



**FAQ number 2\_ Strengthening a Decentralized Health System for protracted displaced population in Nyala – South Darfur State, reference number: Grant/02/HealthPro/T05-EUTF-HOA-SD-73-01**

Q2. Where can it be found the annex O (Annex O – All tender documents of the PHC located in Ottash camp Nyala and the list of supply) in the web site?

Please find both Annexes O under the following folders: “Work and supply 1” and “Work and supply 2” published with the call of proposals on AICS web site <https://khartoum.aics.gov.it/en/home-eng/opportunities/calls/>

Q3. Is “Bank Guarantee” applicable for this call for proposal?

According to the request of this call of proposal, it’s a financial guarantee and not a bank guarantee that is requested and yes, AICS will request a financial guarantee to realise the first instalment.

Under the Annex VIII: Model financial guarantee, under note 1 it is written that the guarantee has to be supplied by a recognised bank or financial institution established in a Member State of the European Union. Where the coordinator is established in another State, the contracting authority may accept that a bank or financial institution established in that State supplies the guarantee, if it considers that this institution offers insurances and characteristics equivalent to those offered by a bank or financial institution established in a Member State of the European Union

Under the Annex G Standard grant contract (Special Conditions), it is written the articles as follows:

Article 4 — Reporting and payment arrangements

4.1 Payments shall be made in accordance with Article 15 of Annex II option no. 2 as set out in Article 15.1

1. Initial pre-financing payment, 45% after two parties signature and the submission of a **Financial guarantee** (70% of first instalment), equal to EUR;

4.2 The first instalment of pre-financing shall be accompanied by a **financial guarantee amounting to EUR 70% of first instalment and complying with the requirements of Article 15.8 of Annex II.**

Under Annex G II General condition, within Article 15.8 Financial guarantee, it is written:

If the grant exceeds EUR 60 000 the contracting authority may request a financial guarantee for the amount of the initial pre-financing payment. The guarantee shall be denominated in euro or in the currency of the contracting authority, conforming to the model in Annex VIII. The guarantee shall be provided by an approved bank or financial institution established in one of the Member States of the European Union. Where the coordinator is established in a third country, the contracting authority may agree that a bank or financial institution established in that third country may provide the guarantee if the contracting authority considers that the bank or financial institution offers equivalent security and characteristics as those offered by a bank or financial institution established in a Member State of the European Union. This guarantee shall remain in force until its release by the contracting authority

when the payment of the balance is made. During the execution of the contract, if the natural or legal person providing the guarantee (i) is not able or willing to abide by its commitments, (ii) is not authorised to issue guarantees to contracting authorities, or (iii) appears not to be financially reliable, or the financial guarantee ceases to be valid, and the coordinator fails to replace it, either a deduction equal to the amount of the pre-financing may be made by the contracting authority from future payments due to the coordinator under the contract, or the contracting authority shall give formal notice to the coordinator to provide a new guarantee on the same terms as the previous one. Should the coordinator fail to provide a new guarantee, the contracting authority may terminate the contract. This provision shall not apply if the coordinator is a non-profit organisation, an organisation which has signed a framework partnership agreement with the European Commission, a government department or public body, unless otherwise stipulated in the special conditions.

Khartoum, 24.05.2022