

INTERNATIONAL PUBLIC TENDER No. CPI/02/2023

TENDER PROCEDURE No. 12/IAVE/2023

Acquisition and installation of a networking and security solution to support the design, writing, administration, marking and production of results regarding large-scale national assessment in a dematerialized environment.

**CPV Classification: 32420000-3 – Network equipment
48820000-2 – Servers
48730000-4 – Security software package**

Amendment

Clause 6 (Tender Jury)

Paragraph 3

In paragraph 3, where it reads “to the contracting authority” it should instead read “to the competent body for the decision to award the contract”.

Clause 9 (Format and deadline for submitting the tenders)

Where it reads “the date of publication of the notice in *Diário da República* (Portuguese national official journal)” it should instead read “the date on which the notice is sent for publication on the Publications Office of the European Union”.

Clause 11 (Documents included in the tender)

Paragraph 2

Subparagraph g) it should read as follows: “European Single Procurement Document – (ESPD)”. The following subparagraphs were added:

- h) Declaration of compliance with the provisions of article 419-A of the PCC.
- i) Any other documents considered essential for the presentation of the tender, namely those regarding the respective attributes.

Paragraph 3

Subparagraph c) becomes subparagraph d), and paragraph c) should read as follows: “Documents proving the association of members of the awarded grouping in the form of an external consortium, under joint liability, in accordance with the provisions of Decree-Law no. 231/81, of 28 July, identifying the head of the consortium.”

Clause 17 (Qualification documents)

Paragraph 1

Subparagraph c) becomes subparagraph d), and c) should read as follows: “document proving the submission of the declaration to Registo Central do Beneficiário Efectivo (*Central Register of Beneficial Owners*), in accordance with the provisions of articles 37 and 38 of the legal regime of this Register.”

Paragraph 7

Paragraph 7 should read as follows: “If in the legal order of the successful tenderer's country of origin there is no document identical to one of those requested, it may be replaced by a sworn declaration made before a notary, judicial or administrative authority, or other competent authority of the country of origin, as the document in question is not issued by that state.”

Clause 21

Clause 21 should read as follows:

“Processing of personal data within the scope of the procedure

1- In accordance with the provisions of paragraphs a) and b) of article 6 of the General Data Protection Regulation (GDPR), and exclusively for the purposes of this procedure and the fulfilment of legal obligations to which it is bound, the contracting entity may process personal data, namely identification and criminal record information relating to tenderers, including their representatives, corporate bodies, workers, agents, subcontractors and consultants, and transmit them to third parties, such as electronic contracting platforms, public contracts portals and other public or private entities, to the strictest extent necessary and using appropriate security measures.

2- Candidates and tenderers are responsible for ensuring compliance with legal formalities for the transmission of personal data from their corporate bodies, representatives, workers, agents, subcontractors and consultants, within the scope of the pre-contractual procedure, obtaining the respective consents, when applicable, and providing data subjects with information regarding data processing by the contracting entity, in compliance with the right to information.

3- Personal data relating to the tenderers, including their corporate bodies, representatives, workers, agents, subcontractors and consultants are deleted as soon as the legal or contractual obligation to retain them ceases”.

Clause 22 (Applicable legislation)

Clause 22 should read as the previous Clause 21: “In everything that is omitted in this procedure, the provisions of the PCC will be observed, as well as other applicable laws and regulations”.

Annexes

Annex III was added (Model of declaration of compliance with the provisions of article 419-A of the PCC).