

## MARKET INQUIRY

for

Delivery and initial installation in Information Services Jsc infrastructure of an electronic platform for the registration activity of economic operators and operators of the first retail outlets, which are involved in tobacco products trade, as well as of the objects and machines, used by them for producing and for the activity of applying and providing unique identifications for marking tobacco products.

1. Technical requirements: The full description of requirements and functionalities of the electronic platform is given in the Appendix 1 – Technical specification. As part of its technical proposal, the participant must provide a detailed technical specification of the infrastructure required for the installation and operation of the platform.
2. Platform demonstration: On May 16<sup>th</sup> 2019 participants have to demonstrate the full platform functionality as per the requirements in the Appendix 1 – Technical specification.
3. Assignment criteria: The lowest offered price. Only participants, who have completed the demonstration under the article 2 in full, will be allowed to the Price Offers Opening stage
4. Method of offered price forming: The offer of the participant must include a price in BGN or in EUR, without VAT included, according to the sample in Price Proposal. The proposed price should include all the costs associated with acquiring ownership of the source code, know-how transferring, acquiring the right to use the product within the territory of Republic of Bulgaria, acquiring the right to develop and upgrade the product - scalability, possibility to connect with third-party systems, delivery of the platform and the necessary technical means for its full-scale operation (for example, cryptographic secure random number generator) and the initial installation in the Information Services Jsc infrastructure.
5. Terms and payment method: In the Price Proposal sample the Participant should offer a payment method of the due remuneration.
6. Place of implementation: Sofia, Information Services Jsc.
7. Term of execution: up to 3 (three) days from the date of concluding the contact, but not later than May 20<sup>th</sup> 2019
8. Warranty maintenance: 12 months from the start of the platform in the Information Services Jsc infrastructure. During this period the Participant is obliged to provide a warranty maintenance of the delivered functionalities and source code, without direct access to the production environment.

The offer must be presented in Bulgarian in an opaque packaging bearing the following label:  
„Доставка на електронна платформа за дейността по регистрация на икономическите оператори и



операторите на първите търговски обекти за продажба на дребно, които участват в търговията с тютюневи изделия, както и на обектите и машините, използвани от тях за производство и за дейността по заявяване и предоставянето на уникални идентификатори за маркиране на тютюневите изделия и първоначална инсталация на платформата в инфраструктурата на „Информационно обслужване“ АД“ (Delivery and initial installation in Information Services Jsc. infrastructure of an electronic platform for the registration activity of economic operators and operators of the first retail outlets, which are involved in tobacco products trade, as well as of the objects and machines, used by them for producing and for the activity of applying and providing unique identifications for marking tobacco products), telephone, fax and contact person.

The offer must include a technical and price proposal as per the samples. The price proposal is provided in a in a separate sealed, opaque envelope with an inscription „Предлагани ценови параметри“, („Proposed price parameters“), which contains the price proposal, signed by the participant and stamped, if applicable.

Outside the envelope „Proposed price parameters“ must not be found any information regarding the price proposed by the participants. Participants who in any way have included somewhere in their offers or outside the envelope „Proposed price parameters“ any elements, related to the offered price or to the parts of it, will be disqualified from the Market Inquiry. In the case of a difference between the amounts expressed in figures and words, the expression in words of the amount is considered to be the true one.

Offers are submitted every working day from 09:00 till 17:30 at the following address: 2 Panayot Volov str., 1504 Sofia, the Registry office of Information Services Jsc.

The deadline for accepting offers is 17:30 local time on May 15<sup>th</sup> 2019.

Offers submitted after the specified as a deadline date and time will not be considered.

Contact person and telephone: Valentin Mundrov – +359 2 9420414.

#### APPENDIXES:

Appendix 1 – Technical specification;

Appendix 2 – Technical Proposal sample;

Appendix 3 – Price Proposal sample;



**IVAYLO FILIPOV**  
**CHIEF EXECUTIVE OFFICER**  
**INFORMATION SERVICES JSC**

## **Technical specification**

**for the**

**Delivery and initial installation in Information Services Jsc. infrastructure of an electronic platform for the registration activity of economic operators and operators of the first retail outlets, which are involved in tobacco products trade, as well as of the objects and machines, used by them for producing and for the activity of applying and providing unique identifications for marking tobacco products**



## Introduction

To limit the proliferation of illicit tobacco products, including their illicit import into the European Union, and for compliance with the requirements of Art. 15 of Directive 2014/40 / EC and Art. 35p of the Law on Tobacco and Tobacco Related Products introduces a requirement that consumer packages of tobacco products be marked with a unique identifier and their movement recorded so that it is possible to monitor and trace these articles within the Union. The provisions apply to manufactured tobacco produced in the European Union as well as to tobacco products produced outside the Union which are destined for the Union market or placed on it.

After 20 May 2019, tobacco manufacturers must ensure that all consumer packages are marked with unique identifiers. Economic operators can create aggregated packages (stacks, boxes, pallets), which should also be marked with unique identifiers.

After 20 May 2019 importers have to import and distribute only tobacco products whose consumer packages are marked with unique identifiers.

In order to be involved in the trade of tobacco products manufactured after 20 May 2019, retailers (entered in the Register of Tobacco Products Companies maintained by the Customs Agency) must obtain identification codes both as **Economic Operator** (economically operators) as well as for their **commercial outlets (Facility)** for the distribution of tobacco products.

For the purposes of the traceability system for tobacco products from the manufacturer or importer, through the supply chain to the first retailer, the ID issuer issues:

### Identification codes of:

- Economic operators involved in the manufacture, import and trade of tobacco products ;
- The Facilities used by them for production, storage, processing and sale;
- Machinery used by them for production located within the EU and outside the EU in the case of imports of cigarettes and smoking tobacco intended for sale within the EU.

### Unique identifiers for marking:

- All consumer packages of cigarettes and smoking tobacco intended for placing on the market in the Republic of Bulgaria;
- All consumer packages of cigarettes and smoking tobacco produced in the Republic of Bulgaria when destined for export outside the European Union;
- Consumer packages of cigarettes and smoking tobacco intended to be placed on the market in the territory of an EU Member State;
- Large packages (stacks, boxes or pallets) provided that monitoring and tracing of all consumer packages remains possible.

According to Art. 3 (1) of Commission Implementing Regulation (EU) 2018/574 from 15 December 2017 on the technical standards for the establishment and operation of a Traceability System for Tobacco Products (Regulation (EC) 2018/574) each member state appoint an entity (" ID Issuer") responsible for the generation and issuance of unique identifiers.

According to Art. 35f, para. 1 of the Law on Tobacco and Tobacco Related Products, for ID issuer in the meaning of Art. Article 3 (1) of Regulation (EC) 2018/574 for the Republic of Bulgaria



specifies the Printing House of the Bulgarian National Bank, which may use Subcontractors if necessary.

The issuer of identifiers shall establish and maintain a Register of all economic operators involved in the production and distribution of tobacco products as well as of the facilities and machinery used by them for the production, storage and processing of their products to which identification codes has been issued .

The issuer of identifiers must transmit the data from the registers electronically, via the router under Art. 29 of Regulation (EC) 2018/574 (a device that transmits data between different components of the data repository system) to the secondary data repository under Art. 27 of Regulation (EC) 2018/574 (containing a copy of all tracking data stored in the primary data repositories) where a register of economic operators, producer and distributors of tobacco products is set up for the whole European Union.

The ID issuer must create and maintain a Register of the unique identifiers for cigarette and smoking tobacco issued by him.

The ID issuer must establish an electronic platform for the registration activity of economic operators involved in the manufacture and trade of tobacco products as well as of the sites and machines used by them for production and for the application activity and the provision of unique identifiers for marking of tobacco products. The electronic platform must be developed in accordance with the following legal acts:

- Directive 2014/40 / EU of the European Parliament and of the Council of 3 April 2014 on the approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco and related products and repealing Directive 2001 / / 37 / EC;
- Commission Implementing Regulation (EU) 2018/574 of 15 December 2017 on the technical standards for the establishment and operation of a Traceability System for Tobacco Products;
- Law on Tobacco, Tobacco and Related Products;
- Guidelines on the implementation of the requirements of Commission Implementing Regulation (EU) 2018/574 of 15 December 2017 on the technical standards for the establishment and operation of a Traceability System for Tobacco Products published on the website of the Customs Agency

### **Requirements for identifiers**

The serialization component for the issued identifier must be generated through a certified Quantum Random Number Generator (RNG) maximizing the entropy levels.

Subclasses generated by this method must be resistant to systemic attacks and be validated by NIST / METAS / CTL / AIS31 methodologies or analogous

The unique identifier should allow the possibility of determining: the

- **date and place of manufacture;**
- **the production site;**



- the machinery used to produce the tobacco products;
- production shift or production time;
- the description of the article;
- the target retail market;
- the intended route of transportation;
- if applicable, the importer in the Union;

#### **Functionality of the electronic platform:**

The platform should be bilingual and provide a choice of language - Bulgarian and English.

#### **1. Issuing identification codes for manufacturers and importers:**

To register on the platform, all **manufacturers and importers** involved in the trade of tobacco products as well as the sites and machines used by them to manufacture, store and process their products must register in the platform his e-mail address and password. After registration, economic operators must be able to request identification codes and unique identifiers.

**Manufacturers and importers** should be able to make queries both via the electronic platform and through the API (Application Programming Interface) - a machine communication application that allows an automated process of requesting unique identifiers in defined formats / XML, JSON , CSV, etc.) and their automated return to the applicant.

The platform should enable **Producers and Importers** (customers) to sign a contract with the id issuer. The contract should be generated and attached to the electronic platform giving the capability to be signing with a qualified electronic signature from both parties (Issuer and Client).

The platform should provide an opportunity to generate an invoice for the monthly unique identifiers ordered by **manufacturers and importers** at the end of each calendar month and is provided to the customer on the first business day of the next month. It should contain the number of unique identifiers issued for the previous month and is provided to the client in electronic format.

#### **Registration of economic operators, machines and sites:**

For the purpose of implementing the provisions of the Regulation, it is necessary for the competent authorities of the Member States and the Commission to have access to the register of all economic operators and operators of the first retail outlets involved in trade with tobacco products, as well as the objects and machines used by them for the production, storage and processing of their products. Therefore, each ID issuer must create and maintain a registry containing the identification codes of the aforementioned economic operators, operators of the first retail outlets, machines and sites. The data from these registers shall be transmitted electronically via the **router** (a device that transmits data between the different components of the data repository system) to the secondary data



repository where an EU-wide register of economic operators and distribution of tobacco products is created. Secondary Data Storage Provider introduces and manages a router. The data exchange between the router and the primary and secondary data repositories is performed using the data format and the way of the routing specified by the router. The data exchange between the router and the ID issuer is performed using the data format and the way of the router-defined data exchange. Economic operators other than producers and importers shall send the information recorded in accordance with Article 15 of Directive 2014/40 / EC and in accordance with this Regulation to the router that transfers it to the primary data repository serving the manufacturer or the importer for whose tobacco products it is concerned. A copy of this data must be transmitted immediately to the secondary data repository.

According to Art. 14 (1) of Regulation (EC) 2018/574, for entry in the Register under Art. 15 (3) of Regulation (EC) 2018/574 (the Registry) economic operators, including retail operators, must apply for the issuance of an economic operator identification code by the competent ID Issuer provided that they operate on at least one site within the territory of the country.

Authentication of users in the platform should be implemented through two-factor authentication or qualified electronic signatures under Directive 910/2014([eIDAS](#)).

### **Issuing of identifiers (UID) of Manufacturers and Importers**

The ID issuer issues identification codes to a manufacturer and / or importer under Art. 1, para. 1, item 1, b. "A", entered in the registers of the Customs Agency for the issued licenses for management of a tax warehouse, certificate for registrations and permits under Art. 45h of the Excise Duties and Tax Warehouses Act. When in the registers under Art. 45z missing data for the importer, the ID issuer requires all the necessary information from the person, including documents for confirmation of the data. Scanned copies of the documents should be attached to the application and their authenticity is confirmed by a qualified electronic signature.

For identification / admission to work on the electronic platform, the manufacturer and / or importer should provide a contact telephone number and a current e-mail address (subject to system verification) that will be asked to provide the necessary information for entry in the register for subsequent changes to the register, to request unique identifiers and to other bilateral correspondence if necessary.

The economic operator designates the person (s) who have access to the e-mail via (legal representative of the manufacturer / importer or authorized person).

The electronic platform must enable an economic operator, manufacturer and / or importer of tobacco products to request identifier code.

The application for the issuance of an identification code must be made available through the electronic platform, giving the possibility of entry of the required data set out in Annex II, Chapter II, Section 1, point 1.1 of Regulation (EC) 2018/574. If necessary, the issuer of identification codes may request from the applicant documents for confirmation of the data under item 12. The authenticity of the provided data shall be certified by a qualified electronic signature (the legal representative of the company or the authorized person). When the documents are authenticated by a personal electronic signature of an authorized person, in the electronic platform must be attached and a scanned copy of