

SERVICE CONTRACT NOTICE

Regulatory Assistance

1. Reference

CEFTA SEED+ 2025-03

2. Procedure

Simplified procedure

3. Programme title

Support to Systematic Exchange of Electronic Data (SEED+) in CEFTA 2024

4. Financing

Support to Systematic Exchange of Electronic Data (SEED+) in CEFTA 2024 under IPA III (2021-2027) instrument with a derogation for Moldova

5. Contracting Authority

CEFTA Secretariat

CONTRACT SPECIFICATION

6. Nature of contract

Fee based

7. Contract description

The overall objective of the contract is to enhance trade facilitation and CEFTA economic integration by enabling regular and systematic data exchange among all CEFTA administrations and other stakeholders as stipulated by the CEFTA Additional Protocol 5 and its Technical Annexes in the area of customs, phytosanitary, food safety, veterinary and pharmaceutical products, and between CEFTA and the EU, promoting paperless trade and improving security and safety in trade without hampering trade flows. The purpose is to provide regulatory assistance to create enabling regulatory framework for enhanced digital transformation of CEFTA agreements and protocols. This will include, but not be limited to drafting guidelines, instructions, terms, decisions and other related regulatory texts, to support the enhanced digital transformation of CEFTA agreements and protocols to reinforce progressive harmonisation of trade-related regulation and practices among CEFTA and with the EU.

8. Number and titles of lots

N/A

9. Maximum budget

EUR 119 000

CONDITIONS OF PARTICIPATION

10. Legal basis, eligibility and rules of origin

The legal basis for this procedure is CEFTA Secretariat Mandate, CEFTA Agreement and Support to Systematic Exchange of Electronic Data + system in Western Balkans 2024 under IPA III (2021-2027) instrument with a derogation for Moldova.

For this contract award procedure, participation is open to all natural persons who are nationals of and legal persons (participating either individually or in a grouping – consortium – of candidates/tenderers) which are effectively established in a Member State of the European Union or in an eligible territory or region mentioned as eligible in the Eligibility programmes 2021-2027-Annex A2a1¹ as defined under the Financial instrument IPA III (2021-2027) with derogation for Moldova.

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.

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 the Annex VIII.

Tenderer included in the lists of EU restrictive measures² (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.

PROVISIONAL TIMETABLE

14. Provisional commencement date of the contract

September 2025

¹ <https://wikis.ec.europa.eu/display/ExactExternalWiki/Annexes>

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

15. Implementation period of the tasks

Until 31/12/2026

SELECTION AND AWARD CRITERIA

16. Selection criteria

Capacity-providing entities

An economic operator (i.e. candidate or tenderer) 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. If the economic operator relies on other entities, 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 and notably that of nationality as the economic operator relying on them 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 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 tasks for which these capacities are required.

With regard to economic and financial criteria, the entities upon whose capacity the economic operator relies, become jointly and severally liable for the performance of the contract.

The following selection criteria will be applied to candidates. In the case of applications submitted by a consortium, these selection criteria will be applied to the consortium as a whole if not 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 119.000 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 have a minimum of five (5) years of proven experience in providing regulatory services.

- The tenderer must currently employ at least two (2) staff members working in the field of regulatory services relevant to the subject of this contract.

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 successfully implemented at least one project or contract involving regulatory work related to trade agreements and policies, with a minimum value equivalent to that of the present contract.

This means that the service contract the tenderer refers to could have been started at any time during the indicated period but it does not necessarily have to be completed during that period, nor implemented during the entire period. Tenderers are allowed to refer either to service contracts completed within the reference period (although started earlier) or to service contracts not yet completed. Only the portion satisfactorily completed during the reference period will be taken into consideration. This portion will have to be supported by documentary evidence (-statement or certificate from the entity which awarded the contract, proof of payment) also detailing its value. If a tenderer has implemented the service contract in a consortium, the percentage that the tenderer has successfully completed must be clear from the documentary evidence, together with a description of the nature of the services provided if the selection criteria relating to the pertinence of the experience have been used.

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.

17. Award criteria

Best price-quality ratio.

TENDERING

18. Deadline for receipt 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 VIII 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 CEFTA Secretariat, 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. Additional information

Financial data to be provided by the candidate in the standard application form must be expressed in EUR.
