Approved by

Minutes of the Public Procurement Commission

PROCUREMENT DOCUMENTATION

THE PUBLISHED SELECTIVE TENDERING PROCEDURE

**THE ORGANISATION AND SERVICE PROVISION FOR ALMA – EVENT (CONFERENCE)**

**GENERAL PROVISIONS**

* 1. Public Institution European Social Fund Agency (hereinafter - the Contracting Authority), intends to procure the event organisation and support services (hereinafter referred to as the „Services“)
	2. The tenders must be submitted by sending a copy of the tender by email procurement@esf.lt.
	3. The communication and exchange of information between the Contracting Authority and the Suppliers shall take place using e-mail.
	4. The procurement shall be carried out in accordance with the “Description of the procedure for conducting simplified public procurement by diplomatic missions of the Republic of Lithuania in foreign states, missions of the Republic of Lithuania to international organizations, consular posts and special missions, also other contracting authorities procuring abroad the supplies, services or works intended for their divisions, Diplomatic missions of the Republic of Lithuania in foreign countries, missions of the Republic of Lithuania to international organisations, consular offices and special missions, military envoys or special attachés abroad or intended for the developmental cooperation and other projects under implementation abroad”, approved by Order No. V-809/V-188 of 31 August 2017 of the Minister of National Defense of the Republic of Lithuania and Minister of Foreign Affairs of the Republic of Lithuania[[1]](#footnote-1) (hereinafter - Description) and this Procurement documentation.
	5. The Procurement shall be carried out in accordance with the principles of equality, non-discrimination, transparency, mutual recognition, proportionality as well as the requirements of confidentiality and impartiality.
	6. All terms and conditions are set out in the Procurement documentation, including:
		1. notice of procurement and the procurement documents published on the Contracting Authority's website (<https://www.esf.lt/>). Additional notices and information notices may be published elsewhere on the Internet, in local publications of the state wherein the procurement is conducted or by other means;
		2. Procurement documents including annexes;
		3. explanatory (revision) notes to the Procurement documentation, as well as answers to the supplier‘s questions (if any), published on the Contracting Authority's website (<https://www.esf.lt/>).

1.7. The procurement is organized and executed by the Public Procurement Commission (hereinafter - Commission). Persons authorized to maintain direct contact with the suppliers: Vaida Šėmienė, email: procurement@esf.lt.

1. **OBJECT OF THE PROCUREMENT**
	1. Requirements for the Services and their quantities are provided in the Technical Specification (Annex 1).
	2. The Supplier, regardless of whether he participates in the Procurement individually or as a member of a group of suppliers, may submit only one tender. If the Supplier submits more than one tender ​and/or participates as a member of a group of entities in submitting several tenders, all such tenders will be rejected.
	3. Submission of alternative tenders is prohibited.
	4. References in the description of the procurement object (technical specification) to the standard, specific trademark, manufacturer, origin of the goods / equipment and / or the like must be read and understood together with the words “or equivalent”.
2. **EXECUTION OF THE PROCUREMENT**
	1. The published selective tendering procedure shall be conducted through e-mail, in accordance with the provisions of Chapter VII of the Description, by publishing a notice of the procurement and the procurement documents on the Contracting Authority's website (<https://www.esf.lt/>) in accordance with the procedure stipulated in the Description Chapter XIV.
	2. The procurement shall consist of the following stages:
		1. Suppliers shall submit their tenders via an e-mail in accordance with the procedure set out in the Procurement documentation;
		2. The contracting authority will evaluate the tenders as provided for in Chapter VI of the Procurement documentation.
		3. the Contracting Authority, having evaluated the tenders, shall determine the ranking of tenders and decide on the successful supplier offering the most economically advantageous tender;
		4. the Contracting Authority shall sign a contract with the successful tenderer.
3. **REQUIREMENTS FOR PREPARATION AND SUBMISSION OF TENDER**

4.1. The tender must be submitted before the deadline for submission of tenders specified in the notice of procurement on the Contracting Authority's website (<https://www.esf.lt/>)

4.2. The price of the Services offered must be specified in euros and expressed and calculated in accordance with Tender Form (Annex 2) to this Procurement documentation (*rounded to two decimal places*). The Tender will be evaluated in euros.

4.3. The Tender must be signed in any of the following ways:

4.3.1. With a qualified electronic signature. If the Supplier certifies the documents using an electronic rather than a physical signature, the electronic signature must meet the requirements set out in Points 2 and 3 of Paragraph 11 of Article 22 of the Law on Public Procurement (LPP).

4.3.2. A scanned document certified with a physical signature shall be attached.

4.4. By signing the tender, the Supplier confirms the authenticity of the accompanying annexes. In this case, annexes to the tender may not be signed separately. If Tender is signed not by head of company, there must be provided mandate to sign this Tender and related explanations.

4.5. The Supplier who intends to use a subcontractor for the performance of the Contract in Tender Form (Annex 2) must indicate this subcontractor and the part of the Contract for which it is intended to be used (if known).

4.6. Supplier’s Tender, documents and other relevant information must be provided **in English**. If the relevant documents are issued in another language, they must be accompanied by an English translation of these documents.

1. **EXPLANATION AND REVISION OF THE PROCUREMENT DOCUMENTATION**

5.1. Procurement documentation, any explanations, and supplements thereof, including notifications to the Suppliers, corrections of the arithmetic errors specified in the tender, supporting documents to abnormally low price, shall be submitted and transferred via email.

5.2. The Supplier may ask the Commission to explain the Procurement documentation.

5.3. Before the deadline for submission of tenders, the Commission is entitled to explain (clarify) the Procurement documentation on its own initiative.

1. **EVALUATION OF TENDERS AND DETERMINATION OF THE SUCCESSFUL TENDER**

6.1. The most economically advantageous tender is selected based on the lowest price.

6.2. To decide on the successful tender, the Commission shall immediately evaluate the submitted tenders of the suppliers and draw up the ranking sequence of the tenders. Only one most economically advantageous tender can be recognised as the successful tender. The ranking sequence of tenders shall be drawn up in order of descending economic advantage. In cases where the economic advantage in the tenders of a few tenderers is the same, the Supplier of the earliest submitted tender shall be ranked first in the ranking sequence of tenders.

6.3. Information on the results of the procedure shall be made available to all the tenderers without delay, but no later than within 5 working days of the date of the decision to determine the successful tender.

6.4. The Commission shall notify the Suppliers of the tenders which have been rejected specifying the reasons for the rejection within the time specified in paragraph 6.3 of the Procurement documentation.

1. **NEGOTIATIONS**

7.1. Not applicable.

1. **EVALUATION PROCEDURE FOR TENDER**

8.1. The price specified in tenders will be evaluated in euros. If the prices in the tenders are quoted in a foreign currency, they will be converted to euro according to the indicative exchange rate of the euro and the foreign currency published by the European Central Bank or, in the cases when the European Central Bank does not publish the indicative exchange rate of the euro and the foreign currency, according to the indicative exchange rate of the euro and the foreign currency determined and published by the Bank of Lithuania on the last day of the period set for the submission of the tenders.

8.2. In case the Supplier has provided inaccurate or incomplete data on its tender, the Commission will be obliged to request the Supplier to supplement or explain the data within a reasonable timeframe without prejudice to the principles set out in paragraph 1.5 of the Procurement documentation.

8.3. When examining a Supplier’s tender, the Commission shall:

8.3.1. verify whether the tender meets the requirements set out in the Procurement documentation;

8.3.2. have the right to request the tenderers to adjust, supplement or clarify their tenders in accordance with the in accordance with the Rules for Clarification, Supplementation, or Explanation of Proposals, approved by the Director of the Public Procurement Office by Order No. 1S-240 of 30 December 2022, “On the Approval of the Rules for Clarification, Supplementation, or Explanation of Proposals.”

8.3.3. when the price quoted in a submitted tender appears to be abnormally low, have the right and, if intending to reject the tender, be under the obligation to require the Supplier to provide a justification of the offered price. The price of Services quoted in tenders must in all cases be considered abnormally low if they are 30% or more below the arithmetic average of the prices offered by all Suppliers whose tenders have not been rejected for other reasons and whose offered price do not exceed the funds allocated for the procurement, as determined and recorded in the documents drawn up by the contracting authority prior to the launching of the procurement procedure;

8.3.4. verify whether the offered price is excessive and unacceptable to the Contracting Authority;

* 1. The tenders will be assessed in no participation of the Suppliers and/or the persons authorized by them.
	2. The Contracting Authority shall evaluate the tenders and select the most economically advantageous tender in accordance with the procedure set out in these Procurement documents.

**IX. REASONS FOR REJECTION OF TENDERS**

9.1. The Commission shall reject the tender if:

9.1.1. the Tenderer has not specified, supplemented or explained information within the time period specified by the Commission as prescribed in subparagraph 8.3.2 of the Procurement documentation;

9.1.2. the tender did not meet the requirements set out in the Procurement documentation;

9.1.3. the price offered by the tenderer was too high and unacceptable for the Contracting Authority;

9.1.4. the tender quotes an abnormally low price and the Supplier fails to submit or does not submit adequate evidence of the validity of the lowest price offered;

9.1.5. the Supplier has submitted an alternative tender; its tender and alternative tender(s) will be rejected;

9.1.6. if the supplier fails to submit the completed Tender form (Annex 2) as required in the Procurement documentation;

9.1.7. in other cases provided for in the Description.

**X. DISPUTE SETTLEMENT PROCEDURE**

10.1. All the disputes shall be dealt with in accordance with the requirements of paragraph 104 of the Description.

**XI. CONCLUSION AND TERMS AND CONDITIONS OF THE CONTRACT**

11.1. The Supplier shall be invited to sign the Contract in writing. The Contracting Authority shall specify the time for the successful Supplier to sign the Contract. The time for signing the Contract may be set in a separate notice or in the notice of the successful tenders.

11.2. The Procurement Contract may be concluded no earlier than 5 working days after the date of dispatch of the information specified in paragraph 6.3 of this Procurement documentation to the Supplier, except when the sole interested participant is the one the Procurement Contract is concluded with.

11.3. In cases where the Supplier to which the Procurement Contract was proposed refuses to enter into the contract or fails to sign the contract before the deadline specified by the Contracting Authority, or refuses to conclude the procurement contract under the conditions set out in the Procurement documentation, the Contracting Authority shall propose the conclusion of the Procurement Contract to the Supplier of the tender of which according to the ranking of the tenders is the first after the Supplier who refused to conclude the Procurement Contract.

11.4. When concluding the Procurement Contract, the tender price of the winner or the final results of negotiations (if negotiations were conducted) as well as the terms and conditions of the procurement set in the Procurement documentation and the Tender shall not be amended.

**XII. ANNEXES TO PROCUREMENT DOCUMENTS**

12.1. Technical Specification (Annex 1) annexed as separate document.

12.2. Tender form (Annex 2) annexed as separate document.

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1. <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/a5b134a08e3e11e7a5e2b345b086d377/asr> [↑](#footnote-ref-1)