

CALL FOR EXPERTS

[GSA/CI/07/21]

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1. Overview

The objective of this Call for experts is to set up a list of external Experts to provide advice to the European GNSS Agency (hereinafter the “GSA” or the “Contracting Authority”) in the areas defined below (section 3), as provided in Article 237 of the EU Financial Regulation.

Please note that in the financial perspective 2021-2027, a new regulation should be adopted foreseeing the start of the EU Space Programme Agency (EUSPA) as the successor to the GSA. EUSPA takes on increased responsibilities not only for Galileo and EGNOS, but also for the other EU space programmes, in particular Copernicus and GOVSATCOM.

This call is aimed at natural persons who are citizens of an EU Member state, Switzerland or Norway. Legal entities are not eligible to apply.

In exceptional cases when the Expert is not available to be assigned tasks *ad personam* (e.g. the expert is employed and his/her employment contract contains an exclusivity clause whereby expertise services for other parties can only be contracted through the legal entity), the application will be considered eligible. Additional documentary evidence may be requested.

2. General description of the procedure

Interested parties are invited to submit an expression of interest in accordance with the rules set out in this call. Based on the received expressions of interest, the GSA will draw up a list of interested Experts. This list comprises sub lists, corresponding to each of the areas of expertise described in Annex 1.

When and as needed, the GSA will consult the list and assign the contract to the most appropriate Expert for the task.

The inclusion on the list does nothing more than note the Expert’s interest in providing services to the GSA and entails no obligation on the part of the contracting authority concerning the conclusion of contracts.

3. Description of the areas of expertise covered by this call

The experts may be required to support the GSA with the following tasks:

- Assessing applications for EU funding (including tenders, grants and prizes);

- Monitoring of EU funded projects and contracts;
- Providing opinions and advice on specific issues.

In order to provide the support, the GSA is looking for experts with a high level of expertise and professional experience in the following areas:

- Aerospace Technologies and Engineering
- Space applications in Transport
- Space application in Agriculture & Food
- Space Application in Environment & Climate change
- Space application in Energy
- Information Society
- Innovation & Growth in Space Application
- Safety & Security
- Economic analysis & Entrepreneurship
- Communication & Marketing
- Quality Assurance, Product Assurance & Configuration Management
- Security assurance
- Law

The areas of expertise are further defined in Annex I.

4. Expiry date of the list

The list resulting from this call is valid for five (5) years from the publication of the call in the GSA webpage.

Interested parties may submit an expression of interest at any time prior to the last three months of validity of the list.

5. Use of the lists and assignment of tasks

Individuals interested in being included in the list have to express their interest to callforexperts@gsa.europa.eu in accordance with Section 10 of this Call.

Where a particular task relating to the areas of expertise described in Section 3 is to be performed by an external Expert, the Contracting Authority will select the Expert based on the selection criteria such as professional expertise and experience, language skills and considering the principles of non-discrimination, equal treatment and absence of conflict of interests.

The selected Expert will be contacted with a proposal of the task assignment and availability. At the same time, the Contracting authority will verify the Expert's identity and bank account, his/her compliance with the requirements of this Call, as well as mandatory legal requirements laid down in the EU Financial Regulation 2018/1046.

The selected Expert will be appointed through the signature of a contract between the Expert and the Agency, defining the exact scope of tasks to be performed. The draft contract is provided in Annex 3 to this Call. The submission of the application implies acceptance of the draft contract provisions, including its annexes. In exceptional cases when the Expert is not available to be assigned tasks *ad personam* (see Section 1), the contract may be amended accordingly.

If selected for assignments involving classified information, Experts will need to provide proof of appropriate security clearance from their national security authority (NSA).

The Expert may be selected to perform a task more than once, however the total amount of payments (including both remunerations and reimbursements of travel and accommodation costs) over the entire duration of the list validity must be below the threshold for the award of public contracts referred to in Art. 175 of the EU Financial Regulation 2018/1046 (at the time of the Call publication 139 000 EUR).

6. Place of delivery

Tasks may be carried out at the GSA's premises, or remotely, using electronic communication tools at GSA's request. They also may need to be performed on other sites that will be mentioned in the contract's specifications.

7. Condition of remuneration and reimbursement of experts

Experts shall be remunerated at a fixed price of 600 euros/day worked for Experts and 1000 euro/day worked for Senior experts. The travel and subsistence expenses will be reimbursed under the conditions set out in the contract.

8. Ex post publication

In accordance with Article 38 of the EU Financial Regulation, information about EU expert contracts (including the Expert's name and address) shall be published on an annual basis on the website of the Contracting Authority.

9. Assessments of the experts

The evaluation of the experts will be based on the following criteria:

9.1 Exclusion criteria

Experts must not be in any exclusion situation described in the Declaration of honour included in Annex 2. In case of doubt, they may be requested to provide supporting evidence of non-exclusion.

9.2 Selection Criteria

Experts shall have the technical and professional capacity below to perform the tasks:

1. Relevant professional experience in the area(s) selected
 - Threshold: 5 years or more for experts or 10 years or more for senior experts,
 - **Internship: internships will be taken into consideration if they are paid;**
 - **PhD: PhDs are assimilated to professional experience, even when unpaid and for a duration of three years maximum, provided that the PhD has been successfully completed;**
 - The GSA may request the following supporting evidence: copy of contracts, any other documents confirming the length and the level of the professional experience.
2. Ability to draft and communicate in English. The GSA may request supporting evidence (e.g. copy of certificates, studies, reports, publications).

~~A Ph.D. or a master's degree cannot be considered as professional experience.~~

The length of professional experience is determined relative to the month when the application is received.

10. Registration procedure and documents to be provided

Expressions of interest should be submitted in one of the official languages of the European Union, preferably **ENGLISH**, by email to the following address: **callforexperts@gsa.europa.eu**.

The expression of interest must include the following documents:

- a Declaration of honour (see Annex 2) duly dated and signed, stating that the Expert is not in one of the situations of exclusion as per Section 9.1 and that they fulfil the selection criteria listed Section 9.2 above.
- the standard Application form (see Annex 1). Only this standard application form, not reformatted in any way, is valid. Experts can apply for themes in more than one area provided that they have the relevant expertise;
- Curriculum vitae – Europass (to be annexed to the application form, in pdf format).

Experts, with whom the Agency concludes a contract under this call for the first time, will be requested to submit the following documents:

- a) Legal Entity Form duly completed, stamped and signed (template can be downloaded here: https://ec.europa.eu/info/publications/legal-entities_en);
- b) Financial identification form duly completed, stamped and signed (template can be downloaded here: https://ec.europa.eu/info/publications/financial-identification_en);

In case of foreseen unavailability of the expert to be assigned tasks as provided in Section 1 of this Call, the above documents will need to be provided for both the expert and the legal entity through which the expert will be contracted.

The GSA reserves the right to request additional or updated documents and to review its assessment of the Application file on the basis of the documents submitted.

11. Protection of personal data

Any personal data that may be included in the tenders received during the present procedure will be processed in accordance with (1) the applicable rules on the protection of natural persons with regard to the processing of personal data by the EU institutions, bodies, offices and agencies (currently Regulation (EU) 2018/1725) and (2) the modalities of the following privacy statement:

Identity of the controller and Data Protection Officer:

1. **For what concerns the processing purposes 1 and 2 below:**
 - o **Controller:** European GNSS Agency (GSA), GSA Executive Director, Janovskeho 438/2 170 00 Prague 7, Czech Republic, tenders@gsa.europa.eu.

- **Data Protection Officer:** GSA Data Protection Officer, Janovskeho 438/2 170 00 Prague 7, Czech Republic, dpo@gsa.europa.eu

2. For what concerns the processing purpose 3 below:

- **Join Controllers:** (1) European GNSS Agency (GSA), GSA Executive Director, Janovskeho 438/2 170 00 Prague 7, Czech Republic, tenders@gsa.europa.eu and (2) European Commission, Directorate-General for Budget of the European Commission ('DG Budget'), DG Budget's Data Controller BUDG-FICHIER-TIERS@ec.europa.eu
- **Data Protection Officers:** (1) GSA Data Protection Officer, Janovskeho 438/2 170 00 Prague 7, Czech Republic, dpo@gsa.europa.eu and (2) DG Budget Data Protection Coordinator BUDG-DATA-PROTECTION-COORDINATOR@ec.europa.eu

Purpose of the processing:

1. the management and administration of the tender procedure;
2. the preparation of the contract, only with regard to the personal data of the awarded tenderer(s);
3. only with regard to the personal data of the awarded tenderer(s):
 - the registration of the necessary "legal entities" and "bank account" files in the Commission Financial System ABAC (Accrual Based Accounting)
 - the execution of payments towards the registered entities
 - the registration of the related financial transactions

Data concerned:

- Contact information of tenderers, e.g. name and last name of authorised representatives, email address, postal address, telephone numbers, company/agency/body and department, country of establishment, position
- Financial information of tenderers, e.g. bank account number, IBAN and BIC codes, address of respective bank branch, name of bank account holder
- Information that may be included in CVs of experts proposed by tenderers: name and last name of proposed experts, educational background, professional experience including details on current and past employment, technical skills and languages etc.
- Data related to criminal convictions and offences of: (1) members of the administrative, management or supervisory body of tenderers, (2) natural persons who have powers of representation, decision or control of the tenderer, (3) owners of the tenderers as defined in Article 3(6) of Directive (EU) 2015/849, (4) natural persons assuming unlimited liability for the debts of the tenderers, (5) natural persons who are essential for the award or the implementation of the contract; such data are collected through the submission of the declaration of honour (Annex 2)

It is specifically noted that:

- the abovementioned processing operations will not entail the processing of any special categories of personal data. If, however, a tenderer submits such data at its own volition

and without any specific request, it is implied that the data subject has given its consent to the processing of such data.

- the provision of personal data by the tenderers is a requirement necessary to enter into the FWC

Legal bases: Article 5(1)(a), 5(1)(c), 10(2)(a) and 11 of Regulation (EU) 2018/1725

Lawfulness of the processing:

- Article 5(1)(a): the processing is necessary for the performance of a task carried out in the public interest, specifically the management and functioning of the GSA through the launching of tender procedures.
- Article 5(1)(c): the processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract; the GSA processes the personal data of the tenderers at their request (through the submission of their tenders) in order to take the necessary steps prior to enter into the contract with the awarded tenderer(s).
- Article 11: the processing of personal data relating to criminal convictions and offences shall be carried out only when authorised by Union law; such processing, in the form of an extract from the judicial record or declaration of honour, is explicitly foreseen in the Financial Regulation¹ (Articles 136-140)
- Article 10(2)(a): as explained above, in case any tenderer submits special categories of data at its own volition and without any specific request, it is implied that the data subject has given its consent to their processing

Recipients of the data processed:

- a limited number of staff of the GSA managing this tender procedure
- data processors:
 - a limited number of staff of GSA contractors assisting GSA staff in the management of this tender procedure
 - a limited number of staff of GSA contractors in charge of the provision of hosting services for the GSA's servers
 - a limited number of staff of the Directorate-General for Budget of the European Commission ('DG Budget')
- bodies charged with a monitoring or inspection task in application of Union law (e.g. internal audits, Financial Irregularities Panel, European Anti-fraud Office – OLAF)

¹ Regulation (EU, Euratom) 2018/1046

- members of the public: the winning entities will be announced to the public, which may also entail the announcement of the personal data of the representatives of such entities (e.g. name, last name)

Information on the retention period and storage locations of personal data:

- any information pertaining to this tender procedure shall be kept for up to 7 years following the end of the year when the contract(s) has been awarded as a result of the tender procedure; files may also have to be retained until the end of a possible audit if one started before the end of the above period;
- all collected data may be stored:
 - electronically on GSA servers with access control measures (i.e. one or two factor authentication) hosted by GSA contractors which are located in the EU and abiding by the necessary security provisions
 - physically in secure storage cupboards in the GSA HQ in Prague
 - electronically and physically on the servers/cupboards of the processors identified above (all of which are established in an EU Member State)

Transfer of personal data to third countries:

In case the awarded tenderer(s) is/are established in countries outside the territory of the European Union or the European Economic Area (“third countries”), certain personal data which are necessary for the execution of payments related to the implementation of the awarded contract (i.e. name of bank account holder, bank account number) may be transferred to the third countries where the concerned tenderer(s) is/are established.

In case such transfer is made to third countries for which (1) no adequacy decision has been taken by the Commission in accordance with Article 47 of Regulation (EU) 2018/1725 and (2) no appropriate safeguards as foreseen under Article 48 of Regulation (EU) 2018/1725 exist, the legal basis for the transfer shall be considered to be Article 50(1)(b); specifically, the transfer is necessary for the performance of the contract between the awarded tenderer(s) and the GSA.

The data subjects’ rights:

- Data subjects have the right of access, rectification and erasure of their personal data or restriction of processing at any time, provided that there are grounds for the exercise of this right, as per the applicable rules
- Data subjects have the right to object, on grounds relating to his or her particular situation, at any time to the processing of personal data concerning him or her. Requests shall be addressed to the GSA European GNSS Agency (GSA), GSA Executive Director,

tenders@gsa.europa.eu by describing the request explicitly. It is noted that pursuant to such a request, the Controller shall no longer process the personal data unless the Controller demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject or for the establishment, exercise or defence of legal claims

- Data subjects may obtain their personal data, submitted to the GSA, in a structured, commonly used and machine-readable format and transmit them to another controller, provided that there are grounds for the exercise of this right, as per the applicable rules
- Data subjects are entitled to lodge a complaint at any time with the European Data Protection Supervisor (<http://www.edps.europa.eu>; EDPS@edps.europa.eu) if they consider that their rights under the applicable rules on the protection of individuals with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data have been infringed as a result of the processing of their personal data by the GSA
- Only in cases where the data subjects' consent is used as the legal basis for the processing of personal data (i.e. in case they have submitted special categories of data at their own volition and without any specific request), they can withdraw their consent at any time, without affecting the lawfulness of the processing before the withdrawal

Any request for the exercise of any of the abovementioned rights shall be addressed to the GSA European GNSS Agency (GSA), GSA Executive Director, tenders@gsa.europa.eu; data subjects are kindly requested to describe their requests explicitly.

12. Annexes

ANNEX 1 APPLICATION FORM

ANNEX 2 DECLARATION OF HONOUR

ANNEX 3 CONTRACT TEMPLATE