

Ref.: EDAC202209005

Brussels, 16/09/2022

**Subject: Ex-ante publicity notice for the negotiated procedure 22.ISE.NP3.146 for Service contract for the provision of “IOTA (defence digital prOducT pAssport) study”**

To whom it may concern

The European Defence Agency (EDA) will shortly launch a call for tenders for the award of the above mentioned middle value contract.

Should you be interested in being invited in the above mentioned call for tenders, please follow the instructions below.

In order to help you assess whether the envisaged contract is of your interest, the following information is hereby communicated.

Outline description of the envisaged contract	
Type of contract	<ul style="list-style-type: none"><li>• Service contract</li><li>• Direct contract</li></ul>
Lots	N/A
Maximum estimated budget available for the contract	EUR 71.000
Duration of the contract	10 months
Subject matter of the contract	The main objective of the study is to perform a multi-dimensional feasibility diagnosis (technical, organisational, legal) of a data sharing framework for circularity of defence capabilities/products and associated tools (e.g. concept of digital product passport).

	<p>The contractor shall assess:</p> <ul style="list-style-type: none"><li>- existing schemes and initiatives in civilian and defence contexts, in terms of relevance to circular practices, maturity and potential for implementation in the defence sector;</li><li>- incentives and limitations (including specific legal framework) to data sharing in the defence sector;</li><li>- potential synergies with uses such as traceability, guarantee of origin, security of supply and digital inventories in military supply chains;</li><li>- key IT requirements for a secured exchange of information.</li></ul>									
Participation in the negotiated procedure	<p>Participation in EDA’s public procurement procedures is open on equal terms to all natural and legal persons coming within the scope of the EU Treaties. When applying the rules of access to the market, it is the country where the tenderer is established which is to be considered. As regards a natural person, it is the State in which the person has his domicile.</p> <p>EDA procurement procedures are not covered by the WTO Multilateral Government Procurement Agreement (GPA). Tenderers established in third countries (non-EU countries) do not have the right to participate in procurement procedures unless international agreements in the field of public procurement grant them the right to do so. In case there is no such agreement, or the agreement does not apply to the kind of contracts put out to tender, tenderers of third countries are not entitled to participate.</p> <p>The relevant international agreements in the field of public procurement are the Stabilization and Association Agreements (SAA) and the European Economic Area Agreement (EEA). Currently, the following countries have signed and ratified the above Agreements and therefore economic operators established in Iceland, Liechtenstein, Norway, North Macedonia, Albania, Montenegro, Serbia, Kosovo, Bosnia and Herzegovina also have the right to participate in EDA’s public procurement procedures.</p> <p>Subcontracting to economic operators who do not have access to the market as described above will not be allowed.</p>									
Selection criteria: necessary capacity to implement the contract	<p>Potentially interested economic operators are hereby informed that the following selection criteria will be assessed in the scope of the envisaged negotiated procedure:</p> <table><tr><th colspan="3">Economic and financial criteria</th></tr><tr><th>Criterion</th><th>Minimum capacity</th><th>Evidence/supporting documents</th></tr><tr><td>Economic and financial capacity</td><td>Minimum annual turnover of 70 000 EUR for the last financial year for which accounts have been closed.</td><td>Declaration on honour (the tenderer must undertake to submit to EDA evidence of their economic, financial, technical and professional capacity</td></tr></table>	Economic and financial criteria			Criterion	Minimum capacity	Evidence/supporting documents	Economic and financial capacity	Minimum annual turnover of 70 000 EUR for the last financial year for which accounts have been closed.	Declaration on honour (the tenderer must undertake to submit to EDA evidence of their economic, financial, technical and professional capacity
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			that EDA considers necessary to perform its checks, within fifteen calendar days following the receipt of EDA's request).
	<b>Technical and professional criteria</b>		
	<b>Criterion</b>	<b>Minimum capacity</b>	<b>Evidence/supporting documents</b>
	Knowledge of circular economy principles and implementation.	At least 6 studies or services conducted in the field within the past 3 years OR involvement in 2 projects/initiatives in the field of circular economy.	For studies: title, value, market sectors covered. (A summary should be provided where possible).  For projects/initiatives: name, duration and description of the tenderer's contribution.
	Knowledge of the defence sector	Involvement in at least 1 project / initiative / study in the field of defence within the past 3 years.	For studies: title, value, market sectors covered. (A summary should be provided where possible).  For projects/initiatives: name, duration and description of the tenderer's contribution.
	<b>NB</b> Whilst no documents need to be submitted at this stage to prove that the above criteria are met, potentially interested economic operators are strongly advised to verify that they fully comply with the announced criteria.		
Indicative date for launching the negotiated procedure	Invitation to submit tenders will be electronically sent to economic operators indicatively by <b>07/10/2022</b>		
Indicative time schedule for	The envisaged contract will be signed indicatively by December 2022.		

signing the contract	
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If you are interested in being invited in the above mentioned call for tenders, please reply to this ex-ante publicity notice by sending via email the filled-in **Reply Form**. Such Reply Form shall be sent to no later than **30/09/2022 – at 17h00** (Brussels time) to the following EDA functional mail box:

[procurement@eda.europa.eu](mailto:procurement@eda.europa.eu)

No evaluation is performed at this stage. All the economic operators who have expressed their interest to participate in this procurement procedure within the above-mentioned deadline will be subsequently invited to submit a tender. The contracting authority reserves the right to also invite economic operators not included in the list of interested economic operators who responded to this ex-ante publicity.

Only the candidates invited by the contracting authority to participate in this procurement procedure will be admissible.

This publicity is in no way binding for the EDA. The EDA's contractual obligation commences only upon signature of the contract with the successful tenderer.

Submission of an expression of interest implies acceptance of receiving the invitation to tender by electronic means. **It is the tenderer's responsibility to provide a valid e-mail address together with their contact details in the Reply Form and to check their e-mail regularly.**

We look forward to receiving your expression of interest.

**Annex:** Reply Form (Expression of interest)

**REPLY FORM (Expression of interest)**

Please return the present page duly filled in to:

[procurement@eda.europa.eu](mailto:procurement@eda.europa.eu)

Please indicate in the subject line of the e-mail the title and number of the procedure:  
**22.ISE.NP3.146 for Service contract for the provision of “IOTA (defence digital product passport) study”**

Name of the Company	
Title, first name and last name of contact person, and Function within the Company	
Address of the Company (including postal code, town, country)	
Telephone (with international prefix)	
E-mail of the contact person <sup>1</sup>	

Upon receipt of your expression of interest, your personal data will be recorded and further processed by EDA for the sole purpose of drawing up list of interested economic operators that will be invited to take part in the present negotiated procedure. Such data will be processed by EDA in accordance with Regulation (EU) No 2018/1725<sup>2</sup>, pursuant to Article 31 of Council Decision (CSFP) 2015/1835.

Details concerning processing of your personal data are available in the privacy statement at the page:

<http://www.eda.europa.eu/docs/default-source/procurement/privacy-statement.pdf>

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<sup>1</sup> To which the invitation to tender will be sent.

<sup>2</sup> Regulation (EU) No 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p.39).