

	Nordisk Sikkerhet AS
	Tender title: Supply of Multifunctional survey meters for the detection of RN materials
	Project title: "Post-detection equipment and training for Lisichansk unit of Luhansk border detachment, SBGS, Ukraine"

Invitation to tender

Supply of multifunctional survey meters for
the detection of radioactive and nuclear materials
(dosimeter-radiometer)

Open Tender Procedure

Tender publication date
5th November 2021

Contents

- GENERAL..... 4
 - 1 Description of the Contract..... 4
 - 2 Lot Description 4
 - 3 Maximum expected value of the Contract..... 5
 - 4 Scope of supply..... 5
 - 5 Origin of Goods to be Supplied 5
 - 6 Eligibility to tender 5

- ADMINISTRATIVE PROVISIONS..... 5
 - 7 Content of Tender Documents..... 5
 - 8 Tender schedule 6
 - 9 Amendment of Tender Documents..... 6
 - 10 Clarification of Tender Documents..... 6
 - 11 Pre-tender Meeting or Site Visit..... 7

- COMPETITION PROVISIONS..... 7
 - 12 Type of tender procedure..... 7
 - 13 Legal framework..... 7
 - 14 One Tender per Lot..... 7
 - 15 Alternative Tender 7
 - 16 Costs of preparing Tenders..... 7
 - 17 Submission of Tenders 8
 - 18 Opening of tenders 8
 - 19 Public transparency 8
 - 20 Confidential information 9
 - 21 Negotiations and withdrawal of submitted tenders 9
 - 22 Evaluation of Tenders 9
 - 23 Return of Tenders..... 9

- TENDER STRUCTURE AND FORMAT 9
 - 24 Format of Tender 9
 - 25 Structure of Tender..... 10
 - 26 Language of Tender Documents and Tender 11
 - 27 Content of Tender..... 11
 - 28 Tender Prices 13

29 Tender Currencies and Payments14

30 Period of Validity of Tender14

31 Deviations and reservations.....14

32 Qualification criteria.....14

AWARD OF CONTRACT.....15

33 Award Criteria.....15

34 Contracting Authority’s Right to Accept or to Reject any Tender15

35 Pre-financing and Performance Guarantees16

36 Notification of Award and Signing of Contract.....16

Nordisk Sikkerhet AS (NorSik), hereinafter referred to as the Contracting Authority, is an international project management, consultancy, and research organization in Norway specializing in chemical, biological, radiological, and nuclear matters. NorSik is authorized by the Norwegian Government to implement a Project 'Post-detection equipment and training for Lisichansk unit of Luhansk border detachment, SBGS, Ukraine'. The project is implemented within the framework of the Norwegian Government's "Action plan nuclear activities and the environment in the northern areas 2018-2022".

For purposes of abovementioned Project, Nordisk Sikkerhet AS intends to procure the **Multifunctional survey meters for the detection of radioactive and nuclear (RN) materials** described in these tender documents and hereby invites you as a potential supplier to submit your tender.

The successful tenderer shall be awarded a supply contract that is provided in the tender documents.

The tender documents are available from the following Internet address:
<http://www.nordisksikkerhet.no/procurement>

Contact information

Address:

Lommedalsveien 230
Baerums Verk, 1353, Norway

Contact person:

Ms. Daria Plyshevskaya, Project Manager,

E-mail: daria.plyshevskaya@nordisksikkerhet.no

or

Mr. Pavel Tishakov, Founder and Project Manager

E-mail: pavel.tishakov@nordisksikkerhet.no, Tel.: +47 46 50 11 30

GENERAL

1 Description of the Contract

The scope of the contract will include manufacture, testing, delivery, as well as training of the personnel and warranty service.

The supplies shall be compliant with all applicable Ukrainian and/or EU technical regulations.

The supplies shall be DDP¹ delivered to the Lisichansk unit of Luhansk border detachment of SBGS (Lisichansk, Luhansk region, Ukraine). The time limits for delivery shall be 120 days.

The tentative contract is given in the Annex "Tentative Contract" to the tender documents.

2 Lot Description

Lot: Multifunctional survey meter for the detection of RN materials – 10 pcs

The purchased Multifunctional survey meter (dosimeter-radiometer) will be used for the search, localization and evaluation of radioactive and nuclear materials at the border and customs areas at the Lisichansk unit of Luhansk border detachment of SBGS.

¹DDP (Delivered Duty Paid) - Incoterms 2010 International Chamber of Commerce

The instrument is intended for the following tasks:

- searching and localizing radioactive and nuclear materials,
- assessment of the radiological situation (to determine the level of alpha, beta and gamma radiation)
- identification and evaluation of radioactive and nuclear materials found.

Detailed information regarding both technical and service requirements is provided in the Annex “Specifications”.

3 Maximum expected value of the Contract

Maximum expected value of the Contract is as follows:

Lot : 586,000 NOK

The expected value of the Contract is the maximum value, which cannot be exceeded. Should the tender price exceed the referred-to maximum value, then the tender shall be rejected for failing to meet the tender conditions.

4 Scope of supply

The Contracting Authority reserves the right to vary (either reduce or increase) the quantity of the goods to be supplied or reduce the services to be rendered under this Contract after the evaluation of tenders and prior to award of the Contract. Where such a modification is made it shall not exceed the greater of 25% of the total tender price. The unit prices used in the tender shall be applicable to the quantities procured under the variation.

5 Origin of Goods to be Supplied

5.1 All supplies and equipment shall be manufactured in one or more of the following countries: Ukraine, CIS member states, EU/EEA member states, Australia, Canada, Japan, New Zealand, South Korea, Switzerland, and/or the United States of America, excluding those countries currently under sanctions by the Government of Ukraine.

6 Eligibility to tender

6.1 This tender is open to all legal persons established in the countries mentioned in section 5.1 above.

6.2 To be eligible for participation in this tender procedure, tenderers must prove to the satisfaction of the Contracting Authority that they comply with the necessary legal, technical and financial requirements and have the means to carry out the contract effectively.

ADMINISTRATIVE PROVISIONS

7 Content of Tender Documents

7.1 This tender package comprises the following documents:

- (1) Procurement notice;
- (2) Invitation to tender;
- (3) Annex “Specifications”;
- (4) Annex “Letter of tender”;
- (5) Annex “Tender Form”;
- (6) Annex “Tenderer’s Questionnaire”;

- (7) Annex "Tentative Contract";
- (8) Annex "Pre-financing Guarantee Form";
- (9) Annex "Performance Guarantee Form";
- (10) Annex "Tender checklist".
- (11) Annex "Letter of Acceptance".

8 Tender schedule

Activity	Dates	Note
Invitation to tender issued	04.11.2021	
Pre-tender meeting or site visit	N/A	
Deadline for request for clarifications from the Contracting Authority	23.11.2021	up to 14 calendar days before the deadline for submission of tenders
Deadline for submission of tenders	07.12.2021	17.00 Oslo time (CET)
Notification of award to the successful tenderer*	28.12.2021	
Standstill period*	28.12.2021-11.01.2022	
Signing of Contract*	12.01.2022	

Note: * Provisional date

9 Amendment of Tender Documents

- 9.1 Any corrections, additions or alterations of the tender documents, as well as questions and answers in anonymous form, will be announced on the Nordisk Sikkerhet website at <http://www.nordisksikkerhet.no/procurement>, as well as on the Norwegian national procurement database Doffin and the EU Tenders Electronic Daily (TED).
- 9.2 Discovery of errors in the tender documents should be conveyed in writing to the Contracting Authority's contact person.
- 9.3 The Contracting Authority may, prior to the tender submission deadline, make non-material corrections, supplementations or alterations to the tender documents.
- 9.4 To give prospective tenderers reasonable time in which to take such changes into account in preparing their tenders, the Contracting Authority may extend the deadline for the submission of tenders.

10 Clarification of Tender Documents

- 10.1 A prospective tenderer requiring any clarification on any aspect of the tender documents may notify the Contracting Authority accordingly in writing by following e-mail:

Ms. Daria Plyshevskaya, Project Manager
 Nordisk Sikkerhet AS
daria.plyshevskaya@nordisksikkerhet.no

-
- 10.2 Any contact between the Contracting Authority and a tenderer shall be in writing in English. The Ref. number of the tender procedure from the Doffin and TED Europa tender databases shall be used.
- 10.3 Any request for clarification must be sent in writing by e-mail no later than fourteen (14) calendar days before the deadline for submission of tenders.
- 10.4 Questions and answers will be made available to all tenderers in anonymous form and will be announced at <http://www.nordisksikkerhet.no/procurement> and on the Norwegian national procurement database Doffin and the EU Tenders Electronic Daily (TED).
- 10.5 Any prospective tenderers seeking to establish contacts during the tender period with either the Recipient and/or the Contracting Authority outside of the official communication channels outlined in the invitation to tender may be excluded from the tender procedure.

11 Pre-tender Meeting or Site Visit

- 11.1 No pre-tender meeting or site visit shall take place during this tender.

COMPETITION PROVISIONS

12 Type of tender procedure

- 12.1 The tender will be conducted as an open procedure.

13 Legal framework

- 13.1 The tender procedure will be conducted according to the Norwegian Public Procurement Act (Lov om offentlige anskaffelser av 16.07.99 nr. 69), the Norwegian Regulation on Public Procurement Part I and III (Forskrift om offentlige anskaffelser, FOR-2006-04-07-402, hereafter FOA), and the provisions set out in the tender documents.
- 13.2 The above-mentioned Act and Regulation are based on Directive 2004/18/EC of the European Parliament and of the Council of 31 March 2004 on the coordination of procedures for the award of public supply contracts. Suppliers selection process shall be made according to Norwegian Regulations (Summary of the Norwegian e-procurement initiative):
<http://www.anskaffelser.no/e-procurement/guides/contracting-authorities-guide>

14 One Tender per Lot

- 14.1 Tenderers may participate in the tender procedure with the tender for one of the Lots or several Lots.
- 14.2 Tenderers may submit only one tender per Lot. Tenders for parts of a Lot will not be considered.
- 14.3 Each tenderer may submit only one tender independently or may participate only in one joint venture or consortium as a partner.

15 Alternative Tender

- 15.1 Tenderers may not submit variants (alternative tenders).

16 Costs of preparing Tenders

16.1 The tenderer shall bear all costs associated with the preparation and submission of its tender. The Contracting Authority will in no case be responsible or liable for those costs, regardless of the conduct or outcome of the tendering process.

17 Submission of Tenders

17.1 Tenders must be received by the Contracting Authority on 7th December 2021 17.00 Oslo time (CET) at the latest.

17.2 A tender is delivered to and received by the Contracting Authority when:

- Handed over to the Contracting Authority’s personnel at the Contracting Authority’s visiting address:
Nordisk Sikkerhet AS
Lommedalsveien 230,
1353 Baerums Verk, Norway
- or
- Arrived at the Contracting Authority’s postal address:
Nordisk Sikkerhet AS
Lommedalsveien 230
1353 Baerums Verk, Norway.

17.3 The deadline is absolute and the reason for a tender being late is irrelevant.

17.4 Any tender received by the Contracting Authority after the deadline prescribed above **will be rejected** and returned unopened to the tenderer.

17.5 When submitting a tender by post, tenderers are advised send all documents early enough to account for potential delays in delivery. The Contracting Authority will not be responsible or liable for any delays in delivery by the tenderer’s chosen delivery service provider.

18 Opening of tenders

18.1 There will not be a public opening of tenders. The Contracting Authority will open the submitted tenders after the submission deadline.

19 Public transparency

19.1 Public access to submitted tenders and other information related to this tender is governed by the Norwegian Freedom of Information Act “Offentlegova” of 19. May 2006 no 16 and the Freedom of Information regulation (FOR-2008-10-17-1119).

19.2 Generally, all information related to the tender is publicly available after the tender evaluation period. However, the public will not have access to confidential information, e.g. trade secrets.

20 Confidential information

20.1 The Contracting Authority and any person working for the Contracting Authority shall keep confidential any and all information s/he obtains knowledge of in relation to the contract, provided such information relates to technical devices, utilities, technical know-how and trade secrets which are of importance to the relevant entity’s competitive situation to keep confidential.

21 Negotiations and withdrawal of submitted tenders

- 21.1 The open procedure does not allow for negotiations at any time.
- 21.2 A Tenderer may withdraw a submitted tender by written notification prior to the submission deadline and may submit a new, revised tender prior to the tender submission deadline. No tender may be altered after the tender submission deadline.
- 21.3 After the tender submission deadline, the Contracting Authority may contact the Tenderer to clarify certain aspects of the tender, if required. At the discretion of the Contracting Authority the Tenderer may be requested to provide clarifications, statements or documentary proofs (e.g., official documents, certificates, records of test, etc.) supporting the information submitted in the tender or the compliance to the tender requirements. A failure to provide the requested information within a time period specified by the Contracting Authority may lead to the rejection of the tender.

22 Evaluation of Tenders

- 22.1 Information relating to the evaluation, clarification and comparison of tenders, as well as the contract award will not be disclosed to tenderers or any other persons not officially concerned with the tender evaluation process until the contract has been awarded to the successful tenderer. Any effort by a tenderer to influence the examination and evaluation of tenders as well as award decisions may result in invalidation of its tender and its disqualification as a tenderer.
- 22.2 Tenders found to be technically compliant shall be checked for any arithmetical errors in computation and summation. Errors will be corrected by the evaluation committee as follows:
- 1) where there is a discrepancy between amounts in figures and in words, the amount in words will be the amount taken into account;
 - 2) where there is a discrepancy between a unit price and the total amount derived from the multiplication of the unit price and the quantity, the unit price as quoted will be the price taken into account.

Amounts corrected in this way will be binding on the tenderer. If the tenderer does not accept them, its tender will be rejected.

23 Return of Tenders

- 23.1 The Contracting Authority will not return submitted tenders.

TENDER STRUCTURE AND FORMAT

24 Format of Tender

- 24.1 Tenders shall comply with the following condition:
- The original tender shall be typed or written in indelible ink and shall be signed by the Tenderer or a person(s) duly authorized to sign on behalf of the tenderer.
 - The tenders shall be delivered in a binder separated into sections in accordance with the structure described in section 25.
 - Documents shall not be stapled together or otherwise attached to each other.
 - The tenders shall also be provided in PDF-format on a USB memory stick or CD-ROM.

Each document shall be saved as a separate file and named in accordance with the structure described in section 25, e.g. "1 – Letter of tender.pdf", "2 – Tender form.pdf", etc.

- The binder and the USB-stick/CD-ROM shall be enclosed in a non-transparent, neutral and sealed envelope or package.
- The envelope or package shall, in addition to the address and tenderer's name, be marked:

Attn. Mr. Pavel Tishakov, tel. +47 46 50 11 30

Nordisk Sikkerhet AS

Lommedalsveien 230

Baerums Verk, 1353, Norway

Tender – Supply of multifunctional survey meters for the detection of RN materials

**Only to be opened by the addressee
at the tender opening session**

25 Structure of Tender

25.1 Tenders shall be structured as described below. The table below indicates the sections and related documents that have to be submitted by the tenderer in the provided order. The clarification references (cf.) serve as source references where more detailed information can be obtained.

Section	Doc.nr.	Document	Cf.
General			
	1	Letter of tender	Annex "Letter of tender"
Financial Proposal			
	2	Tender form	Annex "Tender form", Section 27.1
Qualification			
	3	Duly authorized signature	Section 27.1
	4	Tenderer's questionnaire	Annex "Tenderer's Questionnaire", section 27.1 and 32
Suitability to pursue activity			
	5	Document of establishment	Section 27.2
	6	Confirmation of solvency	Section 27.2
	7	Litigation history	Section 27.2
	8	List of subcontractors	Section 27.2

Technical qualification		
9	Copy of certificate	Section 27.2 and 32
10	Copy of ISO certificate or a certificate of compliance with other equivalent standard	Section 27.2 and 32
Professional qualification		
11	Previously implemented contracts	Section 27.2 and 32
12	Provision of professional resources for personnel training	Section 27.2 and 32
Financial and economic standing		
13	Provision of financial and economic standing	Section 27.2 and 32
Technical Proposal		
14	Technical proposal	Annex "Specifications", Sections 27.1 item (5).
Supplementary, if applicable		
15	List of deviations	Sections 27.1 item (6) and 30.
Tender completion		
16	Tender Checklist	Annex "Tender Checklist".

26 Language of Tender Documents and Tender

- 26.1 The tender and all documents related to it shall be made and submitted in English. Any questions from the Tenderer and responses from the Contracting Authority must be made in English.
- 26.2 If any original documents, e.g. official certificates, are only available in a language other than English, such documents shall be submitted with an accompanying English translation.

27 Content of Tender

27.1 The tender submitted by the tenderer shall comprise the following:

- (1) Letter of tender in the format indicated in Annex "Letter of Tender", duly completed and signed by a tenderer.
- (2) Financial proposal in the format indicated in Annex "Tender Form", duly completed and signed by a tenderer.

-
- (3) Duly authorised signature: an official document (power of attorney, notary statement, etc.) proving that the person who signs on behalf of the company/joint venture/consortium is duly authorised to do so.
 - (4) Tenderer's Questionnaire in the format indicated in Annex "Tenderer's Questionnaire" of the tender documents, with the supporting documents for the qualification criteria as specified in section 27.2 below.
 - (5) Tenderer's Technical Proposal in the format indicated in Annex "Specifications" of the tender documents as well as the following:
 - Detailed technical description of the supplies.
 - Technical proposal related to the services: factory acceptance testing, primary metrological verification, packing, transportation, delivery, and personnel training.
 - Proposal for warranty and after-sales services.
 - Statement of compliance with the scope and language of the documents required with the supply;
 - Statement of compliance with the scope and terms of supply and services as specified in Annex "Specifications";
 - Statement of compliance with the technical parameters as specified in Annex "Specifications";
 - Statement of compliance with the relevant Ukrainian codes and standards;
 - Statement of compliance with the Contracting Authority's requirements to origin of goods.
 - (6) List of deviations to the technical and commercial conditions set forth in the tender documents, if any. (Note: the Contracting Authority reserves the right to accept or reject any deviations)

27.2 The tenderer shall provide supporting documents that the tenderer satisfies the qualification criteria, as well as other documents that can demonstrate the tenderer's experience and capabilities and can help the Contracting Authority to evaluate its tender. Such documents shall include the following:

Suitability to pursue activity:

- copies of original documents certifying the establishment of the company and its legal status, place of registration, and address;
- list of proposed subcontractors and the percentage to be subcontracted, if any (i.e., the Tenderer must indicate if he intends to subcontract any part (mentioning which part) of the contract. In case if the Tenderer does not intend to subcontract, it should be clearly stated.);
- confirmation of solvency;
- tenderer's litigation history for the past three (3) years, including any present litigation: such documentation may be presented in free-form and shall include the parties to the litigation, its subject-matter, the amounts involved, and verdicts;

Technical qualification of tenderer:

- copy of documents attesting to the certification of equipment in Ukraine and/or in EU countries in accordance with the Ukrainian Legislation in force (i.e., certificate, declaration of compliance or in other appropriate forms);
- copy of certificate of compliance of Quality Management System with the ISO 9001-2008 standard or other equivalent standard.

Professional qualification of tenderer:

- documentation attesting to the successful implementation of contract (s) for the supply of radiation monitoring equipment with a cumulative budget of at least 50,000 Euros, over the last three (3) years (i.e., letters of reference from Contracting Authority/purchasers or in other appropriate forms);
- proposed human, technical/technological, time resources, the necessary experience and knowledge for personnel training (including a list of nominated experts, their professional qualifications and experience(s) which are relevant to the planned training course, as well as their role in the training programme).

Economic and financial standing:

- balance sheets for the previous three years;
- profit and loss account (P&L) for the previous three years. If such documents are not required by the legislation of the country of origin of the Tenderer, other financial statements for the specified period should be provided.

27.3 Any omission or failure to provide any information required may constitute a sufficient reason to reject the tender.

28 Tender Price

28.1 The Financial proposal shall be performed as in the format given in the Annex “Tender form” of the tender documents, duly completed and signed by a tenderer.

28.2 The Financial proposal shall be calculated on the basis of DDP for the supplies rendered. The total tender price shall cover all obligations of the tenderer pursuant to, or to be reasonably interfered from, the tender documents.

28.3 When preparing its financial offer, the tenderer shall quote all prices excluding VAT and import duties.

28.4 The Equipment, both imported to Ukraine and procured in Ukraine, shall be exempt from taxes and duties pursuant to the following:

- Agreement on technical and financial cooperation, signed between the Cabinet of Ministers of Ukraine and the Government of the Kingdom of Norway on 18 October 2016;
- Agreement on Cooperation in Nuclear and Radiation Safety, Decommissioning of the Chernobyl Nuclear Power Plant and Transformation of the “Shelter Object” into an Ecologically Safe System, signed between the Government of the Kingdom of Norway and the Cabinet of Ministers of Ukraine on 30 November 2012, with amendment according to Diplomatic Note of Ukrainian Embassy in the Kingdom of Norway No. 61220/22-012-64 dated 20 January 2016.

29 Tender Currencies and Payments

29.1 Tender prices shall be quoted in Norwegian Krone (NOK).

29.2 Payments under the contract shall be made in NOK.

30 Deviations and reservations

30.1 The Tenderers may request the Contracting Authority to consider minor deviations, objections or reservations from the requirements of the tender documents provided that such deviations are substantially justified.

30.2 Any minor reservation or deviation from any requirements, provisions or specifications in any of the procurement documents shall be clearly and expressly stated in the tender. Any reservations or deviations shall be described in such a way that the Contracting Authority is able to assess the deviation without contacting the Tenderer.

30.3 The Contracting Authority reserves the right to accept or reject any deviations.

31 Period of Validity of Tender

31.1 Tenders shall remain valid for the period of one hundred and twenty (120) calendar days after the deadline for submission of tenders.

31.2 The Contracting Authority may request that the tenderers extend the period of validity for an additional period of thirty (30) calendar days without adjustment to their prices.

QUALIFICATION CRITERIA

32 Qualification criteria

32.1 To be eligible for participation in this tender procedure, tenderers must comply with the minimum qualification criteria. The following qualification criteria will be applied to tenderers. In the case of tenders submitted by a consortium, these qualification criteria will be applied to the consortium as a whole:

1) Economic and financial capacity of tenderer:

(a) the average annual turnover of the tenderer must exceed 100,000 Euro.

(b) the averages of cash and cash equivalents at the beginning and end of year must be positive

2) Technical capacity of tenderer:

(a) at least 20% of all staff working for the tenderer in fields related to this contract are permanent.

(b) a tenderer and his subcontractor(s), if any, should have a valid Quality Management System compliant to the ISO 9001-2008 standard or other equivalent standard.

(c) the proposed multifunctional survey meter shall be certified in Ukraine or in EU-countries in accordance with the Ukrainian Legislation in force.

3) Professional qualification of tenderer:

(a) a tenderer should have implemented at least one contract for the supply of radiation monitoring equipment, with a cumulative budget of at least 50,000 Euro, over the last three (3) years.

(b) a tenderer shall have the following documented resources to conduct effective training:

- sufficient human resources having relevant qualification and knowledge for effective training in operation of the purchased equipment;
- sufficient time resources to conduct effective training;
- technical/technological resources and knowledge;
- the necessary experience.

AWARD OF CONTRACT

33 Award Criteria

33.1 Tenders shall be reviewed and evaluated by a tender committee comprised of representatives from the Contracting Authority. Tenders shall be examined to determine their substantial responsiveness to the invitation for tenders and tender documents and evaluated following the technique described below.

33.2 The Contracting Authority will award the contract to the successful tenderer whose tender has been determined to be substantially and technically responsive and who has submitted the lowest price(s). The sole award criterion will be the price.

34 Contracting Authority's Right to Accept or to Reject any Tender

34.1 The Contracting Authority reserves the right to accept or reject any tender, without thereby incurring any liability to the affected tenderer or tenderers or any obligation to inform the affected tenderer or tenderers of the grounds for the Contracting Authority's action.

35 Pre-financing and Performance Guarantees

35.1 Generally, the successful tenderer will be asked to provide the Performance guarantees of 5 % of the amount of the Contract and the Pre-Financing Guarantee for the full amount of pre-payment at the signing of the Contract.

35.2 The Contracting Authority reserves the right to waive the Pre-Financing Guarantee requirements, if the Contractor does not require the advance payment for the works. In this case, the Contractor bears responsibility to implement the contract using their own means. A 100% payment will be made to the contractor by the Contracting Authority upon the delivery and provisional acceptance of the goods.

35.3 For a minor contract (\leq NOK 200,000), the Contracting Authority, depending on its assessment of the risks, may decide to waive the Performance Guarantee requirement. In this case, the decision will take into consideration the tenderer's litigation history, available resources and means, previously implemented contracts, etc.

35.4 Within twenty (20) calendar days after receipt of the Contract the successful tenderer shall sign the Contract and return it to the Contracting Authority along with a corresponding Pre-Financing and Performance Guarantees, if required.

35.5 Where the successful tenderer fails to sign the Contract or furnish a corresponding Pre-Financing and Performance Guarantees, if required, within thirty (30) calendar days after the Letter of Acceptance and receipt of the Contract, the Contracting Authority shall have the right to deem the award of contract null and void. In the event of avoidance of the award of contract the Contracting Authority shall refer to the next successful tenderer.

36 Notification of Award and Signing of Contract

36.1 Prior to the expiration of the period of tender validity, the Contracting Authority will notify the successful tenderer by mail and by email that its tender has been accepted. The Letter of Acceptance will constitute formation of the Contract.

36.2 The contract shall consist of all agreements between the Contracting Authority and the successful tenderer. It shall be signed by the Contracting Authority and sent to the successful tenderer for signature within ten (10) calendar days after the Letter of Acceptance.

36.3 After issuing the Letter of Acceptance to the successful tenderer, the Contracting Authority will promptly notify the other tenderers that their tenders have not been successful.