



Sarajevo,

Project: Upgrade of the existing Migration Information System – supply, Bosnia and Herzegovina (BiH)

Ref no.: EuropeAid/140731/DH/SUP/BA; EC/BIH/TEN/19/021

Subject: CLARIFICATION no. 1

QUESTION no. 1

Company located in Ghana wishes to bid for the above mentioned Tender. If the Ghanaian company bid would it be accepted in this Europe Aid tender.

ANSWER no. 1

With reference to point 8 (Eligibility and rules of origin) of Supply contract notice, which states:

“Participation is open to all natural persons who are nationals of and legal persons (participating either individually or in a grouping – consortium – of tenderers) which are effectively established in a Member State of the European Union or in a eligible country or territory as defined under the Regulation (EU) No 236/2014 establishing common rules and procedures for the implementation of the Union's instruments for external action (CIR) for the applicable instrument under which the contract is financed (see also heading 22 below). Participation is also open to international organisations.”

the eligible countries are the following:

a) EU member states:

Austria, Belgium, Bulgaria, Czech Republic, Croatia, Cyprus, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, United Kingdom¹.

b) Beneficiaries listed in the Annex I of the IPA II:

Albania, Bosnia and Herzegovina, Kosovo*, Montenegro, Serbia, Turkey, Republic of North Macedonia.

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

c) European Economic Area:

(only non-EU MS are mentioned) Iceland, Lichtenstein, Norway.

d) Partner countries and territories covered by ENI Instrument:

Algeria, Armenia, Azerbaijan, Belarus, Egypt, Georgia, Israel, Jordan, Lebanon, Libya, Republic of Moldova, Morocco, occupied Palestinian territory (oPt), Syria, Tunisia, Ukraine.

e) Countries for which Commission has adopted a decision approving the request for reciprocal access to external assistance:

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f) Where an agreement on widening the market for procurement of goods or services to which the Union is party applies, the procurement procedures for contracts financed by the budget shall also be open to natural and legal persons established in a third country other than those specified in the basic instruments governing the cooperation sector concerned, under the conditions laid down in that agreement.

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ⁱ The United Kingdom ceased to be an EU Member State on the 31 of January 2020. Pursuant to the Withdrawal Agreement concluded between the EU and the UK, references to the eligibility of 'Member States' for participation in programmes under the current 2014-2020 MFF and the EDFs also cover the United Kingdom (Article 127(6), Article 137 and Article 152(1) Withdrawal Agreement).