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REPUBLICA OF ALBANIA  
HIMARA MUNICIPALITY  
PROCUREMENT AND ADMINISTRATIVE PROCEDURES SECTOR

Nr. \_\_\_\_\_ prot.

Himara , më \_\_\_\_\_.\_\_\_\_.2026

**MINUTES – TYPE OF CONTRACT-GOODS**

**FOR THE ARGUMENTATION AND APPROVAL OF TECHNICAL SPECIFICATIONS AND  
CRITERIA FOR QUALIFICATION**

**PROCUREMENT OBJECT: "PURCHASE OF FINANCIAL MANAGEMENT SYSTEM"**

RELEVANT CODE IN THE COMMON PROCUREMENT DICTIONARY (CPV Software and  
Information Systems Package **48000000-8**)

**Limit fund/expected contract value: 25,000,000** (twenty-five million ALL) **without VAT** , or **260,960 EUR** (two hundred and sixty thousand and ninety hundred and sixty Euros) without VAT at the exchange rate dated 01.04.2026 of the Bank of Albania worth 1 euro = 95.8 ALL)

**The calculation of the limit fund** and technical specifications was carried out by a licensed engineer referring to Article 76 of point (a) of DCM no. 285, dated 19.05.2021 of the Council of Ministers "On public procurement rules", as amended, which determines "prices published by the Institute of Statistics (INSTAT), or/and other official prices, recognized by the relevant institutions (such as, by tax or customs bodies, chambers of commerce, in manuals, etc.", the engineer has relied on the technical manual of prices of construction works and their technical analyses based on law no. 8402, dated 10.09.1998 "On the control and discipline of construction works", as amended. - DCM no. 216, dated 13.04.2023 "On the creation and operation of the integrated system for the computerization of the price manual for works items" - Instruction no. 2, dated 08.05.2003 "On the classification and structure of the cost of construction works", as amended. In order for the limit value of the contract to be a measurable value and at the same time to create the possibility of participation of as many economic operators as possible.

# SELECTION/QUALIFICATION CRITERIA FORM I

## 1. GENERAL SELECTION/QUALIFICATION CRITERIA

The bidder declares that:

- a) is registered in the Commercial Register according to the legislation of the country where it carries out its activity, or according to the special legislation in the case of a non-profit organization, has the object of procurement in the field of activity, and has the active status;
- b) is not in the process of bankruptcy (active status);
- c) has not been convicted of any criminal offense, in accordance with Article 76/1 of the LPP;
- ç) the person(s) who act as a member of the administrative body, director or supervisor, shareholder or partner, or who has representative, decision-making or controlling power within the Economic Operator, is not convicted or has not been convicted by a final court decision for any criminal offense, defined in Article 76/1 of the LPP;
- d) has not been found guilty of serious professional misconduct, as long as it is not statute-barred, according to the legislation in force;
- dh) has no outstanding payments of taxes and social security contributions, or is in one of the conditions provided for in Article 76/2 of the LPP;
- e) has paid for the electricity and meets the requirements stemming from the legislation in force. This information is required for Economic Operators, which operate in the territory of the Republic of Albania.
- f) is not in conditions of conflict of interest, according to the legislation in force;
- g) carries out its activity in accordance with the relevant environmental, social and labor legislation;
- gj) has submitted an Independent Offer, according to the requirements of the legislation in force;
- h) performs the activity in accordance with the requirements of the legislation in force.
- i) there are no persons in the capacity of a member of the administrative body, manager or supervisor of it, shareholder or partner, or with representative, decision-making or controlling powers within it, who are/have been in this capacity in an economic operator excluded from the right to win public contracts, by decision of the Public Procurement Agency, while this decision is in force.
- j) has registered the beneficial owners in the register of beneficial owners, according to the provisions of the legislation in force;

k) Implements the obligations deriving from the legislation in force on the basic reference salaries per occupational category for employees contracted at work. This information is required for Economic Operators, registered in the Albanian Commercial Register.

*These criteria must be met by submitting the Summary Self-Declaration Form of the economic operator on the day of opening of the Offer, according to Annex 9.*

In case of merger of economic operators, each member of the group must submit the above-mentioned Self-Declaration.

In case the offering economic operator will rely on the capacities of other entities, the above-mentioned Self-Declaration must also be submitted by the supporting entity.

**The General Acceptance Criteria should not be changed by the Contracting Authorities/Entities.**

In any case, the Authority/Contracting Entity has the right to carry out the necessary verifications for the authenticity of the information declared by the Economic Operator, regarding the above.

➤ If the offer is submitted by a union of Economic Operators, the following will be submitted:

Cooperation agreement between Economic Operators, where the representative, the percentage of participation in the merger, and the elements that each of the members of the association undertakes to implement.

➤ If an economic operator wants to rely on the capacities of other entities, it certifies to the contracting authority or entity that it will have the necessary resources available, by submitting a written commitment of these entities for this purpose.

## **2. SPECIAL QUALIFICATION CRITERIA**

1. The bidder must submit:

a. *Summary Self-Declaration Form, according to Annex 9*

b. *Supply Assurance, according to Annex 3;*

2. The bidder must submit:

2.1 Professional capacity of economic operators:

**Argumentation:** The above requests are based on Articles 82 and 83 of the LPP, Article 26, of DCM no. 285, dated 19.05.2021 "On the approval of public procurement rules", as amended. The above criteria have

been established in accordance with Article 82 "Summary form of self-declaration" and Article 83 "Bid assurance", of Law No. 162/2020 "On Public Procurement" as well as in support of Article 30, point 1, of DCM No. 285, dated 19.5.2021 "On the Approval of Public Procurement Rules: we cite Article 83 of the LPP "The contracting authority must request the submission of the bid assurance from the bidders in all types of procurement procedures, with the exception of small value procurement procedures", Article 82, of the LPP "1. Together with the submission of requests for participation or tenders, the authorities or contracting entities shall accept as preliminary evidence instead of some certificates issued by public authorities or third parties, the summary self-declaration form, in accordance with the provisions of this Law. The content of this form is defined in the public procurement rules".

#### 2.1 Professional capacity of economic operators:

- According to Appendix No. 9

**Argumentation:** The above request is based on Article 77, points 1/a and 2, of the LPP, Article 41, point 4, of DCM no. 285, dated 19.05.2021 "On the approval of public procurement rules", as amended.

#### 2.2 Economic and financial capacity:

2.2.1 In order to prove the financial and economic capacities, economic operators must submit a certificate of annual turnover for the financial years 2022, 2023, 2024 where the value of the turnover for at least one of the years of the required period must be not less than the estimated value of the contract to be procured.

2.2.2 Economic operators must submit the annual balance sheets, for the financial years 2022, 2023, 2024 accompanied by the Act of Expertise of the Authorized Accounting Expert, in the case when they are under the conditions of the provisions of Article 41, point "c", of the Law no. 10091, dated 5.03.2009 "On legal audit, organization of the profession of legal auditor and approved accountant", amended, where the balance sheets of two years should not have a negative ratio between assets. and obligations.

**Argumentation:** The above requirements are determined according to the value of the limit fund of this procedure, according to Article 77, point 3, of Law no. 162/2020, as well as Articles 43 and 47, of DCM no. 285, dated 19.05.2021 "On the approval of public procurement rules", in order for the contracting authority to understand whether the bidding economic operators have or possess the necessary financial possibilities to successfully complete the public works. The turnovers of the last three years are 2022, 2023, 2024, which turns out to have been covered according to the tax legislation. The required percentage of the annual turnover is a minimum percentage according to the RRPPs and the three-year turnover required, not only complies with the administrative practice of public procurement followed so far, but is important to assess the economic capacity of the bidder and understand whether he is financially capable of completing the public works with the contracting authority. Likewise, in order for the economic operators to prove the economic capacity, they can submit copies of the balance sheets of the last three years for the years 2022, 2023, 2024, as after the annual turnovers, filed with the relevant tax authorities, confirmed by this authority, according to the law no. 10091, dated 05.03.2009 "On legal audit, organization of the profession of registered accounting expert and approved accountant", changed. The presentation of balance sheets is a possibility, in case the bidding economic operator submits the required turnovers. These requirements set out in the DST (on the possibility of submitting balance sheets and the obligation to submit documents for the annual turnover) also comply with Article 9 of the Law no. 25/2018 "On Accounting and Financial Statements" and Law no. 10091, dated 05.03.2009 "On legal audit, organization of the profession of registered accounting expert and approved accountant", as amended, according to which the financial reporting period is 12 months and the period of filing of financial statements is from 1215 months.

Also, in order to prove the economic capacity, the offering economic operator must submit a certificate confirming the payment of local taxes provided by the local government for the last three years, in all local government units where it exercises its activity according to the relevant data of the NRC/NBC extract. This request stems from Article 76 of the LPP, Law no. 139/2015 "On Local Self-Government", as amended, as well as Law no. 9632, dated 30.10.2006 "On the local tax system", as amended, according to which commercial entities have the obligation to pay local taxes, in order to exercise their activity. The years coincide with 2022, 2023, 2024. All requirements related to economic capacity are based on the above-mentioned legislation and serve the contracting authority to assess whether the bidders have the capacities to start and complete the public works that are procured. Likewise, since unions of economic operators can also participate as bidders, then each of the merged economic operators must submit the documentation as above. The determination of the years required for the submission of balance sheets has been made by referring to the legislation in the field, specifically, Law no. 8438, dated 28.12.1998 "On Income Tax", as amended, which defines the conditions and deadlines for submission of individual annual income statements: "Each taxpayer shall prepare the annual taxable income return in the form specified in the instruction of the Minister of Finance pursuant to this law. Taxpayers shall submit the annual return to the tax authorities within 31 March of the following year, submitting at the same time the accounting balance, together with its annexes, as well as any other data specified in the instruction of the Minister of Finance pursuant to this law."; as well as letter c, of Article 41 of Law no. 10091, dated 5.3.2009 "On legal audit, organization of the profession of legal auditor and approved accountant", which provides that: "The following are obliged to carry out the legal audit of the annual financial statements, before their publication, by accounting experts or audit companies: ... c) limited liability companies, which apply the national accounting standards for financial reporting, when, at the end of the accounting period, for two consecutive years, they exceed two of the following three indicators: i. the total assets of the balance sheet, at the end of the respective accounting period, reach or exceed the amount of 50 million ALL; ii. the amount of income from economic activity (turnover) in that accounting period reaches or exceeds the amount of 100 million ALL; iii. there are, on average, 30 employees during the accounting period.". Likewise, this request is also based on the instruction of the Minister of Finance no. 5, dated 30.01.2006 "On Income Tax", as amended, as well as the requirements of Law no. 25/2018 "On accounting and financial statements".

## **2.2 Economic and financial capacity:**

**2.2.1** In order to prove the financial and economic capacities, economic operators must submit a certificate of annual turnover for the financial years 2023, 2024, 2025 where the value of the turnover for at least one of the years of the required period must be not less than the estimated value of the contract to be procured.

**Argumentation:** 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 amended, as well as Articles 43 of DCM no. 285, dated 19.05.2021 "On the approval of public procurement rules", as amended.

The determination of the required value is argued as follows:

The value of the required turnover has been determined taking into consideration the object of the contract, its nature and volume and is in fair proportion to the limit fund of the procedure. The value of the turnover has been decided to serve the contracting authority for the recognition of the situation and capacities of the economic operators, who, through the submitted documentation, must prove that they possess the necessary capacities, all in order to successfully execute the contract.

The determination of the years required for the submission of the annual turnover certificate was made in support of Law 9920, dated 19.05.2008 "On Tax Procedures in the Republic of Albania", Article 64 Tax Return; Law no. 8438, dated 28.12.1998 "On income tax", as amended, the Instruction of the Minister of Finance no. 5, dated 30.01.2006, "On income tax", as amended, as well as the requirements of the law no. 25/2018 "On accounting and financial statements".

In approving this criterion, the CA has kept in mind Article 29 of the Law No. 8438, dated 28.12.1998 "On Tax Income": "Each taxpayer shall prepare the annual taxable income statement in the form specified in the instruction of the Minister of Finance pursuant to this law. Taxpayers shall submit the annual return to the tax authorities within 31 March of the following year, submitting at the same time the accounting balance, together with its annexes, as well as any other data specified in the instruction of the Minister of Finance pursuant to this law.

**2.2.2** In order to prove a positive sustainable activity, the Economic Operator must submit certified copies of the balance sheets of the last 3 (three) financial years (2023, 2024, 2025) submitted to the relevant Authorities, Tax Branch, confirmed by this Authority, as well as accompanied by the Act of Expertise of the Authorized Accounting Expert. This requirement will be considered fulfilled if in two consecutive balances, there is no negative ratio between the asset and the liability. *Size: The Act of Expertise of the Authorized Accounting Expert, must be submitted by the OE only in the case when they are under the conditions of the provisions of Article 41, letter "c" of the Law no. 10091, dated 05.03.2009 "On legal audit, organization of the profession of registered accounting expert and approved accountant", as amended. Also, the economic operator must have a capital of at least 20% of the estimated value of the contract.*

**2.2.3** The offering economic operator must have no liabilities for local taxes for the year **2025** (including the installment for the relevant period accrued according to Law No. 9632 dated 30.10.2006 "On the local tax system", as amended), by presenting a certificate from the local government bodies where it exercises its activity. In case of merger of economic operators, the certification from the local government bodies must be held by each entity separately.

### **2.3 Technical capacity:**

**2.3.1** The economic operator must submit evidence of previous services, similar to the object of procurement, performed during the last three years from the date of announcement of the contract notice, with a value **of not less than 40% of the estimated value** of the object being procured.

- a) When similar services have been performed with a public entity, the economic operator must submit the certificate issued by the public entity for the successful fulfillment of the contract, and/or sales tax invoices completed in accordance with the requirements of the legislation in force and declared to the tax authorities, indicating the dates, amounts and quantities of services performed.
- b) When similar services have been provided with private entities, the economic operator must submit the relevant tax invoice completed in accordance with the requirements of the

legislation in force and declared to the tax authorities, indicating the dates, amounts and quantities of the services performed.

*In the case of procurement procedures "Consultancy Service", as previous experience for services similar to the procurement object, will also be recognized and/or services similar to the respective fields of expertise, part of the procurement object.*

**Argumentation:** The above criterion has been determined based on Article 77 of Law No. 162, dated 23.12.2020 "On Public Procurement" and Article 41, point 3, of DCM No. 285, dated 19.05.2021 "On the approval of Public Procurement Rules", as amended. Through this criterion, economic operators are required to prove that they have the necessary experience to successfully implement the contract, therefore it has been requested that the previous similar services be in the value of not less than 40% of the limit value of the contract to be procured, which is within the limit value set in the above-mentioned article.

**2.3.2** The participating economic operator, for the realization of the service subject to the contract, must have a workforce of at least **10 (ten)** employees for the last three months, certified by:

- a) Certificate issued by the Social Security or Tax Administration, specifying the number of employees for each month,
- b) Payroll of employees according to the format required by the legislation in force for the required period

*Note:* Criterion 2.3.2 is considered fulfilled with self-declaration according to the Summary Self-Declaration Form, according to Annex No. 10. "Before the publication of the winner's notice and the start of the appeal deadlines, the contracting authority/entity first requests the qualified bidder to submit the supporting documents. These documents must be presented in the original or in copies equal to the original.

**Argumentation:** *Based on point 4, Article 77, of Law no. 162, dated 23.12.2020 "On public procurement" and Article 41, point 4/c), of DCM no. 285, dated 19.05.2021 "On the approval of the Public Procurement Rules", this criterion requires economic operators to prove that they have the necessary qualified personnel for the successful execution of the contract. The criterion for the technical staff is closely related to the object of the contract, as well as the technical specifications. Economic operators must prove that they possess the necessary technical, professional qualifications and the necessary personnel to implement the contract.*

**2.3.3** In order to guarantee the implementation, successful implementation of the contract, the quality of the service as well as the support during the foreseen maintenance period according to the document of the terms of reference, the economic operator offering must have:

- a) Minimum 3 (three) employees, each with a minimum of 7 (seven) years of professional experience in the development of IT solutions.

To meet this criterion, the Economic Operator must present at least one professional certification for each employee, issued by internationally recognized institutions, certifying skills in software development and programming, such as p.sh.:

- Certifications in application development, software platforms, or programming languages,
- or equivalent certifications, equivalent in level and content.

b) Minimum 1 (one) IT project manager employee. (*Minimum 10 (ten) years of professional experience in*)

This requirement is met through internationally recognized professional certifications in the field of project management (p.sh PMP, PRINCE2, Scrum Master), or equivalent certifications.

c) Minimum 2 (two) employees, with a profile in the administration and/or implementation of database management systems. (*Minimum 8 (eight) years of professional experience*)

This is proven through professional certifications in the field of databases, issued by relevant organizations or institutions, or equivalent certifications.

d) Minimum 1 (one) employee with a profile in the administration of operating systems and IT infrastructure. (*Minimum 8 (eight) years of professional experience*)

This is proven through internationally recognized professional certifications or equivalent certifications.

**Argumentation:** Based on point 4, Article 77, of Law no. 162, dated 23.12.2020 "On public procurement" and Article 41, point 4/c), of DCM no. 285, dated 19.05.2021 "On the approval of the Public Procurement Rules", this criterion requires economic operators to prove that they have the necessary qualified personnel for the successful execution of the contract. The criterion for the technical staff is closely related to the object of the contract, as well as the technical specifications. Economic operators must prove that they possess the necessary technical, professional qualifications and the necessary personnel to implement the contract. In order to guarantee a successful, stable and high-quality implementation of the contract, as well as to ensure effective maintenance throughout the foreseen period, the contracting authority has defined minimum requirements for the human resources of economic operators.

These requirements are in line with the complex nature of the project in the field of information technology, which requires specialized expertise in several interrelated areas (software development, project management, databases, IT infrastructure, cloud, business analysis and testing).

**a) Software developer (minimum 3 employees with  $\geq 7$  years of experience)**

This requirement is set to guarantee that the economic operator has sufficient technical capacities for the development, adaptation and integration of IT solutions.

- The minimum number of 3 specialists ensures the division of work and the continuity of the project even in case of absences or high workload.

- The experience  $\geq 7$  years guarantees advanced professional level and ability to handle complex systems.
- The requirement for international certifications ensures standardization of knowledge and alignment with industry best practices.  
This requirement is proportionate and directly related to the technical nature of the contract.

**b) IT Project Manager (minimum 1  $\geq 10$  years of experience)**

Project management is critical for coordination, meeting deadlines, and quality control.

- Long experience ( $\geq 10$  years) provides skills in managing complex and multilateral projects.
- International certifications (such as PMP, PRINCE2, Scrum Master) guarantee the use of standardized and proven methodologies.  
This requirement reduces the risk of project failure due to ineffective management.

**c) Database specialists (minimum 2 with  $\geq 8$  years of experience)**

Databases are a critical component of any information system, especially for institutional systems.

- The number of 2 specialists ensures redundancy and continuity in operation.
- The experience  $\geq 8$  years guarantees skills in the administration of complex and critical databases.
- Professional certifications ensure recognition of industry standards and advanced technologies.  
This requirement is essential for guaranteeing data integrity, security, and performance.

**d) Operating systems and IT infrastructure specialist (minimum 1 with  $\geq 8$  years of experience)**

This role is necessary for:

- Configuration and maintenance of the environments where the system will operate;
- Ensuring the stability and security of the IT infrastructure.  
Experience and certifications guarantee skills for managing critical systems and solving technical problems.

**2.3.4** The Economic Operator must have at least 1 (one) specialist in the administration of enterprise databases in cloud environments, (*Minimum 8 (eight) years of professional experience in administering, configuring, ensuring and optimizing the performance of databases used for critical institutional systems.*)

The specialist must have valid professional certifications in enterprise database technology (p.sh. Oracle, MS SQL Server, PostgreSQL Enterprise *or equivalent*) and demonstrate experience in security auditing and operational database management.

e) Minimum 1 (one) employee with a profile in the use and/or administration of cloud platforms. (*Minimum 5 (five) years of professional experience*)

The certification must be issued by internationally recognized cloud service providers (public or private), or other equivalent certification

f) Minimum 1 (one) employee with a profile in business analysis and/or functional analysis of software systems. (*Minimum 6 (eight) years of professional experience*)

This requirement is validated through relevant professional certifications or through documented experience in similar projects.

g) Minimum 1 (one) employee with a profile in IT systems testing. (*Minimum 5 (five) years of professional experience, for conducting functional and technical tests*)

This is proven through professional certifications in the field of software testing or equivalent certifications.

*Note: This requirement is fulfilled through the submission by economic operators of the summary form of self-declaration according to the relevant annex to the DST and the required documentation must be submitted by the qualified bidder, first before the publication of the winner's notice and the start of the appeal deadlines*

**All of the above certifications must be active on the date of offering.**

**\*Note 1:** *Certificates must be issued by accredited bodies, Albanian or foreign.*

In order to prove the qualifications, work experience and staff profiles of the employees as above, the bidding operator must submit the supporting documentation, as follows:

-Certificates for the required specialists, issued by accredited organizations, Albanian or foreign.

- Declaration by the Economic Operator of the engaged staff (name, surname), their profile (certification, graduation), citation of the supporting documentation required for each of them.

-Payrolls according to the form -Sig 25 for the last three months according to the legislation in force where the staff as above is included or employment contracts are presented with employees who have the required certifications.

**ARGUMENTATION:** This profile is essential to guide the project through all its phases, including planning, resource coordination, deadline tracking, and risk management. A certified project manager ensures that the construction of the online penalty system and related infrastructure is carried out in a structured, efficient manner and within the established parameters of time and budget.

#### **2.3.4 – Enterprise Cloud Database Specialist (minimum 1 with $\geq 8$ years of experience)**

As modern systems increasingly operate in cloud environments, this requirement is set to guarantee:

- Professional administration of databases in distributed and scalable environments;
- High data security and compliance with modern standards;
- Performance optimization and continuity of service for critical institutional systems.

Certifications in enterprise technology (Oracle, MS SQL, PostgreSQL, etc.) provide verifiable and standardized expertise.

**e) Specialist in cloud platforms (minimum 1 with  $\geq 5$  years of experience)**

This requirement is necessary for:

- Cloud infrastructure management (public or private);
- Implementation of modern and flexible services;
- Ensuring the scalability and continuity of systems.

Experience and certifications from internationally recognized providers guarantee the correct use of cloud technologies.

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**f) Business Analyst / Functional Analyst (minimum 1 with  $\geq 6$  years of experience)**

This role is essential for:

- Translating the institution's requirements into technical specifications;
- Ensuring that the developed system realistically responds to the needs of the users.

Experience in similar projects ensures understanding of processes and increases the quality of the final solution.

**g) Testing Specialist (minimum 1 with  $\geq 5$  years of experience)**

Testing is a critical phase for guaranteeing the quality and functionality of the system.

- Ensures identification and correction of errors before implementation;
- Reduces the risk of failures during use in practice.

Certifications in software testing guarantee the use of standard quality assurance methodologies.

**1.3.5** The tendering Economic Operator that will execute this contract must be equipped and present the relevant valid certificates, as follows:

Economic operators, in order to prove that the works subject to procurement meet the requirements of quality, information security and data protection, must present valid certificates, issued by a conformity assessment body, accredited by the national accreditation body or by international accrediting bodies.

Specifically, the Economic Operator must present the following certificates, or equivalent standards, valid on the date of offering:

ISO 9001:2015 – Standard for Quality Management System;

ISO/IEC 27001 – Standard for Information Security Management System;

ISO/IEC 20000-1 – Standard for Information Technology Service Management System.

ISO/IEC 27018:2019 certificate or updated version – Code of Practice for the Protection of Personal Data in Cloud Environments;

OR

Technical and organizational documentation which must prove the real and operational implementation of equivalent measures for the protection of personal data in cloud environments.

This documentation may include, but is not limited to:

- information security and personal data protection policies and procedures;
- Technical description of the cloud architecture and security measures applied;
- documentation proving the active use of these measures in cloud systems for a minimum period of 12 (twelve) months.

The documentation must be sufficient to prove the fulfillment of the request according to the Tender documents and will be verified by the Contracting Authority in accordance with them.

Documentation submitted:

- it must be sufficient for objective verification;
- is verified by the Contracting Authority in accordance with the Tender Documents;
- in case of ambiguity, the CA has the right to request clarifications or additional documents, without changing the criterion.

**ISO/IEC 42001:2023 Certificate** – Artificial Intelligence Management System, valid;

**Argumentation:** The request regarding these certificates is in accordance with Article 44 of DCM No. 285, dated 19.05.2021 "On the approval of public procurement rules", as amended and Article 79 of Law No. 162, dated 23.12.2020 "On public procurement".

ISO 9001:2015 "Quality Management System" – This standard is necessary for certification in quality realization, identification of risks, assignment of necessary resources to check whether the services provided are of the right quality as well as control of processes. The certificates must be issued by conformity assessment bodies, which are accredited by the General Directorate of Accreditation (DPA), or by international accreditation bodies recognized by the Republic of Albania.

ISO 27001:2017 "Information Security Management Systems" – is essential, as it ensures the implementation of the security of information that is categorized in the contract. This type of certification guarantees the Contracting Authority that the Economic Operator has the appropriate international standards for information security management during the implementation of the contract. The certificates must be issued by conformity assessment bodies, which are accredited by the General Directorate of Accreditation (DPA), or by international accreditation bodies recognized by the Republic of Albania.

ISO 20000-1:2011 "System for the Management of Information Technology Services" is a standard that specifies the requirements for the establishment and effective management of an Information Technology Service Management System (ISM). Requirements include designing, transitioning, delivering, and improving services to meet agreed service requirements. Its purpose is to provide a common reference standard for any enterprise that provides IT services to internal or external customers. Emphasis was placed on the importance of integrating the process. The certificates must be issued by conformity assessment bodies, which are accredited by the General Directorate of Accreditation (DPA), or by international accreditation bodies recognized by the Republic of Albania.

### **Personal data protection and cloud services**

As the procured service will be provided in cloud environments and includes the processing, storage and administration of data p

The Economic Operator must demonstrate that it implements advanced personal data protection (PII) measures in cloud environments, in accordance with international information security standards and the applicable legislation on personal data protection.

For this purpose, the Economic Operator must submit one of the following alternatives:

OR

Technical and organizational documentation which must prove the real and operational implementation of equivalent measures for the protection of personal data in cloud environments.

This documentation may include, but is not limited to:

- information security and personal data protection policies and procedures;
- Technical description of the cloud architecture and security measures applied;
- documentation proving the active use of these measures in cloud systems for a minimum period of 12 (twelve) months.

The documentation must be sufficient to prove the fulfillment of the request according to the Tender documents and will be verified by the Contracting Authority in accordance with them.

Documentation submitted:

- it must be sufficient for objective verification;
- is verified by the Contracting Authority in accordance with the Tender Documents;
- in case of ambiguity, the CA has the right to request clarifications or additional documents, without changing the criterion.

**ISO /IEC 42001:2023 Certificate – Artificial Intelligence Management System, valid;**

## Artificial Intelligence (AI)

Given that the scope of the contract includes the development, integration and use of functionalities based on Artificial Intelligence, the Economic Operator must demonstrate that it has consolidated technical and organizational capacities for the design, implementation and management of AI systems in real operating environments.

In order to meet this requirement, the Economic Operator must submit valid certificates or equivalent documentation proving the fulfillment of the above requirements:

### **2.3.6 The economic operator must have at least 5 years of experience in the field of information technology.**

#### **This must be proven by:**

- Historical Extract of the Commercial Register of the Economic Operator issued by the NRC
- Profile (CV) of the Economic Operator

**Argumentation:** The above criterion is in accordance with Article 77, paragraph 4, of Law No. 162, dated 23.12.2020 "On Public Procurement" and Article 40, of DCM No. 285, dated 19.05.2021 "On the approval of public procurement rules", as amended.

The requirement for the economic operator to have at least **5 (five) years of experience in the field of information technology** is set in order to guarantee the technical and organizational capacity for the successful execution of the contract.

#### **Purpose of the criterion**

This criterion aims to ensure that the economic operator:

- Has consolidated experience in the information technology market;
- A sufficient period of operation has passed to prove durability and reliability;
- It has developed internal capacities for the management and implementation of similar projects;
- It is able to handle the technical and organizational complexity of the contract.

#### **Justification of the threshold of 5 years**

The determination of a minimum period of 5 years is considered:

- **Proportional**, as it does not unnecessarily limit the participation of economic operators;
- **Reasonable**, to guarantee a minimum level of experience and stability in the market;
- **In accordance with the usual public procurement practices**, for contracts related to the development and implementation of information systems.

This time threshold provides a balance between:

- Fostering competition;
- And guaranteeing the quality and reliability of the economic operator.

#### **Verification method**

In order to prove the fulfilment of this criterion, it is required to present:

- **Historical Extract of the Commercial Register issued by the NRC**, which:
  - Certifies the date of registration of the economic operator;
  - Provides official and verifiable information on its activity.
- **Profile (CV) of the Economic Operator**, which:
  - Identifies activity, projects and areas of expertise;
  - It gives a panorama of real-world experience in the information technology sector.

The combination of these documents guarantees a complete and objective verification of the experience of the economic operator.

### **2.3.7 Practical Verification of Functionalities**

The Contracting Authority reserves the right to, during the technical evaluation phase, request from the pre-qualified Economic Operators to conduct a 'live' demonstration session of the offered platform/software. This demonstration aims to validate the technical functionalities declared in the offer and their compliance with the functional and technical requirements (point 13 of the ToR).

The demonstration must be carried out on an existing and functional system, not a prototype or demonstration version.

The Economic Operator will be notified in advance of the date and time of the presentation that will be carried out at the premises of the Contracting Authority.

In case the Economic Operator fails to prove the existence of the functionalities required in DST, or if it is found that the system does not meet the specifications stated in the technical offer, the offer will not be considered and will be disqualified

#### **ARGUMENTATION:** Argumentation of criterion 2.3.7 – Practical verification of functionalities

In order to guarantee the real compliance of the technical offers with the requirements set out in the Standard Tender Documents (DST) and Terms of Reference (ToR), the Contracting Authority has envisaged the possibility of developing a practical ("live") verification of the functionalities of the platform/software offered.

Purpose of the criterion

This criterion aims to ensure that:

- The functionalities stated in the offer are real, existing and verifiable;
- The proposed system is developed and functional, and not in the concept or prototype phase;
- There is a complete correspondence between the technical offer and the functional and technical requirements set out in the ToR;
- The risk of non-performance of the contract or provision of a non-functional solution is reduced.

## Justification of the need for "live" demonstration

In projects in the field of information technology, there is a risk that economic operators will present:

- Theoretical or general descriptions of systems;
- Solutions that are not really implemented;
- Functionalities that are not fully developed or tested.

For this reason, the practical demonstration:

- Enables objective and direct verification of technical capacities;
- Ensures that the system is operational under real conditions of use;
- Increases transparency and credibility in the evaluation process;
- It protects the public interest by avoiding the contracting of immature solutions.

## Requirement for an existing and functional system

Condition that the demonstration is carried out on a system:

- Existing and functional, and not prototype or demo, is necessary to guarantee that:
- The economic operator has real experience in the development and implementation of similar systems;
- The proposed solution is tested and usable;
- The implementation of the contract will not start from scratch, reducing risks and delays.

## Procedure and guarantee of transparency

- Economic operators will be notified in advance of the date and time of the demonstration, guaranteeing equal treatment and sufficient time for preparation.
- The demonstration will take place under the same conditions for all qualified operators, respecting the principle of equality and non-discrimination.

## **PROCUREMENT UNIT**