**LITGRID AB LOW VALUE PROCUREMENT**

**SPECIAL CONDITIONS OF PROCUREMENT**

*Battery capacity measurement device*

27 of April 2023

1. **GENERAL PROVISIONS**

1.1. A published survey shall is being conducted.

1.2. A low value procurement is carried out.

1.3. The procurement is carried out by means of CPP IS. Any information, explanations of the Procurement Conditions, notices or other correspondence between the Contracting Entity and the Suppliers shall be carried out only by these means.

1.4. Justification for the decision not to carry out the Procurement using the Centralized Procurement Directory: the purchase object is not in the CPO directory.

1.5. Negotiations will take place during this Procurement.

* 1. The term Tender in this Procurement means the Initial Tender and/or the Final Tender.
  2. Suppliers are not allowed to submit alternative tenders.
  3. The procedure for the direct settlement with the sub-suppliers and the economic entities whose capacities are relied upon is defined in the draft Contract.

1. **OBJECT OF PROCUREMENT**

2.1. The object of procurement - Battery capacity measurement device.

2.2. A description of the procurement object is provided in the Technical Specification.

* 1. The Procurement object shall not be subdivided into parts of Procurement object.

2.4. The Contracting Entity does not intend to hold meetings with the Suppliers regarding clarifications of the Procurement conditions.

2.5. In case the Contracting Entity receives questions pertaining to Procurement documents, responding to which shall require the provision of confidential information of the Contracting Entity, the Contracting Entity shall provide the information of such nature to every Supplier separately using CPP IS communication means. The Supplier, willing to get acquainted with the information of such nature, shall be liable to send an application using CPP IS communication means as well as completed and signed Confidentiality liability (Annex no. 6 to the SPC).

1. **GROUNDS FOR EXCLUSION AND QUALIFICATION REQUIREMENTS**

3.1. The absence and qualifications of the grounds for exclusion of suppliers are not verified in this Procurement.

1. **REQUIREMENTS FOR ENVIRONMENTAL PROCUREMENTS AND OTHER REQUIREMENTS**

4.1. The Procurement is subject to the environmental requirements specified in the Draft of the Contract, as well as other requirements specified in Table 1. Suppliers must declare compliance with other requirements and/or submit documents justifying compliance with these requirements, in the order indicated in Table 1.

Table 1

|  |  |  |
| --- | --- | --- |
| **OTHER REQUIREMENTS** | | |
| **No.** | **Requirement** | **Documents submitted** |
|  | The Supplier, its Sub-supplier, economic entities whose capacity is relied on, the manufacturer of the goods offered by the Supplier or the persons controlling them are not legal entities registered in the countries or territories[[1]](#footnote-2) listed in Article 92 (15) of the LPP. | Compliance with the requirement must be declared in the Application and the Tender (appendix 1 of the SPC).  If the Contracting Entity has doubts about the correctness of the information provided by the Supplier, the Supplier who submitted the most economically advantageous Tender will have to submit:  If the Supplier, Sub-Supplier, Economic entity whose capacity is relied on, the manufacturer of the goods offered by the Supplier or the person controlling them is a legal entity:   * extended extract from the Register of Legal Entities with history, * extract from the information system for participants in legal entities, * extract of data on the beneficiaries of the legal entity, * or relevant documents from a member state or a third country shall be submitted.   If the Supplier, Sub-Supplier, Economic entity whose capacity is relied on, the manufacturer of the goods offered by the Supplier or a person controlling them is a natural person:   * a copy of an identity document (identity card or passport), * a document certifying the relevant economic activity (e. g business certificate, individual activity certificate, etc.), * proof of declared place, * of residence or relevant documents from a member state or a third country shall be submitted.   Documents that do not have an expiration date must be issued or printed from the information system no earlier than three months before the date on which the Supplier must submit the documents at the request of the Contracting Entity. |
|  | The Supplier, its Sub-supplier, economic entity whose capacity is relied on, the manufacturer of the goods offered by the Supplier or the persons controlling them are not natural persons residing in the countries or territories listed in Article 92 (15) of the LPP or having the citizenship of these countries. |

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|  | the goods do not originate or the services are not provided from countries or territories included in the list provided for in Article 92 (15) of the LPP; | Compliance with the requirement must be declared in the Application and the Tender (appendix 1 of the SPC).  If the Contracting Entity has doubts about the correctness of the information provided by the Supplier, the Supplier who submitted the most economically advantageous Tender will have to submit documents proving the origin of the goods (certificate of origin, manufacturer's declaration or other document proving the origin of the goods to be procured). |
|  | The Government of the Republic of Lithuania, in accordance with the criteria established in the Law on the Protection of Objects Important for Ensuring National Security, has adopted a decision confirming that the entities specified in Clauses 1 and / or 2 of this table do not meet national security interests; | Compliance with the requirement must be declared in the Application and the Tender (appendix 1 of the SPC). |
|  | The Suppliers, the Sub-suppliers, members of the Supplier group or the Economic entity whose capacity is relied on may not participate in the Procurement if they or the manufacturers of goods they offer, or the legal or natural persons who control them, are subject to international sanctions (restrictive measures) implemented by the United Nations Security Council, the European Union, other international organizations of which the Republic of Lithuania is a member or participant, or by the United States of America. | Compliance with the requirement must be declared in the Application and the Tender (appendix 1 of the SPC). |

**5. REQUIREMENTS FOR THE SUBMISSION OF TENDERS**

5.1. The Tender must be submitted using *the CPP IS correspondence means*. Upon receipt of the Tender by means other than those specified in this clause, the Contracting Entity shall inform the Supplier thereof, and shall not examine or evaluate such Tender.

5.2. **In** **the Initial tender, the Supplier shall submit**:

5.2.1. Completed Tender Form signed with a qualified electronic or physical signature.

5.2.2. In case the Tender form is signed by qualified electronic or physical signature by a person authorised by the head of the Supplier, a valid written authorisation or another document, granting the right to sign the Tender must be submitted along with the Tender.

5.2.3. In case a group of Suppliers, united on the basis of joint activity participates at the Procurement procedures, a joint activity Contract must be submitted by it.

5.2.4. Information on the economic entities whose capacity is relied upon, the sub-suppliers and quasi sub-suppliers in accordance with the form set out in Annex 4 to the SPC.

5.2.5. Completed and signed declarations confirming the consent to be the Subcontractor, according to the schedules attached to Annex 4 to the SPC, or other documents specifying the title of the Procurement and the works/services and goods delegated to be performed, and providing a confirmation that the entities in question agree/promise to implement the Contract jointly with the Supplier and be accessible throughout the term of the Contract.

5.2.6. Completed and signed Annex to the Technical Specification: Technical requirements for battery capacity measurement device.

5.2.7. Documentation confirming the compliance of the offered goods with the requirements set in Annex to the Technical specification.

5.3. Invitations to submit final tenders to suppliers shall be sent after negotiations by a separate notice by the means by which the Procurement is carried out.

5.4. **In the final tender, the Supplier must submit**:

5.4.1. Completed Tender Form signed with a qualified electronic and (or) physical signature;

5.4.2.If the Tender is signed with an qualified electronic or physical signature by a person authorized by the Manager, the Tender must be accompanied by a valid written power of attorney or other document authorizing the signing of the Tender;

5.4.3. Missing information, documents or clarifications specified in the Initial Tender examined by the Contracting Authority.

5.4.4. Documents referred to in the minutes of the negotiations.

* 1. *The Tender form and Annexes to Procurement conditions must be submitted in the Lithuanian language, other documents may be submitted in the Lithuanian or English languages.*

1. **EXAMINATION AND EVALUATION OF TENDERS**

6.1. The Tenders complying with the requirements established under the Procurement documents, shall be assessed based on the price.

# **TENDER VALIDITY SECURITY**

* 1. No Tender validity security shall be requested in the course of this Procurement.

1. **OTHER PROVISIONS**

8.1. The Supplier who has submitted the most economically advantageous Tender and is determined as possible winner / winner, at the request of the Contracting Entity within its deadline, which may not be less than 3 days, will have to submit Annex 6 of the SCP "Confidential Information".

8.2. The Contracting Entity will inform the Coordinating Commission of the intention to conclude the Contract in at least one of the circumstances provided for in Clause 17.1 of the GPC. In the event of a verification of the compliance of the intended contract with the national security interests, the Supplier undertakes to provide the Contracting Authority and / or the competent authorities with all data, documents and consents necessary for such verification in accordance with the provisions of Chapter 17 of the GPC.

**9. CONTRACT PRICE AND PERFORMANCE SECURITY**

9.1. The price of the Contract concluded with the winning Supplier shall be equal to the price of the Tender of the winning Supplier.

9.2. The Contract shall envisage Contract execution securities, such as penalty payments and fines, for improper execution of the liabilities established under the Contract and (or) failure to execute them.

**10. PRELIMINARY TIMETABLE FOR PROCUREMENT PROCEDURES**

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| --- | --- | --- | --- |
| **No.** | **Stage** | | **Preliminary end date** |
| 1. |  | Contract notice | 04-05-2023 |
| 2. |  | Reception of Tenders | 12-05-2023 |
| 3. |  | Examination of Tenders | 06-06-2023 |
| 4. |  | Decision on the Successful Tender and award of the Contract | 06-19-2023 |

**11. ANNEXES**

**11.1. The Annex is an integral part of the Procurement Conditions. The following annexes are attached to the Procurement Conditions**:

Annex 1 - Tender form.

Annex 2 - Technical Specification.

Annex 3 - Draft Contract.

Annex 4 - Information about the sub-suppliers.

Annex 5 - Confidential information (*only the potential successful Tenderer will be asked to submit*).

Annex 6 - Commitment of Confidentiality.

Prepared by:

1. Russian Federation; The Republic of Belarus; Crimea annexed by the Russian Federation; The territory of Transnistria not controlled by the Government of the Republic of Moldova; The territories of Abkhazia and South Ossetia which are not under the control of the Sakartveli Government. [↑](#footnote-ref-2)