**SUPPLY CONTRACT NOTICE**

**Contract title: Framework Contract for Supply** **and Delivery Drinking Water and Dispensers for EUMM Mission  
  
Location – Georgia**

**Please note that the awarding of the contract is subject to the condition of the prior adoption of a financing decision and the prior conclusion of a financing agreement, which does not modify the elements of the procurement procedure (this will be the case, for instance, if the budget initially foreseen is different or if the timeframe, the nature or the condition of the implementation are altered). If the precedent condition is not met, the contracting authority will either abandon the procurement or cancel the award procedure without the candidates or tenderers being entitled to claim any compensation**

**1. Reference**

EUMM-22-8161

**2. Procedure**

Simplified Procedure

**3. Programme title**

Supply and Delivery Drinking Water and Dispensers for EUMM Mission

**4. Financing**

**CFSP/2020/40/EUMM**

**5. Contracting authority**

**Official name: The European Union Monitoring Mission in Georgia (EUMM)  
Postal address: 64a I. Chavchavadze Avenue,   
Town: Tbilisi  
Postal Code: 0179  
E-mail:** [tenders@eumm.eu](mailto:tenders@eumm.eu) **Internet address:** [www.eumm.eu](http://www.eumm.eu)

**CONTRACT SPECIFICATION**

**6. Nature of contract**

**Unit-price**

**7. Contract description**

European Union Monitoring Mission (EUMM) Georgia aims to establish Framework Supply Contract for supply and delivery of drinking water in 18-20, 1.5, and 0,5 L bottles, including provision of dispensers for the period of two years, starting from the signature of the contract, **It should however be noted that the performance of this contract is subject to and conditional upon i) the signature of a Contribution Agreement between the European Union and the EUMM Georgia covering the period onwards from 14 December 2022, as well as (ii) the availability of funds in the relevant budget line(s).**

**8. Number and titles of lots**

One lot only

**CONDITIONS OF PARTICIPATION**

**10. Legal basis, eligibility and rules of origin**

Participation in this procurement procedure is open on equal terms to all invited organisations.

**11. Number of tenders**

No more than one tender can be submitted by a natural or legal person whatever the form of participation (as an individual legal entity or as leader or member of a consortium submitting a tender). In the event that a natural or legal person submits more than one tender, all tenders in which that person has participated will be excluded.

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. Grounds for exclusion**

As part of the tender, tenderers must submit a signed declaration, included in the tender form, to the effect that they are not in any of the exclusion situations listed in Section 2.6.10.1. of the practical guide.

Tenderer 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.

**13. Sub-contracting**

Subcontracting is allowed.

**PROVISIONAL TIMETABLE**

**14. Provisional commencement date of the contract**

December 2022

**15. Implementation period of the tasks**

From the signature of the contract by both sides with the duration of 24 months, **It should however be noted that the performance of this contract is subject to and conditional upon i) the signature of a Contribution Agreement between the European Union and the EUMM Georgia covering the period onwards from 14 December 2022, as well as (ii) the availability of funds in the relevant budget line(s).**.

**SELECTION AND AWARD CRITERIA**

**16. Selection criteria**

Capacity-providing entities

An economic operator (i.e. candidate or tenderer) may, where appropriate and for a particular contract, rely on the capacities of other entities, regardless of the legal nature of the links it has with them. If the economic operator relies on other entities, it must in that case prove to the contracting authority that it will have at its disposal the resources necessary for the performance of the contract by producing a commitment by 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 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, an economic operator 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 economic operator relies, become jointly and severally liable for the performance of the contract.

The following selection criteria will be applied to the tenderers. In the case of tenders submitted by a consortium, these selection criteria will be applied to the consortium as a whole if not 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 the tenderer (**based on item 3 of the tender form). 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 average annual turnover of the tenderer over the period of the past 3 years (for which accounts have been closed, thus, reference period is 2019-2020-2021 years) must be equal or exceed 84,000.00 GEL.**

*The table under point 3 of the Tender Form, if duly filled in, will be accepted as a satisfactory proof for the purposes of eligibility. The Contracting Authority reserves the right to ask for clarifications and/or integrations on the aforesaid table.*

**2)** **Professional capacity of the tenderer (**based on items 4 of the tender form).

The reference period which will be taken into account will be the last three years preceding the submission deadline.

* **at least 2 staff currently work for the tenderer in fields related to this contract;**

**3) Technical capacity of tenderer** (based on items 5 and 6 of the tender form). The reference period which will be taken into account will be **2019-2020-2021 years** preceding the submission deadline.

* **The tenderer has successfully completed** *(by “successfully completed” it is meant that the supplies of* ***similar nature*** *have been provisionally accepted and/or paid)* **at least one sale/contract for a minimum amount of 10,000.00 GEL** **at any moment during the reference period of the past 3 years (2019-2020-2021) or average total sales during the last 3 years are no less than 30,000.00 GEL”. In such case evidence shall be provided.**

This means that the contract the tenderer refers to could have been started at any time during the indicated period but it does not necessarily have to be completed during that period, nor implemented during the entire period. Tenderers are allowed to refer either to supply contracts completed within the reference period (although started earlier) or to supply contracts not yet completed. Only the portion satisfactorily completed during the reference period will be taken into consideration. This portion will have to be supported by documentary evidence (statement or certificate from the entity which awarded the contract, proof of payment) also detailing its value. If a tenderer has implemented the supply contract in a consortium, the percentage that the tenderer has successfully completed must be clear from the documentary evidence, together with a description of the nature of the supplies provided if the selection criteria relating to the pertinence of the experience have been used.

Previous experience which would have led to breach of contract and termination by a contracting authority shall not be used as reference. This is also applicable concerning the previous experience of experts required under a fee-based service contract.

**17. Award criteria**

The sole award criterion will be the price. The contract will be awarded to the lowest compliant tender.

**TENDERING**

**18. Deadline for submission of tenders**

The deadline for submission of tenders **is 15 December 2022, 13:00hrs Georgian Local Time.**

**19. Tender format and details to be provided**

**Tenders must be submitted using the standard tender form.**

The tender must be accompanied by a declaration on honour on exclusion and selection criteria using the template available from the following Internet address:

<https://wikis.ec.europa.eu/display/ExactExternalWiki/Annexes#Annexes-AnnexesA(Ch.2):General>

Any additional documentation (brochure, letter, etc.) sent with a tender will not be taken into consideration.

**20. How tenders may be submitted**

Tenders must be submitted in English exclusively to the contracting authority, using the means specified in point 10 of the instructions to tenderers.

**Tenders submitted by any other means will not be considered.**

By submitting a tender tenderers accept to receive notification of the outcome of the procedure by electronic means.

**21. Alteration or withdrawal of tenders**

Tenderers may alter or withdraw their tenders by written notification prior to the deadline for submission of tenders. No tender may be altered after this deadline.

Any such notification of alteration or withdrawal shall be prepared and submitted in accordance with point 15 of the instructions to tenderers.

**22. Operational language**

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

**23. Additional information**

Financial data to be provided by the candidate in the standard application form must be expressed in GEL. If applicable, where a candidate refers to amounts originally expressed in a different currency, the conversion to GEL shall be made in accordance with the InforEuro exchange rate of [<MONTH and YEAR> of the applicable InforEuro exchange rate, which can either correspond to the month and year of the publication of the present contract notice or the month and year corresponding to the deadline for submitting applications], which can be found at the following address: <http://ec.europa.eu/budget/graphs/inforeuro.html>.

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