the object of the present tender and related to the supply, installation and commissioning and aftersales services of hospital equipment. Candidates/Bidders shall provide a full record of the activities performed during the last three years by submitting the certificates of good performance execution or handover certificates concerning previous contracts, along with all the required administrative documentation.

This means that the contract the Tenderer refers to could have been started or completed at any time during the indicated period but it does not necessarily have to be started and completed during that period, nor implemented during the entire period. Tenderers are allowed to refer either to projects completed within the reference period (although started earlier) or to projects not yet completed. In the first case the project will be considered in its whole if proper evidence of performance is provided (statement or certificate from the entity which awarded the contract, final acceptance). In case of projects still on-going only the portion satisfactorily completed during the reference period will be taken into consideration. This portion will have to be supported by documentary evidence (similarly to projects completed) also detailing its value.

*Capacity-providing entities*

An economic operator 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 tenderer relies on other entities it must prove to the contracting authority that it will have at its disposal the resources necessary for performance of the contract by producing a commitment on the part of 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 comply with the selection criteria for which the economic operator relies on them. Furthermore, the data for this third entity for the relevant selection criterion should be included in the tender 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, a tenderer 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 tenderer relies, become jointly and severally liable for the performance of the contract.

### **17. Award criteria**

Price: the contract will be awarded lot by lot on the basis of the “technically compliant offer” with the lowest price.

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## **TENDERING**

### **18. How to obtain the tender dossier**

The tender dossier may be requested to the Contracting Authority by writing to: [liridon.blakaj@aics.gov.it](mailto:liridon.blakaj@aics.gov.it) copy to [segreteria.tirana@aics.gov.it](mailto:segreteria.tirana@aics.gov.it), and specifying the recipient email address where to receive the tender dossier, or by physical request to: AICS, Liridon Blakaj Rr Mujo Ulquinaku,9 –Pejton-Pristina Phone + 383 (0) 38609600. The tender dossier will be sent in soft-copy. Tenders must be submitted using the standard tender form for a supply contract included in the tender dossier, whose format and instructions must be strictly observed.

Tenderers with questions regarding this tender should send them in writing to [liridon.blakaj@aics.gov.it](mailto:liridon.blakaj@aics.gov.it) copy to [segreteria.tirana@aics.gov.it](mailto:segreteria.tirana@aics.gov.it) (mentioning the publication reference shown in item 1) at the latest 21 days before the deadline for submission of tenders given in item 19. The contracting authority must reply to all Tenderers' questions at the latest 11 days before the deadline for submission of tenders. Eventual clarifications or minor changes to the tender dossier shall be published at the latest 11 days before the submission deadline.

### **19. Deadline for submission of tenders**

The tenderer's attention is drawn to the fact that there are two different systems for sending tenders: one is by registered post or private mail service, the other is by hand delivery.

In the first case, the tender must be sent before the date and time limit for submission, as evidenced by the receipt or deposit slip, and in both cases it is the acknowledgement of receipt given at the time of the delivery of the tender which will serve as proof.

**The deadline for submission of tenders: 21<sup>st</sup> May 2020 at 12.00hrs**

Any tender submitted to the contracting authority after this deadline will not be considered.

**The contracting authority may, for reasons of administrative efficiency, reject any tender submitted on time to the postal service but received, for any reason beyond the contracting authority's control, after the effective date of approval of the evaluation report, if accepting tenders that were submitted on time but arrived late would considerably delay the evaluation procedure or jeopardise decisions already taken and notified.**

### **How tenders may be submitted:**

Tenders must be submitted in English exclusively to the contracting authority in a sealed envelope, **before the deadline for submission of tenders on 21<sup>st</sup> May 2020 at 12.00 hrs.**

- EITHER by registered post or by courier service, in which case the evidence shall be constituted by the receipt or the date of the deposit slip and the receipt of delivery, to:
- OR hand delivered by the participant in person or by an agent directly to the premises of the contracting authority in return for a signed and dated receipt, in which case the evidence shall be constituted by this acknowledgement of receipt, to: AICS : Rr Mujjo Ulquinaku,9 –Pejton-Pristina

The contract title and the Publication reference (see item 1 above) must be clearly marked on the envelope containing the tender and must always be mentioned in all subsequent correspondence with the contracting authority.

Tenders submitted by any other means will not be considered.

By submitting a tender candidates accept to receive notification of the outcome of the procedure by electronic means. Such notification shall be deemed to have been received on the date upon which the contracting authority sends it to the electronic address referred to in the tender.

### **20. Tender opening session**

The opening session will be held on: **25<sup>th</sup> May 2020 at 10.00 hrs**

In the case that at the date of the opening session some tenders have not been delivered to the contracting authority but their representatives can show evidence that they have been sent on time, the Contracting Authority will allow them to participate in the first opening session and inform all representatives of the Tenderers that a second opening session may be organised, if it is determined by the Contracting Authority.

### **21. Language of the procedure**

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

### **22. Legal basis**

The tender procedure is governed by the provisions set out in the public procurement procedures of the EU (PRAG) referring to supply contracts as harmonized with the fundamental principles of Italian law on procurement and development aid. PRAG is downloadable from the following URL: <http://ec.europa.eu/europeaid/prag/>.

### **23. Additional information**

Financial data to be provided by the tenderer in the standard tender form should be preferably be expressed in Euro (EUR). Where a candidate refers to amounts originally expressed in a different currency, the conversion to Euro (EUR) shall be made in accordance with the InforEuro exchange rate of date of issue of the document, which can be found at the following address: <http://ec.europa.eu/budget/graphs/inforeuro.html>.