

Additional information about the Contract Notice

Supply and Delivery of Handheld Spectrometers

Location – Tripoli, Libya

1. Nature of contract

Unit price-based supply contract

2. Programme title

Council Decision (CFSP) 2025/1281 of 26 June 2025 amending Decision 2013/233/CFSP on the European Union Integrated Border Management Assistance Mission in Libya (EUBAM Libya).

3. Financing

Budget line 6.1.1

Contribution Agreement between the European Union and EUBAM Libya
CFSP/2025/27/EUBAM Libya

4. Legal basis, eligibility and rules of origin

The legal basis for this procedure is Point 39.2 (b)(i) Annex I of the Financial Regulations, according to which “the local open procedure may be used for supply contracts with a value of at least EUR 100 000 and less than EUR 300 000”.

Participation in this procurement procedure is open on equal terms to all natural and legal persons (participating either individually or in a grouping – consortium – of tenderers). Participation is also open to international organisations.

All supplies under this contract may originate in any country.

5. Candidature

All eligible natural and legal persons (as per item 4 above) or groupings of such persons (consortia) may participate or tender.

A consortium may be a permanent, legally established grouping or a grouping which has been constituted informally for a specific procurement procedure. All members of a consortium (i.e., the leader and all other members) are jointly and severally liable to the contracting authority.

The participation or tender of an ineligible natural or legal person will result in the automatic exclusion of that person. In particular, if that ineligible person belongs to a consortium, the whole consortium will be excluded.

6. Number of requests to participate or tenders

No more than one request to participate or 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 request to participate or tender). In the event that a natural or legal person submits more than one request to participate or tender, all requests to participate or tenders in which that person has participated will be excluded.

In case of lots, the candidates or tenderers may submit only one request to participate or tender per lot. Contracts will be awarded lot by lot and each lot will form a separate contract. If the tenderer is awarded more than one lot, a single contract may be concluded covering all those lots.

7. Sub-contracting

Sub-contracting is allowed.

8. Provisional commencement date of the contract

September 2026

9. Period of implementation of tasks

The implementation period of tasks is 6 months from contract signature.

The goods shall be delivered within 4 months from the date of signature of the contract by both parties.

The ancillary services, namely the training sessions on the use of the goods as described in Point 2 of Annex II/III (Technical Specifications and Technical Offer), shall be completed within a maximum of 2 months from the date of the provisional acceptance of the goods.

10. Language of the procedure

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

11. Additional information

Financial data to be provided by the candidate in the request to participate form or in the tender submission 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 InforEuro exchange rate of July 2026, which can be found at the following address: <http://ec.europa.eu/budget/graphs/inforeuro.html>.

SELECTION CRITERIA

12. 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 fulfil the selection criteria for which the economic operator relies on them. **Furthermore, the data for this third entity for the relevant selection criterion should not be included in the request to participate form but 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 requests to participate 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 candidate shall not use previous experience which caused breach of contract and termination by a contracting authority as a reference for selection criteria.

The selection criteria for each tenderer are as follows:

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

Criterion: average annual turnover

The candidate's or tenderer's average annual turnover of the **last 3 financial years** for which **the accounts have been closed** must be not less than **200,000.0 EUR**.

- 2) Professional capacity** (based on items 4 and 5 of the request to participate form for service contracts and on items 4 and 5 of the tender form for supply contracts). The reference period which will be taken into account will be **the last 3 years preceding the submission deadline**.

- **Criterion 1:** the candidate has, during the current year and the previous two years, on average, at least: two (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 candidate 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.
- **Criterion 3:** the tenderer must have the legal capacity to perform the contract under the applicable laws.

- 3) Technical capacity** (based on item 6 of the request to participate form for service contracts and on item 6 of the tender form for supply contracts).

Criterion:

- The candidate has completed supplies under at least **1 contract** implemented at any moment during the last four years before submission deadline.
- For each contract, the value of the supplies completed must not be less than **50,000.0 EUR**.
- The completed services or supplies are in the domain of selling electronic security equipment.

This means that the contract the candidate or 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. Candidates or tenderers are allowed to refer either to projects 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 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/supplies delivered.

13. Award criteria

Best Price