

## Invitation to Tender No. EMSA/2026/NP/0003

(Special Negotiated Procedure)

### Provision of services in support of the Transposition, Implementation, and Enforcement following the Ratification of International Conventions – TIE(R) for ENP Beneficiary Countries

Dear Sir/Madam,

1. The European Maritime Safety Agency (EMSA) is planning to award the public contract referred to above. The procurement documents consist of this letter, the Tender Specifications with its appendixes and the draft contract.
2. Tenderers who wish to participate are requested to submit their requests electronically via the e-Submission application accessible on the Funding and Tenders Opportunities portal (F&T portal)<sup>1</sup>, in one of the official languages of the European Union, preferable in English (the working language of EMSA). The time limit for the receipt of the tender is on 20/02/2026 at 16:00 hrs (Lisbon time). Tenders submitted in any other way (e.g. e-mail or by letter) will be disregarded.
3. In order to access e-Submission, please refer to the instructions under point 13 of the Tender Specifications and *E-Submission Guidelines* which are available on the Procurement of EMSA's website (<https://emsa.europa.eu/procurement.html>).
4. Tender must be:
  - (a) signed by the tenderer or his duly authorised representative;
  - (b) perfectly legible so that there can be no doubt as to the words and figures therein contained
5. The period of validity of the tender, during which tenderer may not modify the terms of the tender in any respect shall be until 3 months.
6. Submission of a tender implies acceptance of all the terms and conditions set out in the procurement documents and, where appropriate, the waiver of the tenderer's own general or specific terms and conditions. These requirements are binding on the tenderer to whom the contract is awarded for the duration of the contract.
7. No more than one tender (per lot, if applicable) can be considered per tenderer<sup>2</sup>. If the same tenderer submits more than one tender (per lot, if applicable), neither of which has been withdrawn as described above, only the latest tender will be considered. The tenderer may not refer to earlier submitted tenders to complement, clarify or correct its latest tender.

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<sup>1</sup> <https://ec.europa.eu/info/funding-tenders/opportunities/portal/screen/home>

<sup>2</sup> Except where the Tender Specifications allow variants or multiple tenders per tenderer.

8. All costs incurred during the preparation and submission of the tender are to be borne by the tender and will not be reimbursed.
9. The specification, listing all the documents that must be produced in order to tender, including supporting evidence of legal, regulatory, economic, financial, technical and professional capacity, if applicable, and the draft contract are available under the dedicated section of the procurement procedure on the F&T Portal at [Funding & tenders \(europa.eu\)](https://funding-and-tenders.europa.eu).
10. Contact between the contracting authority and the tenderer is prohibited throughout the procedure save in exceptional circumstances and under the following conditions only:

**(a) Before the final date for submission of tender:**

- (i) At the request of the tenderer, EMSA may provide additional information solely for the purpose of clarifying the nature of the contract.

Any requests for additional information must be made in writing only through the F&T Portal in the "Questions & answers" tab of the respective call for tenders, by clicking "Create a question" (registration on the F&T Portal is required to be able to create and submit a question).]

EMSA is not bound to reply to requests for additional information made less than six working days before the deadline for submission of tenders<sup>3</sup>.

- (ii) EMSA may, on its own initiative, inform the tenderer of any error, inaccuracy, omission or any other clerical error in the text of the call for tenders.
- (iii) Any additional information, including that referred to above, will be sent to the tenderer.

**(b) After the opening of tenders:**

- (i) If clarification is required or if obvious clerical errors in the tender need to be corrected, EMSA may contact the tenderer, provided the terms of the tender are not modified as a result.
- (ii) In the case of negotiated procedure, EMSA may negotiate with tenderer the offers they have submitted, in order to adapt them to the requirements set out in the contract notice, Tender Specifications or any additional document and in order to find the tender offering best value for money. During negotiations, the equal treatment of all tenderer will be ensured.

11. Public Procurement rules applying to calls for tender launched by EMSA are contained in the EMSA Financial Regulation available under the Financial Regulations section on EMSA's website ([www.emsa.europa.eu](https://www.emsa.europa.eu)).
12. This invitation to tender is in no way binding on EMSA. EMSA's contractual obligation commences only upon signature of the contract with the successful tenderer.
13. Up to the point of signature, EMSA may cancel the award procedure, without the candidate or tenderer being entitled to claim any compensation. This decision must be substantiated and the tenderer notified.

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<sup>3</sup> EMSA public holidays are available on EMSA's website / Procurement Section (Important information for Tenderers) at <https://emsa.europa.eu/procurement.html>

14. Once EMSA has opened the tender, the document shall become the property of EMSA and it shall be treated confidentially.
15. Tenderer will be informed of the outcome of this procurement procedure by email. The notification will be sent to the e-mail address provided in the e-Submission application for the tenderer (group leader in case of a joint request) under the section Contact Person. The same e-mail address will be used by the contracting authority for all other communications with the tenderer.] It is the tenderer's responsibility to provide a valid email address together with its contact details in the tender offer and to check this e-mail address regularly.
16. If processing a reply to the invitation to tender involves the recording and processing of personal data (such as name, address and CV), the data will be processed in accordance Regulation (EU) 2018/1725 of the European Parliament and of the Council<sup>4</sup>. Unless indicated otherwise, replies to the tenderer, and any personal data requested, shall be used to evaluate the tender in accordance with the specifications of the invitation to tender and will be processed solely for that purpose by Head of unit 1.3. Furthermore, [Head of unit 1.3] may transfer data to Maritime Administrations of the ENP Beneficiary Countries] for the following purposes: developing draft legislation to be transposed into the National law of the ENP Beneficiaries. Submission of a tender implies that data subject has given their consent to the data transfer herein.
17. Details concerning the processing of personal data are contained in the privacy statement "Information on personal data protection in procurement procedures" available at:  
<http://www.emsa.europa.eu/about/personal-data-protection.html>
18. Personal data may be registered in the Early Detection and Exclusion System (EDES) if a tenderer is deemed to be in one of the situations detailed in Article 138 of Regulation (EU, Euratom) No 2024/2509 of the European Parliament and of the Council<sup>5</sup>. For more information, see the Privacy Statement available at [EDES \(europa.eu\)http://ec.europa.eu/budget/library/explained/management/protecting/privacy\\_statement\\_edes\\_en.pdf](http://ec.europa.eu/budget/library/explained/management/protecting/privacy_statement_edes_en.pdf).
19. In addition to economic operators established in the Member States of the Union, only economic operators from the following countries are eligible to submit a tender to the present procurement procedure: Albania, Republic of North Macedonia, Iceland, Liechtenstein, Montenegro, Norway, Kosovo, Serbia and Bosnia and Herzegovina.
20. Tenderers - including each member of the group in case of joint tender, any subcontractors (including those which do not need to be identified), and any other entities (not subcontractors) on whose capacities the tenderer is being relied on - must ensure that they are not subject to [EU restrictive measures](#) adopted under Article 29 of the Treaty on the European Union (TEU) or Article 215 of the Treaty on the Functioning of the EU (TFEU)<sup>6</sup>, consisting of a prohibition to make available or transfer funds or economic resources or to provide financing or financial assistance to them directly or indirectly, or of an asset freeze. The prohibition applies throughout the whole performance of the contract.

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<sup>4</sup> Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC.

<sup>5</sup> Regulation (EU, Euratom) No 2024/2509 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 2018/1046, (EU) 1269/2013, (EU) 1301/2013, (EU) 1303/2013, (EU) 1304/2013, (EU) 1309/2013, (EU) 1316/2013, (EU) 223/2014, (EU) 283/2014 and Decision No 541/2014/EU and repealing Regulation No 966/2012).

<sup>6</sup> Please note that the EU Official Journal contains the official list and, in case of conflict, its content prevails over that of the [EU Sanctions Map](#).

21. Participation in this call for tenders is open on equal terms to international organisations.

Maja Markovčić Kostelac

Executive Director