

**Additional information about the Contract Notice  
EUMM-24-9262**

**DYNAMIC PURCHASING SYSTEM (DPS) FOR CONSTRUCTION  
MATERIALS  
Georgia**

Please note that the awarding of the contract is subject to the condition of 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. Nature of contract**

Supply

**2. Programme title**

Council Decision (CFSP) 2022/2318 of 25 November 2022

**3. Financing**

CFSP/2022/38/EUMM Georgia

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

The legal basis of this procedure is Article 58(2) of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union.

Participation in this procurement procedure is open on equal terms to all natural and legal persons falling within the scope of the Treaties.

Participation is also open to international organisations.

**5. Candidature**

All eligible natural and legal persons (as per item 4 above) or groupings of such persons (consortia) may participate or tender.

A consortium may be a permanent, legally established grouping or a grouping which has been constituted informally for a specific procurement procedure. All partners of a consortium (i.e., the leader and all other partners) are jointly and severally liable to the contracting authority.

The participation or tender of an ineligible natural or legal person will result in the automatic exclusion of that person. In particular, if that ineligible person belongs to a consortium, the whole consortium will be excluded.

**6. Number of requests to participate or tenders**

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

## **7. Grounds for exclusion**

Candidates must submit a signed declaration, included in the request to participate form, to the effect that they are not in any of the situations listed in Section 2.6.10.1 of the **practical guide (PRAG)**. Where the candidate intends to rely on capacity providing entities or subcontractor(s), he/she must provide the same declaration signed by this/these entity(ies).

Candidates 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.

## **8. Sub-contracting**

Sub-contracting is allowed.

## **9. Number of candidates to be short-listed**

On the basis of the request to participate received, unlimited number of candidates will be invited to become participants in the DPS.

## **10. Short-list alliances prohibited**

Any tenders received from tenderers having a different composition than the ones mentioned in the short-listed request to participate forms will be excluded from this restricted tender procedure, unless prior approval from the contracting authority has been obtained – see practical guide 2.6.3. Short-listed candidates may not form alliances or subcontract to each other for the contract in question.

## **11. Period of implementation of tasks**

Period of implementation of the tasks will be specified in each Mini-Competition.

## **12. Language of the procedure**

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

## **13. Additional information**

Financial data to be provided by the candidate in the request to participate form must be expressed in EUR. If applicable, where a candidate refers to amounts originally expressed in a different currency, the conversion to EUR shall be made in accordance with the InforEuro exchange rate of August 2024, which can be found at the following address: <http://ec.europa.eu/budget/graphs/inforeuro.html>

## SELECTION CRITERIA

### 14. 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 which 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 candidates. In the case of requests to participate 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.

The candidate shall not use previous experience which caused breach of contract and termination by a contracting authority as a reference for selection criteria.

The selection criteria for each tenderer are as follows:

- 1) Economic and financial capacity** (based on item 3 of the request to participate form, or on item 3 of supply tender form). In case of candidate being a public body, equivalent information should be provided. The reference period which will be taken into account will be the last three years for which accounts have been closed.
  - The average annual turnover of the candidate for the years 2021, 2022 and 2023 for which accounts have been closed must exceed or be equal to 20.000,00 EUR; and
- 2) Professional capacity** (based on items 4 and 5 of the request to participate form for service contracts and on items 4 and 5 of the tender form for supply contracts). The reference period which will be taken into account will be the last three years preceding the submission deadline.
  - The candidate has at least 1 permanent staff currently working in areas related to this contract.
- 3) Technical capacity** (based on items 5 and 6 of the request to participate form for service contracts and on items 5 and 6 of the tender form for supply contracts). The reference period which will be taken into account will be the last three years from submission deadline.
  - The candidate has successfully completed during the last three years at least one project similar to the one covered by this contract. The value of such project shall amount to at least to 5,000.00 EUR. Alternatively, the candidate has successfully

completed during the last three years multiple individual direct sales (en detail) with an accrued value of 10,000.00 EUR.

This means that the contract the candidate 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. Candidates are allowed to refer either to projects completed within the reference period (although started earlier) or to projects 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 candidate has implemented the project in a consortium, the percentage that the candidate has successfully completed must be clear from the documentary evidence, together with a description of the nature of the services provided/supplies delivered if the selection criteria relating to the pertinence of the experience have been used.

## **PARTICIPATION**

### **15. Requests to participate format and details to be provided**

Requests to participate must be submitted using the request to participate form, the format and instructions of which must be strictly observed. The request to participate form is attached to DPS Specifications.

The request to participate must be accompanied by a declaration on honour on exclusion and selection criteria using the template available from the following Internet address and attached to DPS Specifications.

[https://wikis.ec.europa.eu/display/ExactExternalWiki/Annexes#Annexes-AnnexesA\(Ch.2\):General](https://wikis.ec.europa.eu/display/ExactExternalWiki/Annexes#Annexes-AnnexesA(Ch.2):General)

Any documentation (brochure, letter, etc.) sent with a request to participate in addition to what has been requested will not be taken into consideration.

### **16. How requests to participate may be submitted**

Applications must be submitted in English exclusively. Applications must be sent, during the validity of the DPS, to the European Union Monitoring Mission in Georgia (EUMM) in electronic form, at the email address: [dps@eumm.eu](mailto:dps@eumm.eu).

Important Requirement: the electronic form is meant to be zipped folder / file containing all the documents as requested

### **17. Deadline for submission of requests to participate**

Economic operators can request to participate at any time throughout the duration of the DPS.

### **18. Clarifications on the contract notice**

Clarifications may be sought from the contracting authority at the following email address [dps@EUMM.EU](mailto:dps@EUMM.EU)

### **19. Outcome of the evaluation**

By submitting a request to participate 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 request to participate form.

### **20. Alteration or withdrawal of requests to participate**

The Participant in the DPS can withdraw from it at any time by sending a Notification via email to the Contracting Authority.