

Open University of Cyprus School of Economics and Management

***Master's Degree Program
Management, Technology and Quality***

Master's Thesis



“Procurement Procedures of the CYENS-CENTRE OF EXCELLENCE Organization and Centers of Excellence in general”

***By Andronikos Xydas
Id:624006***

Supervising Professor

Paraskevi Kapetanopoulou

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ΛΕΥΚΗ ΣΕΛΙΔΑ

Summary

1. The objectives set for writing this thesis were:

- a. The recording of the logistics support procedures of the center of excellence CYENS-CENTRE OF EXCELLENCE and in general of the other centers of excellence which follow the legislation governing public contracts and more specifically the provisions of the law concerning the Coordination of Procedures on the Public Procurement and on Related Matters Law of 2016 (Law 73(I)/2016), as amended in each as well as the relevant regulatory administrative acts.
- b. Informing the Administration and the staff of the organization with the procedures to be followed in the event of a request for materials or the provision of services for the implementation of the various research programs or for the operational needs of the organization.
- c. Proper management of material and services acquired through logistics support processes.
- d. Implementation of procurement within the framework of the respective approved budget.

2. Methodology.

- a. Recording in collaboration with the management and staff of the organization the various needs of the organization in materials and services.
- b. Record of problems in Procurement support in materials and services.
- c. Discussion with the involved staff and recording suggestions for improving Procurement support processes.
- d. Exchange of views with procurement departments of respective centers of excellence.
- e. Recording the provisions of the legislation on public contracts.
- f. Study of the Master's Bibliography.
- g. Study of corresponding general Bibliography.
- h. Utilization of the author's many years of experience in the field of logistics support.

3. Results.

- a. The recording of the procedures and methodology that must be followed, in case of a requirement for the supply of equipment or the provision of services, according to the estimated cost, the type and the priority within the framework of the applicable legislation.

- b. Proper inventory management.
- c. The saving of resources and means.
- d. Informing the organization's personnel to apply the correct procedure whenever the supply of equipment or the provision of services is required.

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CHAPTER 1

1. Introduction

1.1 Purpose of the Study

Purpose of the study is the determination of the Procurement procedures of the Organization CYENS- Centre of Excellence for the provision of any equipment or services and in general of the other centers of excellence by following the provisions of public procurement laws and regulations in order to achieve the supply of quality materials and services from reliable sources of supply following the principles of transparency, Ethics in Public Contracts, and savings. Those procedures can be used and by similar Centers of Excellence or by others contracting authorities.

1.2 Definitions.

Centers of Excellence are research organizations that receive government co-funding from the Deputy Ministry Of Research, Innovation And Digital Strategy and the European Commission with a mission to produce knowledge and technological solutions and applications for the benefit of the economy and society. In Cyprus, Seven Centers of Excellence are funded by the State and are active in various sectors of the economy and science. They have modern research equipment and conduct cutting-edge research, advancing various problems facing society and the economy. Additionally, they have expertise and develop partnerships to address regional and international challenges in priority sectors with increased added value in Cyprus. Centers of Excellence as Organisations governed by Public Law, for its procurement procedures follows the provisions of Law 73(I)/20162 for the Coordination of Procedures on the Public Procurement and on Related Matters which is based on the Directive 2014/24/EC1 of the European Union, and also the provisions of general regulations of 2012 (KDP 242/2012). (ΥΦΕΚΨΠ 07.30.007.001/3 March 2022).

CYENS CENTRE OF EXCELLENCE (CoE) : Research Centre on Interactive Media, Smart Systems and Emerging Technologies – CYENS. (Further analysis of its activities is given below). In this study is referred to as Organization.

Contract: means a written agreement between the Organization and a supplier/vendor which contains details of the terms and conditions relating to the goods, works and services to be purchased. It shall be signed by the authorized signatory of both parties and once signed, it may be altered only through a formal Amendment of it.

Economic Operator: Means a supplier and/or contractor and/or service provider.

Executive Committee: Committee consisted by the Chief Executive Officer, Chief Innovation Officer, Chief Operation Officer and Research Director of CYENS. (Is under review)

Quotation / Offer: is a written response submitted by the prospective supplier/vendor to CYENS CoE, indicating the terms and conditions for the supply of goods, works and services to CYENS CoE.

Procurement Manager: is the CYENS CoE's staff dedicated to handling procurement issues following the directives of the present Policy.

Procurement Plan: The yearly CYENS CoE's plan concerning purchasing.

Purchase firm Order (PO): Means an official offer issued by CYENS CoE to a supplier/vendor indicating types, quantities, and agreed prices for goods, works and services to be procured.

Republic: The Republic of Cyprus.

Supplier or vendor means any natural or legal person or public entity of group of such persons and/or bodies which offer the supply of goods, works and services to CYENS CoE.

Goods or Supplies or equipment: means tangible products such as: Special equipment in order to assist researcher's projects, computer hardware and standard 'off the-shelf', audio-visual equipment, photocopiers, vehicles, stationery supplies, office equipment, furniture etc.(Τσουλφάς 2022)

Services: means non-tangible goods, including major labor contracts such as security, cleaning, catering, building maintenance, and complex computer software development, configuration, implementation and installation, IT hardware and software licensing and maintenance, as well as more incidental assistance in the form of equipment rental, installation and repair, international mail delivery, etc. For the purpose of this study and the respective procedures, the term "Services" shall also include associated consultancy services. Services are intangible, value-added activities that a company provides to its customers. They are the core of what a company does to create value for its customers and generate revenue. Services can be physical or digital. Physical services are those that you can touch, feel, or see, such as a haircut or a massage. Digital services are those that exist in the digital world, such as an app or a website .(Τσουλφάς 2022)

Specification: is a generic description of the goods, works or services to be delivered by the supplier.

Technical Specification: is a detailed technical description of the goods, works or services used to state CYENS CoE's needs for the purchase of specialized goods, works or services using definitive quantitative standards and specifications.

Works: means those activities where there will be elements of supply of both goods and services present, such as office refurbishment, carpentry, electrical, and other works.

Agreement

Part B (Agreement – Special Conditions of Contract) of the Tender Documents, as completed based on the Contractor's Tender after the contract has been awarded and signed by both parties.

Award Decision

The decision issued by the competent body, whereby the Contract is awarded to the selected Tenderer.

Clarification

Clarification on the submitted certificates and / or alternative credentials, or even completion of information which are missing due to the failure of submit the required certificates, provided that they were held by the tenderer before the date of submission of tenders. During the evaluation process the Contracting Authority may request such clarification.

Competent Authority

The Competent Authority is the Treasury of the Republic of Cyprus.

Competent Body

A body established by virtue of The General Regulations of 2012 (KDP 242/2012) (Regulation 4) which, within the powers granted to it, undertakes and handles matters concerning public procurement. In CYENS-CoE organization the Competent body for Tenders up to fifty thousand (50.000,00) Euro is **CYENS / Executive Committee or CYENS General Director**, and for amounts more than fifty thousand (50.000,00) Euro is **the Board of Directors**.

Contract

The public service contract between the Contracting Authority and the Contractor, which is concluded after announcement of the Award Decision and which comprises the following integral parts:

1. The Agreement
2. The Tender and any correspondence in relation thereto between the Contracting Authority and the Contractor.
3. Annexes I and II of the Tender Documents.

Contracting Authority

The **relevant Centre of Excellence**, located in (Address)

Contractor

The Tenderer to be selected to enter into a Contract with the Contracting Authority

Economic Operator

Any natural or legal person or public entity or group of such persons and/or entities, including any temporary association of undertakings which offers the supply of products or the provision of services or the execution of works.

Estimated Value

The potential cost of the Contract, estimated by the Contracting Authority, exclusive of VAT, including any form of options and any renewals of the contract, as explicitly set out in the tender documents.

Interested Economic Operator

Any economic operator associated with the tender procedure in the System.

Law

The Coordination of Procedures on the Public Procurement and on Related Matters Law of 2016 (Law 73(I)/2016), as amended in each case.

Regulations

The General Regulations of 2012 (KDP 242/2012) on the Coordination of procedures for the Award of Public Works Contracts, Public Supply Contracts and Public Service Contracts including any amendments thereto.

Representative

The person representing the Tenderer.

System

The electronic platform for public procurement (e-Procurement) at the website address www.eprocurement.gov.cy

Tender

The technical and financial proposal for implementation of the Contract Scope, drawn up and submitted by the Tenderer in the manner and under the terms described in the Tender Documents.

Tender Documents

The documents referred to the Tender.

Tenderer

Any Economic Operator, that has submitted a tender.

Project Manager / Contract Coordinator

The natural or legal person responsible for monitoring the implementation of the Contract and for handling the Contract on behalf of the Contracting Authority.

1.3 CYENS Centre of Excellence

CYENS Centre of Excellence (formerly known as RISE) is the Research and Innovation Centre of Excellence in Cyprus focusing on Interactive media, Smart systems and Emerging technologies aiming to empower knowledge and technology transfer in the region. It is a joint venture between the three public universities of Cyprus - University of Cyprus, Cyprus University of Technology, and, Open University of Cyprus, the Municipality of Nicosia,

and two renowned international partners, the Max Planck Institute for Informatics, Germany, and, the University College London, United Kingdom.

According to the opinion of the Legal Service of the Republic sent with the letter “ΓΕ: 4.2.6.4 / 19 Nov 2019/ Legal Service of the Republic” the CYENS-CENTRE OF EXCELLENCE organization is a public law organization

CYENS as an Organisation governed by Public Law, for its procurement procedures follows the provisions of Law 73(I)/2016 for the Coordination of Procedures on the Public Procurement and on Related Matters which is based on the Directive 2014/24/EC and also the provisions of general regulations of 2012 (KDP 242/2012).

CYENS organogram is as an **Appendix “1”** and generally includes the Board of Directors which is consisted by the representatives of the joint venture as mentioned above, the CYENS CoE / Executive Committee which is the competent body of the organization, the General / Research Director (CEO) who leads the Research Department, the Innovation Director who leads the Innovation Department, the Research Department consists of the MRG/FRG Groups, the Research office and the Maker Space, the Innovation Department consists of the Entrepreneurship, Technology Transfer, Policies & IPR, and the Industrial Partnership and the Operations Department which is consists of the Procurement Dpt, the Accounting Dpt, the Human Resources Dpt, the IT Unit Dpt, the Marketing Dpt, the Lab Manager and the Secretarial.

According to the Board of Directors decision dated 18.02.2022, " Any equipment and personnel/services expenditure less than €2K and €5K, respectively, can be approved by the Research Director (RD), Chief Innovation Officer (CIO) and the Head of Operations (HoO) independently, and the Accounting Manager will be responsible to check its financial eligibility. Any expenditure exceeding €50K shall be forwarded to the Board for approval."

In order for the Organization to carry out its mission seamlessly, it is required to equip it with specialized equipment and also support it with various services as, **Special equipment in order to assist researcher's projects, Artificial intelligence Clusters, IT Equipment, photographic and cinematographic equipment, printed books, newspapers, pictures and other products of the printing industry, manuscripts, typescripts and plans, Machinery and mechanical appliances, Optical, photographic, Cinematographic, measuring, checking, precision, medical instruments and apparatus, parts thereof, Furniture and parts thereof, Robots, Drones, General Services, Accounting Services, Legal Services, Software Services, Rentals agreements, Services from specialists in order to assist researcher's projects. (Services Agreements).**

1.4 Procurement Department.

Considering that the function of supply or procurement or purchases, depending on the size of the company, can be a separate department of the company or belong to the production department and considering that in recent years its importance has been increasingly recognized with the tendency to be evaluated as a self-sufficient operation, regardless of whether it is implemented in a separate department or if it belongs to the production department (Σαρμανιώτης / 2011α) the Organization realizing the importance of logistics processes has created a separate Procurement Department which is constantly developing.

The Procurement Department is under the Operations Department and its responsibilities are to Monitor compliance with corporate, governmental and EU procurement policies and standards, code of conduct and operating guidelines Implementation of Tendering procedures in the framework of the provisions of the Law on Public Procurement, It is responsible for the development and implementation of the procurement plan to ensure all procured goods, works or services are within the approved budget, handles communication with suppliers and vendors and ensure the resolution of issues related to vendor performance in delivery of goods and services, supports teams with the planning of expenditure and ensure that a good knowledge of the procurement procedures and their application, is maintained by all staff, conducts a continuous market research for goods and services availability and it manages and monitors the proper use of inventory.

In general, it aims to achieve the "seven right", that is, to supply: the right products and services at the right price in the right quantity in the right quality at the right time, delivered to the right place on the right terms. (Σαρμανιώτης / 2011β) and adding the eighth and ninth the right receipt and right management of the inventory.

CHAPTER 2

2. Procurement Procedures in the organization.

Since CYENS is Characterized as a Public Law Organization all the procurement procedures for the support of the organization in various equipment, services or construction projects must be compliant with the Republic's laws and regulations and more specifically in accordance with the provisions of the respective EU Directive 2014/24/EC the Law 73 (I)/2016, and regulations KDP 242/2012 and others relevant laws and regulations as they are amended from time to time. The follows procedures are described the management for Tenders for amounts above two thousand (2.000,00) Euro for supplies and above five thousand (5.000,00) Euro for services.

2.1 Depending on the type and cost of the necessary equipment or service, one of the follows type of procurement procedure can be followed:

Open tender procedure

In the open procedure, he can submit an offer, in the framework of a notice tender, any interested economic operator, who meets the set technical, professional and financial criteria. It can be used for Tenders whose estimated value, excluding VAT, exceed the 50,000 euros for supplies and works and the 80,000 euros for services and works. **For reasons of transparency, it can be used also for Tenders with less than the above estimated values.**

Closed tender procedure.

In the closed process, any interested economic operator can submit an application for participation, in the context of a tender announcement, which includes elements of quality selection, providing the information about the elements of quality selection, requested by the contracting authority.

Competitive process with negotiations.

In the competitive process with negotiation , any interested economic operator can submit an application for participation, in the context of a tender notice that includes the information that defined in Annex V, Parts B and C of the law 73(I)/2016, , providing the information in relation to the quality selection, which is requested by contracting authority.

Competitive dialogue.

In the competitive dialogue, can apply anyone interested economic operator, after a contract announcement, providing the information in relation to the qualitative selection, which are requested by the contracting authority.

Innovation Partnership.

In the innovation partnership, it can apply for participation, after contract notice each interested economic operator, providing the information in relation to the quality selection, which are requested by the contracting authority.

Negotiated procedure.

In the special cases and circumstances provided for in article 29 paragraphs (2) to (5), of Law 73(I)/2016 the Organization may award public contracts using the procedure by negotiation, without prior publication. This process is used quite often by the organization because of its specialized mission, that requires the procurement or provision of qualified equipment or services by qualified providers. For the use of the negotiation process, the appropriate justification is required as well as the prior approval of the competent body of the organization (Executive Committee or the Board of Directors). Both the approval of the use of the negotiation process and the

approval of the competent authority must be kept in the tender file.

Simplify Procedures (According to the provisions of Law 73(I)/2016 (article 90))

For contracts whose estimated value, excluding VAT, does not exceed 2,000 euros for supplies and works and 5,000 euros for services, the contracting authority (CYENS-CENTRE OF EXCELLENCE) may directly award the contract without following the procurement procedure provided for in the Law. **The procedures followed by the organization in this case are defined in chapter "5".**

For contracts whose estimated value, excluding VAT, does not exceed 15,000 euros for supplies and projects and 25,000 euros for services contracting authority may request written or oral submissions Tenders from a limited, at its discretion, number of economic operators.

For contracts whose estimated value, excluding VAT, does not exceed the 50,000 euros for supplies and works and the 80,000 euros for services, or the **thresholds**¹ when concerns public procurement and services and 850,000 euros when concerns public works contracts, which intended to meet needs outside the territory of the Republic, the contracting authority may request written or oral submissions Tenders from at least four (4) economic operators of its justified choice when of the preliminary consultations of the market, in accordance with subsection of Article 37, it is reasonably apparent that they are interested in submitting Tender.

Main Procurement Procedures used by the organization.

The organization, in order to cover its needs in equipment and services mostly uses the Open tender procedure, the Negotiated Procedure for specific reasons according the provision of the law 73(I)/2026 and the Simplify Procedure, accordingly.

2.2 Criteria for selecting Suppliers or Service Providers (Economic Operators).

Organization, due to the important work it performs, attaches great importance to the selection of suitable suppliers or service providers in the context of providing quality and certified materials and services, transparently and within the context of legality. The selection or rejection of suppliers or service providers is based on the following main pillars:

Conviction against an Economic Operator.

The Organization may exclude from participation in the process of concluding a contract with an economic entity when it proves, with the verification provided for in articles 59, 60 and 61 of Law 73(I)/2016 or if it is known in another way, that there is final conviction against him or his admission or complaint against him, for one of the reasons described in article 57 of Law 73(I)/2016.

Suitability for the exercise of the professional activity.

-With regard to suitability for professional practice activity, the organization may require from the economic operators to be registered in one of the professional or commercial registers kept in their Member State of establishment, such as listed in Appendix XI of Law 73(I)/2016. and satisfy any other requirement is set out in the Tender's Documents.

-In the procedures for concluding service contracts, as long as the economic operators must have special approval or be a member of a specific organization for to be able to provide the relevant service in their country of origin, the organization may ask them to prove that they have the approval or that they are members of said organization.

Economic and financial sufficiency.

With regard to economic and financial adequacy, the Organization may impose requirements to ensure that

economic operators have the necessary economic and financial capacity to perform the contract. To this end, Organization may require economic operators to have a certain minimum annual turnover, including certain minimum sector turnover activities covered by the contract, and to provide information on the annual accounts they present and in particular indicators, assets and liabilities and whether they have an appropriate level of professional insurance to cover risks.

Technical and Professional Ability.

With regard to technical and professional capacity, the Organization may request assurances to ensure that economic operators have the necessary human and technical resources and experience to perform the contract at an appropriate level of quality.

The Agency may, in particular, require from economic operators to have a satisfactory level of experience, demonstrated by appropriate recommendations from contracts executed in the past or appropriate assurances from organizations, scientific institutes, professional guilds and government or private certification bodies. A contracting authority may consider an economic operator to lack the necessary professional competence if it finds that the economic operator has conflicting interests that may adversely affect the performance of the contract. Also in the context of procedures for the conclusion of a contract for Supplies, installation works or the provision of services, or the execution of projects, the Organization may assess the professional capacity of economic operators to provide the supplies, installation works or the provision of services, or the execution of projects, based on their know-how, their efficiency, experience and reliability.

It is a basic principle of the organization, and particularly for the supply of specialized material or the provision of specialized services, that this is done directly by the manufacturers or owners of intellectual rights. If certain specialized supplies or services cannot be offered directly by the manufacturer, or owners of intellectual rights then the economic operator should confirm that he is authorized by the manufacturer or owners of intellectual rights to provide the requested materials or services. This authorization must be provided with the Tender.

2.3 Main Principles of EU public procurement legislation, (Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (Text with EEA relevance) and National Code of Ethics for the conclusion of public contracts /November 2019/ General Accounting Office CY).

The European Union attaches great importance to the implementation of public contracts by the Member States with transparency and honesty. The main principles of EU public procurement legislation which are fully adopted and implemented by the organization, are:

Member States shall treat economic operators equally and without discrimination and shall act in a transparent and proportionate manner.

The design of the procurement shall not be made with the intention of excluding it from the scope of this Directive or of artificially narrowing competition. Competition shall be considered to be artificially narrowed where the design of the procurement is made with the intention of unduly favouring or disadvantaging certain economic operators.

Member States shall take appropriate measures to ensure that in the performance of public contracts economic operators comply with applicable obligations in the fields of environmental, social and labour law established by Union law, national law, collective agreements or by the international environmental, social and labour law provisions listed in Annex X of Directive 2014/24/EU of the European Parliament.

2.4 E-procurement System (e-PPS)

e-PPS is a web-based, collaborative, monitoring system of the Ministry of Finance, to facilitate the full lifecycle of a tendering process, for both buyers and suppliers. It offers a secure, interactive, dynamic environment for procurements of any nature, size, complexity or value (above or below EU thresholds), enforcing (where appropriate) and encouraging recognized best practices.

e-PPS supports the process of procuring works, services and supplies electronically. All public procurement procedures foreseen by the law are supported for both one-off or repetitive purchases through several dedicated

sub-modules providing facilities for user registration, competition notification, tender preparation and submission, online tender evaluation, upholding of auctions, contract awarding, contract management, creation and management of catalogues, placement of electronic orders, and much more.

e-PPS can support the effort for achieving efficiency gains, while promotes core principles of the laws and regulations on public procurement such as transparency, security, availability, non-discrimination and equality of treatment.

Contracting Authority services provide a collaborative e-Procurement environment for organising Call for Tender-related activities. These services provide the tools for supporting the management of electronic competitions, providing amongst others the means for the electronic preparation and transmission of procurement notices to the Official Journal of the European Union. Advanced services include the electronic and automated evaluation of tenders, the automated notification of EOs when addenda/corrigenda for competitions are published and the support for electronic auctions.

The organization's main objective is to publish the tenders which are announced in the e-procurement monitoring system of the Ministry of Finance. Those tenders that cannot be published in the system, eg the tenders implemented through the negotiation process, must be registered in the system after their completion. Taking into account the general circular of the general accounting office with number Γ/ΑΑΔΣ 103 / 30-6-2017, paragraph 7, only direct assignments with an estimated value of up to 2,000.00 Euro for projects and supplies or 5,000.00 Euro for services are excluded from the obligation to update the system. The organization pursues to use the e-procurement system as much as possible for reasons of transparency and equal treatment of the economic operators participating in the tenders.

2.5 Procurement Procedures into the Organization

Procurement Procedures into the organization are implementing in order to support the Organization with equipment and services for the support of the projects with their specific needs, and to equip the Departments with specialized and non computerized equipment, mechanical and electronic equipment and also to meet the organization's current needs. Procurement Department applies the procedures provided by Law 73(I)/2016 with procurement requests whose estimated value, excluding VAT, exceed 2,000 euros for supplies and works and 5,000 euros for services.

Requests from various departments for supply / provision of materials – services.

Within the organization requests for materials, equipment and services are submitted to Procurement Department by the Directors or certain representatives of the following departments:

-Research Department.

-Innovation Department.

-IT Department.

-Operations Department (Facilities Officer is designated as responsible for collecting and submitting the needs of the individual Operations departments except from IT Dpt).

-Before submitting the application, the competent Department must carry out an appropriate investigation and consultation with the market as specified in article 37 of Law 73(I)/2016, in order to properly prepare the procedure of the Tender. The consultation must be in writing and must be submitted with the application in order to be kept in the tender file.

-The application requesting materials, equipment and services a sample of which is shown in **Appendix "2", must include the following information: (Xydas 2007)**

-Detail Technical specifications as a sample in **Appendix "3"**

-Detailed description and Part Numbers of the requested product or Services in case of Negotiated Procedure or

Simplify Procedure for a specific product or service.

-Contractor's Details.

-Contractor's contact person in case of Negotiated Procedure or Simplify Procedure with specific product or service.

-Needed training.

-Estimated value.

-Proposed members for the various procurement committees, (1 person as Project Manager who will be also member of the receipt committee, 2 Persons for the evaluation committee (procurement Manager is the third), and 1 Person for the receipt committee. (The second will be the project Manager and the third will be CYENS Facilities Officer which is responsible for the Inventory of the Organization).

-Budget availability.

-Current stock of the same material, equipment, or the existence of similar services into the organization

-Additionally in case of a Negotiated Procedure or Simplify Procedure for specific products or services the follows information must be provided:

- Previous supplies of products or services from the same supplier or service provider.
- Detailed description and Part Numbers of the requested product or Services
- Previous products or services from the same supplier or service provider in case of Negotiated Procedure or Simplify Procedure for specific products or services. (Xydas 2007)

2.6 Factors to be considered when drafting technical specifications.

Drafting proper technical specifications is very important sector during the procurement procedure Because in this way the supply and provision of quality materials and services from reliable supply sources is ensured, as well as fair and transparent competition. The following factors must be taken into account when drafting the Technical Specifications (<https://stackoverflow.blog/2020/04/06/a-practical-guide-to-writing-technical-specs/>).

- a. The provisions in articles 39-41 and Annex VII of law 73(I)/2016
- b. Insurance of Health and Safety according to the legislation in the Republic of Cyprus.
- c. EC Marking: The EC or CE marking indicates that the product complies with the requirements of the relevant EU harmonisation legislation. Therefore, the marking must be considered as essential information during the preparation of the Technical Specifications. (<https://certification-company.com/library/faqs/what-is-an-ec-marking/>)
- d. Warranty required after the supply.
- e. Requirement to use Standards. "standard" means the technical specification approved by recognized organization with standardization activity, for repetitive or continuous implementation, but compliance with which is not mandatory.
- f. If the supplier is not the manufacturer of the requested product or service, then the relevant authorization from the manufacturer requires that it has the right to market its products or services.
- g. Follow on Support: Are the services offered by the contractor after the completion of the Tender. Great care must be taken to ensure future technical and logistical support after the supply of the equipment or service for a reasonable period of time. The Follow on Support from the contractor must includes, Warranty and Maintenance of Products and Systems, System Installation, Managing of Repair Parts, Customer 's Training, Technical support and Consulting services, Analysis, Validation, Design, Testing and Reliability Control.

Generally In Developing Technical Specifications the following must be taken into consideration.
(<https://www.linkedin.com/pulse/developing-technical-specifications-procurement-mcips-mba-mfm-bba>)

For Goods procurement: Design and performance criteria, Functional characteristics, Performance characteristics, Technical characteristics, Reporting requirements, Standards, Compatibility and standardisation, Acceptance testing, Trade-ins

For Works procurement: List drawings and other guidance provided, Details of access, ground conditions and preparation work, Performance criteria including contractors' designs, Relationships with subcontractors and suppliers, Employer's contractual and legal requirements, Insurances of works and indemnities, Works management including completion and defects, Control of time and cost, Quality control, standards and checks required, Health and safety, Temporary facilities

For Service procurement: Required outputs and/or outcomes, Performance measures, Targets, Management of the contract, Transfer of assets and personnel, the hand-over process, Transition between service providers, Best Value.

2.7 Actions by the Procurement Department:

After receiving the relevant procurement request, the Procurement Department takes the following actions:

1. It checks whether the application includes all the required information.
2. Gives a unique order number and opens a separate folder on the relevant computer application which will include all the information of the Tender.
3. Updates the applicable database with the order details.
4. Prepares tender documents based on which Tender procedure will be followed as follows:
 - a. In case of an Open procedure for Tenders whose estimated value, excluding VAT, **exceed** the 50,000 euros for supplies and works and the 80,000 euros for services samples of the needed tender's documents can be found in in the website of the Treasury of the Republic of Cyprus in http://www.treasury.gov.cy/treasury/treasurynew.nsf/page21_gr/page21_gr?opendocument.
 - b. In case of an Open procedure for Tenders whose estimated value, excluding VAT, **does not exceed** the 50,000 euros for supplies and works and the 80,000 euros for services or in case of the use of a Simplify Procedure sample of the needed tender's can be found in in the website of the Treasury of the Republic of Cyprus in http://www.treasury.gov.cy/treasury/treasurynew.nsf/page21_gr/page21_gr?opendocument.
 - c. In case of Negotiated Procedure or Simplify Procedure for Products or Services that are widely marketed by recognized organizations with predetermined and announced warranties and conditions the tender's documents as Sample in **Appendix "4"** (Xydias 2007).
 - d. In case of Negotiated Procedure or Simplify Procedure for Products or Services that are going to be manufactured or developed especially for the organization the similar tender's documents as **paragraph (b) appropriately modified to address one or more verified economic operators.**
5. Prepares the appointment letters of the responsible Tender's coordinator and the acceptance and evaluation committees as **Appendices "5" to "7"**.
6. Informs the Competent body of the organization with the estimated cost and asks it to approve (**Related template as Appendix "8"**):
 - a. The Relevant tender documents.

- b. The appointment of the committees.
- c. The tender procedure to be followed.
- 7. After securing the relevant approvals by the CYENS Competent body, the Procurement Department announce the Tender by the use:
 - a. The e-procurement system in case of an open or simplified procedure.
 - b. By sending the Tender's documents directly to the Tenderers in order to submit a quotation in case of a negotiated procedure and also in some cases in case of a Simplify procedure.

2.8 Time Limits.

After the announcement of the Tender the following time limits are determined.

Deadline for submission of tenders

1. In the open procedure, the deadline for submission of tenders is determined by the contracting authority (CYENS), and cannot be less than fourteen (14) days from the date of announcement of the Tender. In the event of an emergency, duly justified by the contracting authority, which makes it impossible to meet the above minimum deadline, the Organization may set a minimum time period of at least ten (10) days from the date of announcement of the Tender.
2. In the simplified or negotiated procedure, the deadline for the submission of tenders is determined by the contracting authority (CYENS) and cannot be less than seven (7) days from the date of announcement of the Tender, or less in case of emergency, as appropriate. justified by the contracting authority.

Deadline for the Submission of Comments / Questions / Recommendations by the Tenderers.

1. In the open process, the deadline for submission of comments / questions / proposals by the tenderers is proposed to be no less than ten (10) days from the deadline for submission of tenders. In the event of an emergency, no less than seven (7) days from the deadline for submission of tenders is recommended
2. In the simplified or negotiated procedure, the deadline for submission of comments / questions / proposals by Bidders is proposed to be no less than five (5) days before the deadline for submission of tenders.

Deadline for the Dispatch of answers by the Contracting Authority

1. In the open procedure the deadline for providing additional information requested in a timely manner from Tenderes by the contracting authority, is four (4) days before the deadline for submission of tenders and three (3) days before the deadline for submission of tenders in the event of an emergency.
2. In the simplify or negotiated procedure the deadline for providing additional information requested in a timely manner from Tenderes by the contracting authority, is four (3) days before the deadline for submission of tenders.

CHAPTER 3

3. Evaluation of the Tenders.

The evaluation of Tenders is performed by the three members of the evaluation committee which were appointed by the competent body of the organization. Different procedures are followed in the case of an open procedure, negotiated or simplify procedure.

OPEN PROCEDURE

3.1 Opening of the Tenders

1. The opening of the tenders submitted in time in the e-Procurement System is carried out by authorized persons, after the expiry of the deadline for the submission of tenders as paragraph 2.8.1 then the following steps are followed:
2. First are opened the sub-folders “Eligibility Criteria” and “Technical Part”.
3. The assessment and the evaluation of Technical Offers are carried out for the Tenders that have not been rejected in the stage of verification of the participation credentials as mentioned in the folder with the Eligibility Criteria
4. The opening of the “Financial offer” Sub-folder is taking place for the Tenders that have not been rejected in the technical evaluation stage.

NOTE

If the award criterion selected for the Contract is the Most economically advantageous tender based on price, then items (2) to (4) of this paragraph, must be omitted.

5. For the purpose of safeguarding the basic principles of public procurement, and more specifically that of transparency, upon the opening of the “financial Offer” Sub-folder, the prices submitted by the Tenderers shall be automatically visible in the System, by all interested parties, with the reservation that the recorded prices have not undergone any sort of evaluation.

3.2 Verification of eligibility and requirements for participation

1. After the opening of the “Eligibility Criteria” and “Technical Part” Sub-folders, the Competent Body shall first verify the fulfilment of the requirements for participation as well as the correctness and completeness of the submitted supporting documents. The results of this verification should be recorded in a form.
2. If the verification procedure establishes that there are Tenders which do not meet the requirements or the disqualification reasons of the Contracting Authority considers such Tenders as inadmissible, their Technical Offers shall not be evaluated and their Financial Offers is not opened. Tender Guarantees shall be returned by the Contracting Authority to the Tenderers after signature of the Contract. Such Tenders shall be rejected by the Contracting Authority, through its Competent Body.

3.3 Evaluation of Technical Part

1. The Competent Body shall proceed with the evaluation of the Technical Offers submitted in order to establish their completeness and determine whether or not they meet the requirements and specifications of the Contract Scope and shall enter in a special form any Offers which it deems should be rejected, detailing for each one of them the exact grounds for rejection.

NOTE

If the Contracting Authority deems it advisable, it may require Tenderers to present their Technical Offers to the Competent Body during the evaluation procedure. It is recommended that this right be exercised sparingly and only in the case of complex contracts where it is estimated that the presentation shall help the Competent Body form an informed opinion as to the technical merits of the solutions offered.

In that case the Tenders that have been found to be admissible in the stage of verification of the participation credentials, the Contracting Authority shall invite in writing the Tenderers to present their Tenders, setting a specific date, time and location for this purpose. The written invitation will be sent at a proper time, at the latest ten (10) days before the date on which the presentations are to be held. Non-acceptance of the invitation by a Tenderer shall constitute grounds for rejection of its Tender. The Tender must be presented by members of the Project Team, which must include the Project Team Manager and key experts deemed necessary by the Tenderer. It is understood that the presentation will concern data and information already included in the Tender.

3. Technical offers are evaluated in accordance with the criteria set in the **table of evaluation criteria as the example of Appendix “9” and the methodology as in paragraph 3.7**
4. **The mark given to each individual criterion is set to a maximum of 100 points.**
5. The mark of each individual criterion shall be weighted using the weighting factor for that particular criterion and rounded to 2 decimal digits.
6. By adding the weighted mark of every individual criterion within each group of criteria, the total mark of that group is obtained.
7. **The final technical evaluation mark (T) is the sum of the marks of the section’s criteria.**
8. The final Technical Offer marks will be entered in a special form by the Evaluation Committee, with adequate justification of the mark.
9. With the completion of the above-mentioned evaluation stages, the CYENS Competent Body, shall decide to reject or not the tenders according to the suggestions of the evaluation Committee. The tenders that have not been rejected from the CYENS Competent Body, shall proceed to the opening of their Financial Offer Sub-section.

3.4 Evaluation of Financial Offers

1. The Contracting Authority (CYENS), shall verify the contents of the Financial Offer Sub-section, to determine the degree to which they meet the requirements of the Tender Documents.
2. If the verification procedure establishes that there are Tenders which do not satisfy the relevant terms and conditions as required by the Tender Documents, then the Contracting Authority, through its Competent Body, shall reject these Tenders.
3. Evaluation of the Financial Offers shall take place on the basis of current prices, using a factor to convert all future payments, if any, to current prices. Evaluation of the Financial Offers shall be made on the basis of the revised Financial Offer figures, as these shall be obtained after the above conversion.

NOTE

If the offer can be submitted in another currency, then the prices of the Financial Offer expressed in a foreign currency will be converted, for the purposes of evaluation and price comparisons, into Euros, using the Foreign to Euro (selling price) rate, as given by the Central Bank on the day of the deadline for submission of tenders. When the deadline for submission of tenders is a holiday, then the exchange rate of the working day immediately preceding the deadline is used.

4. Where the CYENS Competent Body considers a Financial Offer to be abnormally low, the Competent Body must request in writing the Tenderer to supply, within ten (10) days of being requested to do so, those clarifications

about the composition of its Offer which the Competent Body may deem advisable, as per the provisions of article 69 of Law 73(l)/2016. The Competent Body shall examine the clarifications and shall decide whether to accept or reject the tender.

5. **For the Evaluation of the Financial Offers, the relative cost C of each Tender is calculated as follows:**

Financial Offer of Lowest Bidder

$$C = \frac{\text{Financial Offer of Lowest Bidder}}{\text{Financial Offer under Evaluation}} \times 100$$

Financial Offer under Evaluation

Where:

- **Financial Offer under Evaluation: the total amount for which the Tenderer intends to implement the Contract,**

and,

- **Financial Offer of Lowest Bidder: the price of the Tender with the lowest Financial Offer.**

NOTE

3.5 Clarifications on the Tenders

1. The Contracting Authority (CYENS) may ask the Tenderer to provide clarifications regarding the content of its Tender, throughout the evaluation process. In such a case, the provision of clarifications is mandatory for the Bidder and is not considered a counteroffer.
2. Where information or documentation to be submitted by economic operators is or appears to be incomplete or erroneous or where specific documents are missing, the Organization may request the economic operators concerned to submit, supplement, clarify or complete the relevant information or documentation within an appropriate time limit provided that such requests are made in full compliance with the principles of equal treatment and transparency. Economic operators in this case are obliged, under penalty of disqualification, to supply such missing information within five (5) working days from the day on which they are requested to do so.
3. From the clarifications supplied by Tenderers in accordance with the above, only those concerning the issues for which they were requested shall be considered.

3.6 Conclusion of the Evaluation

1. The establishment of the final ranking of Tenders in decreasing order of their final mark is calculated as follows:

$$L = T * \text{<per cent weighting factor >} + C * \text{<per cent weighting factor >}$$

where:

T = the Technical Offer evaluation mark, and

C = the relative cost of the Financial Offer.

NOTE

The weighting factors used to calculate the final mark for ranking the Tenders are determined by the Contracting Authority. The following are proposed as reasonable weighting factors: 55%-65% for the technical evaluation mark, and 45%-35% for the financial evaluation mark.

2. The Tender with the highest mark L shall be considered to be the most advantageous Tender based on best price-quality ratio.

3. In cases where the marks of two or more Tenders are the same, these Tenders are ranked in decreasing order of their Technical Offer mark.

NOTE

If the award criterion selected for the Contract is exclusively the lowest price, then the establishment of the final ranking of Tenders in decreasing order is based solely on the price offered.

“The above evaluation procedures are used proportional also for Tenders In case of Negotiated Procedure or Simplify Procedure for Products or Services that are going to be manufactured or developed especially for the organization.”

NEGOTIATED PROCEDURE

3.7 Evaluation in case of Negotiated Procedure or Simplify Procedure

In case of Negotiated Procedure or Simplify Procedure for Products or Services that are widely marketed by recognized organizations with predetermined and announced warranties and conditions in order to evaluate the Tenders the follows evaluation committee checks:

1. If the Tenderer confirms that the products / services delivered to CYENS will be manufactured brand new in accordance with the manufacturer's specifications.
2. If the provided prices of the products / services of the Tender are in accordance with those applicable in the market as derived from the previous consultation with the market or if they are in accordance with the Manufacturer's valid price list catalogue.
3. If the Seller warrants that the materials / services delivered shall be free from any defects and shall be in proper operating condition for a sufficiently long period from their delivery date to CYENS premises to Cyprus.
4. If the Seller warrants that the materials / services delivered shall be accompany by the manufacture's certificate of conformity.
5. If the Tenderer provides warranty on all products and services included in the proposal. This must include also telephone or email customer support. Warranty must include parts and labor. The contractor (The Tenderer who awarded the contract) must apply to the contracting authority (CYENS-CENTRE OF EXCELLENCE) the official warranty offered by the manufacturer.
6. **Additionally In case of an IT equipment or software services the evaluation committee checks** if the Tenderer provides warranty on all hardware and system software as well as of all software or hardware licenses included in the proposal. This must include also telephone or email customer support. Warranty must include parts and labor. The contractor (The Tenderer who awarded the contract) must apply to the contracting authority (CYENS-CENTRE OF EXCELLENCE) the official warranty offered by the manufacturer.
7. If the Tenderer confirms that is authorized by the manufacturer to provide the requested products / services. This authorization must be presented as attached, in the Tender's submission form.
8. If the delivery terms are in accordance with CYENS request. (Usually is requested delivery DAP, as per Incoterms 2010).
9. If the payment terms and schedule of delivery are in accordance with the Request for Quotation. (Usually is requested Payment, in case of order, will be effected within 30 days from the delivery of the products or services and the submission to the CYENS of the original commercial invoice. Also, the requested delivery time of the requested Products / Services is requested to be less than two (2) months, according to the Priority).

3.8 Evaluation Committee's actions.

The evaluation committee of the organization, by taking into consideration the type of the procurement procedure as paragraph 2, and the type of the requested products and services evaluates the tenders received, as follows:

1. The head of the Evaluation Committee convenes a meeting of the evaluation committee as sample in **Appendix 10** According to the General Regulations of 2012 (KDP 242/2012) 48 hours before the meeting, the representatives of the Auditor General and the Accountant General must be informed to attend, if they deem it necessary. If considered necessary during of the meeting of the evaluation committee and according to the subject a special experts can be invited in order to advice the evaluation committee to make a decision on the matters of their specialization. The experts must prepare a written report on their opinion.
2. They prepare the evaluation report as the typical sample in the Website of The Treasury CY, http://www.treasury.gov.cy/treasury/treasurynew.nsf/page26_gr/page26_gr?opendocument which can be modified according to the type of Tenders Procedure.
3. The evaluation Report is signed by all the members of the evaluation committee, and they put their initials on all pages. If a member of the evaluation committee has a different opinion or disagrees with the decision this must be stated on the evaluation report. According to regulation KDP 201/2007 article 12(2), the decisions of the evaluation committee are taken by the majority.
4. The head of the evaluation committee forwards the evaluation report to the Appropriate Body of the organization for approval as below:
 - a. For amounts more than €2K for supplies and €5K for services, respectively, and up to the €50K can be approved by the Competent Body of the organization, and the Accounting Manager will be responsible to check its financial eligibility.
 - b. For amounts that exceed the €50K shall be forwarded to the Board of directors for approval."

3.9 Conclusion of the tender procedure

Award of Contract

After the approval of the evaluation results as above, the Contract is awarded to the Tenderer whose Tender is found, after the conclusion of the evaluation procedure, to be the most economically advantageous tender based on price-quality ration.

Or if the criterion for the award of the Contract is exclusively the lowest price, the Contract is awarded to the Tenderer whose Tender is found, after the conclusion of the evaluation procedure, to be the Tender with the most economically advantageous tender based on price.

2. In the case of equivalent Tenders with the same –lowest– price, selection of the Contractor by the Contracting Authority shall take place by draw.

In the event that two or more Tenderers have submitted the same Financial Offer which corresponds to the lowest price (equivalent Tenders), the Contracting Authority may, if it deems that the nature of the Contract Scope is such that allows it to be split in individual contracts (whose number shall be equal to the number of equivalent Tenders), choose to award such individual contracts to all Tenderers who have submitted equivalent Tenders.

Notification of the results of the tender procedure

1. The Contracting Authority (CYENS) shall inform the candidate Contractor of the Award Decision **as Appendix 11**
2. The Contracting Authority (CYENS) shall notify the Tenderers of the decision taken and of the reasons for it, as per the provisions of article 54 of Law 73(I)/2016, **as Appendix 12**

Signing of the agreement / placing a firm order.

In case of an open Procedure or in case of Negotiated Procedure or Simplify Procedure for Products or Services that are going to be manufactured or developed especially for the organization:

1. After the completion of the notification of the results of the tender procedure, The Tenderer who has been awarded the Contract is obliged to present himself, within a period of twenty (20) days of receipt of the relevant invitation of the Contracting Authority, for signing the relevant Agreement (Part B of the Tender Documents). If the aforementioned deadline expires and the Tenderer has not presented himself to sign the Agreement, then he shall be declared in default of the Award made to him and of all rights deriving from it, and the Tenderer shall be subject to the referred penalties in the Tender documents.
2. In such a case, the Contracting Authority has the right to refer the matter back to the Competent Body, with a view to awarding the Contract to the Tenderer who has submitted the next, as per the ranking. it is Understood that the Tenders are valid at the date of award.
3. The Tenderer who has been awarded the Contract is obliged to present himself for signing the Agreement, also providing the following items:
 - a. The Certificates / Declarations contained in the relevant Table.
 - b. The authorization documents for the person who shall sign the Agreement,
 - c. In the case of a consortium of persons, a final Cooperation Agreement determining the participation rate of each member in the consortium, the legal representative of the consortium and the consortium member to act as the leader of the consortium.
 - d. The Performance Guarantee for the Contract.
4. The stamp duties of the Agreement to be signed shall be fully borne by the Contractor.

In case of Negotiated Procedure or Simplify Procedure for Products or Services that are widely marketed by recognized organizations with predetermined and announced warranties and conditions it is not needed an agreement to be signed, only a letter for placing the Firm Order as **Appendix 13. In that case the valid conditions and warranties shall be as attached to the letter placing the firm order:**

CHAPTER 4

4. Receipts Procedure / Management of the Inventory.

After the awarding of the contract, the Project Manager of the contract is responsible for the monitoring of compliance of the contract according to the terms and provisions of the signed agreement. When he received by the contactor the delivery details he informs accordingly the Procurement Manager and the Receipt Committee.

In case that the contract concerns products it must be determined in tender documents that the products should be Delivered At Place (DAP) according the Shipping Incoterms (2023). DAP means the seller continues responsibility and risk into the import country, usually to the buyer's preferred warehouse (their own, FBA warehouse, the forwarder's warehouse, etc). However, as for FCA, the named place may be also be the terminal. (Shipping Incoterm (2023)).

4.1 Receipt Committee

1. In accordance with the provisions of the the Regulations on the Management of Public Contract Implementation and Procedures for the Exclusion of Economic Operators from Public Procurement Procedures published in the Official Gazette of the Republic of Cyprus on 28 April 2016 (KDP 138/2016), a three-member Receipt Committee is appointed by the competent body of the organization.
2. It is noted that according to articles 25(3) and 25(4) of the regulation KDP 138/2016, the coordinator of the contract can also be designated as a member of the acceptance committee. Also, for the receipt of procurement contracts, the value of which does not exceed fifteen thousand (15,000.00) Euros, excluding VAT, and particularly where the quantity of supplies to be delivered is limited, an officer of the organization may be designated to receive the supplies.
3. Also according to articles 25(5) of the same as above regulation, in procurement contracts, the value of which does not exceed the two thousand (2,000.00) Euros, excluding VAT, the deliverie's procedure can be determined by the Head of the organization.
4. The Receipt Committee, for each delivery of products, and services carry out acceptance checks of the supplies and services to be delivered according to the terms and conditions of the signed agreement and the agreed technical specifications and proceed, depending on its findings, to receive or reject the relevant supply (Regulations 27 and 28 of KDP138/2016).
5. For each delivery, the decision of the Receiving Committee is recorded in a certificate of receipt or rejection, which is issued in the form determined by the CYENS Competent Authority **as Appendix 14**. The above certificate of receipt must be submitted, in three copies in addition to the Project Manager, to the Contracting Authority (CYENS Executive Committee) and the Procurement Department for archiving immediately after its issuance.
6. The decisions of the Receipt Committee are taken by majority vote (Regulation 26 of KDP138/2016).
7. The Project Manager of the contract can also be appointed as a member of the acceptance committee. It is recommended that he be appointed as the head of the receipt committee.

4.2 Payment of the Contactor.

1. Payment is made only after the completion of the qualitative and quantitative receipt of the materials / services by the receipt committee and the preparation of the receipt certificate.
2. The Project Manager after the receipt certificate is completed, checks the correct invoicing of the materials / services according to the terms of the contract and informs the accounting office in writing to proceed with the payment by simultaneously submitting the contractor's invoice and the receipt certificate.

4.3 Management of received supplies - services.

1. The general management of received supplies - services in the organization is carried out by the organization's Inventory Responsible who is the Facilities Officer under the supervision and direction of the Organization's Procurement Manager.
2. The Inventory's Responsible has the follows duties:
 - a. As soon as the organization is informed of the imminent arrival of material, it is informed about it by the Procurement Manager and coordinated with the supplier for the smooth delivery to the organization's premises.
 - b. Stores the boxes in a safe and controlled area until the meeting of the receiving committee. Until then, the boxes remain sealed and are unpacked by the receiving committee.
 - c. Organizes the entire receiving process.
 - d. After the issue of the certificate of receipt he receives one copy of it and, registering them in the inventory by records the receipt in the Organization's receipt book of products and Services (as Appendix 16) in the corresponding computerized system and charges the received materials and services as below:
 - i. In case of an IT equipment or services to the IT Manager.
 - ii. In case of receipt of technological equipment other than IT to the Lab's Manager.
 - iii. The management of the other general equipment is done by the Inventory's Responsible.
3. The above persons are responsible for the safe storage of the material in accordance with the manufacturer's instructions and for its further charge to the organization's staff.

4.4 Management / monitor of received supplies – services for amounts from 50 Euro, up to 2.000,00 for equipment and up to 5.000,00 Euro for services.

1. According to the Board of Directors decision dated 18.02.2022 any equipment and personnel/services expenditure less than €2K and €5K, respectively, can be approved by the RD, CIO and HoO independently, and the Accounting Manager will be responsible to check its financial eligibility.
2. By taking into account the above, the management and monitoring of the equipment and services from 50 Euro, up to 2.000,00 Euro for equipment and up to 5.000,00 Euro for services is done directly by the IT Manager, Lab's Manager and Inventory's Responsible according to the type of the equipment / services as paragraph 4.3.1.d and under the monitoring and supervision by the Accounting Manager.
3. All orders concerning the supplies and services as mentioned in paragraph 4.3 must be done by considering the

following factors:

- a. Insurance of Health and Safety according to the legislation in the Republic of Cyprus.
- b. EC Marking: The EC or CE marking indicates that the product complies with the requirements of the relevant EU harmonisation legislation. Therefore, the marking must be considered as essential information during the preparation of the Technical Specifications. <https://certification-company.com/library/faqs/what-is-an-ec-marking/>
- c. Warranty required after the supply.
- d. Requirement to use Standards.
- f. If the supplier is not the manufacturer of the requested product or service, then the relevant authorization from the manufacturer is required that it has the right to market its products or services.

CHAPTER 5

5. Procedure for the approval and signing of Services Agreements for amounts of up to five thousand (5.000,00) Euro and for Supplies up to two thousand (2.000,00) Euro.

5.1 Legislation / Regulations

1. According to the provisions of Law 73(I)/2016 (article 90) concerning the Regulation of Public Procurement Procedures, contracts whose estimated value, excluding VAT, does not exceed 2,000 euros for supplies and works and 5,000 euros for services, the contracting authority (CYENS-CENTRE OF EXCELLENCE) may directly award the contract without following the procurement procedure provided for in the Law.
2. According to CYENS Extended / Amended Contracts approved Policy, which is based in the above-mentioned Law, contracts can be modified / extended without a new contract procedure, when the modifications, regardless of their value, are provided for in the original contract documents in the form of clear, precise and express revision clauses, including, where applicable, price revision clauses or options. The modification must not exceed 50% of the value of the original contract.
3. According to the Regulations on the Management of Public Contract Implementation and Procedures for the Exclusion of Economic Operators from Public Procurement Procedures (KDP 138/2016) for each contract whose value exceeds 2000 euros, the head of the competent authority (CYENS) appoints an appropriate officer to monitor the contract as a Project Manager.
4. **By taking into consideration the above:**
 - a. **CYENS can sign a direct agreement with Proposed providers for the amount excluding VAT, that does not exceed 2,000 euros for supplies and works and 5,000 euros for services, according to the received quotation.**
 - b. **In the agreement to be included the 5.1.2 provision in case a contract extension will be needed.**
 - c. **A project manager to be appointed for each agreement in order to monitor the agreement.**
 - d.

5.2 Procedure for Service Agreements and supplies of above €1000

1. The assigned Project Manager that needs the Service Agreement to be conducted, sends a request to the Procurement Office by completing the form as **Appendix "15"** (Application Form Requesting a Service Agreement), and by completing the Service Agreement document (For confidentiality reasons the Service Agreement Template of the Organization cannot be added).

2. If the Project Manager is an Officer or Research Associate, application form needs, to be signed by immediate line manager.
3. The Procurement Office confirms budget availability with the Accounting Office. A Project Manager is approved by the Executive Committee (EC) who will be responsible for:
 - a. The monitoring of the service agreement.
 - b. The acceptance of the deliverables of the agreement.
 - c. Informing the Accounting Dept for the completion of the services so that the payment to the Service Provider can be made.
4. Upon budget availability, the Procurement Office checks the correctness of the procedure, reviews the agreement, gives a unique order number to the application, and forwards the application form and the Service Agreement to the General Director for checking and signing, along with a list which includes the information of all the services agreements that have been signed/implemented until that point of time.
5. Once signed, the Procurement Office forwards all relevant documentation to the Project Manager for signing with the Service Provider.
6. The original copies of the two signed agreements stay with Procurement and the Service Provider. Procurement forwards a scanned copy to HR, Accounting Office and the Project Manager for archiving and further monitoring.
7. Once the services have been provided, the Project Manager is responsible to complete and sign the Confirmation of Services document, see Appendix 2 of the Service Agreement, and forwards the signed document to the Accounting Office for payment.
8. Once payment is completed, original Confirmation of Services is provided to Procurement for archiving. Procurement forwards a scanned copy to HR, Accounting Office, Executive Assistants and the Project Manager.

5.3 Procedure for Services and supplies below €1.000,00

For Services or supplies below 1K, it is at the discretion of the relevant Executive to proceed with a Service Agreement. This should be defined in the Application Form.

1. The assigned Project Manager that needs the Services to be conducted, sends a request by completing the form as attached "1" (Application Form Requesting a Service Agreement or product) to the appropriate person for approval as follows:
 - a. Research Department: Project Manager in Research Office
 - b. Innovation Department: CIO
 - c. Operations Department: Procurement Office
3. If the Project Manager is an Officer or Research Associate, the application form needs to be signed by the immediate line manager.
4. A Project Manager is assigned by the appropriate person who gave the approval. Project manager will be responsible for:

- a. The monitoring of the services, supplies
 - b. The acceptance of the deliverable of the services, supplies
 - c. Informing the Accounting Office for the completion of the services or receipt of the supplies so that the payment to the Service Provider can be made.
5. Once the request is approved, the Project Manager confirms budget availability with Accounting Office. Upon budget availability, Project Manager assigns the Service or Supplies to the Service Provider or supplier.
 6. Once the service is completed, the Project Manager is responsible to complete and sign the Confirmation of Services document, see Appendix 3, and forwards the signed document to the accounting office for payment. A copy is also shared with HR and Procurement office for archiving.

5.4 Repetition of the same service or supply

For reasons of transparency, the assignment of services from the same provider, even if they are different from the original assignment excluding VAT, does not exceed 2,000 euros for supplies and works and 5,000 euros for services, is not allowed unless there are justified reasons which must be approved by the EC. The same applies to procurement of Supplies.

Conclusions.

Recording and institutionalizing Procurement processes in the organization is very important because:

- a. Does the staff know the procedures to be followed in any case where the supply of equipment or the provision of services is required.
- b. The provisions of the legislation on public contracts are applied.
- c. Ensures the supply of quality materials and services from reliable sources of supply in the the right products and services at the right price in the right quantity in the right quality at the right time delivered to the right place on the right terms. (Σαρμανιώτης / 2011β)
- d. Monitoring and control of the procurement process is achieved at all stages, with the result that any bribery or corruption is avoided.
- e. It acquires from the staff a consciousness of care of the material.
- f. There is effective recording and monitoring of the stored material.
- g. Implementing proper procurement processes saves time and resources.

Procurement management is the most important part of the overall logistics management activity. The importance of this activity is also certified by the fact of the prevalence of "international best practices" which could be summarized in the following directions (Beckman & Rosenfield, 2008):

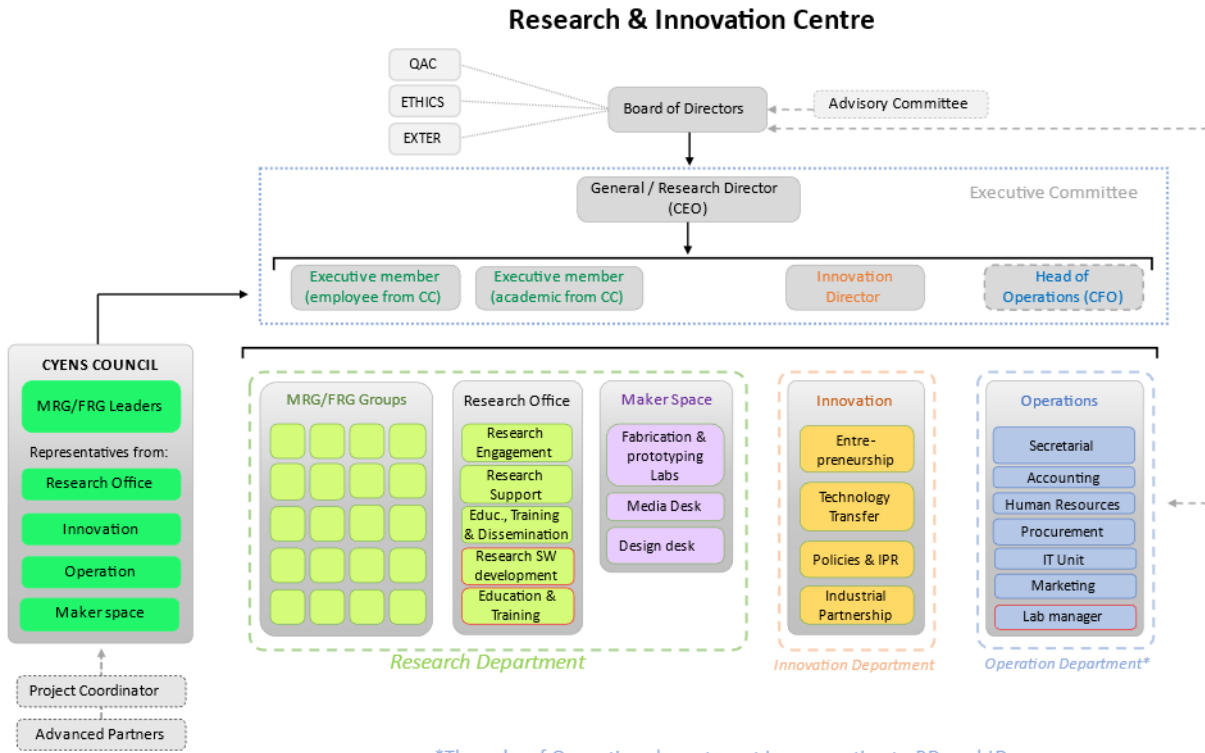
- a. Use of a limited number of suppliers,
- b. Together with the suppliers defining the design specifications of the parts, components, etc. which will supply,
- c. Emphasis on quality, reliable on-time delivery – and other similar criteria – and not on cost,
- d. Intensive exchange of information and cooperation on issues such as production and shipment planning.

Especially in this period when there are serious effects of the changes in the modern external environment of the supply chains due to the pandemic and the extended war in Ukraine which are mainly focused on:

- a. In the increase in fares due to the jump in fuel prices.
- b. In the creation of problems in Logistics, such as accumulations of goods in ports and airports, incomplete planning in deliveries, shortages of stock products and raw materials with effects on the construction industry.
- c. Price surge,

It is necessary to establish strong processes for the effective implementation of logistics support processes to effectively identify and manage risks. (Κωνσταντινίδης 2021)

CYENS organogram



*The role of Operation department is supportive to RD and ID

Appendix “2” to Thesis “

Application Form Requesting materials or services

From: (1)

To: Department/Procurement Department

Concerning the purchase of (2) for the fulfillment of CYENS needs.

For functioning/operating purposes of the (1) Department we would like you to proceed with the purchase of ... (3) pieces of (2).

Below/Attached (4) you will find the required technical specifications of the needed materials / services.

Technical Specifications

- a.
- b.
- c.

Please proceed with the required actions of yours and in case extra help (clarifications, expertise etc) is needed from our Department, our PoC is Mr/Mrs/Ms (5).

Please provide also the follows:

- a. Detailed description and Part Numbers of the requested product or Services in case of Negotiated Procedure or Simplify Procedure for a specific product or service.....
- b. Contractor’s Details.-Contractor’s contact person in case of Negotiated Procedure or Simplify Procedure with specific product or service.....
- c. Needed training.....
- e. Estimated value.....
- d. Proposed members for the committees as follow:
 - (1) 1 person as Project Manager who will be also member of the receipt committee.....
 - (2) 2 Persons for the evaluation committee. Procurement Manager is the third.....
 - (3) 1 Person for the receipt committee. The second will be the project Manager and the third will be CYENS Facilities Officer which is responsible for the Inventory of the Organization.....
- e. Budget availability.....
- f. Current stock of the same material.....
- g. Additionally in case of a Negotiated Procedure or Simplify Procedure for specific products or services the follows information must be provided:
 - (1) Previous supplies of products or services from the same supplier or service provider.....
 - (2) Detailed description and Part Numbers of the requested product or Services.....
- j. Previous products or services from the same supplier or service provider in case of Negotiated Procedure or Simplify Procedure for specific products or services.....

..... /..... /..... (DD/MM/YYYY) (6)

..... (7)
..... (8)

Notes

- (1) Name of Department within CYENS
- (2) The actual name of materials / services
- (3) Number of pieces
- (4) Choose the relevant and erase the other one
- (5) Name of Department's PoC
- (6) Date of submission
- (7) Head of Department name in full
- (8) Head of Department sign

Appendix “3” to Thesis

Detail Technical specifications (sample)

Monitors

A/A	Features and Specifications	Requirement	Tenderer’s Response	Reference
A	General Characteristics			
A.1.	Quantity	6		
A.2	Display size	≥71.12 cm (28”)		
A.3	Aspect ratio	16:9		
A.4	Display type	IPS		
A.5	Response time	≤5ms		
A.6	Brightness	≥350 nits		
A.7	Resolution (maximum)	≥4K UHD (3840x2160 @60 Hz)		
A.8	98%≥sRGB	[Required]		
A.9	Pixels per inch	≥150		
A.10	Display User Control Options	[Required]		
A.11	Low blue light modes	[Required]		
A.12	USB 3.0 Hub	[Required]		
A.13	USB Type-C	[Required]		
A.14	HDMI	[Required]		
A.15	Display port	[Required]		
A.16	Swivel	[Required]		
A.17	Tilt	[Required]		
A.18	Pivot	[Required]		
A.19	Certifications and compliances	ENERGY START		
A.20	FCC	[Required]		
A.21	ISO 9241-307	[Required]		
A.22	Power supply	100-240VAC 50/60 Hz		
A.23	VESA mount	100mmX100mm		
B.	Warranty /Certification			
B.1	Support for parts and labor	3 years		
B.2	Warranty from Manufacturer	Required		
B.3	TCO Certified	Required		
B.4	ROHS	Required		
B.5	EU DECLARATION OF CONFORMITY	Required		
B.6	EU WEEE DIRECTIVE 2012/19/EU	Required		
B.7	Brand seal	Required		
C.	Authorization from the Manufacturer			
		Required		

Appendix “4” to Thesis

Sample of tender’s documents1 (Letter of Request of Quotation) In case of Negotiated Procedure or Simplify Procedure for Products or Services that are widely marketed by recognized organizations with predetermined and announced warranties and conditions.



CYENS – CENTRE OF EXCELLENCE LIMITED
Operations Department/Procurement
23 Mayor Lellos Demetriades
Square, Stoa Building
Nicosia, 1016, Cyprus
Τηλ: +357 22747575
Fax: +357 22747590
Email: procurement@cyens.org.cy

File No.:

Date.....

Tel. No.: +357-

Fax No.: +357-

BY E-MAIL

Messrs ...(διεύθυνση εταιρείας).....

Dear Sirs,

Subject: Supply of

I am directed to refer to the above mentioned subject and I kindly request you to send us a quotation for the supply of the materials mentioned below, which will be used, under the following conditions:

Item No.	Part Number	Description	Unit of Measure	Qty
1				
2				

1.1. The materials delivered to (Buyer) must be manufactured brand new in accordance to the manufacturer’s specifications.

1.2. You (Seller) must warrant that the materials delivered shall be free from any defects and shall be in proper operating condition for a sufficiently long period from their delivery to Cyprus.

1.3. Requested delivery terms are DAP, as per Incoterms 2010 at the following delivery address:

.....

2. Payment, in case of order, will be effected within 30 days from the delivery of the goods and the submission to the Buyer of the original of the commercial invoice.

3. An order comes into force when a Firm Order is placed by the Buyer to the Seller by e-mail, within the period of validity of the Seller's quotation.
4. You must specify in your quotation the delivery time for the spare part measured from the date of coming into force of the order. Your quotation must be valid at least 4 months from the date of its submission to our Organization.
5. The File Number must be mentioned in all correspondence related to the resent request for quotation.

Please also note that all correspondence with this Organization must be addressed to the (E-Mail:, Fax no.).

6. Expecting your prompt, positive response, we thank you for your cooperation.

Yours sincerely

(.....)
for

Copy to:

Appendix "5" to Thesis

Appointment Letter of Tender's Coordinator

CYENS – CENTRE OF EXCELLENCE
Procurement Department
23 Mayor Lellos Demetriades Square,
Stoa Building
Nicosia, 1016, Cyprus
Τηλ: +357 22747543
Fax: +357 22747590
Email: procurement@cyens.org.cy

Αρ. Φακ.: CYENSPR.....

Date

Name of Tender's Coordinator / Title of Tender's Coordinator

Θέμα: Διορισμός Υπεύθυνου Συντονιστή (Project Manager) για τον διαγωνισμό "....." με την ανοικτή Διαδικασία (Κανονισμός 6).

Αναφορικά με το πιο πάνω θέμα και σύμφωνα με τις πρόνοιες των Περί της Διαχείρισης της Εκτέλεσης Δημοσίων Συμβάσεων και των Διαδικασιών Αποκλεισμού των Οικονομικών Φορέων από τις Διαδικασίες Σύναψης Δημοσίων Συμβάσεων Κανονισμών του 2016 (Κ.Δ.Π. 138/2016), σας διορίζω ως Υπεύθυνο Συντονιστή για σκοπούς παρακολούθησης και χειρισμού της Συμβάσης CYENSPR..... που αφορά τον διαγωνισμό "....." με την Ανοικτή Διαδικασία. (Κανονισμός 6).

2. Η σχετική με το θέμα αλληλογραφία θα σας αποσταλεί με ηλεκτρονικό ταχυδρομείο.

3. Σημειώνεται ότι με την ανάληψη των πιο πάνω καθηκόντων σας και στο πλαίσιο εκτέλεσης αυτών, ενεργείτε πλέον και μέχρι την ολοκλήρωση του έργου σας, υπό αυτή την ιδιότητα και είστε υπόλογος μόνο στον Προϊστάμενο της Αναθέτουσας Αρχής (**CYENS Executive Committee**).

4. Πριν την ανάληψη των καθηκόντων σας, πρέπει να υπογράψετε τη συνημμένη Δήλωση ευσυνειδητής και αμερόληπτης εκτέλεσης καθηκόντων και αποκάλυψης τυχόν συγγένειας [Κανονισμός 17(1)]. Σημειώνονται επιπρόσθετα και οι πρόνοιες του Κανονισμού 17(2).

5. Υπενθυμίζεται η καθιέρωση του Εθνικού Κώδικα Δεοντολογίας ο οποίος θέτει αρχές που θα πρέπει να τηρούνται και να υιοθετούνται από τους λειτουργούς ή τους κατέχοντες δημόσιο αξίωμα που συμμετέχουν στις διαδικασίες σύναψης δημοσίων συμβάσεων, (ιστοσελίδα: www.treasury.gov.cy/prpd υπό τη θεματική κατηγορία "Εκδόσεις").

6. Αρμόδιος Λειτουργός για το θέμα στο CYENS είναι ο κ., τηλ.

CYENS / EXECUTIVE COMMITTEE

Προϊστάμενος της Αναθέτουσας Αρχής

Κοιν.: -CYENS-EXECUTIVE COMMITTEE

Appendix “6” to Thesis “

Appointment Letter of Evaluation Committee

CYENS – CENTRE OF EXCELLENCE
Procurement Department
23 Mayor Lellos Demetriades Square, Stoa Building
Nicosia, 1016, Cyprus
Τηλ: +357 22747543
Fax: +357 22747590
Email: a.xydas@cyens.org.cy

Αρ. Φακ.: CYENSPR.....

Date.....

1. }
2. } Details of the members of the evaluation committee
3. }

Θέμα: Διορισμός Επιτροπής Αξιολόγησης (Evaluation Committee) για τον διαγωνισμό “.....” με την ανοικτή Διαδικασία

Αναφορικά με το πιο πάνω θέμα και σύμφωνα με τις πρόνοιες των Περί του Συντονισμού των Διαδικασιών Σύναψης Δημοσίων Συμβάσεων Προμηθειών, Έργων και Υπηρεσιών (Γενικών) Κανονισμών, Κ.Δ.Π. 242/2012, σας διορίζω ως **Επιτροπή Αξιολόγησης**, που θα μελετήσει τις προσφορές οι οποίες αναμένεται να υποβληθούν στα πλαίσια του διαγωνισμού “.....” με αριθμό φακέλλου CYENSPR059 με την Ανοικτή Διαδικασία [Κανονισμός 13].

2. Ο διορίζεται παράλληλα ως **Συντονιστής, της Επιτροπής Αξιολόγησης** για σκοπούς τήρησης Πρακτικών και ετοιμασίας της Έκθεσης Αξιολόγησης, ο οποίος θα πρέπει όπως:

- α. Παραλάβει τη σχετική αλληλογραφία.
β. Ενημερώσει γραπτώς τους Παρατηρητές, 48 ώρες (2 ημέρες εργάσιμες), για να παραστούν εάν επιθυμούν στη σύσκεψη της Επιτροπής καθώς και σε όσες συνεδριάσεις συγκαλέσει.

3. Για την έγκυρη διεξαγωγή των συνεδριών της Επιτροπής Αξιολόγησης απαιτείται η παρουσία όλων των μελών της. Επίσης, στις συνεδρίες της Επιτροπής Αξιολόγησης έχουν δικαίωμα να παρακάθονται ως παρατηρητές ο Γενικός Ελεγκτής της Δημοκρατίας και ο Γενικός Λογιστής της Δημοκρατίας, ως προϊστάμενος της Αρμόδιας Αρχής Δημοσίων Συμβάσεων, ή ο εκπρόσωπος εκάστου εξ’ αυτών (Κανονισμός 9).

4. Επιπλέον σας ενημερώνω ότι «...οι Επιτροπές Αξιολόγησης έχουν εξουσία να καλούν στις συνεδρίες τους οποιουσδήποτε κρίνουν σκόπιμο για την παροχή συμβουλών ή επεξηγήσεων σε θέματα της ειδικότητάς τους, οι οποίες κρίνονται αναγκαίες για την ορθή λήψη των αποφάσεων τους.» (Κανονισμός 6(4)).

5. Η Επιτροπή Αξιολόγησης να συνέλθει υποχρεωτικά, το αργότερο μέχρι την επόμενη εργάσιμη ημέρα της λήξεως της ημερομηνίας υποβολής των προσφορών.

6. Τα Πρακτικά των συνεδριάσεων και η Έκθεση Αξιολόγησης, πρέπει να υποβληθούν έγκαιρα για έγκριση **στο CYENS, στην Αναθέτουσα Αρχή, (CYENS Executive Committee) σε ηλεκτρονική μορφή, το αργότερο σε μία (1) εβδομάδα από την ημερομηνία παραλαβής των προσφορών, χωρίς κοινοποίηση σε τρίτα μέρη.**

7. Σημειώνεται ότι με την ανάληψη των πιο πάνω καθηκόντων σας και στο πλαίσιο εκτέλεσης αυτών, ενεργείτε πλέον και μέχρι την ολοκλήρωση του έργου σας, υπό αυτή την ιδιότητα και είστε υπόλογοι μόνο στον Προϊστάμενο της Αναθέτουσας Αρχής (CYENS / EXECUTIVE COMMITTEE).

8. Πριν την ανάληψη των καθηκόντων σας, πρέπει να υπογράψετε τη συνημμένη Δήλωση ευσυνείδητης και αμερόληπτης εκτέλεσης Καθηκόντων και αποκάλυψης τυχόν συγγένειας και να την επισυνάψετε στην Έκθεση Αξιολόγησης [Κανονισμός 7(1)]. Επιπρόσθετα σημειώνονται οι πρόνοιες του Κανονισμού 7(2) και (3).

9. Υπενθυμίζεται η καθιέρωση του Εθνικού Κώδικα Δεοντολογίας ο οποίος θέτει αρχές που θα πρέπει να τηρούνται και να υιοθετούνται από τους λειτουργούς ή τους κατέχοντες δημόσιο αξίωμα που συμμετέχουν στις διαδικασίες σύναψης δημοσίων συμβάσεων, (ιστοσελίδα: www.treasury.gov.cy/ppd υπό τη θεματική κατηγορία "Έκδόσεις").

10. Αρμόδιος Λειτουργός για το θέμα στο CYENS είναι ο κ., τηλ.

CYENS / EXECUTIVE COMMITTEE

Προϊστάμενος της Αναθέτουσας Αρχής

Κοιν.: CYENS-EXECUTIVE COMMITTEE

Appendix "7" to Thesis

Appointment Letter of Receiving and Acceptance Committee

CYENS – CENTRE OF EXCELLENCE
Procurement Department,
23 Mayor Lellos Demetriades Square,
Stoa Building
Nicosia, 1016, Cyprus
Τηλ: +357 22747543
Fax: +357 22747590
Email: procurement@cyens.org.cy

Αρ. Φακ.: CYENSPR.....

Date.....

Date.....

1. }
2. } Details of the members of the evaluation committee
3. }

Θέμα: Διορισμός Επιτροπής Παραλαβής (Receipt Committee) για τον διαγωνισμό "....." με την ανοικτή Διαδικασία

1. Αναφορικά με το πιο πάνω θέμα και σύμφωνα με τις πρόνοιες των Περί της Διαχείρισης της Εκτέλεσης Δημοσίων Συμβάσεων και των Διαδικασιών Αποκλεισμού των Οικονομικών Φορέων από Διαδικασίες Σύναψης Δημοσίων Συμβάσεων Κανονισμών του 2016 (Κ.Δ.Π. 138/2016), σας διορίζω ως **Επιτροπή Παραλαβής** στο πλαίσιο της Σύμβασης CYENSPR..... που αφορά "Interior design..... of Agora building" με την Ανοικτή Διαδικασία (Κανονισμός 25).
2. Η πιο πάνω Επιτροπή Παραλαβής θα πρέπει να προβαίνει, για κάθε παράδοση δημοσίων προμηθειών, στη διενέργεια ελέγχων αποδοχής των προμηθειών που θα παραδοθούν και να προχωρήσει, ανάλογα με τα πορίσματα της, στην παραλαβή ή απόρριψη της σχετικής προμήθειας (Κανονισμοί 27 και 28). Επισημαίνεται ότι, για την κάθε παράδοση, η απόφαση της Επιτροπής Παραλαβής καταγράφεται σε πιστοποιητικό παραλαβής ή απόρριψης, το οποίο εκδίδεται με τη μορφή που καθορίζεται από την Αρμόδια Αρχή. Το πιο πάνω πιστοποιητικό παραλαβής πρέπει να υποβληθεί, εκτός από το Συντονιστή της Σύμβασης, **και προς την Αναθέτουσα Αρχή, (CYENS Executive Committee) αμέσως μετά την έκδοσή του.**
3. Σημειώνεται ότι οι αποφάσεις της Επιτροπής Παραλαβής λαμβάνονται κατά πλειοψηφία (Κανονισμός 26).
4. Ο κ....., διορίζεται παράλληλα ως Συντονιστής της Επιτροπής Παραλαβής, για σκοπούς τήρησης Πρακτικών και συντονισμού της Επιτροπής.
5. Η σχετική με το θέμα αλληλογραφία θα σας αποσταλεί με ηλεκτρονικό μήνυμά.
6. Σημειώνεται ότι με την ανάληψη των πιο πάνω καθηκόντων σας και στο πλαίσιο εκτέλεσης αυτών, ενεργείτε πλέον και μέχρι την ολοκλήρωση του έργου σας, υπό αυτή την ιδιότητα και είστε υπόλογοι μόνο στην Αναθέτουσα Αρχή (CYENS / EXECUTIVE COMMITTEE).
7. Πριν την ανάληψη των καθηκόντων σας πρέπει να υπογράψετε τη συνημμένη Δήλωση ευσυνείδητης και αμερόληπτης εκτέλεσης καθηκόντων και αποκάλυψης τυχόν συγγένειας. [Κανονισμός 17(1)]. Σημειώνονται επιπρόσθετα και οι πρόνοιες του Κανονισμού 17(2).

8. Υπενθυμίζεται η καθιέρωση του Εθνικού Κώδικα Δεοντολογίας ο οποίος θέτει αρχές που θα πρέπει να τηρούνται και να υιοθετούνται από τους λειτουργούς ή τους κατέχοντες δημόσιο αξίωμα που συμμετέχουν στις διαδικασίες σύναψης δημοσίων συμβάσεων, (ιστοσελίδα: www.treasury.gov.cy/ppd υπό τη θεματική κατηγορία «Εκδόσεις»).

9. Αρμόδιος Λειτουργός για το θέμα στο CYENS είναι ο κ., τηλ.

CYENS / EXECUTIVE COMMITTEE

Προϊστάμενος της Αναθέτουσας Αρχής

Κοιν.: - -CYENS-EXECUTIVE COMMITTEE

Appendix “8” to Thesis

Request the approval by the Executive Committee about the relevant tender documents, the appointment of the committees and the tender procedure to be followed. (Sample)

Dear Members of Executive Committee

After the Clarifications given, the Department, requested us to proceed to a direct negotiated tender procedure with(Company / Person name).

Please noted that, “according to the article 29(2),(b), of the law of public procurement, N.73(l)/2016, a direct negotiation process with a supplier can be followed if the works, supplies or services can only be provided by only a specific supplier in any of the following cases:

- (i) The purpose of the contract is to create or acquire a unique project art or artistic event,
- (ii) There is no competition for technical reasons,
- (iii) There are reasons for protecting exclusive rights, including intellectual property rights.

It is understood that the exceptions set out in subparagraphs (ii) and (iii) apply only if there is no reasonable alternative or substitute and the absence of competition is not the result of a technical restrictions of parameters of the contract.”

The estimated cost of the supply after a preprocurement research is €.....Euro.

After the above and according to the explanations given by the Department , you are kindly requested to approve:

a. The direct negotiation process with(Company / Person) in accordance with Article 29 (2), (b), (ii), of law N.73(l)/2016. There is no competition for technical reasons. (.....).

b. The attached Tender’s Documents. (Service agreement)

c. The attached Letters of appointment:

- (1) Responsible for the contract (Project Manager) .
- (2) Evaluation committee and
- (3) Acceptance and Receiving Committee.

Best Regards

Appendix 9 to Thesis

Sample Table of Evaluation Criteria for the Estimation of Factor “T”

Evaluation Criteria	Weighting factor (T) (%)
CRITERIA GROUP A: Approach and Methodology	45%
Understanding the requirements of the contract scope	20%
<ul style="list-style-type: none"> Level of understanding of the project environment (30%) 	
<ul style="list-style-type: none"> Level of understanding of the targets and identifying critical parameters in achieving them (40%) 	
<ul style="list-style-type: none"> Level of identifying and hierarchy of risks as well as possible ways of dealing with them (30%) 	
Methodologies, support tools and quality assurance	20%
<ul style="list-style-type: none"> Clarity of the proposed methodology and tools for the completion of the Project (60%) 	
<ul style="list-style-type: none"> Documentation of the methodology and tools to be used (40%) 	
Breakdown of the contract scope into activities and deliverables	45%
<ul style="list-style-type: none"> Detailed description of the contract activities (60%) 	
<ul style="list-style-type: none"> Detailed description of the contract deliverables (40%) 	
Contract scope implementation schedule	15%
<ul style="list-style-type: none"> Feasibility and realism of the timetable in respect to the available resources 	
CRITERIA GROUP B: Project Team	55%
Organisational effectiveness of the Project Team	15%
<ul style="list-style-type: none"> Effectiveness of the proposed organizational structure (organizational chart, management and communication system) 	
Clarity of the responsibilities and duties of the experts in relation to the activities of the contract	25%
<ul style="list-style-type: none"> Proficiency and clarity in defining the responsibilities and tasks of the proposed project team in relation to the contract requirements, the proposed organization chart and timetable (30%) 	
<ul style="list-style-type: none"> Cohesion of the proposed project team in relation to the cooperation (temporary or permanent) and the extent of previous collaboration between the members of the Team and the effectiveness of their coexistence in other contracts (30%) 	
<ul style="list-style-type: none"> Allocation of the necessary resources (person-time / other experts / supporting tools) for the execution of all activities of the contract (40%) 	
Additional Qualifications and Professional Experience of the Project Team	60%
<ul style="list-style-type: none"> Qualifications (Specialization / Master / PhD) 	
<ul style="list-style-type: none"> Experience (additional or Special Professional Experience) 	
TOTAL	100%

Appendix “10” to Thesis

Convening a meeting of the Evaluation Committee.(Sample)

Καλησπέρα σας.

1. Προκειμένου να γίνει η αξιολόγηση των οικονομικών φακέλων των προσφορών που έχουν ληφθεί στο πλαίσιο του διαγωνισμού θέματος, για την παροχή με αριθμό φακέλλου. CYENSPR.....”, συγκαλείται, η δεύτερη σύσκεψη της επιτροπής αξιολόγησης, την Τρίτη 9 Μαΐου 2023 και ώρα 10:00 στην αίθουσα συσκέψεων του CYENS-CENTRE OF EXCELLENCE ή με τηλεδιάσκεψη.
2. Οι εκπρόσωποι του Γενικού Ελεγκτή και Γενικού Λογιστή δύνανται αν επιθυμούν να παραστούν με εκπροσώπους τους στη συνεδρία της επιτροπής αξιολόγησης, ως παρατηρητές.
3. Παρακαλούμε όπως ληφθούν όλα τα μέτρα προστασίας από τον Covid-19.

Best Regards

Appendix “11” to Thesis

Information Letter to the candidate Contractor

CYENS – CENTRE OF EXCELLENCE
Procurement Department
23 Mayor Lellos Demetriades Square,
Stoa Building
Nicosia, 1016, Cyprus
Τηλ: +357 22747575
Fax: +357 22747590
Email: procurement@cyens.org.cy

File No.: CYENSPR.....

Date.....

Tel. No.: +357-22747575

Fax No.: +357-22747590

BY E-MAIL

Attention:

Dear Madam,

Subject: Kick of procedures for the tender “” with file No CYENSPR.....

We would like to thank you for your participation in the above open procedure and to inform you that the Executive Committee, of the CYENS-CENTRE OF EXCELLENCE, has decided to award the contract to your company, “.....”, for the amount of**plus VAT**, which was evaluated as the most economically advantageous offer based on the price.

2. The signing of the relevant Agreement will be done as soon as possible from the day of sending of this letter and after our new communication.

3. Please also, send by email as soon as possible, the following to

a. The certificates contained in the relevant Table (Form “11”) of the Appendix to the Tender Documents, to confirm that the participation requirements under items (a), to (c) of paragraph 6.2.1 to PART “A” have been met. Also, the Form “2” of the Appendix to the Tender Documents must be completed and signed.

b. The certificates as mentioned in paragraphs 6.4.3 and 6.4.4 concerning the

b. The Performance and Good Operation Guarantee for the amount Euro as described in paragraph 10.5 of Part “A” and shown in FORM 12.

c. The name and contact details (telephone number, fax number, e-mail address) of the person who will be appointed as responsible for the execution of the object of the contract from your company.

d. The Legalization documents of the person who will sign the agreement.

5. Upon receipt of the above documents we will send you by e-mail a copy of the relevant Agreement, which you must print in two (2) copies and proceed to the following actions:

i. The person authorized to sign the Agreement on behalf of the company must enter his name and title and sign the Agreement on the appropriate page and initial in all previous pages of the Agreement.

ii. Two witnesses will have to write their name and sign on the page where the authorized person of your company signs.

iii. Place your company stamp where the authorized person signs.

iv. Return both (2) copies of the Agreement, accompanied by the original certificates and other documents requested above, to procurement@cyens.org.cy.

- 6. Upon receipt of the two (2) copies of the Agreement and all accompanying certificates / documents, an authorized person by the "CYENS - CENTER OF EXCELLENCE" will sign both (2) copies of the Agreement and one of them will be returned to you by mail .
- 7. The stamp duties of the Agreement to be signed according to the provisions of the contract shall be fully borne by the Contractor, by deducting them from his first payment.
- 8 After signing this letter, please return it to procurement@cyens.org.cy.
- 9. Please do not hesitate to contact us for clarifications or assistance.

Best Regards

.....

We accept the award of the contract concerning Tender no. CYENSPR..... in accordance with the above and we agree that the stamping fees of the Agreement deduct from the amounts payable to us that will arise during the execution of the contract.

Name

(.....)

Sign:

Date:

Appendix “12” to Thesis

Information Letter to the rest Tenderers of the decision taken.

CYENS – CENTRE OF EXCELLENCE

Procurement Department
23 Mayor Lellos Demetriades Square,
Stoa Building
Nicosia, 1016, Cyprus
Τηλ: +357 22747575
Fax: +357 22747590
Email: procurement@cyens.org.cy

File No.:
Tel. No.: +357-22747575
Fax No.: +357-22747590

Date

BY E-MAIL

Attention:

Dear Sir,

Subject: Tender procedure results for the tender “ with file No CYENSPR.....”

1. We would like to thank you for your participation in the above open procedure and to inform you that the Executive Committee, of the CYENS-CENTRE OF EXCELLENCE, has decided to award the contract to company, “.....”, for the amount of €..... **plus VAT**, which was evaluated as the most economically advantageous offer based on the price.
2. Your offer was unsuccessful during the evaluation since your price (€..... **plus VAT**) was higher.
3. You are kindly requested acknowledge receipt of this letter.
4. Please do not hesitate to contact us for any clarification.

Yours sincerely

.....

Appendix 13 to Thesis

Placing a Firm order in case of Negotiated Procedure or Simplify Procedure for Products or Services that are widely marketed by recognized organizations with predetermined and announced warranties and conditions

CYENS – CENTRE OF EXCELLENCE
Procurement Department
23 Mayor Lellos Demetriades Square Square, Stoa Building
Nicosia, 1016, Cyprus
Τηλ: +357 22747575
Fax: +357 22747590
Email: procurement@cyens.org.cy

File No.: 2023
Tel. No.: +357-.....
Fax No.: +357-.....

BY E-MAIL
Messrs(διεύθυνση).....

Attention:

Dear Sirs,

Subject: Firm Order for the Supply of

Ref.: Your Offer # dated

I am directed to refer to the above-mentioned subject and I place a Firm Order for the supply of the materials which are mentioned on the below table and which are quoted in your Quotation under reference, for the total amount of Euro, plus VAT, according to your above referenced Quotation.

Item No.	Part Number	Description	Unit of Measure	Qty
			EA	

2. You are kindly requested to acknowledge receipt of this Firm Order and to send to us the ordered materials the soonest possible, informing us accordingly.

The shipping address for the above dispatch is:

CYENS – CENTRE OF EXCELLENCE
.....

3. Payment, will be effected within 30 days from the delivery of the goods and the submission from your company of the official warranty and the original of the commercial invoice.

2. Please also note that all correspondence with this Organization must be addressed to:

.....

3. Your cooperation and early response will be greatly appreciated.

Appendix 14 to Thesis

CERTIFICATE OF FINAL RECEIPT,
TEMPORARY ACCEPTANCE OR REJECTION OF SUPPLIES

(Κανονισμοί 26, 27 και 28 Κ.Δ.Π. 138/2016)

COMPETITION / CONTRACT / ORDER DETAILS	
Tender / Contract Number / Framework Agreement:	CYENS
Contract Title / Purchase Description:	
Contract Value:	€
Contractor / Supplier:	
Assignment Process:	Negotiation: <input type="checkbox"/> Tender: <input checked="" type="checkbox"/>

INVOICE DETAILS	
Invoice Number:	
Invoice Date:	
Invoice Amount:	€

DELIVERY DETAILS	
Expected Delivery Date:	
Actual Delivery Date:	

CONTRACT COORDINATOR / OPERATION MANAGER DETAILS	
Όνοματεπώνυμο:	Andronikos Xydas
Τηλέφωνο:	+35722747543
Ηλεκτρονικό Ταχυδρομείο:	procurement@cyens.org.cy

The Committee for the Receipt of the supplies of the contract/order in question during the session(s) of -----, acting in accordance with the relevant provisions of the contract and after taking into account the results of the tests specified in the contract, made the following decision regarding the supply:

Decision

Final Acceptance:

Temporary Acceptance¹:

Rejection of Delivery²:

JUSTIFICATION OF ACCEPTANCE COMMITTEE'S DECISION³

The committee, after checking the above received material/s with Item no. 1-----, found that they agree with the conditions of the tender dated ----- and decided on their final acceptance. Attached is the invoice number ----- and the final order letter number CYENS-----. Payment of the above invoice is proposed.

Members of the Receipt Committee

A/A	Full Name	Signature	Date
1.			
2.			
3.			

The committee handed over the received materials for safekeeping to:

Full Name:

Signature:

Date:

DETAILS OF RECEIVED ITEMS / SERVICES

ITEM NO.	NAME	SERIAL No.	DESCRIPTION	U/M	QTY
1				EA	1
2				EA	1
3				EA	1
4				EA	1

In the event that a sampling report is prepared in accordance with Regulation 28(3), this should be attached.

In case of rejection of the commission, the reasons should be recorded.

In the event that the receipt is made following a decision of the competent Changes and Claims Committee, the fact must be mentioned and the relevant decision must be attached.

In the case of public supply contracts whose value does not exceed €15,000, excluding VAT, it is not necessary for the receipt to be made by a three-member Receiving Committee. It is acceptable for the Receipt to be made by an officer designated to receive supplies. In case the receipt is made by an employee and the receipt concerns the receipt of supplies, on the basis of contracts concluded following a framework agreement, the person in charge of receipt cannot be the person who placed the relevant order.

Appendix "15" to the Thesis

Application Form Requesting Products or Services

Department / Group:

Project Manager:

Date:

Order No:

<u>Detailed description of services / products to be provided (this will be part of the agreement)</u>	<u>Contact details of Provider of the Service Agreement</u>
<p><u>Project Name / Reference no. (If applicable):</u></p>	<p><u>Legal Entity or Natural Person:</u></p> <p><u>Full Name:</u></p> <p><u>Gender:</u></p> <p><u>Area of Expertise:</u></p> <p><u>ID No.</u></p> <p><u>Address:</u></p> <p><u>Email:</u></p> <p><u>Bank Details</u></p>
<ul style="list-style-type: none"> • <u>Estimated cost of the Services</u> • <u>Possibility of extending the agreement</u> <ul style="list-style-type: none"> • <u>Payment terms</u> 	<p><u>Needed time period for the service agreement (duration)</u></p>
<u>Proposed Project Manager</u>	<u>Previous services from the same provider.</u> <u>Date / Cost</u>
<p><u>Full Name:</u></p> <p><u>ID No.</u></p> <p><u>Address:</u></p>	<p><u>1.</u></p> <p><u>2.</u></p> <p><u>3.</u></p>

Signature of the Project Manager:

Signature of Immediate Line Manager (if applicable):

Date:

Appendix "16" to the Thesis

Receipt book of products and Services

<u>A/A</u>	<u>Receipt certificate no.</u>	<u>Description / part no.</u>	<u>Quantity</u>	<u>Date of registered</u>	<u>Registered By / Sign</u>	<u>handed over to: Name / Sign</u>

Bibliographical references

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NOTES

1.Law 73(I)/2016 provides different thresholds depending on the nature of procurement, (namely for public works contracts, services or supplies/goods and for social and other special services) and the sector (public sector, other non-central contracting authorities, sectors of water, energy, transport and postal services and military services. The current thresholds are as follows:

Sector	Supplies / Goods	Services	Works
Current thresholds for non- central public sector (Public Law Organizations)	€215.000	€215.000	€5.382.000