



Call for Expressions of Interest COI-01/2018

For creation of external experts database to be established by the European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice – eu-LISA

1. Contracting authority

The contracting authority for this Call for Expressions of Interest (CEI) is eu-LISA.

The complete documentation related to this CEI can be downloaded from: <https://www.eulisa.europa.eu/procurements/call-for-experts>.

2. General description of the procedure

The present call is organised in accordance with the provisions of article 237 of the EU financial regulation.¹

Natural persons from EU Member States and Schengen Associated Countries are invited to submit an expression of interest in accordance with the rules set out in this notice. Legal persons are excluded from this call. The contracting authority will draw up a list of experts who meet the criteria set out at point 10.

When there is a requirement for expert advice of the nature outlined in point 3, eu-LISA will assign 1 or more expert(s) to the tasks based on the best match between the scope of the advice and the experts profile on the relevant list, and in accordance with the principles of non-discrimination, equal treatment and absence of conflict of interests.

3. Description of the area covered by the call for expressions of interest

To ensure that eu-LISA is growing as a centre of excellence, deploying a sound governance framework and achieving the Agency's goals, eu-LISA carries out administrative inquiries as foreseen by the Staff Regulations (SR) with a view to establishing whether potential breaches of the Staff Regulations have occurred. It may involve carrying out administrative inquiries² or preliminary hearings prior to the opening of administrative inquiries, which allow eu-LISA staff concerned to comment on the facts of a case, or assisting in the preparation of the reports. The impartiality have to be guaranteed and the facts sufficiently established.

eu-LISA seek to collaborate with experts in abovementioned area. It is the objective of this call for expressions of interest to establish a list of experts for providing opinions and advice in specific cases, and assisting in the preparation of the reports.

The length of the task depends highly on the case. Such tasks can take the equivalent of 5 to 10 working days, if the case is more complex, much longer.

4. Place of delivery:

Some of the requests may involve advice by e-mail, telephone or videoconference. Other times

¹ EU Regulation 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union.

² As an example, a procedure to be initiated following a request for assistance under article 24 of the SR.



participation in meetings is involved, either at eu-LISA's premises in Tallinn, Estonia, Strasbourg, France or elsewhere in the EU, notably in Brussels, Belgium.

5. Use of the list resulting from this notice

The list resulting from this notice will be used exclusively for execution of the tasks within the area described at point 3, with a maximum threshold of 135 000 EUR of total payments (including both remunerations and reimbursements) per expert.

6. Application procedure

The objective of this call for expressions of interest is to set up a list of external experts. Expressions of interest should be submitted in English by electronic means at the following address: eulisa-CEI-EXPERTS@eulisa.europa.eu.

Inclusion on the list entails no obligation on the part of the contracting authority concerning the conclusion of contracts.

7. Information and documents to be provided

Interested parties should provide their CV in Europass format, full contact details and list of the specific experiences related to description of the area indicated at point 3.

In addition, forms LEF and BAF which can be downloaded here:

http://ec.europa.eu/budget/contracts_grants/info_contracts/legal_entities/legal_entities_en.cfm

Printed and signed documents should be sent to eu-LISA' e-mail address: eulisa-CEI-EXPERTS@eulisa.europa.eu. Documents in response to this CEI may be submitted as early as possible, as assignments can arise at any point in time.

eu-LISA reserves the right to request evidence or proof of statements included in the CV.

8. Expiry date of the list resulting from this call for expressions of interest

The list resulting from this notice is valid for a maximum duration of 5 years from the date of publication. Interested parties may submit an application at any time prior to the last 3 months of validity of the list.

9. Exclusion criteria

Experts shall be excluded from participation if:

- a) they are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
- b) they or persons having powers of representation, decision-making or control over them have been convicted of an offence concerning their professional conduct by a judgment of a competent authority of a Member State which has the force of 'res judicata';
- c) they have been guilty of grave professional misconduct proven by any means which the contracting authority can justify including by decisions of an European Union institution or body;

- d) they are not in compliance with their obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established or with those of the country of the contracting authority or those of the country where the contract is to be performed;
- e) they or persons having powers of representation, decision-making or control over them have been the subject of a judgment which has the force of 'res judicata' for fraud, corruption, involvement in a criminal organisation, money laundering or any other illegal activity, where such an illegal activity is detrimental to the Union's financial interests;
- f) they are subject to an administrative penalty for being guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participation in a procurement procedure or failing to supply information, or being declared to be in serious breach of their obligation under a contract covered by the EU budget;
- g) they have a conflict of interest in connection with the contract; a conflict of interest could arise in particular as a result of economic interests, political or national affinities, family or emotional ties or any other relevant connection or shared interest.

Before signing a contract experts shall provide a declaration on their honour stating that they are not in one of the situations of exclusion listed above. In case of doubt, they may be requested to provide supporting evidence of non-exclusion.

10. Selection criteria relating to technical and professional capacity

General qualifications and skills:

- a) university degree of at least bachelor's level;
- b) documented competence in terms of education and experience relevant to the call;
- c) proven proficiency (C1 level) in English.

Particular qualifications and skills:

- d) previous working experience in the areas of interest of the Agency (HR processes including requests for assistance under art. 24 SR, public procurement procedures and in particular evaluation of offers, access to documents, issues related to the data protection law).

Assets:

- e) experience gained by working on administrative inquires and disciplinary procedures in Human Resources or legal department of any of the European Institution or agency;
- f) previous working experience of 15 years with Staff Regulations and CEOS³.

11. Conditions of remuneration and reimbursement of experts

Remuneration is set at EUR 450 per day (EUR 225 for half a day). The conditions of remuneration are indicated in the draft contract.

The default remuneration for participating in an expert meeting is payment of travel and subsistence cost based on the standard rules for reimbursement of meeting participants

³ Regulation (EU, Euratom) No 1023/2013 of the European Parliament and of the Council of 22 October 2013 amending the Staff Regulations of Officials of the European Union and the Conditions of Employment of Other Servants of the European Union.

12. 'Ex post' transparency

A list of experts (name and subject of the tasks executed) who have concluded a contract following the procedure set out at point 6 shall be published on the website of the contracting authority.

If an expert has concluded a contract of more than 15 000 EUR, the name, the locality (region of origin), amount, and subject of the contract shall be published on the website of the contracting authority no later than 30 June of the year following contract award. The information shall be removed 2 years after the year of contract award.

13. Protection of personal data

Processing of personal data (such as name, address and CV) will be done pursuant to 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. Unless indicated otherwise, personal data are required for the purposes indicated above in point 6 and will be processed solely for those purposes by the contracting authority indicated in point 1, which is also acting as data controller. Details concerning the processing of your personal data are available on the privacy statement at:

http://ec.europa.eu/dataprotectionofficer/privacystatement_publicprocurement_en.pdf

Your personal data may be registered in the early warning system (EWS) only or both in the EWS and central exclusion database (CED) by the Accounting Officer of the Commission, should you be in one of the situations mentioned in:

— Commission Decision 2008/969/EC, Euratom of 16.12.2008 on the Early Warning System for the use of authorising officers of the Commission and the executive agencies (for more information see the privacy statement on

http://ec.europa.eu/budget/contracts_grants/info_contracts/legal_entities/legal_entities_en.cfm), or

— Commission Regulation (EC, Euratom) No 1302/2008 of 17.12.2008 on the central exclusion database (for more information see the privacy statement on

http://ec.europa.eu/budget/explained/management/protecting/protect_en.cfm#BDCE).

14. Date of publication of notice

Date of publication of notice: 21.12.2018.

15. Draft contract

A draft contract is annexed to the present call.