



General Procurement Notice

Central European Initiative – Executive Secretariat

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Preface

The present act has been adopted in order to ensure that a procedure for the award of a contract does not cause any distortion of competition or discrimination, and to enforce the transparency and reliability of information.

The General Procurement Notice (hereinafter "GPN") outlines the framework, the principles and the purposes permeating the procurement activity of the CEI-ES and represents its main internal regulatory source in this area.





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1. Procurement Legal Framework

Staff members are bound to comply with the “Agreement between the Government of the Republic of Italy and the Presidency of the Central European Initiative (CEI) on the Seat of the CEI Information and Documentation Centre in Trieste” (“Agreement”), - signed in Vienna on July 24, 1996 and ratified with law n. 286 of August 28, 1997 - the General Procurement Notice (“GPN”), the Rules and Regulations of the CEI-Executive Secretariat (CEI-ES) and all other relevant administrative issuances, in their latest versions.

They are also bound to comply with the principles mentioned by Directive 2014/24/EC of the European Parliament and of the Council of 26 February 2014 on public procurement and subsequent amendments and additions, as far as they are compatible with the legal status and prerogatives of the CEI-ES as guaranteed by the Agreement.

2. Procurement Principles

As a rule, goods and services are to be acquired through procurement procedures in line with the principles expressed by the European law on public procurement, as far as compatible.

The following general principles are required to be taken into due consideration:

1. fairness, integrity, and transparency,
2. effective competition,
3. best interest of the CEI-ES.

The following chapters provide an outline of each principle and the related expectations from those involved in the procurement process.

In addition to the principles above, staff involved in procurement activities must also ensure that the procurement actions they undertake are taken in a manner that always strives to meet the needs of the CEI-ES in the most efficient and effective manner.

2.1. Fairness, Integrity and Transparency

Fairness, Integrity and Transparency are three interlinked principles adopted by CEI-ES to meet the goal of carrying out fair, transparent and equal procurement procedures, while economy and efficiency in procuring goods, services and works remain guaranteed.

Fairness means offering the same opportunities to all bidders under the three profiles of information, communication and contents regarding the very same procurement, avoiding any distortion like favouritism, self-interest or preference in judgement.

Integrity means that the staff involved in procurement procedures must act probity, professionally and in line with generally accepted moral and ethical standards.

Transparency means that all information on procurement procedures is provided to all interested parties, ensuring compliance with pre-defined rules and processes which avoid any unfair and unequal treatment, balanced by CEI-ES determinations, in connection with both principles of Fairness and Integrity.

2.2. Effective Competition

Effective competition means that each single procurement procedure must guarantee:

1. enough time to all potential economic operators to participate in the procurement processes; this task could be realized through both timely and geographically proportionated notification, and by using an adequate communication mode,





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2. no restriction of competition connected to an over or an under specification,
3. economies of scale, if possible and without prejudice of the Fairness, Integrity and Transparency principles.

2.3. Best Interest of the CEI-Executive Secretariat

All procurement activities must follow and be implemented within the applicable legal framework as detailed under point 1 above. In this regard, the interest of the CEI-ES, among others, shall be always considered into each single procurement procedure and must guarantee that the CEI-ES will receive neither damn nor restriction to its prerogatives and institutional functions.

3. Ethical Standards

As a direct application of the Integrity principle, ethical standards must inspire all procurement activities in order to prevent any fraudulent and corrupt practice which would damage the credibility of the CEI-ES and, subsequently, its capability to fulfil its institutional purposes.

4. Organization of Procurement

4.1. Definition of Procurement

Procurement is the combination of all actions and processes needed to acquire property and services.

More specifically, when used in this act, the term “procurement” is referred to the acquisition of goods, services, works, or real property via competitive bidding or through the exceptions outlined below.

4.2. Key Roles in the Procurement Process

Procurement processes are managed by the CEI-ES staff members. There are several functions concurring to exercise the procurement process within the CEI-ES:

- a) CEI-ES Secretary General (SG), responsible for overall strategic management of CEI-ES procurement activities,
- b) CEI-ES Head of Finance and Operations (HFO), responsible for implementation, guidance and control of the strategic and administrative management of CEI-ES procurement activities as developed by the SG,
- c) Procurement Officials (POs), responsible for the execution of the single tender procedure to which they are appointed; they may also perform additional functions delegated to them by the HFO.

5. Planning, Procurement Strategy and Requirements Definition

5.1 Planning

Planning is the first phase in the overall acquisition process and represents the basic prerequisite of any procurement activity by analysing the supply needs of the CEI-ES in order to have them timely and efficiently satisfied.

5.2 Procurement Strategy

Like planning, procurement strategy is another key element for the timely and efficient acquisition of goods and services. It requires an accurate analysis and comprehension of the requirements, the reference market, features and risks of each single procurement procedure. For this reason, procurement planning and strategy are strongly linked.



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5.3 Requirements Definition

Planning for each single procurement must be reflected in the corresponding Source Plan Notice (“SPN”). The SPN:

- describes critical components of the sourcing process,
- provides justification for sourcing decisions in order to be compliant with the principles and procedures required,
- provides an objective approach to the methodology of selecting the best source to fulfil the established need.

For complex requirements, procurement planning should begin well in advance of when the goods or services are required.

The SPN is the document, under the responsibility of the HFO, which expresses all these functions and that documents, inter alia, assumptions, eligibility and evaluation criteria.

6. Sourcing

6.1 Sourcing of Vendors

Sourcing is the process of identifying suitable economic operators that could provide the required goods or services. The sourcing process also provides valuable information about products and specifications.

Sourcing is carried out using two main methodologies, as described below:

- supply market research and analysis, including through internal and external sources,
- advertisement of business opportunities through sourcing methods.

7. Solicitation

After requirements have been clearly and completely defined and sourcing of economic operators has been undertaken, the next step in the procurement process is solicitation. The solicitation process is the method used to communicate a procurement requirement and request an offer from potential suppliers.

In addition to the market and economic operators' information, any procurement procedure should ensure that the solicitation method selected would be both proportionate and adequate to the requirement needed. Regardless of the formal or informal methods of solicitation used and unless exceptions are justified, as a general rule, procurement contracts shall be awarded based on competition, which includes:

1. acquisition procurement planning, strategy and methodology, by analysing demand and supply market data,
2. market research for identifying a potential economic operator,
3. formal methods of solicitation or informal methods of solicitation,
4. consideration of prudent commercial practices.

7.1 Effective Competition

As a core principle of CEI-ES procurement, effective competition is pursued by ensuring geographical proportion with the object of the procurement procedure, providing a widest and most diverse possible range of potential economic operators. HFO and POs act in compliance with the CEI-ES's principle to achieve the best proportionate competition and, subsequently, an equal access for all qualified economic operators to CEI-ES's procurement procedures.

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In brief, effective competition could be achieved through:

1. market analysis and advertisement conducted to identify the highest number of prospective bidders,
2. a generic manner of describing specifications, in order to allow competition between multiple bidders,
3. a sufficient number of identified prospective contractors effectively invited to compete,
4. independent acting of each prospective contractor from others,
5. guaranteeing to prospective contractors the same conditions to compete for the same business opportunity.

7.2 Special Considerations for List of Invitees

While effective competition should be pursued in principle, there are some circumstances where limiting the pool of economic operators may be appropriate. This may apply when the solicitation process is restricted to a shortlist of economic operators selected in a non-discriminatory manner from rosters (e.g., list of authorized resellers), pre-qualifications, market research, or other means of sourcing.

7.3 Solicitation Methods: Formal and Informal Methods

The three main solicitation methods are the Open Procedure (OP), the Negotiated Procedure (NP) and the Below Threshold Acquisition (BTA).

In compliance with the principles of proportionality, efficiency and cost-effectiveness, BTA will be used as standard method of solicitation for tenders below 140.000 Euros in value (goods and services) or 150.000 Euros in value (works).

OP is the “formal” method of solicitation, while NP and BTA are “informal” methods of solicitation. Unless justified exceptions and for tender procedures with a value above the BTA threshold as already indicated, the formal method of solicitation should be used.

Several factors, such as market conditions, the complexity and nature of the requirement (e.g., goods, services, or works), an estimated monetary value, influence the choice of the solicitation method. Other factors (e.g., location and urgency) might also influence the choice of the solicitation method and the procedures to follow.

8. Publicity

CEI-ES provides for the legal publicity of the most relevant information relating to the procurement procedures performed under this GPN, by publishing them in the dedicated section of its institutional website at the following link (<https://www.cei.int/publicinformation>), in accordance with Regulation (EU) 675/2016 and the European Union legislation on intellectual, industrial and commercial property.


9. Transitional and Final Provisions

This GPN will enter into force from July 2024, the 1st.

This GPN repeals the previous GPN of August 2021, the 1st and replaces it in its entirety.

However, the previous GPN will remain in force only for procedures started before the entry into force of this GPN and still ongoing after July 2024, the 1st.

Trieste, 7 June 2024


Roberto Antonione
Secretary General

