**CONTRACT NOTICE**

*According to Article 40 of 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*

**Date of the preparation of the Notice: 22.12.2023**

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| **Procurement No** | **195/12-2023** |

This notice has been prepared in the LANGUAGES:

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| --- | --- | --- | --- | --- | --- |
| Albanian |  | Serbian |  | English |  |

**SECTION I: CONTRACTING AUTHORITY**

**I.1) NAME AND ADDRESS OF THE CONTRACTING AUTHORITY (CA)**

|  |  |  |  |
| --- | --- | --- | --- |
| **Official name**: **Kosovo Electricity Distribution Company** | | | |
| **Postal address: Bulevard Bill Clinton no. 5** | | | |
| Town: **Prishtina** | Postal code: **10000** | | Country: **Kosova** |
| **Contact point(s)**: **Sumeja Kodra** | | Telephone: **038 501 101 (ext. 1419)** | |
| Email: **sumeja.kodra@keds-energy.com** | | Fax: | |
| Internet address (*if applicable)*: | | **https://www.keds-energy.com/shq/sherbimet/prokurimi/** | |

|  |  |  |  |
| --- | --- | --- | --- |
| Yes |  | **No** |  |

The contract covers joint procurement

The contract is awarded by Central Procurement Agency

|  |  |  |  |
| --- | --- | --- | --- |
| Yes |  | **No** |  |

***If yes,*** specify the identities of all Contracting Authorities entitled to Call-off under the terms of the contractor refer to an Annex.

**SECTION II: OBJECT OF THE CONTRACT**

**II.1) DESCRIPTION**

|  |  |  |
| --- | --- | --- |
| **II.1.1) Contract title attributed by the contracting authority:**  **Supply of Metering Software** | | |
| **II.1.2) Type of contract and location of works, place of delivery or of performance**  *(Choose* *one category only - works, supplies or services - which corresponds to the main part of the specific object of your contract)* | | |
| **Works** | **Supplies** | **Services** |
| Execution  Design and execution  Realisation, by whatever means, of work, corresponding to the requirements | **Purchase**  Lease  Rental  Hire purchase  A combination of these |  |
| Main site or location of works  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | Main place of delivery  **KEDS-Prishtinë** | Main place of performance  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| **II.1.3) The notice involves**  The establishment of public framework contract   |  |  |  |  | | --- | --- | --- | --- | | **Yes** |  | **No** |  | | | |
| **II.1.4) Information on framework agreement** *(if applicable):*  Framework agreement with single operator   |  | | --- | |  |     Framework agreement with several operators   |  | | --- | |  |   **Execution of the Contract:**  Call offs/Place Orders   |  | | --- | |  |   Subsidiary Contracts/Mini-competition  **Duration of framework agreement: in months \_\_\_\_\_\_\_\_** | | |
| **II.1.5) Short description of the object of the contract**  **Supply of Metering Software** | | |
| **II.1.6) Common Procurement Vocabulary classification (CPV)** | | |
| **II.1.7) Variants are accepted**   |  |  |  |  | | --- | --- | --- | --- | | **Yes** |  | **No** |  | | | |
| **II.1.8) Division into lots**   |  |  |  |  | | --- | --- | --- | --- | | **Yes** |  | **No** |  |     ***If yes,*** tenders may be submitted for *(tick one box only)*  one lot only **All lots** | | |
| **II.1.9) In case of one or more Lots** (*if applicable)*  The maximum number of Lots that may be awarded to one Economic Operator is:**all lots** | | |
| **II.1.10) Information about lots** (*if applicable)*   |  |  | | --- | --- | | **Lot no** | **Short description** | | **LOT 1** | **Supply of Metering Software** | | **LOT 2** | **Upgrade of Advance** | | | |
| **II.1.11) Estimated contract value: 319,000.00 € without Kosova VAT**   |  |  | | --- | --- | | **LOT NO** | **VALUE** | | **LOT 1** | **219,000.00 €** | | **LOT 2** | **100,000.00 €** | | | |

**II.2) QUANTITY OR SCOPE OF THE CONTRACT**

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| --- |
| **Total quantity or scope** *(including all lots and options if applicable)*  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

**II.3) DURATION OF THE CONTRACT OR TIME LIMITS FOR COMPLETION**

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| **Form date of signing of contract until acceptance of material and last payment from CA.** |

**SECTION III: LEGAL, ECONOMIC, FINANCIAL AND TECHNICAL INFORMATION**

**III.1) CONDITIONS RELATING TO THE CONTRACT**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **III.1.1) Performance security required**   |  |  |  |  | | --- | --- | --- | --- | | **Yes** |  | **No** |  |   ***If yes****,* amount of performance security **10% of the contract value for the duration from the beginning of the contract to 30 days after the end of the contract.** |
| **III.1.2) Legal form to be taken by grouping of economic operators to whom the contract is to be awarded** *(if applicable)* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| **III.1.3) Other particular conditions to which performance of the contract is subject**   |  |  |  |  | | --- | --- | --- | --- | | **Yes** |  | **No** |  |   ***If yes,*** description of particular conditions  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

**III.2) CONDITIONS FOR PARTICIPATION**

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| **III.2.1) Eligibility Requirements:**  **a. The economic operator must meet the eligibility requirements in accordance with Law no. 04 L-042, Article 65.**  *Documentary evidence required*  **a. A written statement under oath, signed by the tenderer using the form set out in the tender dossier, Annex 2 (Original).** |
| **III.2.2) Professional Suitability:** **1. Business registration certificate, registration as an economic operator in the professional, commercial and / or corporate register in your country of establishment.**  **2. VAT certificate, for local companies.**  **3. EO must prove that it is a regular payer of electricity (last 6 months), for local companies.**  *Documentary evidence required:*  **1. Business registration certificate - with the relevant activity code (copy), for foreign companies, an identification document must be proved according to the legislation of the country to which it belongs**  **2. VAT certificate (copy).**  **3. To prove with an invoice or final report that it is not in obligations to KESCO (not required for foreign companies).** |
| **III.2.3) Economic and financial capacity**   1. **The economic operator must provide satisfactory evidence to the contracting authority of the annual turnover of the EO during the period (from the Contract Notice for the last three years) reaches the value not less than for:**   **LOT 1: 438,000.00 €**  **LOT 2: 200,000.00 €**  **In case the Economic Operator or the Group of Economic Operators submits a tender for 2 lots (Lot), then it must meet the turnover value required for the largest lot (the group leader must meet 60% of the value. And in the case of the Operator Economic or Group of Economic Operators submits a tender for a lot (Lot), then must meet the value of the required turnover of that Lot and the leader of the Economic Operator must meet 60% of the turnover of that Lot**  *Documentary evidence required:*   1. **Annual tax returns submitted to TAK (for foreign companies in the relevant agency of their country) for the last three years from the contract notice or statement from one or more banks; or Copies of financial reports and management reports certified by a reputable licensed audit firm or an independent licensed auditor; where the financial values for each year required are specified.** |
| **III.2.4) Technical and professional capacity**  **The economic operator must provide evidence of has successfully completed projects of these services for distributions companies (from date of Contract Notice for the past three years) in value not less than**  **LOT 1: 328,500.00 €**  **LOT 2: 150,000.00 €**  **Min. 3 years’ experience for electricity distribution sector. Bidders are required to provide information regarding the software deployed and utilized by their respective companies for a minimum period of three years.**  **In case the Economic Operator or the Group of Economic Operators submits a tender for 2 lots (Lot), then it must meet the required reference value for the largest lot (the group leader must meet 60% of the value). And in case the Economic Operator or the Group of Economic Operators submits a tender for a part (Lot), then it must meet the required reference value of that Lot and the leader of the Economic Operator must fulfill 60% in the value of the references of that Lot**  *Documentary evidence required*   1. **A list of completed supply projects signed and stamped by the EO (original) for the period (from the Contract Notice for the past three years), attaching references or minutes of final acceptance of supplies, indicating the value, date and nature of supply or invoices.**   **Also, acceptance certificate or declaration from the company which used this software** |

**III.3) CONDITIONS SPECIFIC TO SERVICE CONTRACTS**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| |  |  |  |  | | --- | --- | --- | --- | | **Yes** |  | **No** |  |   **III.3.1) Execution of services is reserved to a particular profession**  ***If yes,*** reference to the relevant law, regulation or administrative provision  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| **III.3.2) Legal persons should indicate the names and professional qualifications of the staff responsible for the execution of the service**   |  |  |  |  | | --- | --- | --- | --- | | **Yes** |  | **No** |  | |

**SECTION IV: PROCEDURE**

**IV.1) TYPE OF PROCEDURE**

*[Click the appropriate and delete the others]*

|  |
| --- |
| **IV.1.1) Type of Procedure** |
| **Open** |
| **Restricted** |
| **Competitive Negotiated** |
| **Price Quotation** |
| **IV.1.2) Limitations on the number of the operators who will be invited to tender** *(restricted or competitive negotiated procedure)*  On the basis of the applications received, at most 6 candidates will be invited to submit detailed tenders for this contract. If more than 6 eligible candidates meet the above selection criteria, the relative strengths and weaknesses of the applications of these candidates shall be re-examined to identify the six best applications for the tender procedure. The only factors which will be taken into consideration during this re-examination are:  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| **IV.1.3)** **Reduction of number of the operators during the negotiations** *(competitive negotiated procedure)*  Conduct the negotiations in successive stages in order to reduce the number of the tenders   |  |  |  |  | | --- | --- | --- | --- | | **Yes** |  | **No** |  |   The Contracting Authority will award the contract based on the initial tenders without negotiations   |  |  |  |  | | --- | --- | --- | --- | | **Yes** |  | **No** |  | |
| **IV.1.4)** The minimal number of candidates that will be invited to submit the initial tenders is: |

**IV.2) AWARD CRITERIA**

|  |  |  |  |
| --- | --- | --- | --- |
| *[Tick the appropriate box and delete the other]*  **Lowest price**  *or*  **The most economically advantageous tender in terms of:** | | | |
| **Sub-criteria** | **Weighting in %** | **Sub-criteria** | **Weighting in %** |
| 1) |  | 5) |  |
| 2) |  | 6) |  |
| 3) |  | 7) |  |
| 4) |  | 8) |  |

**IV.3) ADMINISTRATIVE INFORMATION**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **IV.3.1) Previous publications concerning the same contract**   |  |  |  |  | | --- | --- | --- | --- | | **Yes** |  | **No** |  |   ***If yes,*** Prior Indicative Notice: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Other publications (*if applicable): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_* |
| **IV.3.2) Conditions for obtaining *prequalification documents***  Time limit for receipt of requests for *prequalification documents*: date **18.01.2024** |
| |  |  |  |  | | --- | --- | --- | --- | | **Yes** |  | **No** |  |   **Payable documents**  ***If yes****,* price \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Terms and method of payment: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| **IV.3.3) Time limit for receipt of*****tenders:***  ***Date* 19.01.2024*****time*****14:00*****place* KEDS archive main building KEDS Prishtinë** |
| **IV.3.4) Time limits is shortened for submission of tenders:**  **yes**  no  ***If yes****,* provide justification  Our company is currently facing an unprecedented demand for the deployment of smart electricity meters, and in response to this urgent need, we find it necessary to expedite the procurement process. Due to the substantial increase in our project scope, our existing software capacity may fall short of meeting the accelerated deployment timeline. In order to ensure the timely implementation of this crucial initiative, we have decided to shorten the time allocated for the tender process |
| **IV.3.5)** Is tender security needed:   |  |  |  |  | | --- | --- | --- | --- | | **Yes** |  | **No** |  |   ***If yes****,* the value of tender security \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Validity of tender security in days \_\_\_\_\_\_ *or* months \_\_\_\_\_\_\_\_\_\_\_ |
| **IV.3.6) Tender validity period: 90 days** |
| **IV.3.7) Tenderopening meeting:**  ***date*** *\_\_\_/\_\_\_/\_\_\_\_\_\_* ***time*** *\_\_\_\_\_\_\_* ***place*** *\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_* |

**SECTION V: COMPLEMENTARY INFORMATION**

**V.1) COMPLAINTS**

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| **Any interested party may file a complaint with 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, at the address specified in Section I of this Contract notice.** |

**V.2) ADDITIONAL INFORMATION**

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| --- |
| **Note: Economic operators will be entitled to submit a tender, request to participate and other documents required or permitted to be filed during the conduct of a procurement activity in Albanian, Serbian or English.**  *Add other information*: *[such as pre-bid conference, site visit etc]* |