

# REQUEST FOR EXPRESSIONS OF INTEREST (REoI)

**KESCO COMPLETED AND SIGNED REoI FORM ATTACHING ALL SUPPORTING DOCUMENTS MUST BE SUBMITTED IN DUPLICATE TO THE ADDRESS BELOW**

**Kosovo Electricity Supply Company, J.S.C**

**edona.bajrami@kesco-energy.com**

**Bill Clinton Boulevard, No: 5**

**10000 Prishtinë, Kosovë**

<b>Name of applicant (name of company):</b>		
<b>If applicant is a company, the contact person/name of representative of the company:</b>		
<b>Mailing Address:</b>		
<b>Telephone:</b>	<b>Mobile:</b>	<b>Direct/landline:</b>
<b>Email address:</b>		
<b>Business Registration No (if applicable):</b>		
<b>Type of Business (if applicable):</b>		
<b>The following documents must be attached to the REoI:</b>		

<b><u>A. Identification documents:</u></b>	<i>For KESCO use only</i>
1. If the applicant is a legal entity, a certified copy of the entity’s business registration certificate, Information of business history and the identity of all its Beneficial Owners <sup>1</sup> and Control Persons <sup>2</sup> .	
2. If the applicant is a partnership, a certified copy of the partnership’s founding document, a certified copy of the entity’s business registration certificate, Information of business history and the identity of its partners and its Beneficial Owners and Control Persons	
3. A written statement, in accordance with the attached Declaration that the applicant is not a Prohibited Bidder <sup>3</sup> , along with any supporting documentation deemed relevant in relation to the same.	
<b><u>B. Professional/ Technical documents :</u></b>  1. Bidders must present as part of their tender evidence that they possess a valid license for energy trading issued by the Energy Regulatory Office in Prishtina or a valid license issued by a competent authority to engage in the trade/supply of electricity in a country that is (i) a EU member; or (ii) a signatory party to the Energy Community Treaty.  2. Do you have a valid EFET General Agreement Version 2.1(a)/ September 21, 2007, and Election Sheet with KESCO? If so, please attach a copy to your application form. If you do not, you will be expected to sign such an agreement with KESCO as a precondition to becoming a Potential bidder.	
<b><u>C. Legal Documents:</u></b>  The valid document issued by the competent authority for the corresponding country, not older than 6 months from the day submitting	

<sup>1</sup> “Beneficial Owner” means the natural or legal person or persons or entity or entities, enjoying the legal or beneficial ownership, howsoever arising or structured, or some or all of an applicant, regardless of in whose name the ownership of the applicant is registered.

<sup>2</sup> “Control Person” means any legal or natural person or entity to whose orders, directions and control a legal person or entity is accustomed to act, whether the Control Person occupies a formal position, such as, by way of example only, a managing director, a chief executive officer, a chairman of the board of directors or otherwise as, by way of example only, a major shareholder.

<sup>3</sup> “Prohibited Bidder” means any natural or legal person or entity, details of which are set out in the Electricity Sales Rules that shall not be eligible to be registered as a Registered Participant and are accordingly prohibited from submitting a Bid.

<b>the offer that verifies:</b>  1. <b>The trader is not in bankruptcy process</b>  2. <b>The trader or legal representative of the company are not condemned by a court decision for criminal or misdemeanour.</b>	
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APPLICATION SUBMITTED BY:

<b>Name:</b>	
<b>Position:</b>	
<b>Signature:</b>	
<b>Date:</b>	
<b>Stamp:</b>	

# DECLARATION

**This must be completed and submitted with the REoI**

I, the undersigned, representing: [*the submitting applicant*] declare under oath that [*the submitting applicant*] is not a Prohibited Bidder. Following shall be Prohibited Bidders:

1. *Legal persons who are currently subject to bankruptcy or insolvency proceedings.*
2. *Natural persons who have been found guilty of a felony which was committed after June 1999 or who are otherwise subject to criminal proceedings.*
3. *Natural and legal persons who (i) are in material breach of a contract entered into with KESCO (the existence and materiality of such breach to be determined by KESCO in its sole discretion); or (ii) have any fine or debt outstanding to KESCO.*
4. *Legal entities whose Beneficial Owners or Control Persons fall within the categories outlined at points 1 to 3 above.*

I acknowledge the possibility of criminal and civil sanctions, penalties and damages if [*the submitting applicant*] intentionally or negligently submits any document, declaration or statement containing materially false or misleading information.

<b>Submitted by:</b>	
<b>Applicant's Name:</b>	
<b>Full Address:</b>	
<b>Represented by:</b>	
<b>Name</b>	
<b>Position</b>	
<b>Signature</b>	
<b>Date</b>	
<b>Stamp</b>	

# NOTES TO THE REoI FORM

1. **KESCO reserves the right to carry out any inspection or investigation, at its own expense, of the documents presented by an applicant for the purpose of verifying their contents.**
2. **The REoI Form and supporting documents shall be submitted in the following manner:**
  - a) **The REoI Form and supporting documents must be submitted in one original version, placed in a separate envelope marked “1 Original”, and 1 copy signed in the same way as the original version and each placed in separate envelopes. The envelopes shall then be sealed in an outer envelope (or container) bearing only:**
    - i. **The address of the place for submission of the application;**
    - ii. **The name of the applicant.**
3. **KESCO shall notify each applicant in writing whether they have satisfied the eligibility requirements. There is no avenue of appeal against this decision. If it is determined that an applicant satisfies the eligibility requirements, they will receive an EFET Election Sheet and General Agreement that they must sign. KESCO shall issue a unique Registered Participant Number to each Registered Participant, which they shall use in any correspondence with KESCO, and in any future Bids.**
4. **All information and documentation submitted by a Applicant by way of application for registration as a Registered Participant shall be submitted in English or Albanian. All information and documentation submitted by an Applicant by way of application for registration as a Registered Participant shall be submitted in an English or Albanian language version, as well as the original language version (with the exception of passports and/or identification cards, which Potential Buyers/Seller may choose to submit in their original language only).**
5. **All information and documentation submitted by an applicant by way of application for registration as a Registered Participant shall be in typewritten form.**
6. **By applying to be registered as a Registered Participant, an applicant is confirming and representing that it has the authority, whether implied or otherwise, to disclose the information and documentation contained in the application for registration as a Registered Participant and that all natural or legal persons or entities mentioned in such application have consented to such disclosure. By applying for registration as a Registered Participant, an applicant also agrees to hold harmless and indemnify KESCO in respect of any claim that may be made against it by any person or entity in relation to such disclosure.**
7. **KESCO shall use reasonable efforts to ensure that its staff treat all information**

provided by an applicant in an application for registration as a Registered Participant as confidential and KESCO shall not disclose such information to third parties except (a) as may be required by the Laws of Kosovo or by an order of a court of competent jurisdiction or (b) to law enforcement agencies inside or outside of Kosovo or (c) if an applicant has otherwise agreed in writing.

8. KESCO reserves the right to revoke the registration of a Registered Participant, at any time, if KESCO determines that a Registered Participant is a Prohibited Bidder or if a Registered Participant is not otherwise in compliance with the requirements of the REoI.
9. KESCO may, at any time, request that an applicant provide such further information, confirmations, or documentation as KESCO may require for the purpose of confirming any of the matters referred to in the REoI.
10. If an applicant requires any clarification or information in connection with completing the REoI Form, the applicant should submit their request in writing to KESCO addressed to:

**Email:** [edona.bajrami@kesco-energy.com](mailto:edona.bajrami@kesco-energy.com)

**Address:** Boulevard Bill Clinton 5, Prishtinë, Republic of Kosovo