

**SERVICE CONTRACT NOTICE****Provision of professional translators and revisers specialized in voluminous technical legal texts and complex proceedings before international courts  
(English, Albanian, Serbian)  
The Hague / The Netherlands**

The current financing decision of the contracting authority runs for two years, starting on 15 June 2018 and ending on 14 June of 2020. Thus, any contract(s) resulting from this tender procedure will contain a suspensive clause whereby continuation of such contract(s) beyond 14 June 2020, as well as beyond the same calendar day 14 June of the year immediately thereafter in case of contract renewal, will be subject to and be conditional upon:

- (i) continuation or extension of the mandate of the contracting authority;
- (ii) prior adoption of a financing decision and the prior conclusion of a financing agreement for the contracting authority;
- (iii) availability of funds in the relevant budget line(s) of such financing agreement.

If any of the above conditions are not satisfied, the contract shall be suspended with immediate effect and should the period of suspension exceed 90 days, the contract will automatically terminate.

**1. Publication reference**

KSCR/PROC/2019/0346

**2. Procedure**

Restricted

**3. Programme title**

Kosovo Specialist Chambers: Support for re-located judicial proceedings within a Member State under the mandate of EULEX Kosovo

**4. Financing**

EU Grant Contract CFSP/2018/12 Kosovo Specialist Chambers

**5. Contracting Authority**

Kosovo Specialist Chambers (KSC), **located in The Hague, The Netherlands.**

Clarifications may be sought from the contracting authority at the following email address [Joan.Puig-Vall@scp-ks.org](mailto:Joan.Puig-Vall@scp-ks.org) at the latest 21 days before the deadline for submission of applications stated at the point 23 below.

Clarifications will be posted on the KSC website at the latest 11 days before the deadline for submission of applications stated at the point 23 below.

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## CONTRACT SPECIFICATION

### 6. Nature of contract

Fee-based framework contract without reopening the competition by application of the cascade system at the level of each assignment.

The Contracting Authority will sign the framework contract with an unlimited number of service providers. The framework contract will be implemented through Order forms, using the cascade system with a view to ensuring that a particular assignment can be performed in succession by one or other of the Contractors in descending order.

### 7. Contract description

The Kosovo Specialist Chambers seeks to engage multiple professional translators and revisers specialized in voluminous technical legal texts and complex proceedings before international courts. Contracts resulting from this call for tenders (if any) will take the form of framework contracts and will be awarded through the cascade method. The term of such framework contracts shall be two years. Both natural persons and legal persons will be able to submit a tender.

### 8. Number and titles of lots

Lot #	Lot title	Indicative two-year budget
1	Provision of English to Albanian translators	162.000 EUR
2	Provision of Albanian to English translators	108.000 EUR
3	Provision of English to Serbian translators	162.000 EUR
4	Provision of Serbian to English translators	108.000 EUR
5	Provision of English to Albanian revisers	18.000 EUR
6	Provision of Albanian to English revisers	12.000 EUR
7	Provision of English to Serbian revisers	18.000 EUR
8	Provision of Serbian to English revisers	12.000 EUR

### 9. Maximum budget

600,000.00 EUR (over a two-year period).

### 10. Scope for additional services

The contracting authority may, at its own discretion, extend the project in duration and/or scope

subject to the availability of funding up to a maximum not exceeding the length and the value of the initial contract. Any extension of the contract shall be subject to satisfactory performance by the contractor. The cost and duration of the additional services shall be agreed through a negotiated procedure.

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## CONDITIONS OF PARTICIPATION

### 11. Eligibility

Participation in this tender procedure is open to all natural and legal persons without limitation.

### 12. Candidature

All eligible natural and legal persons (as per item 11 above) or groupings of such persons (consortia) may apply.

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

The participation of an ineligible natural or legal person (as per item 11) 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.

### 13. Number of applications

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

The candidates may submit an application for one lot only, several lots or all of the lots, but only one application per lot. Contracts will be awarded lot by lot and each lot will form a separate contract.

### 14. Shortlist alliances prohibited

Any tenders received from tenderers comprising firms other than those mentioned in the short-listed application forms will be excluded from this restricted tender procedure unless prior approval from the contracting authority has been obtained (see practical guide – PRAG – 2.6.3.). Short-listed candidates may not form alliances or subcontract to each other for the contract in question.

### 15. Grounds for exclusion

As part of the application form, candidates must submit a signed declaration, included in the standard application form, to the effect that they are not in any of the exclusion situations listed in Section 2.6.10.1. of the PRAG.

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.

**16. Sub-contracting**

Subcontracting is allowed.

**17. Number of candidates to be short-listed**

All eligible candidates meeting the selection criteria will be invited to submit a bid in response to this call for tenders.

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**PROVISIONAL TIMETABLE**

**18. Provisional date of invitation to tender**

Sometime in November 2019.

**19. Provisional commencement date of the contract**

Immediately after signature of the contract by all parties.

**20. Initial period of implementation of tasks**

The initial period for implementing the tasks is 12 months from the commencement date of the contract.

The contract shall be automatically renewed for an additional period of 12 months, under the same terms and conditions, unless written notification to the contrary is sent by one of the parties and received by the other 3 months prior to the expiry of the initial term.

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**SELECTION AND AWARD CRITERIA**

**21. Selection criteria**

The following selection criteria will be applied to candidates. In the case of applications submitted by a consortium, these selection criteria will be applied to the consortium as a whole unless specified otherwise. The selection criteria will not be applied to natural persons and single-member companies when they are sub-contractors.

**Lot # 1: Provision of English to Albanian translators – Selection criteria for NATURAL persons**

**Economic and financial capacity of candidate:**

- The candidate must be in a stable financial position and have an average gross annual income over the 3 years before the deadline for receipt of applications which must be equal to or exceed 3,000.00 Euros (or an equivalent amount in any other currency). For purposes of this tender and if the candidate is a natural person, the use of the term ‘annual turnover’ in section 3 the application form should be understood as referring to ‘gross annual income’.

**Professional capacity of candidate:**

- The candidate is in possession of a university degree, at a minimum at the bachelor level, in modern languages, translation, law or other relevant field.

**Technical capacity of candidate:**

- The candidate has 3 years of translation/revision experience including at least 50 days translating/revising/interpreting from English into Albanian at the professional level for international courts or tribunals (attested by letters or certificates issued by such international courts or tribunals). All this experience must have been acquired within 10 years prior to the deadline for receipt of applications. Previous experience which caused breach of contract and termination by a contracting authority shall not be used as reference.

**Lot # 1: Provision of English to Albanian translators – Selection criteria for LEGAL persons**

**Economic and financial capacity of candidate:**

- The average annual turnover over the last 3 accounting years for which the candidate's accounts have been closed must be equal to or exceed 81,000.00 Euros (or an equivalent amount in any other currency).

**Professional capacity of candidate:**

- The candidate is duly registered, licensed or otherwise empowered (by the competent body of the country or countries where it is registered for business) to provide translation/revision services;
- The candidate must propose in a separate sheet attached to its application the CVs of minimum 3 English to Albanian translators, who have either worked for the candidate in the past in the field of translation/revision services, or who have confirmed to the candidate that they will be available to do so in the future. The candidate must submit written statements from all translators proposed corroborating that they have indeed been engaged by the candidate in the past to provide translation/revision services or that they are eager and willing to do so in the future. Different candidates may not propose the same translator twice or more times in different applications for the same lot. If a translator is proposed for the same lot by different candidates, all candidates concerned will be rejected.

**Technical capacity of candidate:**

- The candidate has provided translators/revisers to international courts and tribunals, under one or more contracts with a total cumulative value equal to or exceeding 40,500.00 Euros (or an equivalent amount in any other currency), within the 5 years before the deadline for receipt of applications. This means that the contracts the candidate refers to could have been started or completed at any time during the indicated period but do not necessarily have to be started and completed during that period, nor implemented during the entire period. Candidates are

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allowed to refer either to contracts completed within the reference period (although started earlier) or to contracts not yet completed. In the first case the contract will be considered in its whole if proper evidence of performance is provided (statement or certificate from the entity which awarded the contract, proof of final payment). In case of contracts still on-going only the portion satisfactorily completed during the reference period although started earlier will be taken into consideration. This portion will have to be supported by documentary evidence (similarly to contracts completed) also detailing its value. If a candidate has implemented the contract 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 if the selection criteria relating to the pertinence of the experience have been used. Documentary evidence is not required at the application stage but will be requested with the invitation to tender. Only contracts fulfilled to acceptable levels of performance and customer satisfaction will be taken into account when assessing the compliance of the candidate with this selection criteria;

- Each translator proposed by the candidate must meet the selection criteria of professional and technical capacity of NATURAL persons mentioned above.

**Lot # 2: Provision of Albanian to English translators – Selection criteria for NATURAL persons**

**Economic and financial capacity of candidate:**

- The candidate must be in a stable financial position and have an average gross annual income over the 3 years before the deadline for receipt of applications which must be equal to or exceed 2,000.00 Euros (or an equivalent amount in any other currency). For purposes of this tender and if the candidate is a natural person, the use of the term ‘annual turnover’ in section 3 the application form should be understood as referring to ‘gross annual income’.

**Professional capacity of candidate:**

- The candidate is in possession of a university degree, at a minimum at the bachelor level, in modern languages, translation, law or other relevant field.

**Technical capacity of candidate:**

- The candidate has 3 years of translation/revision experience including at least 50 days translating/revising/interpreting from Albanian into English at the professional level for international courts or tribunals (attested by letters or certificates issued by such international courts or tribunals). All this experience must have been acquired within 10 years prior to the deadline for receipt of applications. Previous experience which caused breach of contract and termination by a contracting authority shall not be used as reference.

**Lot # 2: Provision of Albanian to English translators – Selection criteria for LEGAL persons**

**Economic and financial capacity of candidate:**

- The average annual turnover over the last 3 accounting years for which the candidate's accounts have been closed must be equal to or exceed 54,000.00 Euros (or an equivalent amount in any other currency).

**Professional capacity of candidate:**

- The candidate is duly registered, licensed or otherwise empowered (by the competent body of the country or countries where it is registered for business) to provide translation/revision services;
- The candidate must propose in a separate sheet attached to its application the CVs of minimum 2 Albanian to English translators, who have either worked for the candidate in the past in the field of translation/revision services, or who have confirmed to the candidate that they will be available to do so in the future. The candidate must submit written statements from all translators proposed corroborating that they have indeed been engaged by the candidate in the past to provide translation/revision services or that they are eager and willing to do so in the future. Different candidates may not propose the same translator twice or more times in different applications for the same lot. If a translator is proposed for the same lot by different candidates, all candidates concerned will be rejected.

**Technical capacity of candidate:**

- The candidate has provided translators/revisers to international courts and tribunals, under one or more contracts with a total cumulative value equal to or exceeding 27,000.00 Euros (or an equivalent amount in any other currency), within the 5 years before the deadline for receipt of applications. This means that the contracts the candidate refers to could have been started or completed at any time during the indicated period but do not necessarily have to be started

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- Each translator proposed by the candidate must meet the selection criteria of professional and technical capacity of NATURAL persons mentioned above.

**Lot # 3: Provision of English to Serbian translators – Selection criteria for NATURAL persons**

**Economic and financial capacity of candidate:**

- The candidate must be in a stable financial position and have an average gross annual income over the 3 years before the deadline for receipt of applications which must be equal to or exceed 3,000.00 Euros (or an equivalent amount in any other currency). For purposes of this tender and if the candidate is a natural person, the use of the term ‘annual turnover’ in section 3 the application form should be understood as referring to ‘gross annual income’.

**Professional capacity of candidate:**

- The candidate is in possession of a university degree, at a minimum at the bachelor level in modern languages, translation, law or other relevant field.

**Technical capacity of candidate:**

- The candidate has 3 years of translation/revision experience including at least 50 days translating/revising/interpreting from English into Serbian at the professional level for international courts or tribunals (attested by letters or certificates issued by such international courts or tribunals). All this experience must have been acquired within 10 years prior to the deadline for receipt of applications. Previous experience which caused breach of contract and termination by a contracting authority shall not be used as reference.

**Lot # 3: Provision of English to Serbian translators – Selection criteria for LEGAL persons**

**Economic and financial capacity of candidate:**

- The average annual turnover over the last 3 accounting years for which the candidate's accounts have been closed must be equal to or exceed 81,000.00 Euros (or an equivalent amount in any other currency).

**Professional capacity of candidate:**

- The candidate is duly registered, licensed or otherwise empowered (by the competent body of the country or countries where it is registered for business) to provide translation/revision services;
- The candidate must propose in a separate sheet attached to its application the CVs of minimum 3 English to Serbian translators, who have either worked for the candidate in the past in the field of translation/revision services, or who have confirmed to the candidate that they will be available to do so in the future. The candidate must submit written statements from all translators proposed corroborating that they have indeed been engaged by the candidate in the past to provide translation/revision services or that they are eager and willing to do so in the future. Different candidates may not propose the same translator twice or more times in different applications for the same lot. If a translator is proposed for the same lot by different candidates, all candidates concerned will be rejected.

**Technical capacity of candidate:**

- The candidate has provided translators/revisers to international courts and tribunals, under one or more contracts with a total cumulative value equal to or exceeding 40,500.00 Euros (or an equivalent amount in any other currency), within the 5 years before the deadline for receipt of applications. This means that the contracts the candidate refers to could have been started or completed at any time during the indicated period but do not necessarily have to be started

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- Each translator proposed by the candidate must meet the selection criteria of professional and technical capacity of NATURAL persons mentioned above.

**Lot # 4: Provision of Serbian to English translators – Selection criteria for NATURAL persons**

**Economic and financial capacity of candidate:**

- The candidate must be in a stable financial position and have an average gross annual income over the 3 years before the deadline for receipt of applications which must be equal to or exceed 2,000.00 Euros (or an equivalent amount in any other currency). For purposes of this tender and if the candidate is a natural person, the use of the term ‘annual turnover’ in section 3 the application form should be understood as referring to ‘gross annual income’.

**Professional capacity of candidate:**

- The candidate is in possession of a university degree, at a minimum at the bachelor level, in modern languages, translation, law or other relevant field.

**Technical capacity of candidate:**

- The candidate has 3 years of translation/revision experience including at least 50 days translating/revising/interpreting from Serbian into English at the professional level for international courts or tribunals (attested by letters or certificates issued by such international courts or tribunals). All this experience must have been acquired within 10 years prior to the deadline for receipt of applications. Previous experience which caused breach of contract and termination by a contracting authority shall not be used as reference.

**Lot # 4: Provision of Serbian to English translators – Selection criteria for LEGAL persons**

**Economic and financial capacity of candidate:**

- The average annual turnover over the last 3 accounting years for which the candidate's accounts have been closed must be equal to or exceed 54,000.00 Euros (or an equivalent amount in any other currency).

**Professional capacity of candidate:**

- The candidate is duly registered, licensed or otherwise empowered (by the competent body of the country or countries where it is registered for business) to provide translation/revision services;
- The candidate must propose in a separate sheet attached to its application the CVs of minimum 2 Serbian to English translators, who have either worked for the candidate in the past in the field of translation/revision services, or who have confirmed to the candidate that they will be available to do so in the future. The candidate must submit written statements from all translators proposed corroborating that they have indeed been engaged by the candidate in the past to provide translation/revision services or that they are eager and willing to do so in the future. Different candidates may not propose the same translator twice or more times in different applications for the same lot. If a translator is proposed for the same lot by different candidates, all candidates concerned will be rejected.

**Technical capacity of candidate:**

- The candidate has provided translators/revisers to international courts and tribunals, under one or more contracts with a total cumulative value equal to or exceeding 27,000.00 Euros (or an equivalent amount in any other currency), within the 5 years before the deadline for receipt of applications. This means that the contracts the candidate refers to could have been started or completed at any time during the indicated period but do not necessarily have to be started

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- Each translator proposed by the candidate must meet the selection criteria of professional and technical capacity of NATURAL persons mentioned above.

**Lot # 5: Provision of English to Albanian revisers – Selection criteria for NATURAL persons**

**Economic and financial capacity of candidate:**

- The candidate must be in a stable financial position and have an average gross annual income over the 3 years before the deadline for receipt of applications which must be equal to or exceed 1,000.00 Euros (or an equivalent amount in any other currency). For purposes of this tender and if the candidate is a natural person, the use of the term ‘annual turnover’ in section 3 the application form should be understood as referring to ‘gross annual income’.

**Professional capacity of candidate:**

- The candidate is in possession of a university degree, at a minimum at the bachelor level, in modern languages, translation, law or other relevant field.

**Technical capacity of candidate:**

- The candidate has 5 years of translation/revision experience including at least 50 days translating/revising/interpreting from English into Albanian at the professional level for international courts or tribunals (attested by letters or certificates issued by such international courts or tribunals). All this experience must have been acquired within 10 years prior to the deadline for receipt of applications. Previous experience which caused breach of contract and termination by a contracting authority shall not be used as reference.

**Lot # 5: Provision of English to Albanian revisers – Selection criteria for LEGAL persons**

**Economic and financial capacity of candidate:**

- The average annual turnover over the last 3 accounting years for which the candidate's accounts have been closed must be equal to or exceed 9,000.00 Euros (or an equivalent amount in any other currency).

**Professional capacity of candidate:**

- The candidate is duly registered, licensed or otherwise empowered (by the competent body of the country or countries where it is registered for business) to provide translation/revision services;
- The candidate must propose in a separate sheet attached to its application the CVs of minimum 1 English to Albanian reviser, who has either worked for the candidate in the past in the field of translation/revision services, or who has confirmed to the candidate that he/she will be available to do so in the future. The candidate must submit written statements from all revisers proposed corroborating that they have indeed been engaged by the candidate in the past to provide translation/revision services or that they are eager and willing to do so in the future. Different candidates may not propose the same reviser twice or more times in different applications for the same lot. If a reviser is proposed for the same lot by different candidates, all candidates concerned will be rejected.

**Technical capacity of candidate:**

- The candidate has provided translators/revisers/revisers to international courts and tribunals, under one or more contracts with a total cumulative value equal to or exceeding 4,500.00 Euros (or an equivalent amount in any other currency), within the 5 years before the deadline for receipt of applications. This means that the contracts the candidate refers to could have been started or completed at any time during the indicated period but do not necessarily have

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- Each reviser proposed by the candidate must meet the selection criteria of professional and technical capacity of NATURAL persons mentioned above.

**Lot # 6: Provision of Albanian to English revisers – Selection criteria for NATURAL persons**

**Economic and financial capacity of candidate:**

- The candidate must be in a stable financial position and have an average gross annual income over the 3 years before the deadline for receipt of applications which must be equal to or exceed 1,000.00 Euros (or an equivalent amount in any other currency). For purposes of this tender and if the candidate is a natural person, the use of the term ‘annual turnover’ in section 3 the application form should be understood as referring to ‘gross annual income’.

**Professional capacity of candidate:**

- The candidate is in possession of a university degree at minimum bachelor level in modern languages, translation, law or other relevant field.

**Technical capacity of candidate:**

- The candidate has 5 years of translation/revision experience including at least 50 days translating/revising/interpreting from Albanian into English at the professional level for international courts or tribunals (attested by letters or certificates issued by such international courts or tribunals). All this experience must have been acquired within 10 years prior to the deadline for receipt of applications. Previous experience which caused breach of contract and termination by a contracting authority shall not be used as reference.

**Lot # 6: Provision of Albanian to English revisers – Selection criteria for LEGAL persons**

**Economic and financial capacity of candidate:**

- The average annual turnover over the last 3 accounting years for which the candidate's accounts have been closed must be equal to or exceed 6,000.00 Euros (or an equivalent amount in any other currency).

**Professional capacity of candidate:**

- The candidate is duly registered, licensed or otherwise empowered (by the competent body of the country or countries where it is registered for business) to provide translation/revision services;
- The candidate must propose in a separate sheet attached to its application the CVs of minimum 1 Albanian to English reviser, who has either worked for the candidate in the past in the field of translation/revision services, or who has confirmed to the candidate that he/she will be available to do so in the future. The candidate must submit written statements from all revisers proposed corroborating that they have indeed been engaged by the candidate in the past to provide translation/revision services or that they are eager and willing to do so in the future. Different candidates may not propose the same reviser twice or more times in different applications for the same lot. If a reviser is proposed for the same lot by different candidates, all candidates concerned will be rejected.

**Technical capacity of candidate:**

- The candidate has provided translators/revisers/revisers to international courts and tribunals, under one or more contracts with a total cumulative value equal to or exceeding 3,000.00 Euros (or an equivalent amount in any other currency), within the 5 years before the deadline for receipt of applications. This means that the contracts the candidate refers to could have been started or completed at any time during the indicated period but do not necessarily have

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- Each reviser proposed by the candidate must meet the selection criteria of professional and technical capacity of NATURAL persons mentioned above.

**Lot # 7: Provision of English to Serbian revisers – Selection criteria for NATURAL persons**

**Economic and financial capacity of candidate:**

- The candidate must be in a stable financial position and have an average gross annual income over the 3 years before the deadline for receipt of applications which must be equal to or exceed 1,000.00 Euros (or an equivalent amount in any other currency). For purposes of this tender and if the candidate is a natural person, the use of the term ‘annual turnover’ in section 3 the application form should be understood as referring to ‘gross annual income’.

**Professional capacity of candidate:**

- The candidate is in possession of a university degree, at a minimum at the bachelor level, in modern languages, translation, law or other relevant field.

**Technical capacity of candidate:**

- The candidate has 5 years of translation/revision experience including at least 50 days translating/revising/interpreting from English into Serbian at the professional level for international courts or tribunals (attested by letters or certificates issued by such international courts or tribunals). All this experience must have been acquired within 10 years prior to the deadline for receipt of applications. Previous experience which caused breach of contract and termination by a contracting authority shall not be used as reference.

**Lot # 7: Provision of English to Serbian revisers – Selection criteria for LEGAL persons**

**Economic and financial capacity of candidate:**

- The average annual turnover over the last 3 accounting years for which the candidate's accounts have been closed must be equal to or exceed 9,000.00 Euros (or an equivalent amount in any other currency).

**Professional capacity of candidate:**

- The candidate is duly registered, licensed or otherwise empowered (by the competent body of the country or countries where it is registered for business) to provide translation/revision services;
- The candidate must propose in a separate sheet attached to its application the CVs of minimum 1 English to Serbian reviser, who has either worked for the candidate in the past in the field of translation/revision services, or who has confirmed to the candidate that he/she will be available to do so in the future. The candidate must submit written statements from all revisers proposed corroborating that they have indeed been engaged by the candidate in the past to provide translation/revision services or that they are eager and willing to do so in the future. Different candidates may not propose the same reviser twice or more times in different applications for the same lot. If a reviser is proposed for the same lot by different candidates, all candidates concerned will be rejected.

**Technical capacity of candidate:**

- The candidate has provided translators/revisers/revisers to international courts and tribunals, under one or more contracts with a total cumulative value equal to or exceeding 4,500.00 Euros (or an equivalent amount in any other currency), within the 5 years before the deadline for receipt of applications. This means that the contracts the candidate refers to could have been started or completed at any time during the indicated period but do not necessarily have

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to be started and completed during that period, nor implemented during the entire period. Candidates are allowed to refer either to contracts completed within the reference period (although started earlier) or to contracts not yet completed. In the first case the contract will be considered in its whole if proper evidence of performance is provided (statement or certificate from the entity which awarded the contract, proof of final payment). In case of contracts still on-going only the portion satisfactorily completed during the reference period although started earlier will be taken into consideration. This portion will have to be supported by documentary evidence (similarly to contracts completed) also detailing its value. If a candidate has implemented the contract 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 if the selection criteria relating to the pertinence of the experience have been used. Documentary evidence is not required at the application stage but will be requested with the invitation to tender. Only contracts fulfilled to acceptable levels of performance and customer satisfaction will be taken into account when assessing the compliance of the candidate with this selection criteria;

- Each reviser proposed by the candidate must meet the selection criteria of professional and technical capacity of NATURAL persons mentioned above.

**Lot # 8: Provision of Serbian to English revisers – Selection criteria for NATURAL persons**

**Economic and financial capacity of candidate:**

- The candidate must be in a stable financial position and have an average gross annual income over the 3 years before the deadline for receipt of applications which must be equal to or exceed 1,000.00 Euros (or an equivalent amount in any other currency). For purposes of this tender and if the candidate is a natural person, the use of the term ‘annual turnover’ in section 3 the application form should be understood as referring to ‘gross annual income’.

**Professional capacity of candidate:**

- The candidate is in possession of a university degree, at a minimum at the bachelor level, in modern languages, translation, law or other relevant field.

**Technical capacity of candidate:**

- The candidate has 5 years of translation/revision experience including at least 50 days translating/revising/interpreting from Serbian into English at the professional level for international courts or tribunals (attested by letters or certificates issued by such international courts or tribunals). All this experience must have been acquired within 10 years prior to the deadline for receipt of applications. Previous experience which caused breach of contract and termination by a contracting authority shall not be used as reference.

**Lot # 8: Provision of Serbian to English revisers – Selection criteria for LEGAL persons**

**Economic and financial capacity of candidate:**

- The average annual turnover over the last 3 accounting years for which the candidate's accounts have been closed must be equal to or exceed 6,000.00 Euros (or an equivalent amount in any other currency).

**Professional capacity of candidate:**

- The candidate is duly registered, licensed or otherwise empowered (by the competent body of the country or countries where it is registered for business) to provide translation/revision services;
- The candidate must propose in a separate sheet attached to its application the CVs of minimum 1 Serbian to English reviser, who has either worked for the candidate in the past in the field of translation/revision services, or who has confirmed to the candidate that he/she will be available to do so in the future. The candidate must submit written statements from all revisers proposed corroborating that they have indeed been engaged by the candidate in the past to provide translation/revision services or that they are eager and willing to do so in the future. Different candidates may not propose the same reviser twice or more times in different applications for the same lot. If a reviser is proposed for the same lot by different candidates, all candidates concerned will be rejected.

**Technical capacity of candidate:**

- The candidate has provided translators/revisers/revisers to international courts and tribunals, under one or more contracts with a total cumulative value equal to or exceeding 3,000.00 Euros (or an equivalent amount in any other currency), within the 5 years before the deadline for receipt of applications. This means that the contracts the candidate refers to could have been started or completed at any time during the indicated period but do not necessarily have

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to be started and completed during that period, nor implemented during the entire period. Candidates are allowed to refer either to contracts completed within the reference period (although started earlier) or to contracts not yet completed. In the first case the contract will be considered in its whole if proper evidence of performance is provided (statement or certificate from the entity which awarded the contract, proof of final payment). In case of contracts still on-going only the portion satisfactorily completed during the reference period although started earlier will be taken into consideration. This portion will have to be supported by documentary evidence (similarly to contracts completed) also detailing its value. If a candidate has implemented the contract 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 if the selection criteria relating to the pertinence of the experience have been used. Documentary evidence is not required at the application stage but will be requested with the invitation to tender. Only contracts fulfilled to acceptable levels of performance and customer satisfaction will be taken into account when assessing the compliance of the candidate with this selection criteria;

- Each reviser proposed by the candidate must meet the selection criteria of professional and technical capacity of NATURAL persons mentioned above.

**Where an application is submitted for several lots or all lots, the selection criteria for the lots concerned shall apply cumulatively.**

An economic operator 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. Some examples of when it may not be considered appropriate by the contracting authority are when the tenderer relies in majority on the capacities of other entities or when they rely on key criteria. If the tenderer relies on other entities it must prove to the contracting authority that it will have at its disposal the resources necessary for performance of the contract, for example by producing a commitment on the part of 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 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 the tender in a separate document. Proof of the capacity will also have to be furnished 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 works or services for which these capacities are required.

With regard to economic and financial criteria, the entities upon whose capacity the tenderer relies, become jointly and severally liable for the performance of the contract.

## **22. Award criteria**

Best price-quality ratio.

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## **APPLICATION**

## **23. Deadline for receipt of applications**

The candidate attention is drawn to the fact that there are two different systems for sending applications: one is by post or private mail service, the other is by hand delivery.

In the first case, the application must be sent before the date and time limit for submission, as evidenced by the postmark or deposit slip<sup>1</sup>, but in the second case it is the acknowledgment of receipt given at the time of the delivery of the application that will serve as proof.

5 November at 17:30 hours (local time in the Netherlands).

Any application sent to the contracting authority after this deadline will not be considered.

The contracting authority may, for reasons of administrative efficiency, reject any application submitted on time to the postal service but received, for any reason beyond the contracting authority's control, after the effective date of approval of the short-list report, if accepting applications that were submitted on time but arrived late would considerably delay the evaluation procedure or jeopardise decisions already taken and notified.

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<sup>1</sup> It is recommended to use registered mail in case the postmark would not be readable.

## 24. Application format and details to be provided

Applications must be submitted using the standard application form, the format and instructions of which must be strictly observed. The application form is available from the following Internet address:

<http://ec.europa.eu/europeaid/prag/annexes.do?chapterTitleCode=B>

The application must be accompanied by a declaration of honour on exclusion and selection criteria using the template available from the following Internet address:

<http://ec.europa.eu/europeaid/prag/annexes.do?chapterTitleCode=A>

Any additional documentation (brochure, letter, etc.) sent with an application will not be taken into consideration.

## 25. How applications may be submitted

Applications must be submitted in English exclusively to the contracting authority in a sealed envelope:

- EITHER by post (registered mail) or by courier service, in which case the evidence shall be constituted by the postmark or the date of the deposit slip, to:

Kosovo Specialist Chambers  
Procurement Unit  
Raamweg 47  
2596 HN, The Hague  
The Netherlands

- OR hand delivered by the candidate in person or by an agent directly to the premises of the contracting authority in return for a signed and dated receipt, in which case the evidence shall be constituted by this acknowledgement of receipt, to:

Kosovo Specialist Chambers  
Procurement Unit  
Raamweg 47  
2596 HN, The Hague  
The Netherlands

The contract title and the publication reference (see item 1 above) must be clearly marked on the envelope containing the application and must always be mentioned in all subsequent correspondence with the contracting authority.

Applications submitted by any other means will not be considered.

By submitting an application 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 application.

## 26. Alteration or withdrawal of applications

Candidates may alter or withdraw their applications by written notification prior to the deadline for submission of applications. No application may be altered after this deadline.

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Any such notification of alteration or withdrawal shall be prepared and submitted in accordance with Item 25. The outer envelope (and the relevant inner envelope if used) must be marked 'Alteration' or 'Withdrawal' as appropriate.

**27. Operational language**

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

**28. Date of publication of prior information notice**

18 April 2019. The prior information notice is posted on the KSC website at the following link:  
<https://www.scp-ks.org/en/procurement/calls-tender>

**29. Legal basis**

- Council Decision (CFSP)2018/856;
- EU Grant Contract CFSP/2018/12 Kosovo Specialist Chambers;
- Article 4 Kosovo Law No.05/L-053;
- Article 6 Agreement between the Kingdom of The Netherlands and the Republic of Kosovo concerning the Hosting of the Kosovo Relocated Specialist Judicial Institution in The Netherlands (Art. 4 of the related Interim Agreement).

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