

Annex 5: Instructions and Information for tenderers

ABOUT US



Kosovar Civil Society Foundation (KCSF) is an independent, not-for-profit organization focused in supporting local civil initiatives leading to a strong civil society movement that will promote a democratic culture and will be responsive to the socio-economic needs of Kosovo, with a strong focus on supporting and contributing to the European Union Integration Process.

GENERAL PROVISIONS



This section provides detailed instructions to follow to respond to this ITT. Guidelines and Information for KCSF are included.

The issuer of this tender dossier is referred to as the “contracting authority”.

The Contracting Authority as indicated in the Invitation to Tender Letter (ITT), issues this Tender Dossier for the procurement of Services as specified in the Terms of References, Annex 1.

The contract title and identification number of this procurement activity are indicated in the ITT.

Except if otherwise indicated in the ITT letter, Contracting Authority procures only on its name.

From tenderers is required to submit a Technical and Financial Proposal using forms and templates provided in the tendering documentation. The person responsible for submission of the bid, should sign and stamp the bid. In this tender dossier, you are referred as the “economic operator”, “bidder” or the “tenderer”.

Tenderers shall adhere to all the requirements of this tender, including any amendments in writing by the KCSF. This procurement is conducted in accordance with the KCSF PROCUREMENT POLICY AND PROCEDURES and rules and practices of procurement issued in accordance with it.

The KCSF principal objective for procurement, is an open and fair competition policy to all vendors providing supplies, works and services from all various countries in order to achieve the best value for money offer.

Fraud & Corruption, Gifts and ethics of procurement



KCSF strictly enforces a policy of zero tolerance on proscribed practices, including fraud, corruption, and collusion, unethical or unprofessional practices and requires all tenderers to observe the highest standard of ethics during the procurement process and contract implementation.

Conflict of Interest



Any situations of conflict of interest with the business should be declared in the organization in accordance with the KCSF Policy on the Prevention of Conflict of Interest. All tenderers must disclose any actual or potential conflicts of interest and existing

business relationships it may have with the KCSF, its Governing board or appointed officials or employees prior to submission of the bid. Tenders must strictly avoid conflicts with other assignments or their own interests, and act without consideration for future work. Tenderers found to have a conflict of interest shall be disqualified.

TERMS AND CONDITIONS

General Considerations



KCSF reserves the right to modify the provisions of this ITT at any time prior to the scheduled date for written responses. Additional scope and requirements can be added. Notification of such changes will be provided to all vendors.

Tenderers must check that all the documents listed in the invitation to tender Documents have been received and are complete in all respects. No claims will be considered KCSF arising out of failure to study the details contained herein or to obtain such information.

Offers received after the date for receipt of bids set out in the invitation to tender or not strictly in accordance with these instructions, may, at the sole discretion of KCSF, be disregarded and returned.

If tenderers have any queries or requests for further information they must be submitted to the signatory on the Invitation to tender, on time to enable a considered response, not less than 3 days prior to the date for receipt of bids.

All communications in respect of this invitation to tender must be solely with the signatory on the invitation to tender letter. Tenderers are cautioned that any other communications whether or not in writing, shall not form part of any contract and may result in your Bid being disqualified.

KCSF reserve the rights to reject any or all accepted bids or request for further explanation from the tenderers.

No Bid nor any part of it shall be deemed to have been accepted unless such acceptance shall have been notified to the tenderers in writing by KCSF.

KCSF reserve the rights to terminate or modify this invitation for tender and re-issue the invitation for tender.

Before award, KCSF can request from the tenderers to provide additional information or ask for a quick interview for helping of the evaluation process.

Structure and content of the tender dossier



- Invitation to Tender
 - Annex 1: Terms of Reference and Scope of Service
 - Annex 2: Declaration on honour on exclusion criteria and absence of conflict of interest
 - Annex 3: Tender Submission Form of Technical Proposal
 - Annex 4: Tender Submission Form of Financial Proposal
 - Annex 5: Instructions and information for Tenderers
 - Annex 6: Terms and Conditions for Contracts
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The content of Technical and Financial proposal, Terms

From the tenderers is required to submit the offers using the form of the Technical Proposal Annex 3, and form for the Financial Proposal Annex 4, in this tender dossier. As well it is mandatory to submit the declaration under oath signed and stamped.

and Conditions and Type of Contract



Estimated quantities are only indicative quantities and do NOT oblige the contracting authority to purchase any of them. The contracting authority has the discretion to purchase less or more quantities than the estimated quantities per item.

The type of contract for this procurement activity is Services Framework Contract.

Clarification of the Tender Dossier



Tenderers may request clarifications on any of the tender dossier document no later than the date indicated in the ITT. Any request for clarification must be sent in writing.

SUBMISSION AND OPENING OF BIDS

Submission



Bids must be submitted in accordance with these instructions and the other documents in the **documents to be submitted** (together with all other relevant information required to sufficiently describe the Bid fully) not later than the time and date stated in the invitation to tender letter.

The tenderers shall submit a duly signed and complete offer comprising the documents and forms in accordance with the requirements in the tender.

Tenderers should obtain all expenses and costs for completion and submission of the bid.

Deadline for submission of the bids and Late bids



The tenderers should submit the offer through an **electronic copy** at the given email no later than the deadline indicated in the invitation with the subject including the respective reference number. All submitted documents must conform to the requirements outlined in the instructions for tenderers and description of scope. All offers should be filled in the following annex of this tender dossier. **Documents received after the deadline will not be considered.**

or

The tenderers should submit the offer in hard copy, in a clearly marked sealed envelope, to the address marked in the invitation to tender letter with reference title and statement of DO NOT OPEN BEFORE the date and time for the opening of bids, in accordance with ITT.

Documents received after the deadline will not be considered.

Rejections and eligible requirements



Your tender may be rejected if you do not provide satisfactory answers to the following:

- Your organization, any director or partner or any other person with representation powers has been convicted or is under disciplinary investigation for unlawful competition, violation of trade secrets, appropriation or misuse of intellectual property or misuse or unauthorized disclosure of internal information of the Employer or other Contractors of his services.
 - Has, in the past two (2) years, been adjudged to be bankrupt or insolvent by a court of competent jurisdiction, or is currently the subject of proceedings: (i) for a declaration of bankruptcy, (ii) for an order for compulsory winding up or administration by the court or (iii) of any other similar proceedings under the law of Kosovo or any other jurisdiction.
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Rejection for not providing Capacity/Technical ability and eligibility requirements

- Not providing sufficient information for similar projects/services for the last three years
- Non-compliance with the tender dossier
- Not providing documented evidence of eligibility requirements:
 - a written declaration signed by the tenderer using the form in Annex 2
 - If tender is not compliant with specifications and/or other substantive requirements.

Appeals



Tenderers who consider themselves being treated unfairly can file a complaint at the Contracting Authority.

For any reason of filing a complaint, they must be submitted within 5 (five) days from the day the parties were notified, respectively when the official notification regarding the procedure has been made. Complaints of tenderers must be submitted to the KCSF Management, who will decide on eventual complaints, no later than 30 days from the day the complaint was filed.

EVALUATION OF BIDS

Examination and evaluation of Tenders



Information relating to the examination, evaluation, and comparison of Bid, and the recommendation of contract award, shall not be disclosed to tenderers or any other persons not officially concerned with such process, even after publication of the contract award.

KCSF will examine the bids to determine whether they are complete, whether required information has been provided as underlined in the Bid document, whether the documents have been properly signed, and whether bids are generally in order. Eligibility and compliance to all the forms and documents would be the next level of evaluation. Only those Bids which comply to the Eligibility Criteria will be taken up for further technical evaluation.

Two approaches shall be used in the evaluation of bids: the Technical Evaluation Factors and the Cost Evaluation Factors.

Responsive bids will be evaluated and compared against the contract award criteria stated in this tender dossier. The economic operator having submitted the highest ranked the bid according to the result will be awarded the contract.

Questions and Answers



Questions: Questions regarding the technical requirements of this Invitation to Tender may only be made electronically at the address listed on the Invitation to Tender letter. Any verbal information received from KCSF employees or any other entity shall not be considered as a formal answer to any questions regarding this Invitation to Tender.

You are reminded that throughout the process KCSF will continually assess all contact with the tenderers including compliance to the process, presentations and on-site representatives KCSF reserves the right at its sole discretion to disqualify without further consideration any submission that does not satisfy this basic requirement.

Responsive tenderers



The determination of the responsiveness of a Bid by KCSF will be based on the content of the Bid. A substantially responsive bid is, if it meets all terms, conditions, ToR and other tender requirements without material deviation, reservation or omission.

A bid is considered to be responsive when:

- a. complies administratively with the qualification requirements of the tender dossier;
- b. conforms to all the terms, conditions, TOR, and other requirements of the tender dossier without material deviation, reservation, or omission.
- c. the economic operator has submitted all submission documents and meets the selection criteria set out in this tender dossier.

If a Bid is not substantially responsive, it shall be rejected by KCSF and may not subsequently be made responsive by the tenderer by correction of the material deviation, reservation, or omission.

Briefings for Unsuccessful Participants



KCSF intends to offer a feedback session to every tenderer submitting an unsuccessful bid, KCSF reserves the right to control the format and content of any such briefing, and to limit it in any way believed by KCSF to be appropriate (which includes, in exceptional circumstances, the right to refuse a briefing without giving any reason for doing so).
