

**AB “KELIŲ PRIEŽIŪRA”**

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**International public procurement  
"** **(PU-14575/25) [ITP25] Spreading and cleaning equipment "  
Special conditions for open tender**

CONTENT

**1. General information**

**2. Procurement object**

**3. Meetings with suppliers and inspection of the procurement object**

**4. Grounds for exclusion of suppliers and qualification requirements**

**5. Requirements relating to national security**

**6. Special requirements for the preparation and submission of tenders**

**7. Ensuring the validity of the tender**

**8. Electronic auction**

**9. Evaluation of tenders**

**10. Conclusion of the agreement**

**11. Other conditions**

**Annex to the Procurement conditions:**

[Annex 1 to the Procurement Conditions, “Terms”](#_Toc124404956)

[Annex 2 to the Procurement Conditions “Technical Specification“](#_Toc124404957)

[Annex 3 to the Procurement Conditions, "Grounds for exclusion of suppliers"](#_Toc124404958)

[Annex 4 to the Procurement Conditions, “Supplier qualification requirements and required quality and environmental management system standards”](#_Toc124404959)

[Annex 5 to the Procurement Conditions, "ESPD" (in XML and PDF format)](#_Toc124404960)

[Annex 6 to the Procurement Conditions “Tender form”](#_Toc124404961)

[Annex 7](#_Toc124404962) to the Special procurement conditions “Criteria and conditions for evaluating tenders”

[Annex 8 to the Procurement Conditions "Supplier's declaration of compliance with the provisions of the Regulation for legal entities"](#_Toc124404963)

[Annex 9 to the Procurement Conditions "Supplier's declaration of compliance with the provisions of the Regulation for natural persons"](#_Toc124404964)

[Annex 10 to the Procurement Conditions, “Supplier’s Declaration of Compliance with Article 45(2](#_Toc124404964)[1](#_Toc124404964)[) of the Law on Public Procurement”.](#_Toc124404964)

Annex 11 to the Procurement Conditions, "Draft Agreement".

# General information

* 1. Contracting authority – AB “Kelių priežiūra”, legal entity code 232112130, address Savanorių pr. 321C, 50120 Kaunas. Contracting authority is a VAT payer.

1.2. The procurement is not carried out using the centralized procurement catalogue because it is not possible to purchase these goods through the CPO catalog.

1.3. Contracting authority does not reserve the right to participate in the procurement.

1.4. Observers are not invited to attend Commission meetings.

1.5. Green procurement is being carried out. The environmental criteria and/or green requirements are specified (highlighted in green) in the annexes to the special procurement conditions.

1.6. No prior announcement of the procurement was published.

* 1. In this procurement, the contracting authority does not intend to publish a notice of voluntary *ex ante* transparency.
  2. Alternative tenders are not permitted in this procurement.
  3. The general procurement conditions are an integral part of these procurement conditions.
  4. In the event of any discrepancies between the Lithuanian and English texts of the procurement documents, the Lithuanian text shall prevail.

# 2. Procurement object

* 1. . Contracting authority intends to purchase spreading and cleaning equipment. Requirements for the procurement object are set out in Annex 2 to the Special procurement conditions, "Technical Specifications."

2.2. The procurement object is divided into 2 parts, the scope and subject matter, requirements, and technical specifications of which are defined in Annex 2 to the special procurement conditions, "Technical Specifications." Contracting authority will concludeseparate agreements for the parts of the procurement for which the same supplier has been determined as the winner.

2.3. If the technical specifications describe the procurement object by referring to a specific model or source of supply, a specific process characteristic of the goods or services supplied by a specific supplier, or a trademark, patent, type, specific origin or production, each such reference shall be deemed to be accompanied by the words "or equivalent."

2.4. If the technical specifications describing the procurement object refer to a standard, technical certificate or general technical specifications (Lithuanian standard transposing a European standard, European technical assessment approval document, general technical specifications for information and communication technologies, international standard, other technical normative systems established by European standardisation organisations, national standards, national technical certificates or national technical specifications relating to the design, estimation and execution of works and the use of goods), each such reference shall be deemed to be accompanied by the words "or equivalent".

# 3. Meetings with suppliers and inspection of the procurement object

* 1. Contracting authority will not organize a meeting with suppliers to explain the procurement conditions.

3.2. The contracting authority will not organize an inspection of the procurement object.

# 4. Grounds for exclusion of suppliers and qualification requirements

4.1. The requirements regarding the absence of grounds for exclusion of the supplier and sub-suppliers (if applicable), economic operators on whose capacity the supplier relies, and the documents confirming their absence are specified in Annex 3 to the special procurement conditions, "Grounds for exclusion of suppliers."

* 1. Qualification requirements and/or requirements for compliance with quality management system and/or environmental management system standards and documents confirming their compliance are specified in Annex 4 to the special procurement conditions "Supplier qualification requirements and required quality and environmental management system standards."

# 5. Requirements related to national security

5.1. The provisions of the Regulation apply to the procurement. Together with the tender, the supplier must submit a completed declaration of (non-)compliance with the provisions of the Regulation, which is provided in Annexes 8 and 9 to the special procurement conditions ("Supplier's declaration of compliance with the provisions of the Regulation for legal persons" and "Supplier's declaration of compliance with the provisions of the Regulation for a natural person"). If there are doubts about the supplier's compliance with the provisions of the Regulation, the contracting authority will ask the potential winner to submit documents proving the accuracy of the information provided in the declaration.

5.2. If the contracting authority finds that the sub-supplier or economic operator relied upon by the supplier meets the restrictions set out in Article 5 of the Regulation, it shall require the supplier to replace them with other entities that meet the requirements of the procurement conditions.

5.3. Contracting authority shall reject the supplier's tender if at least one of the conditions specified in Article 45(21) clauses (1)-(3) and (6) of the Law on PP is met. The supplier must submit, together with the tender, a completed Annex 10 to the special procurement conditions, "Supplier's declaration of compliance with Article 45(21) of the Law on Public Procurement." If the contracting authority has doubts about the accuracy (veracity) of the information provided by the supplier in this declaration, it shall request the potential winner to submit documents confirming the information provided in this declaration, as specified in Article 51(12) of the Law on PP or other documents acceptable to the contracting authority. Contracting authority may request such documents at any stage of the procurement procedure or during the performance of the agreement in order to ensure the proper conduct of the procurement procedure and the performance of the agreement.

# 6. Special requirements for the preparation and submission of tenders

6.1. The supplier's tender consists of all the documents submitted to the CPP IS and listed below:

* + 1. the tender signed by the supplier, prepared in accordance with the tender form provided in Annex 6 to the special procurement conditions.
    2. completed ESPD (Annex 5 to the special procurement conditions). By signing the tender, the supplier also confirms the authenticity of the ESPD.
    3. a copy of the joint venture agreement (if a group of economic operators is participating in the procurement on the basis of a joint venture agreement);
    4. a document certifying that the person who signed the proposal (if other than the supplier's manager) was authorised to sign it;
    5. a document confirming that the person who signed the tender (if he is not the supplier's manager) had the right to sign it;
    6. if the supplier relies on the capacities of economic operators, evidence that these resources will be available throughout the period of performance of the contractual obligations;
    7. if the supplier uses sub-suppliers, a declaration from the sub-supplier or other document confirming their agreement to be a sub-supplier in the procurement;
    8. documents confirming that the economic operator on whose capacity the supplier relies, taking into account the economic and financial capacity requirements set out in Annex 4 to the special procurement conditions, together with the supplier, undertakes to be jointly and severally liable for the performance of the supplier's obligations under the agreement and to compensate for any damage that may arise from the supplier's improper performance or non-performance of its obligations (if the contracting authority imposes such qualification requirements and requires joint and several liability);

6.1.9. technical specification annex(es) completed in accordance with the information specified in Annex 2 to the special procurement conditions (if required).

* 1. The tender may be signed with a qualified electronic signature. If the supplier certifies documents using an electronic signature rather than a physical signature, the electronic signature must comply with the requirements set out in Article 22(11) clause 2 and 3 of the Law on PP. If the contracting authority has doubts about the authenticity of the documents, it has the right to request the originals. This may include:
     1. documents signed with a qualified electronic signature and created by electronic means are submitted;
     2. digital copies of documents (documents certified by a physical signature must be signed and scanned).
  2. The tender must be prepared in Lithuanian or English. If any of the documents submitted with the tender are not in the required language, the contracting authority may request that an accurate translation into the required language be provided. If the contracting authority has doubts about the quality of the translation of a document submitted in the tender and/or its conformity with the content of the original document, the contracting authority shall request a translation of this document certified by the signature of the person who performed the translation and the stamp of the translation agency (if any).
  3. The total price (cost) of the tender, including VAT, must be indicated to two decimal places. The components or rates that make up this price may be expressed without limiting the number of decimal places.
  4. The prices indicated in the suppliers' tenders (total tender price) will be evaluated and compared excluding VAT.

# Ensuring the validity of the tender

* 1. The contracting authority does not require the validity of the tender to be guaranteed by a document, but reserves the right to seek compensation in court for damages incurred as a result of the supplier changing or withdrawing its tender during the tender validity period or the successful tenderer refusing to conclude the agreement.

# Electronic auction

* 1. The contracting authority will not use an electronic auction in the procurement.

# Evaluation of tenders

9.1. The contracting authority selects the most economically advantageous tender based on the price-quality ratio. The data that the supplier must provide in its tender, the evaluation criteria, and the procedure for evaluating the data provided by the supplier are set out in Annex 7 to the Procurement conditions, "Tender Evaluation Criteria and Conditions."

9.2. Only 1 (one) economically most advantageous tender, ranked first in the tender ranking for the relevant part of the procurement object, may be recognized as the winning tender for each part of the procurement object. The same supplier may be declared the winner for all parts of the procurement object.

* 1. The contracting authority shall reject the supplier's tender without the possibility of contacting the supplier regarding its submission if the following documents required by the procurement conditions are not submitted together with the tender: Annex 6 "Tender Form" and annexes to the tender form (if required), indicating the price and/or rates.
  2. The procurement will primarily evaluate the information provided by the supplier/manufacturer at the time of procurement (together with the tender). The tender will be evaluated based on this information. If there is additional information in the public domain (which is not part of the supplier's tender), the information provided in the procurement (supplier's tender) shall be considered correct.

# Conclusion of the agreement

10.1. The contract is subject to a combination of pricing methods set out in points 10.1-10.7 of the pricing methodology. The contract is subject to mixed pricing: for goods - fixed price pricing; for technical services - fixed rate pricing.

10.2. This procurement procedure is carried out with a view to concluding an agreement with the supplier whose tender will be recognized as the winning tender in accordance with the procedure laid down in the procurement conditions, and, if the procurement is divided into lots, with the suppliers whose tenders will be recognized as the winning tenders. The terms and conditions of the agreement are set out in Annex 11 to the Procurement Conditions, "Draft Agreement"

10.3. If the tender submitted by the group of suppliers is accepted as the winning tender and the contracting authority offers to conclude an agreement with it, the contracting authority shall not require that group of suppliers to acquire a specific legal form.

# Other conditions

11.1. Support material for suppliers on how to successfully participate in public procurement and submit a proper and acceptable bid <https://vpt.lrv.lt/lt/metodine-pagalba/tiekejams/>.

11.2. Suppliers/participants submitting bids are requested to cover (hide) the personal data of natural persons if such data is not necessary to verify the supplier's/participant's compliance with the requirements set out in the procurement documents (this provision does not apply to the contact details of persons responsible for submitting the tender and performing the agreement). Information about the processing of personal data by the contracting authority is available at www.keliuprieziura.lt, under the heading Personal Data Management.(<https://www.keliuprieziura.lt/apie-mus/asmens-duomenu-valdymas/548> ).

11.3. The contracting authority implements a responsible and sustainable business culture and practices in accordance with its Sustainability Policy (https://keliuprieziura.lt/darnumas/505), which sets out the main principles and commitments of sustainability. We also conduct our activities in accordance with the ethical and behavioral standards set forth in the Code of Ethics (https://keliuprieziura.lt/ darnumas/etikos-kodeksas/532 ), so it is important to us that our suppliers and the economic entities they engage also adhere to the principles of responsible business that we follow. The supplier and the economic operators it engages must familiarize themselves with the supplier's code of ethics before submitting bids. <https://keliuprieziura.lt/data/public/uploads/2022/11/tiekeju-etikos-kodeksas.pdf> .

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