

SERVICE CONTRACT NOTICE

Legal Expertise on Central European Free Trade Agreement (CEFTA)

Negotiations and Implementation

1. Reference

CEFTA 2025-09

2. Procedure

Simplified procedure

3. Programme title

Support to the Secretariat of the Central European Free Trade Agreement 2025-2028

4. Financing

Co-financed by the CEFTA Parties and European Commission

5. Contracting authority

CEFTA Secretariat

CONTRACT SPECIFICATION

6. Nature of contract

Fee based

7. Contract description

The objective of this contract is to support the CEFTA Secretariat through the provision of the legal expertise for the body of law and policies based on the CEFTA 2006 and the new Common Regional Market Action Plan 2025-2028, as well as the effective and legally sound expanding of CEFTA 2006 and related body of law and policies.

8. Number and titles of lots

N/A

9. Maximum budget

60.000 EUR

CONDITIONS OF PARTICIPATION

10. Eligibility

The legal basis for this procedure is CEFTA Secretariat Mandate, CEFTA Agreement and CEFTA GRANT 2025-2028 under IPA III (2021-2027).

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 country or territory mentioned as eligible in the Eligibility programmes 2021-2027-Annex A2a¹ as defined under the Financial instrument IPA III (2021-2027).

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

January 2026

15. Implementation period of the tasks

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

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

From the date of signature until 31 December 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 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 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.

The tenderer shall not use previous experience which caused breach of contract and termination by a contracting authority as a reference for selection criteria. This is also applicable concerning the previous experience of experts required under a fee-based service contract.

- 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's average annual turnover of the last 3 financial years for which the accounts have been closed must be not less than EUR 60.000

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

- Criterion 1: the tenderer has, during the current year and the previous two years, on average, at least 2 personnel directly employed or otherwise legally contracted on a permanent or non-permanent basis in areas of specialist knowledge related to this contract.
- Criterion 2: the tenderer is not subject to professional conflicting interests which may negatively affect contract performance. The presence of professional conflicting interests shall be examined on the basis of the statements made through the Declarations on Honour and, where applicable, the statements and other documents submitted.

2) Technical capacity of tenderer (based on items 6 of the tender form).

- The candidate has completed services under at least 1 contract implemented at any moment during the last four years preceding the submission deadline.
- For each contract, the value of the services completed must not be less than 24.000 EUR.
- The completed services are in the domain of Trade Agreements and policies or other related areas.

This means that the service contract the tenderer refers to could have been implemented 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 projects partially implemented during, but not yet completed within the reference period. Only the part completed during the reference period will be taken into consideration. This part will have to be supported by documentary evidence (approval of report or deliverable, proof of payment, statement or certificate from the entity which awarded the contract) also detailing its value. If a tenderer has implemented the project in a consortium, the percentage that the tenderer has successfully completed must be clear from the documentary evidence (approval of report or deliverable, proof of payment, statement or certificate from the entity which awarded the contract) also detailing its value. If a candidate has implemented the project in a consortium, the part that the candidate has successfully completed must be clear from the documentary evidence (such as consortium agreement and bank transfers between consortium members), together with a description of the nature of the services provided.

17. Award criteria

Best price-quality ratio.

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 complete tender dossier with the forms to use will be sent by e-mail.

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.

22. Operational language

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

23. Legal basis

CEFTA Secretariat Mandate

CEFTA Agreement

CEFTA GRANT 2025-2028

24. Additional information

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

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