

CALL SPECIFICATIONS

Publication Reference: EASA.2019.CEI.14

Title of Procedure: Call for Expression of Interest for the Establishment of a Database of Independent Individual External Experts to provide Expertise to the European Union Aviation Safety Agency

The European Union Aviation Safety Agency (hereinafter “EASA”, “the Agency” or “the Contracting Authority”) is planning to award the public contract referred to above.

1 Introduction to EASA

The European Union Aviation Safety Agency, (hereinafter “EASA”, “the Agency” or “the Contracting Authority”), is an agency of the European Union, which has been given specific regulatory and executive tasks in the field of aviation safety. The Agency constitutes a key part of the European Union’s strategy to establish and maintain a high uniform standard of safety and environmental protection in civil aviation at European level. Further information can be found on the [Agency's Website](#).

2 Database of Independent External Experts

2.1 Aim of the Call

The aim of this call for expression of interest (CEI) is to establish a database of **independent individual external experts**¹, meeting the requirements set out in section 3, to provide support to the Agency for the following tasks:

- Provide technical expertise / opinions / advice in the areas listed in **Appendix II**.
- Support the evaluation of applications/tenders/proposals and the monitoring of their implementation, as appropriate.
- Provide support to and/or participate in various (technical) meetings, working groups etc.²
- Provide support to the European Central Question Bank (ECQB) project in particular in the development of questions for pilots’ theoretical knowledge examinations (see Appendix V).
- Any other technical / administrative support to a particular task or activity undertaken by the Agency, primarily in the domain of Aviation, where very specific areas or levels of expertise are required.

When assisting EASA in the performance of the tasks mentioned above all work shall be performed in compliance with any relevant procedures, applicable rules / regulations etc. All necessary information / documentation will be made available to the selected expert(s) by EASA prior to commencement of the respective activities / tasks.

The duration of the assignments will depend on the nature and complexity of the tasks. The exact durations will be established once the specific need arises and specified in the task description. As an indication, these may encompass a total from 5 to 60 man-days.

Important Note:

The objective of this call is to complement existing contracts/procedures in place and shall not be seen to replace or overlap with such contracts / procedures (e.g. Framework Contracts for the Outsourcing of Certification Tasks, etc). In other words, it is important to note that this call is aimed to address separate needs that are not already covered by such existing EASA contracts or procedures.

This call supersedes the expired call EASA.2014.CEI.07. All interested parties are kindly invited to submit an online application. Please note that inclusion in the previous Database of Independent External Experts

¹ Please note that this call is aimed at natural persons / independent individual external experts. Legal persons e.g. consulting companies, organisations, are not eligible to apply.

² Except where pre-existing arrangements etc. apply e.g. rulemaking groups.

entails no automatic inclusion in the new database, neither guaranteed acceptance for the same areas of expertise.

2.2 Areas of Technical Expertise

The database of external experts will be divided into the **areas of expertise as defined in Appendix II**.

Applicants may apply for more than one area of expertise and shall clearly indicate in their application (see section 4) how their background expertise and past experience is relevant for each selected area. Such reference shall contain as a minimum the activities or projects in which the applicant participated that are pertinent in the respective area of expertise.

2.3 General Overview of the Procedure

2.3.1 Selection Process

Natural persons are invited to submit an application in accordance with the rules set out in this notice. The Agency will establish a database of experts who meet the requirements set out in section 3. All applicants will be notified, in writing, of the outcome of the assessment of their application.

Please note that inclusion in the database entails no obligation on the part of the Agency to assign specific tasks to the experts and/or to award a contract.

2.3.2 Conditions of Appointment

Where support is required, and depending on the tasks to be performed, the Agency will consult the database in order to select the most suitable expert(s) + minimum 2 reserves where feasible, in terms of competence and experience and in accordance with the principles of non-discrimination, equal treatment and absence of conflict of interests.

Those expert(s) will be appointed through the signature of a contract between the expert and the Agency defining the exact scope of tasks to be performed, duration of activity etc.

Notwithstanding conditions deriving from the specific tasks to be assigned, countersignature of the contract/appointing decision implies acceptance of all the conditions provisioned in the draft contract.

Therefore, while drawing up their application, interested experts shall bear in mind the provisions of the draft contract(s) (see Appendix Ia and Ib).

2.3.3 Documents needed for Contract Signature

On notification of contract appointment, and before contract signature, the expert shall be required to submit the following documentation, within 15 days of notification of appointment, duly completed, signed and in original (*please note that these are not required for the application process – only in case of contract assignment*):

- Signed declaration of 'Confidentiality, Independence and Absence of Conflict of Interests (Annex III to Appendix Ia and Annex V to Appendix Ib)'.

- Financial Identification Form - using the template in Appendix III, including the IBAN and SWIFT/BIC code, indicating the bank account to which payments should be made.
- Legal Entity Form - the form applicable for natural persons shall be downloaded from the website: http://ec.europa.eu/budget/contracts_grants/info_contracts/legal_entities/legal_entities_en.cfm.
- Declaration – Acceptance of general conditions for the reimbursement of travel and subsistence expenses – using the template in Appendix IV (if applicable).

2.4 Place of Delivery

Place of delivery shall be defined for each specific task / activity assigned however in general services shall be performed at the experts place of residence/registry or at the Agency's headquarters in Cologne, Germany.

2.5 Remuneration & Reimbursement of Expenses

2.5.1 Fees

Experts are entitled to a payment of **450€** in the form of a lump sum indemnity (hereinafter "Fees") for each full **working day**³ spent performing the tasks assigned to them.

In the case of experts commissioned to assist with the development of questions for the **ECQB project** a fixed price of **90€ per question** (subject to the satisfactory acceptance / approval of such question by the Agency) may be applied by the Agency.

2.5.2 Expenses

In addition, experts performing tasks outside their place of residence may be entitled to a flat rate subsistence allowance and reimbursement for travel expenses (hereinafter "Expenses"). Where travel is foreseen expenses shall be reimbursed in accordance with the provisions of EASA ED Decision 2013/010/F 'General terms and conditions for the reimbursement of travel and subsistence expenses to outside persons' (which may be updated from time to time), as reflected in the contract (Appendix I):

<http://easa.europa.eu/agency-measures/docs/agency-decisions/2013/2013-010-F/Annex%20to%20ED%20Decision%202013-010-F.pdf>.

2.6 Volume of Services

This Call is in line with the rules applicable for procedures below the threshold as per Directive on public procurement (2014/24/EU as further amended)⁴.

This ceiling applies to the total of all payments (including any refundable expenses) to be made to each expert throughout the duration of the database (maximum 5 years – see section 2.7 below). Thus, if the ceiling is reached (or is about to be reached) the expert can no longer be assigned tasks covered by this call for expression of interest (CEI) within the scope of the relevant programme.

³ 1 full working day shall consist of 8 hours (excluding breaks and travelling time).

⁴ The current threshold is 144.000,00 EUR

2.7 Validity of the Call and Database

The call and corresponding database of prospective external experts is concluded for a period of 12 months and shall be automatically renewed up to four times for a maximum period of validity of five years, from the date of dispatch of this notice to the Official Journal of the European Union (<http://ted.europa.eu/TED/main/HomePage.do>), unless notification to the contrary is received / published. Interested parties may submit an application at any time prior to the last three months of validity of the list.

The parties must sign any expert contract before the call and corresponding database expires. The provisions of the Call continue to apply to such expert contracts after its expiry.

Please note that it is the responsibility of the applicant to inform the Agency immediately of any changes to their administrative and/or technical details which would result in a change to their original application.

3 Requirements

3.1 Eligibility

This call is open to **natural persons only**⁵. Applicants must be nationals of any of the European Union Member States, Norway, Iceland, Liechtenstein or Switzerland as well as Albania, Former Yugoslav Republic of Macedonia, Montenegro, Serbia, Bosnia & Herzegovina and Kosovo.

Note for UK applicants:

Please be aware that after the UK's withdrawal from the EU, the rules of access to EU procurement procedures of economic operators established in third countries will apply to applicants from the UK depending on the outcome of the negotiations. In case such access is not provided by legal provisions in force applicants from the UK could be rejected from the call/excluded from the database.

3.2 Exclusion Criteria

Participation in this call is only open to natural persons who are not in any of the situations listed below (Article 136 of the Financial Regulation⁶), in particular:

- a) Bankrupt, subject to insolvency or being wound up, are having their affairs administered by a liquidator or by 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 under national legislation or Union law;
- b) Convicted of an offence concerning their professional misconduct by an administrative decision or a judgement of a competent authority of a Member State which has the force of res judicata;
- c) Guilty of grave professional misconduct proven by any means which the Contracting Authority can justify including by decisions of the EIB and other international organisations;
- d) 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) Subject to a judgement which has the force of res judicata for fraud, corruption, involvement in a criminal organisation, money laundering or terrorist financing or any other illegal activity, where such illegal activity is detrimental to the European Union's financial interests;
- f) Subject to an administrative penalty for being guilty of misrepresenting the information required by the contracting authority as a condition of participation in the procurement procedure or fail to supply that information or for having been declared to be in serious breach of their obligations under contracts by the budget, or have created an entity in a different jurisdiction with the intent to circumvent legal obligations in the jurisdiction.

In addition to the above, contracts may not be awarded to experts who, during the call, are:

- subject to a conflict of interest;

⁵ Legal persons e.g. consulting companies, organisations, are not eligible to apply.

⁶ Regulation (EU, Euratom) No 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, repealing Regulation (EC, Euratom) No 966/2012 (OJ L 193 of 30.07.2018, p. 1), as amended.

- guilty of misrepresentation in supplying the information required by the Contracting Authority as a condition of participation in the call or fail to supply this information.

3.3 Selection Criteria

In order to be selected and included in the database of experts, applicants must fulfil the following minimum requirements.

Applicants shall:

- Qualifications / Education:** hold a university degree⁷ (or comparable professional qualification / experience) relevant to the area(s) of expertise to which they apply;
- Experience:** have at least **five years** of relevant professional experience **in the area(s) of expertise for which they apply;**
- Language:** have a very good written and oral command of the English language.

3.4 Confidentiality, Independence and Absence of Conflict of Interest

All experts are expected to ensure that their contractual and professional obligations in particular with regard to confidentiality, independence and absence of conflict of interests are well understood and upheld throughout and after any contract assignment (see Appendix Ia and Ib – draft contracts).

At the time of contract assignment, the expert must sign a declaration of 'Confidentiality, Independence and Absence of Conflict of Interests' (Annex III to the draft contract – Appendix Ia and Annex V to the draft contract for ECQB project– Appendix Ib) before Contract signature. Invited experts who do not sign the declaration will not be allowed to work. See also section 2.3.3 for more information with regard to the documents needed for contract signature.

⁷ Where a university degree consists of at least 3 years of university education.

4 Application Process

4.1 How to Apply

Applications must be submitted using the on-line application form available on the Agency's Website: <https://www.easa.europa.eu/the-agency/procurement/independent-external-experts>

Please note the following important points in preparing the application:

- Applicants should **provide all details / include all information requested** in the application.
- Applicants should **indicate clearly in their applications the area or areas of expertise** they are applying for.
- Applicants should **justify/describe how they fulfil the minimum criteria** such as 5 years of relevant work experience per each area they are applying for. As evidence one or more projects/activities and assignments relevant to the scope of area shall be provided.
- Applicants must provide / upload duly **completed curriculum vitae** in EU CV format available at: <http://europass.cedefop.europa.eu/en/home>.
- Applicants must confirm in their application that they are **not in any of the situations listed in section 3.2 – exclusion criteria**.
- Applicants must confirm that they fulfil selection criteria as established in Article 3.3 of the Call specifications and upon request will provide necessary supporting documents

It is strictly required that applications are submitted in the requested format and include all information / documentation necessary to enable the Agency to assess them. Failure to respect these requirements will constitute a formal error and may result in the rejection of the application.

Applications from experts previously employed by EASA shall be further assessed and accepted in accordance with any relevant provisions contained in the Commission Decision C(2018)4048.

Important Note:

Before inclusion in the database and/or contract signature, the Agency reserves the right to request any additional supporting documentation in order to verify the applicant's education, qualifications, professional experience and/or language capabilities (i.e. copies of licences, certificates, diplomas, references etc.).

Please also note that before contract assignment the Agency may request a telephone interview in order to establish a first contact with the expert and/or assess / verify any information provided in the application.

Please note that for the ECQB area a specific pre-selection process applies (see Appendix V).

4.2 Protection of Personal Data

If processing your expression of interest involves the recording and processing of personal data (such as your name, address and CV), such data will be processed pursuant to Regulation (EC) No 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.

Unless indicated otherwise, your reply to this call and any personal data requested are required for the purposes indicated above and will be processed solely for those purposes by the Agency, which is also acting as data controller.

Details concerning the processing of your personal data are available on the privacy statement at:

<https://www.easa.europa.eu/data-protection>

https://ec.europa.eu/info/funding-tenders/rules-public-procurement/data-protection-public-procurement-procedures_en

Your personal data may be registered in the Early Detection and Exclusion System (EDES) if you are in one of the situations mentioned in Article 136 of the Financial Regulation⁸. For more information, see the Privacy Statement on:

http://ec.europa.eu/budget/explained/management/protecting/protect_en.cfm,

4.3 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 4 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.

⁸ Regulation (EU, Euratom) No 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, repealing Regulation (EC, Euratom) No 966/2012 (OJ L 193 of 30.07.2018, p. 1), as amended.

**APPENDIX Ia, Ib
- DRAFT CONTRACTS FOR EXTERNAL INDIVIDUAL EXPERTS –**



**APPENDIX II
- AREAS OF EXPERTISE**



**APPENDIX III
- FINANCIAL IDENTIFICATION FORM -**



APPENDIX IV

- DECLARATION – ACCEPTANCE OF GENERAL CONDITIONS FOR THE REIMBURSEMENT OF TRAVEL AND SUBSISTENCE EXPENSES –



APPENDIX V

-ECQB QUESTION WRITER - SELECTION & CONTRACT ASSIGNMENT PROCESS –

(*Only applicable and relevant for experts applying for the area 3.5 - Development of questions for the European Central Question Bank (ECQB) for the theoretical knowledge examinations)