

## **SERVICE CONTRACT NOTICE**

### **Implementation of CEFTA Central Databases and Services**

#### **1. Reference**

Lot 1/ CEFTA 2023-01 CEFTA Transparency Pack and Statistical Portal

Lot 2/ SEED+ 2023-01 CEFTA central database of unsafe/noncompliant products detected on the CEFTA market

Lot 3/ SEED+ 2023-02 CEFTA central database of AEO

#### **2. Procedure**

Simplified with publication

#### **3. Programme title**

SEED+ 403-296 and CEFTA GRANT 2022/2025

#### **4. Financing**

Lot 1/ CEFTA 2023-01 CEFTA Transparency Pack and Statistical Portal

Grant Contract - External Actions of the European Union - CEFTA grant 2022-2025

Lot 2/ SEED+ 2023-01 CEFTA central database of unsafe/noncompliant products detected on the CEFTA market

Grant Contract - External Actions of the European Union - SEED+ 403-296

Lot 3/ SEED+ 2023-02 CEFTA central database of AEO

Grant Contract - External Actions of the European Union - SEED+ 403-296

#### **5. Contracting authority**

CEFTA Secretariat

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## **CONTRACT SPECIFICATION**

#### **6. Nature of contract**

Fee-based

#### **7. Contract description**

The overall objective of the project of which this contract will be a part is to establish, maintain and keep up to date CEFTA central databases and services, ensuring overall security of data and platform. In particular, CEFTA Transparency Pack and Statistical Portal databases, CEFTA central database of unsafe/noncompliant products detected on the CEFTA market and CEFTA central database of AEO.

CEFTA Transparency Pack and Statistical Portal is currently composed of 7 databases that are improving transparency of CEFTA under the changing business environment. Those databases need to be improved from the technical and content point of view.

CEFTA central database of unsafe/noncompliant products detected on the CEFTA market shall facilitate sharing of data, documents, knowledge and experiences between authorities working with product safety and enhance cooperation in preventing unsafe or non-compliant products from entering the CEFTA market and ending up in the hands of the consumers. The database should be able to store any kind of non-compliant products, not only unsafe products, but also products that fail to meet the energy labelling rules, products that don't comply with the rules for emitting electromagnetic noise, non-compliant measuring equipment to mention a few examples.

CEFTA central database of AEO is envisaged as a multilingual information system that will facilitate sharing of data and documents on AEO between Customs Administrations of the CEFTA Parties and enhance their cooperation in granting benefits to the companies having AEO statuses, as specified in CEFTA agreements, protocols and decisions, in particular the Decision No 1/2019 on establishing the validation procedure for the recognition of CEFTA Parties' Authorised Economic Operators' Programmes with regard to the safety and security (AEOS).

## **8. Number and titles of lots**

Lot 1: CEFTA 2023-01 for CEFTA Transparency Pack and Statistical Portal

Lot 2: SEED+ 2023-01 for CEFTA central database of unsafe/noncompliant products detected on the CEFTA market

Lot 3: SEED+ 2023-02 for CEFTA central database of AEO

## **9. Maximum budget**

EUR 287.130,00

EUR 100 000 for lot 1/ CEFTA 2023-01 for CEFTA Transparency Pack and Statistical Portal

EUR 120 000 for lot 2/ SEED+ 2023-01 for CEFTA central database of unsafe/noncompliant products detected on the CEFTA market

EUR 67 130 for lot 3/ SEED+ 2023-02 for CEFTA central database of AEO

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## **CONDITIONS OF PARTICIPATION**

## 10. Eligibility

Participation in tendering is open on equal terms to natural and legal persons (participating either individually or in grouping-consortium - of tenderers) which are established in a Member State of the European Union or in a Party or territory of the regions covered and/or authorised by the specific instruments applicable to the programme under which the contract is financed (Annex A2a to the practical guide)<sup>1</sup>. Participation is also open to international organisations.

Please be aware that after the United Kingdom's withdrawal from the EU, the rules of access to EU procurement procedures of economic operators established in third countries will apply to candidates or tenderers from the United Kingdom depending on the outcome of negotiations. In case such access is not provided by legal provisions in force, candidates or tenderers from the United Kingdom could be rejected from the procurement procedure

## 11. Number of tenders

No more than one tender can be submitted by a natural or legal person whatever the form of participation (as an individual legal entity or as leader or member of a consortium submitting a tender). In the event that a natural or legal person submits more than one tender, all tenders in which that person has participated will be excluded.

The tenderer should submit a tender for all three lot. Contracts will be awarded lot by lot and each lot will form a separate contract.

## 12. Grounds for exclusion

As part of the tender, tenderers must submit a signed declaration, included in the tender form, to the effect that they are not in any of the exclusion situations listed in Anex VIII.

Tenderer included in the lists of EU restrictive measures<sup>2</sup> (see Section 2.4. of the PRAG) at the moment of the award decision cannot be awarded the contract.

## 13. Sub-contracting

Subcontracting is not allowed.

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## PROVISIONAL TIMETABLE

### 14. Provisional commencement date of the contract

April 2023

### 15. Implementation period of the tasks

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<sup>1</sup> <https://ec.europa.eu/europeaid/prag/annexes.do?group=A>

<sup>2</sup> <https://www.sanctionsmap.eu/#/main>

Lot 1: 31 March 2025

Lot 2 and 3: 30 November 2023

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## SELECTION AND AWARD CRITERIA

### 16. Selection criteria

The following selection criteria will be applied to the tenderers. In the case of tenders submitted by a consortium, these selection criteria will be applied to the consortium as a whole, unless specified otherwise. The selection criteria will not be applied to natural persons and single-member companies when they are sub-contractors.

1) **Economic and financial capacity of tenderer** (based on item 3 of the tender form). In case of tenderer being a public body, equivalent information should be provided. The reference period which will be taken into account will be the last three financial years for which accounts have been closed.

- The tenderer must have a minimum annual financial turnover of EURO 200.000 calculated as total certified payments received for contracts in progress and/or completed within the last three (3) years.

2) **Professional capacity of tenderer** (based on item 4 of the tender form). The reference period which will be taken into account will be the last five years preceding the submission deadline.

- The tenderer must be in business for at least five years in implementing software development projects.

3) **Technical capacity of tenderer** (based on items 5 and 6 of the tender form). The reference period which will be taken into account will be the last five years preceding the submission deadline.

- The tenderer must have certificate ISO 27001;
- The tenderer must have successfully implemented at least one project/contract involving development and maintenance of IT systems with a minimum value equivalent to the value of this contract (287,130.00€).
- The tenderer must have successfully implemented at least two project/contract involving development and maintenance of IT systems in the thematic areas associated to this contract (market surveillance, product safety, customs, trade transparency and/or trade statistics).

Previous experience which would have led to breach of contract and termination by a contracting authority shall not be used as reference. This is also applicable concerning the previous experience of experts required under a fee-based service contract.

An economic operator may, where appropriate and for a particular contract, rely on the capacities of other entities, regardless of the legal nature of the links which it has with them. It must in that case prove to the contracting authority that it will have at its disposal the resources necessary for the performance of the contract by producing a commitment by those entities to place those

resources at its disposal. Such entities, for instance the parent company of the economic operator, must respect the same rules of eligibility - notably that of nationality - and must comply with the selection criteria for which the economic operator relies on them. Furthermore, the data for this third entity for the relevant selection criterion should be included in the tender in a separate document. Proof of the capacity will also have to be provided when requested by the contracting authority. With regard to technical and professional criteria, an economic operator may only rely on the capacities of other entities where the latter will perform the services for which these capacities are required. With regard to economic and financial criteria the entities upon whose capacity the tenderer relies become jointly and severally liable for the performance of the contract.

#### **17. Award criteria**

Best price-quality ratio.

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## **TENDERING**

#### **18. Deadline for submission of tenders**

The deadline for receipt of tenders is specified in point 8 of the Instruction to Tenderers.

#### **19. Tender format and details to be provided**

Tenders must be submitted using the Tender submission form, the format and instructions of which must be strictly observed.

The tender must be accompanied by a Declaration on honour on exclusion and selection criteria using the format in Annex to the draft contract.

Any additional documentation (brochure, letter, etc.) sent with a tender will not be taken into consideration.

#### **20. How tenders may be submitted**

Tenders must be submitted in English exclusively to the Contracting Authority, using the means specified in point 8 of the Instructions to Tenderers.

Tenders submitted by any other means will not be considered.

By submitting a tender, tenderers accept to receive notification of the outcome of the procedure by electronic means.

#### **21. Alteration or withdrawal of tenders**

Tenderers may alter or withdraw their tenders by written notification prior to the deadline for submission of tenders. No tender may be altered after this deadline.

Any such notification of alteration or withdrawal shall be prepared and submitted in accordance

with point 9 of the Instructions to Tenderers. The outer envelope (and the relevant inner envelope if used) must be marked 'Alteration' or 'Withdrawal' as appropriate.

## **22. Operational language**

All written communications for this tender procedure and contract must be in English.

## **23. Legal basis**

CEFTA Secretariat Mandate

CEFTA Agreement

Grant Contract - External Actions of the European Union 2018/403-296

Grant Contract - External Actions of the European Union IPA III/2022/435-160

## **24. Additional information**

Financial data to be provided by the candidate in the standard application form must be expressed in EUR. If applicable, where a candidate refers to amounts originally expressed in a different currency, the conversion to EUR shall be made in accordance with the Info Euro exchange rate of January 2023, which can be found at the following address:  
<http://ec.europa.eu/budget/graphs/inforeuro.html>.

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