



# Kosovo Women's Network

*Serving, Protecting and Promoting the Rights of Women and Girls*

## Section 2: Instruction to Bidders or Consultants

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## 2. Definitions

This section provides detailed instructions to follow to respond to this Invitation to Tender Letter (ITT). Guidelines and Information for Contracting Authority are included.

- i. “Contracting Authority” refers to the issuer of this tender dossier. The Contracting Authority as indicated in the ITT issues this tender dossier for the procurement of goods or services. Except if otherwise indicated in the ITT letter, the Contracting Authority procures only on its name.
- ii. “Bidder” refers to any legal entity that may submit, or has submitted, a Bid for the supply of goods or services requested by Contracting Authority.
- iii. “Consultant” means a legally-established professional consulting firm or an entity that may provide or provides the Services to the Contracting Authority under the Contract.
- iv. “Data Sheet” refers to such part of the Instructions to Bidders used to reflect conditions of the tendering process that are specific for the requirements of the ITT.
- v. “Instructions to Bidders” refers to the complete set of documents which provides Bidders with all information needed and procedures to be followed in the course of preparing their Bid.
- vi. “ITT” refers to the Invitation to Tender consisting of instructions and references prepared by Contracting Authority for purposes of selecting the best supplier or service provider to fulfil the requirement indicated in the Technical Specifications.
- vii. “Services” refers to the entire scope of tasks related or ancillary to the completion or delivery of the goods required by Contracting Authority under the ITT.
- viii. “Reference Number” refers to the identification number of this procurement activity indicated in the ITT letter.
- ix. “Day” means a calendar day, unless otherwise specified as “Business Day”. A Business Day is any day that is an official working day of the Bidder. It excludes the Bidder’s official public holidays.
- x. “Key Expert(s)” means an individual professional whose skills, qualifications, knowledge and experience are critical to the performance of the Services under the Contract and whose CV is taken into account in the technical evaluation of the Bidder’s proposal.
- xi. “Proposal” means the Technical Proposal and the Financial Proposal of the Bidder.
- xii. “Terms of Reference (TORs)” means the Terms of Reference that explains the objectives, scope of work, activities, and tasks to be performed, respective responsibilities of the Contracting Authority and the Bidder, and expected results and deliverables of the assignment.

## 3. General Provisions

- i. This procurement is conducted in accordance with the Contracting Authority Procurement Policy rules and practices of procurement issued and in line with its donor’s rules, practices, and guidelines for conducting procurement activities.
- ii. The Contracting Authority principal objective for procurement, is an open and fair competition policy to all bidders providing supplies or services, and Contracting Authority employees involved in procurement will conduct all business with honesty, fairness, integrity, and transparency.
- iii. Bidders shall adhere to all the requirements of this bid, including any amendments in writing by the Contracting Authority.
- iv. In preparing the Bid, the bidders are expected to examine the ITT in detail. Material deficiencies in providing the information requested in the ITT may result in rejection of the Bid.
- v. Bidders 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 Contracting

Authority arising out of failure to study the details contained herein or to obtain such information.

- vi. Bids 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 Contracting Authority, be disregarded and returned.
- vii. The Contracting Authority reserve the rights to reject any or all accepted bids or request for further explanation from tenderers.
- viii. Before award, Contracting Authority can request from tenderers to provide additional information or ask for a quick interview to facilitate the evaluation process.

#### **4. Conflict of Interest**

- i. The bidder must not be affected by any conflict of interest and must have no equivalent relation in that respect with other tenderers or parties involved in the project.
- ii. The bidder has an obligation to disclose to the Contracting Authority any situation of actual or potential conflict that bidder may have with the Contracting Authority, its Governing board or appointed officials or employees prior to submission of the bid that impacts its capacity to serve the best interest of the Contracting Authority. Failure to disclose such situations may lead to the disqualification of the bidder or the termination of its Contract.

#### **5. Unfair Competitive Advantage**

- i. Fairness and transparency in the selection process require that the bidder or their Affiliates competing for a specific assignment do not derive a competitive advantage from having provided services or goods related to the assignment in question.

#### **6. Fraud and Corruption**

- i. The Contracting Authority requires that Bidders, suppliers, and contractors and their subcontractors observe the highest standards of ethics during the procurement and execution of Contracting Authority contracts.
- ii. The Contracting Authority strictly enforces a policy of zero tolerance on fraud, corruption, collusion, unethical, and unprofessional practices. Bidders are therefore requested not to send gifts or offer hospitality to Contracting Authority personnel.
- iii. Any attempt by a bidder to obtain confidential information, enter into unlawful agreements with competitors or influence the Evaluation Committee or the Contracting Authority during the process of examining, clarifying, evaluating, and comparing tenders will lead to the rejection of its tender and may result in administrative penalties.
- iv. The Contracting Authority reserves the right to suspend or cancel the procedure, if it determines that a bidder recommended for award has engaged in corrupt, fraudulent, collusive, coercive, obstructive or unethical practices while competing for the contract in question.

#### **7. Structure and Content of the Tender Dossier**

Section 1	Invitation to Tender (ITT)
Section 2	Instruction to Bidders
Section 3	Data Sheet and Technical Specification
Section 4	Cover Letter and Declaration on Honour
Section 5	Technical and Financial Submission Forms
Section 6	Template of Proposed Contract

## 8. Anticipated Timetable

	DATE	TIME*
Deadline for submission of tenders	09.09.2025	N/A
Notification of award to the successful tenderer	12.09.2025	N/A
Signature of the contact	16.09.2025	N/A

## 9. Participation

- i. Participation in this tender procedure is open to all tenderers. For the purposes of proving compliance with this rule, tenderers being legal persons, will be asked to present documents required under that country's law.
- ii. To be eligible to take part in this tender procedure, tenderers must prove to the satisfaction of the Contracting Authority that they comply with the necessary legal, technical, and financial requirements and have the means to carry out the contract effectively.
- iii. Sub-contracting is not allowed.
- iv. The tender procedure is considered valid if there is at least one eligible candidate/bidder.

## 10. Clarifications

- i. Bidders may request clarification of any of the ITT documents no later than the date indicated in the Timetable, prior to the Bid submission date. Any request for clarification must be sent in writing by email to the Contracting Authority address indicated in the Invitation Letter. The Contracting Authority will respond by replying to the bidder. After which, the clarification will be published on the KWN website.
- ii. The Contracting Authority shall endeavour to provide such responses to clarifications in an expeditious manner, but any delay in such response shall not cause an obligation on the part of Contracting Authority to extend the submission date of the Bid, unless Contracting Authority deems that such an extension is justified and necessary.

## 11. Amendment of Bid

- i. At any time prior to the deadline for submission of Bid, Contracting Authority may for any reason, such as in response to a clarification requested by a Bidder, modify the ITT in the form of a Supplemental Information to the ITT.
- ii. The Contracting Authority 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 bidders and published on the KWN website.
- iii. To afford prospective Bidders reasonable time to consider the amendments in preparing their Bid, Contracting Authority may, at its discretion, extend the deadline for submission of Bid, if the nature of the amendment to the ITT justifies such an extension.

## 12. Preparation of Bid

### 13.1. Cost

- i. No costs incurred by the tenderer in preparing and submitting the tender are reimbursable.
- ii. The Bidder shall bear all costs associated with the preparation and submission of its Bid, and the Contracting Authority shall not be responsible or liable for those costs, regardless of the conduct or outcome of the selection process.

### **13.2. Language**

- i. The Bid, as well as any and all related correspondence exchanged by the Bidder and Contracting Authority, shall be written in the language(s) specified in the Data Sheet.

### **13. Bid Submission Form**

- i. The Technical Proposal shall be prepared using the standard form provided and shall comprise the documents to be submitted listed in the Data Sheet.
- ii. The Financial Proposal shall be prepared using the standard form provided. It shall list all costs associated with the assignment.
- iii. Bidders are required to complete, sign and submit the following documents:
  - 1) Technical Proposal Form (Section 5.1)
  - 2) Financial Proposal Form (Section 5.2)
  - 3) Cover Letter and Declaration on honour on exclusion criteria and absence of conflict of interest (Section 4)

### **14. Technical Bid Format and Content**

- i. In preparing the bid, the bidder is expected to examine the ITT in detail. Material deficiencies in providing the information requested in the ITT may result in rejection of the bid.

### **15. Financial Offer**

- i. The Financial Offer shall be prepared using the attached standard form (5.1), adding details if necessary. It shall list all major cost components associated with the goods and related services, and the detailed breakdown of such costs. All goods and services described in the Technical Bid must be priced separately on a one-to-one correspondence.
- ii. The Financial Offer shall be calculated on a Delivered at Place [DAP] basis for the goods and related services tendered.
- iii. Any output and activities described in the Technical Bid but not priced in the Financial Offer, shall be assumed to be included in the prices of the items or activities, as well as in the final total price of the bid.

### **16. Currency**

- i. Tenders must be presented in Euro.

### **17. Documents Establishing the Eligibility and Qualifications of the Bidder**

#### **17.1. Tender Submission Form**

Eligibility shall be determined based on the:

- i. Technical Proposal
- ii. Financial Proposal
- iii. Cover Letter and Declaration on honour on exclusion criteria and absence of conflict of interest

#### **17.2 Rejection of Tenders**

The bidder's tender may be rejected if the bidder does not provide clear, transparent information regarding the following situations:

- i. The bidder, any director, 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 (bidder) or other Contractors.

- ii. 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.
- iii. Bids submitted by two (2) or more Bidders shall all be rejected by Contracting Authority if they are found to have any of the following:
  - 1) they have at least one controlling partner, director or shareholder in common; or
  - 2) any one of them receive or have received any direct or indirect subsidy from the other/s; or
  - 3) they have the same legal representative for purposes of this ITT.

### **17.3 Other Reasons for Rejection of Tenders**

The tender may also be rejected for not demonstrating adequate Capacity/Technical ability and/or meeting eligibility requirements, including:

- i. Non-compliance with the tender submission requirements.
- ii. If the tender is not compliant with specifications and/or other substantive requirements.

### **18. Validity Period**

- i. Bids shall remain valid for the period specified in the Data Sheet, commencing on the submission deadline date also indicated in the Timetable. A bid valid for a shorter period shall be immediately rejected by Contracting Authority and rendered non-responsive.
- ii. In exceptional circumstances, prior to the expiration of the bid validity period, the Contracting Authority may request bidders to extend the period of validity of their bid. The request and the responses shall be made in writing and shall be considered integral to the bid.

### **19. Submission, Opening and Evaluation**

#### **19.1. Submission**

- i. The Bidder shall submit a signed and complete bid including the documents and forms in accordance with the Data Sheet.
- ii. An authorized representative of the Bidder shall sign the original submission letters in the required format for both the Technical Proposal and Financial Proposal.
- iii. Bidders should submit the bid electronically to the email address stated in the Invitation to tender letter with the subject of this ITT stated in the Invitation letter. All submitted documents must conform to the requirements outlined in the instructions for tenderers.
- iv. Documents received after the deadline will not be considered.

#### **19.2 Opening of Tenders**

- i. The purpose of the opening session is to check whether the tenders are complete, whether the required documents have been properly included and whether the tenders are generally in order.
- ii. The tenders will be opened in a restricted session by the appointed committee.
- iii. 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.

### 19.3 Preliminary Examination of Bid

- i. The aim at this stage is to check that tenders comply with the essential requirements of the tender dossier. A tender is deemed to comply if it satisfies all the conditions, procedures and specifications in the tender dossier without substantially departing from or attaching restrictions to them.
- ii. If a tender does not comply with the tender dossier, it will be rejected immediately and may not subsequently be made to comply by correcting it or withdrawing the departure or restriction.
- iii. The Contracting Authority shall examine the Bid to determine whether they are complete with respect to minimum documentary requirements, whether the documents have been properly signed, whether or not the Bidder is in the sanctions list of terrorists and terrorist financiers, and in Contracting Authorities list of suspended and removed vendors, and whether the Bid are in order, among other indicators that may be used at this stage. The Contracting Authority may reject any Bid at this stage.
- iv. The Contracting Authority's determination of a Bid's responsiveness will be based on the contents of the Bid itself.
- v. A substantially responsive Bid is one that conforms to all the terms, conditions, and specifications of the ITT without material deviation, reservation, or omission.
- vi. If a Bid is not substantially responsive, it shall be rejected by Contracting Authority and may not subsequently be made responsive by the Bidder by correction of the material deviation, reservation, or omission.
- vii. Only those Bids which comply to the Eligibility Criteria will be considered for further technical evaluation.

### 19.4 Evaluation of Bid

- i. After analysing the tenders deemed to comply in administrative terms, the evaluation committee will rule on the technical admissibility of each tender, classifying it as technically compliant or non-compliant.
- ii. The Contracting's Authority evaluation committee shall evaluate the Technical Proposals on the basis of their responsiveness to the Terms of Reference and the ITT, applying the evaluation criteria, sub-criteria, and point system specified in the Award Criteria. Each responsive Bidder will be given a technical and financial score.
- iii. In the interests of transparency and equal treatment and to facilitate the examination and evaluation of tenders, the evaluation committee may ask each tenderer individually for clarification of its tender including breakdowns of prices, within a reasonable time limit to be fixed by the evaluation committee. The request for clarification and the response must be in writing, but no change in the price or substance of the tender may be sought, offered or permitted except as required to confirm the correction of arithmetical errors discovered during the evaluation of tenders. Any such request for clarification must not distort competition. Decisions to the effect that a tender is not technically compliant must be duly justified in the evaluation minutes.

### 19.5 Financial Evaluation

- i. Tenders found to be technically compliant will be checked for any arithmetical errors in computation and summation. Errors will be corrected by the evaluation committee as follows:
  - 1) where there is a discrepancy between amounts in figures and in words, the amount in words will be the amount taken into account;
  - 2) except for lump-sum contracts, where there is a discrepancy between a unit price and the total amount derived from the multiplication of the unit price and the quantity, the unit price as quoted will be the price taken into account.

- ii. Amounts corrected in this way will be binding on the tenderer. If the tenderer does not accept them, its tender will be rejected.
- iii. Unless specified otherwise, the purpose of the financial evaluation process is to identify the tenderer offering the lowest price. Where specified in the technical specifications, the evaluation of tenders may consider not only the acquisition costs but, to the extent relevant, costs borne over the life cycle of the supplies (such as for instance maintenance costs and operating costs), in line with the technical specifications. In such case, the contracting authority will examine in detail all the information supplied by the tenderers and will formulate its judgment based on the lowest total cost, including additional costs.

## **20. Withdrawal, Substitution, and Modification of Bid**

- i. Bidders are expected to have sole responsibility for taking steps to carefully examine in detail the full consistency of its Bid to the requirements of the ITT, keeping in mind that material deficiencies in providing information requested by the Contracting Authority, or lack clarity in the description of goods and related services to be provided, may result in the rejection of the Bid. The Bidder shall assume any responsibility regarding erroneous interpretations or conclusions made by the Bidder while understanding the ITT furnished by Contracting Authority.
- ii. A Bidder may withdraw, substitute, or modify its Bid after it has been submitted by cancelling or resending its bid.

## **21. Confidentiality**

- i. Information relating to the examination, evaluation, and comparison of Bid, and the recommendation of contract award shall not be disclosed to bidders or any other persons not officially concerned with such process, even after the contract award.
- ii. Any effort by a Bidder to influence Contracting Authority in the examination, evaluation, and comparison of the Bid or contract award decisions may, at Contracting's Authority decision, result in the rejection of its Bid.

## **22. Award of Contract**

### **22.1 Right to Accept, Reject, or Render Non-Responsive Any or All Bids**

- i. The Contracting Authority reserves the right to accept or reject any Bid, to render any or all of the Bids as non-responsive, and to reject all Bids at any time prior to award of contract, without incurring any liability, or obligation to inform the affected Bidder(s) of the grounds for the Contracting Authority's action. Further, the Contracting Authority is not obligated to award the contract to the lowest price offer.

### **22.2 Award Criteria**

- i. Prior to expiration of the period of bid validity, the Contracting Authority shall award the contract to the qualified and eligible Bidder that is found to be responsive to the requirements of the Technical Specification and scored the highest points against award criteria.

### **22.3 Contract Signature**

- i. Within five days from the date of receipt of the Contract, the successful Bidder shall sign the Contract.

### **22.4 Feedback for Unsuccessful Bidders**



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

## 22.5 Appeals

- i. Tenderers who consider that they have been treated unfairly can file a complaint with the Contracting Authority.
- ii. For any reason of filing a complaint, they must be submitted within five days from the day the parties were notified, respectively when the official notification regarding the procedure has been made. Complaints must be submitted to the Contracting Authority, which will decide on eventual complaints no later than five days from the day the complaint was filed.