



REPUBLIKA E SHQIPËRISË
BASHKIA ÇËRRIK

Date: 27.03.2026

PROCESSVERBAL- Contract type - Goods
**ON THE ARGUMENTATION AND APPROVAL OF TECHNICAL SPECIFICATIONS
AND QUALIFICATION CRITERIA**

OBJECT II OF THE PROCEDURE: " Purchase of an intelligent platform for the Agrosmart project - Intelligent Agriculture"

RELEVANT CODE IN THE COMMON PROCUREMENT VOCABULARY (CPV):

Development software package 48983000-2

LIMIT FUND VALUE : 16656666 (sixteen million six hundred fifty six thousand six hundred sixty six) lek excluding VAT and 173 488 (one hundred and seventy-three thousand four hundred and eighty-eight) EURO.

** The official exchange rate according to the Bank of Albania on 27.03.2026 is 1 euro = 96.01 Lekë/Euro*

Based on Article 21, point 2, of Law No. 162/2020 "On Public Procurement", Article 2, point 2/c and Article 78, point 2, of the Council of Ministers No. 285, dated 19.05.2021 "On the approval of the public procurement rules", the contracting authority/entity **Cerrik Municipality** has drafted the minutes for the argumentation and approval of the technical specifications and qualification criteria for the above-mentioned procedure, with the following content:

I. SPECIAL QUALIFICATION CRITERIA

1. The candidate/bidder must submit:

a. Bid security, according to Annex 3.

Argument : This criterion was established according to Article 83 of Law No. 162, dated 23.12.2020 "On Public Procurement", which provides that:

Point 1 Article 83: The contracting authority must require the submission of bid security by bidders in all types of procurement procedures, with the exception of low-value procurement procedures.

Point 2 Article 83: The contracting authority or entity must specify in the tender documents:

a) the required value of the bid security, which must be 2% of the estimated contract value;
b) any request for the nature and form of bid security, as well as in Article 30 of the Council of Ministers No. 285 dated 19.05.2021 "On the Approval of Public Procurement Rules"

b. Summary self-declaration form, according to Annex 9

Justification : This criterion was established based on Article 76 of Law No. 162/2020 “On Public Procurement”, and Article 26 of the Council of Ministers No. 285, dated 19.05.2021 “On the Approval of Public Procurement Rules”, which stipulates that: “1. Together with the submission of requests for participation or tenders, the contracting authority/entity accepts as preliminary evidence, instead of certain certificates issued by public authorities or third parties, the summary self-declaration form, as defined in Article 82 of the LPP, and in these rules.”.

2. The Candidate/Bidder must submit:

2.1. Suitability to carry out the professional activity (if applicable):

According to the criteria set out in the General Qualification Criteria

Argument : The above request is based on Article 77, points 1/a and 2, of the LPP, Article 41, point 4, of the Council of Ministers No. 285, dated 19.05.2021 "On the approval of public procurement rules .

2.2. Economic and financial capacity:

2.2.1 To prove financial and economic capacities, economic operators must submit proof of annual turnover for the financial years 2023, 2024, 2025, where the turnover value for at least one of the years of the required period must be no less than 40% of the limit fund made available.

Argument: The above request has been determined based on the value of the limit fund of this procedure, as well as based on Article 77, point 3, of the LPP, as well as Article 43, of the Council of Ministers No. 285, dated 19.05.2021 "On the approval of public procurement rules".

Referring to Law No. 25/2018 “ *On Accounting and Financial Statements* ” , Law No. 8438, dated 28.12.1998 “ *On Income Tax* ” (as amended), Article 29 thereof, Law No. 10 091, dated 05.03.2009 “ *On Statutory Audit, Organization of the Profession of Statutory Auditor and Approved Accountant* ” (as amended), Article 41 thereof, Decision of the Council of Ministers No. 922, dated 29.12.2014 “ *On the Mandatory Filing of Tax Returns and Other Tax Documents, Only in Electronic Form* ” and Instruction No. 5, dated 30.01.2006 “ *On income tax* ” (amended) point 3.12 thereof, the contracting authority considers requesting an annual turnover in an amount equal to the calculated value of the limit fund. of the framework agreement being procured, and the financial statements for the last three years (2023, 2024, 2025) since taxpayers (economic operators) are obliged to submit to the tax administration by March 31 of the following year the balance sheet together with its annexes, provided that in two consecutive balance sheets there is no negative ratio between assets and liabilities, as well as the Expertise Report of the Authorized Accounting Expert in cases where the conditions provided by law are met.

Likewise, the procurement unit considers that based on Law No. 9632, dated 30.10.2006 “*On the local tax system*” (as amended), as well as the fact that in implementation of the legislation in force, the National Business Center has the function of maintaining the commercial register and for the purpose of fiscal registration, in which the places of exercise of economic operators are also determined, since the latter have the obligation to pay all local tax and tariff obligations, in the

places where they exercise their activity, then the participating economic operators must prove that they have settled these obligations by presenting a certificate issued by the Local Government Administration.

The procurement unit defined the criteria for economic and financial capacities as above, since these criteria are proportionate and closely related to the subject matter of the contract, and serve our contracting authority to recognize the financial situation of economic operators and their ability to successfully fulfill the contract.

2.2.2 Economic operators must submit annual balance sheets for the financial years 2023, 2024, 2025 accompanied by the Expertise Act of the Authorized Accounting Expert, in the case when they are in accordance with the provisions of Article 41, point "c", of Law No. 10091, dated 5.03.2009 "On statutory audit, organization of the profession of statutory auditor and approved accountant", as amended. , where the balance sheets of two consecutive years must not have a negative ratio between assets and liabilities.

Argument: The above request is determined based on Article 77, point 3, of the LPP, as well as Article 43, point 4, of the Council of Ministers No. 285, dated 19.05.2021 "On the approval of public procurement rules".

The determination of the years required for the presentation of balance sheets is made by referring to the legislation in the field, specifically in Article 29, point 1 of Law No. 8438, dated 28.12.1998 "On Income Tax" as amended, as well as the requirements of Law No. 25/2018 "On Accounting and Financial Statements .

Technical and professional skills :

2.3.1. To prove previous experience, the economic operator must present evidence of similar supplies in a value not lower than 40% of the limit fund excluding VAT, carried out (by your entity) during the last three years from the date of publication of the contract notice.

In this case, certificates issued by a public entity or/and tax invoices declared to the tax authorities must be presented, indicating the dates, amounts and quantities of goods supplied.

In the case of previous experience with the private sector, only tax invoices declared to the tax authorities, indicating the dates, amounts and quantities of goods supplied, are accepted as evidence.

Justification : The above requirement is determined based on Article 77 of Law No. 162, dated 23.12.2020 "On Public Procurement" and Article 55, *point 4/b*), of Council of Ministers No. 285, dated 19.05.2021 "On the Approval of Public Procurement Rules". This criterion requires economic operators to prove that they have the experience necessary to implement the contract, therefore it is required that previous similar supplies be worth no less than 40% of the value of the limit fund, which is within the limit value set out in the aforementioned article.

2.3.2 The economic operator must submit evidence from the tax administration for average employment of no less than 10 employees for the last three months, accompanied by social security payroll and verification of payment of contributions.

This requirement will be considered fulfilled during the bidding phase by completing the self-declaration form according to Appendix 9 of the DST. The economic operator must submit, before the notification of the winner and the start of the appeal deadlines, the self-declared supporting documentation provided for in letters "a" "b" "c" etc. as well as the accompanying documents of the bid submitted electronically.

Argument: *The above requirements are based on Article 77 of Law No. 162/2020 “On Public Procurement” which, among other things, stipulates that, we quote: “1. Contracting authorities or entities shall determine the qualification requirements for economic operators based on: c) technical and professional ability.*

The requirements are limited to those that are appropriate to ensure that a candidate or tenderer has the legal, financial and technical and professional capacity to perform the contract to be awarded. All requirements must be related to and proportionate to the subject matter of the contract.

4. With regard to technical and professional capacity, contracting authorities or entities may lay down requirements ensuring that economic operators possess the necessary human and technical resources and the experience required to perform the contract to an appropriate quality standard.

The professional ability of economic operators to provide the service, work, goods is assessed in relation to organizational skills, reputation and reliability, appropriate experience, as well as the personnel necessary to implement the contract, as described by the contracting authority or entity in the contract notice.

5. Contracting authorities or entities shall specify in the contract notice or in the invitation to express interest the selection criteria, as well as the specific documents that economic operators must submit to meet these criteria.”

In Article 40 "Specific requirements for goods contracts", points 5 and 8 of the decision of the Council of Ministers with no. 285, dated 19.5.2021 "On the approval of the Public Procurement rules", it is determined, among other things, that, we quote: "5. In order to prove the suitability to carry out the professional activity, technical and professional capacities, the contracting authority/entity requires:

a) professional licenses for the production and/or supply of goods, the subject of the contract, issued by the competent state authorities; and/or b) a list of key personnel, necessary to implement the procurement object and/or its components. The list of key personnel must include their CVs and professional licenses, where they have such under the relevant legislation; and/or c) the economic operator's workforce necessary for the execution of the procurement object; and/or ç) the technical means and equipment at its disposal or that can be made available to the economic operator to fulfill the contract, necessary for the execution of the procurement object.”

2.3.3 The economic operator must have the necessary staff to provide the service, at least as follows:

- a) At least 1 (one) employee with 5 years of experience in .Net technology
- b) At least 1 (one) employee with 5 years of experience in React technology, certified with ISO 27001 and Power BI Data Analyst Associate

- c) At least 1 (one) employee with 5 years of experience as a fullstack developer certified in CompTIA Security+
- d) At least 1 (one) senior fullstack developer employee certified in CEH – Certified Ethical Hacker , ECIH – Incident Handler and ISO 27001 Lead Auditor
- e) At least 1 (one) fullstack senior developer certified in CCNA and CompTIA Network+
- f) At least 1 (one) fullstack senior developer certified in CompTIA Server+ and CompTIA Linux+ / CLNP
- g) At least 1 (one) fullstack senior developer certified in CompTIA Cloud+, CompTIA Secure Cloud Professional (CSCP) and Azure Fundamentals

For employees in points a,b,c,d,e,f,g, the following must be submitted:

- valid employment contract during the contract validity period.
- CV
- diploma
- Relevant certificates or transcripts (translated into Albanian and notarized) issued by accredited certification bodies.
- Payment list

***Note:** Employees required in this criterion may meet one or more required certifications.*

***Argument:** The above requirements are based on Article 77 of Law No. 162/2020 “On Public Procurement I” which, among other things, stipulates that, we quote: “1. Contracting authorities or entities shall determine the qualification requirements for economic operators based on: c) technical and professional ability.*

The requirements are limited to those that are appropriate to ensure that a candidate or tenderer has the legal, financial and technical and professional capacity to perform the contract to be awarded. All requirements must be related to and proportionate to the subject matter of the contract.

4. With regard to technical and professional capacity, contracting authorities or entities may lay down requirements ensuring that economic operators possess the necessary human and technical resources and the experience required to perform the contract to an appropriate quality standard.

The professional ability of economic operators to provide the service, work, goods is assessed in relation to organizational skills, reputation and reliability, appropriate experience, as well as the personnel necessary to implement the contract, as described by the contracting authority or entity in the contract notice.

5. Contracting authorities or entities shall specify in the contract notice or in the invitation to express interest the selection criteria, as well as the specific documents that economic operators must submit to meet these criteria.”

In Article 40 "Specific requirements for goods contracts", points 5 and 8 of the decision of the Council of Ministers with no. 285, dated 19.5.2021 "On the approval of the Public Procurement rules", it is determined, among other things, that, we quote: "5. In order to prove the suitability to

carry out the professional activity, technical and professional capacities, the contracting authority/entity requires:

a) professional licenses for the production and/or supply of goods, the subject of the contract, issued by the competent state authorities; and/or b) a list of key personnel, necessary to implement the procurement object and/or its components. The list of key personnel must include their CVs and professional licenses, where they have such under the relevant legislation; and/or c) the economic operator's workforce necessary for the execution of the procurement object; and/or ç) the technical means and equipment at its disposal or that can be made available to the economic operator to fulfill the contract, necessary for the execution of the procurement object.”

2.3.4 The Economic Operator must prove the cooperation relationship with an audit expert certified with CISA (Certified Information Systems Auditor), CISO (Chief Information Security Officer) or equivalent (by presenting the relevant certificate and contract).

Rationale: *The CISA certification certifies that the auditor has deep and broad knowledge in information technology risk assessment and control, ensuring that audit practices are in line with international standards. This expert is equipped to identify weaknesses in the IT infrastructure, suggest improvements and monitor the implementation of corrective measures, helping the EO protect its digital assets, comply with regulations and improve business processes to achieve strategic objectives.*

2.3.5 The Economic Operator must prove the cooperation relationship with a .Net expert with at least 3 years of experience and certified for Quality Sistema Compita Network+ (for this the EO must prove the relevant certificates, CV, master & bachelor diplomas and the contract).

Argument: *The requirement for a senior .Net expert with at least 3 years of experience and certification in Quality Sistema Compita Network+ is necessary to ensure technical expertise and project efficiency, helping to raise overall project quality and standards. **The CompTIA Network+ certification** helps developers understand networking fundamentals, improve problem-solving skills, improve collaboration with IT teams, expand career opportunities, and support secure application development. It is designed to provide a comprehensive understanding of networking technologies, useful for developers involved in network-related projects or looking to expand their technical expertise.*

2.3.6 The Economic Operator must prove the cooperation relationship with an expert Backend Developer with at least 5 years of experience and certified by Google Cloud with the title Google Cloud Certified Associate Cloud Engineer (for this the EO must prove the relevant certificates and the contract)

2.3.7 The Economic Operator must prove the cooperation relationship with a **Project Management Expert** , who meets the following criteria:

- Have **over 5 (five) years of professional experience** in the field of project management;

- Be certified as a **Project Management Professional (PMP)** by an internationally accredited institution, **the Project Management Institute (PMI)** ;
- Possess professional certifications:
 - **CISA (Certified Information Systems Auditor)**
 - **CISO (Certified Information Security Officer)**
 - **ISO/IEC 27001:2022**
 - **ISO/IEC 20000-1:2018**
 - **ISO/IEC 42001:2023**
 - **ISO 22301:2019**
- (for this the EO must prove the relevant certificates and the contract)

2.3.8 The Economic Operator must prove the cooperation relationship with two **Experts** in the field of Artificial Intelligence / Machine Learning, who meet the following criteria:

- Have at least 1 (one) scientific publication in indexed international journals or conferences (e.g. IEEE, Springer, Elsevier, ACM, CVPR, ICCV, ECCV, FAPC, etc.), in the field of:
 - Machine Learning
 - Artificial Intelligence
- Publications must be verifiable through official links (DOI, IEEE Xplore, SpringerLink, etc.). (for this, the EO must provide official links to relevant publications and the contract)

Argument: The above request is determined based on Article 77 of Law No. 162, dated 23.12.2020 "On Public Procurement", Article 40, point 5,) of the Council of Ministers No. 285, dated 19.05.2021 "On the approval of the Public Procurement Rules", and based on point 1 of article 44 of the Council of Ministers No. 285 dated 19.05.2021 "On the approval of the Public Procurement Rules", as amended

2.3.9 The Economic Operator must prove the cooperation relationship with a Cybersecurity expert with 5 years of experience in security operations. The expert must be certified in Microsoft Cybersecurity Architect Expert (SC-100), Microsoft Security Operations Analyst (SC-200), Microsoft Certified: Security Operations Analyst Associate. (for this the EO must prove the relevant certificates and the contract).

Argument: The above request is determined based on Article 77 of Law No. 162, dated 23.12.2020 "On Public Procurement", Article 40, point 5,) of the Council of Ministers No. 285, dated 19.05.2021 "On the approval of the Public Procurement Rules", and based on point 1 of article 44 of the Council of Ministers No. 285 dated 19.05.2021 "On the approval of the Public Procurement Rules", as amended

2.3.10 The Economic Operator must prove that it has in cooperation at least one Software Quality Assurance (QA) Expert, who meets the following criteria:

The QA Expert must be certified with the following three (3) international certificates, issued by the International Software Testing Qualifications Board (ISTQB):

- ISTQB® Certified Tester – Foundation Level (CTFL)
- ISTQB® Certified Tester – Foundation Level Agile Tester (CTFL-AT)
- ISTQB® Certified Tester – Advanced Level – Test Analyst (CTAL-TA)

(for this the EO must prove the relevant certificates and the contract).

Argument: The above request is determined based on Article 77 of Law No. 162, dated 23.12.2020 "On Public Procurement", Article 40, point 5) of the Council of Ministers No. 285, dated 19.05.2021 "On the approval of the Public Procurement Rules", and based on point 1 of article 44 of the Council of Ministers No. 285 dated 19.05.2021 "On the approval of the Public Procurement Rules", as amended

2.3.10 The Economic Operator must prove that it has a cooperation relationship with an expert who must have knowledge of various global Satellite Navigation programs, experience in various satellite projects that guarantee an accuracy of up to 1 cm. It is preferred that the expert has experience with the European Space Agency. (European Space Agency). (for this the EO must prove the CV and the contract).

Argument: The above request is determined based on Article 77 of Law No. 162, dated 23.12.2020 "On Public Procurement", Article 40, point 5) of the Council of Ministers No. 285, dated 19.05.2021 "On the approval of the Public Procurement Rules", and based on point 1 of article 44 of the Council of Ministers No. 285 dated 19.05.2021 "On the approval of the Public Procurement Rules", as amended

2.3.11 The economic operator must have the following certificates:

- ISO 25001:2014 - Systems and Software Engineering
- ISO 27018:2025 - Information Technology
- *ISO 27001:2013* - Information Security.
- ISO 9001:2015 - Quality Management System
- ISO 20000-1:2018 - Information Technology Service Management System
- ISO 42001:2023 – for Artificial Intelligence Management System is a mandatory criterion for the company (Economic Operator). The Economic Operator must be certified and present a valid ISO/IEC 42001:2023 certificate, issued by an accredited certification body.

Argument: The above request is determined based on Article 77 of Law No. 162, dated 23.12.2020 "On Public Procurement", Article 40, point 5,) of the Council of Ministers No. 285, dated 19.05.2021 "On the approval of the Public Procurement Rules", and based on point 1 of article 44 of the Council of Ministers No. 285 dated 19.05.2021 "On the approval of the Public Procurement Rules", as amended .

- ISO 25001:2014 - Systems and Software Engineering

ISO/IEC 25001:2014 provides requirements and recommendations for an organization responsible for implementing and managing systems and requirements for product quality.

software, specifications and evaluation activities through the provision of technology, tools, experiences and managerial skills.

- ISO 27018:2025 - Information Technology

ISO 27018:2019 is a standard that provides guidance to cloud service providers on protecting personal data. It focuses on handling personal data securely, ensuring transparency, maintaining accountability, implementing data security, and defining procedures for data breach notifications. Compliance with this standard helps providers demonstrate their commitment to privacy and data security.

- ISO 27001:2013 - Information Security

ISO/IEC 27001:2022 specifies requirements for the establishment, implementation, maintenance and continual improvement of an information security management system within the context of the organization.

- ISO 9001:2015 - Quality Management System

ISO 9001:2015 ensures that the economic operator consistently provides high-quality, efficient products and services, reduces errors and maintains a high standard of service delivery.

- ISO 20000-1:2018 - Information Technology Service Management System

ISO/IEC 20000-1:2018 focuses on Information Technology Service Management Systems (ITSMS), helping EOs effectively manage and deliver IT services. The standard describes a set of processes that EOs should establish to ensure the efficient design, transition, delivery and improvement of IT services. The aim is to improve service quality, enhance customer satisfaction and ensure a reliable and consistent delivery of IT services, aligning them with business and customer requirements.

- ISO 42001:2023 – for Artificial Intelligence Management System is a mandatory criterion for the company (Economic Operator). The Economic Operator must be certified and present a valid ISO/IEC 42001:2023 certificate, issued by an accredited certification body.

II. Justification of technical specifications

The technical specifications have been drafted in accordance with Article 36 of Law No. 162/2020 "On Public Procurement" and Article 78, point 2 of Council of Ministers No. 285 dated 19.05.2021 "On the Approval of Public Procurement Rules"

The specifications have been drafted by specialists in the field and are attached to the standard tender documents.

Procurement Unit
