



CLARIFICATION NOTE NO 1

Ref. EUBAM-26-16

“Supply and Delivery of 30 Night Vision Thermal Binoculars”

This document provides a summary of the requests for clarification received by the Contracting Authority (EUBAM Libya) in relation to the Tender Dossier **EUBAM-26-16**, together with the corresponding responses provided by the Contracting Authority.

The clarifications and responses set out below form an integral part of the tender documentation and shall be taken into consideration by all tenderers in the preparation and submission of their tenders.

Clarification requests received:	Clarification provided:
Who is the end-user of the Binoculars?	In the event that an End User Certificate is required by the relevant export control authorities, the designated end users shall be the Ministry of Interior and the Ministry of Defense of the State of Libya. EUBAM Libya commits to supply the vendor with the necessary information as and when required. However, the responsibility for obtaining and providing the End User Certificate remains solely with the vendor.
We would like to point out that this is considered as military equipment and it would be stopped at Libyan Customs. For that reason we would like to inquire if you would accept FCA or CPT.	No, we do not accept other Incoterms than the one specifically laid down in the Tender Dossier. The required Incoterm is DDP. As regards the raised concerns related to the Libyan Customs, it is the tenderer's responsibility to ask all questions and make all necessary administrative arrangements with Libyan Customs before responding to the call for tenders, in order to reasonably ensure that, in case of contract award, the economic operator can implement the contract successfully.
Are there restrictions regarding the bank account? Should we have a bank account outside of Libya or inside Libya?	No. There are no restrictions regarding the country of registration of the bank account. EUBAM Libya can make bank transfers to Libya bank accounts and to non-Libyan bank accounts, as long as non-subject to international sanctions. However, bank transfers to Libyan bank accounts sometimes present difficulties in the smoothness and duration of the transaction completion. Payments to bank accounts outside Libya in some neighboring countries, in European countries, and

	generally in well-established banking jurisdictions are usually less problematic.
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