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work better for society.

Call for expressions of interest (CEI) to establish a list of Independent experts to provide expertise to the European Union Agency for Railways in the domain of technical cooperation for the EUMedRail project.

Reference: ERA 2018 18 CEI

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1 Contracting authority

European Union Agency for Railways

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The European Union Agency for Railways, (hereinafter "ERA" or "the Agency"), is a specialised agency of the European Union, which has been given specific regulatory tasks in the railway sector.

The Agency is located in Valenciennes/Lille, France, and has the mission of reinforcing safety and interoperability of railways throughout Europe, and thus adding a strong new momentum towards the shared vision of a truly integrated, competitive European railway area.

Further information can be found on the Agency's web site at <http://www.era.europa.eu/Pages/Home.aspx>

2 Aim of the CEI and registration procedure

The objective of this call for expressions of interest (CEI) is to set up a list of independent external experts.

Expressions of interest must be submitted in English or French by electronic means at the following address: CEI-Eumedrail@era.europa.eu

The email must clearly indicate the reference number of this call in the subject line.

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

3 Tasks and fields covered by the CEI

3.1 Main tasks

The support to the Agency will be related to the following tasks:

- › *Provide technical expertise to the beneficiaries of the EUMEDRAIL-Project.*
- › *Provide support to and/or participate in various (technical) meetings, field mission, trainings, workshops, seminars etc.*

In addition to the above, the experts may be asked to carry out other tasks in these fields:

- › *To promote European best practices, regulation and standards to the beneficiaries of the EUMEDRAIL-Project.*
- › *To support regulatory reforms for the railway sector.*
- › *To support other Agency technical cooperation activities, as required.*

More details about the activities of independent experts will be provided in the Terms of Reference annexed to the contract when a selection takes place.

3.2 Areas of technical expertise

The categories of expertise and sublists covered by this call are listed below:

3.2.1 Sublist 1: ERTMS

- › *ERTMS – Certification*
- › *ERTMS – Authorisation*
- › *ERTMS – Implementation*
- › *ERTMS – Operation*
- › *ERTMS – Degraded Modes*
- › *ERTMS – Technical specifications*
- › *ERTMS – 3rd party assessment*
- › *ERTMS – proofing of conformity*
- › *ERTMS – testing*

3.2.2 Sublist 2: Safety

- › *SAFETY – Supervision of Railway operators and / or Infrastructure managers*

- › SAFETY – Monitoring of Safety management systems
- › SAFETY – Accident investigations e.g. practical experiences, support in case of serious accidents, procedure
- › SAFETY – SAFETY Culture
- › SAFETY – Safety Managements systems – implementation, certification
- › SAFETY – Monitoring of Safety performances, experiences in evaluation of safety indicators
- › SAFETY – Risk Assessment, experiences in the use of respective CSMs, practical experiences
- › SAFETY – work of independent accident investigation bodies
- › SAFETY – work of National Authorities in the scope of Safety and IOP Directives
- › SAFETY – Train driver training centres
- › SAFETY – Train driver licences

3.2.3 Sublist 3: Interoperability

- › INTEROPERABILITY / SAFETY – Authorisation of railway vehicles
- › INTEROPERABILITY – proofing of conformity
- › INTEROPERABILITY - 3rd party assessment
- › INTEROPERABILITY – TSIs for infrastructure and fixed installations, experiences in the application of TSIs in projects
- › INTEROPERABILITY – TSIs for railway vehicles, rolling stock, freight wagons, experiences in the application of TSIs in projects
- › INTEROPERABILITY – TSIs – harmonization / Convergence of National Technical Rules to TSI requirements

4 Description of the procedure

4.1 Information to be provided

Interested parties should provide their full contact details in their expression of interest.

Experts shall provide a declaration on honour, stating that they are not in one of the situations of exclusion listed at point 5.1 and that they fulfil the selection criteria listed at point 5.2 (see Annex). In case of doubt, they may be requested to provide supporting evidence of non-exclusion.

Supporting evidence related to the selection criteria shall be provided with the declaration on honour.

4.2 Selection process

Only Natural persons¹ are invited to submit an expression of interest in accordance with the rules set out in this notice. They must be nationals of any of the European Union Member States, Norway, Iceland, Liechtenstein or Switzerland or nationals of any of the countries represented in the EUMedRail project (Tunisia, Palestine, Libya, Morocco, Lebanon, Jordan, Egypt, Algeria, Israel and Turkey).

The contracting authority will draw up a list of experts who meet the criteria set out at point 5. This list comprises sub-lists, corresponding to each of the fields described at point 3.2.

All applicants will be notified, in writing, of the outcome of the assessment of their application.

4.3 Conditions for selection

Where a particular task is to be performed by an external expert, the contracting authority will assign experts to the task on the basis of the skills, experience and knowledge necessary and in accordance with the principles of non-discrimination, equal treatment and absence of conflict of interests.

¹ Legal persons e.g. consulting companies, organisations, are not eligible to apply.

Such 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.

Therefore, in drawing up their application, interested experts should bear in mind the provisions of the draft contract (see Annex 2).

The experts selected for a specific task will receive, at least one month before the date of the start of their activity, detailed information regarding the tasks to be assigned and the draft contract.

4.4 Contract Signature

On notification of contract appointment, and before contract signature, the expert shall be required to submit the following documentation, duly completed and signed: Financial Identification and Legal Entity Forms (see below link).

http://ec.europa.eu/budget/contracts_grants/info_contracts/legal_entities/legal-entities_en.cfm

http://ec.europa.eu/budget/contracts_grants/info_contracts/financial_id/financial-id_en.cfm#en

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.

5 Requirements

5.1 Exclusion criteria

Experts shall be excluded from participation if:

(a) the economic operator is bankrupt, subject to insolvency or winding-up procedures, where its assets are being administered by a liquidator or by a court, where it is in an arrangement with creditors, where its business activities are suspended, or where it is in any analogous situation arising from a similar procedure provided for under national laws or regulations;

(b) it has been established by a final judgment or a final administrative decision that the economic operator is in breach of its obligations relating to the payment of taxes or social security contributions in accordance with the law of the country in which it is established, with those of the country in which the contracting authority is located or those of the country of the performance of the contract;

(c) it has been established by a final judgment or a final administrative decision that the economic operator is guilty of grave professional misconduct by having violated applicable laws or regulations or ethical standards of the profession to which the economic operator belongs, or by having engaged in any wrongful conduct which has an impact on its professional credibility where such conduct denotes wrongful intent or gross negligence, including, in particular, any of the following:

(i) fraudulently or negligently misrepresenting information required for the verification of the absence of grounds for exclusion or the fulfilment of selection criteria or in the performance of a contract;

(ii) entering into agreement with other economic operators with the aim of distorting competition;

(iii) violating intellectual property rights;

(iv) attempting to influence the decision-making process of the contracting authority during the procurement procedure;

(v) attempting to obtain confidential information that may confer upon it undue advantages in the procurement procedure;

(d) it has been established by a final judgment that the economic operator is guilty of any of the following:

(i) fraud, within the meaning of Article 1 of the Convention on the protection of the European Communities' financial interests, drawn up by the [Council Act of 26 July 1995](#);

(ii) corruption, as defined in Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union, drawn up by the [Council Act of 26 May 1997](#), and in Article 2(1) of [Council Framework Decision 2003/568/JHA](#), as well as corruption as defined in the law of the country where the contracting authority is located, the country in which the economic operator is established or the country of the performance of the contract;

(iii) participation in a criminal organization, as defined in Article 2 of [Council Framework Decision 2008/841/JHA](#);

(iv) money laundering or terrorist financing, as defined in Article 1 of [Directive 2005/60/EC of the European Parliament and of the Council](#);

(v) terrorist-related offences or offences linked to terrorist activities, as defined in Articles 1 and 3 of [Council Framework Decision 2002/475/JHA](#), respectively, or inciting, aiding, abetting or attempting to commit such offences, as referred to in Article 4 of that Decision;

(vi) child labour or other forms of trafficking in human beings as defined in Article 2 of [Directive 2011/36/EU of the European Parliament and of the Council](#);

(e) the economic operator has shown significant deficiencies in complying with main obligations in the performance of a contract financed by the budget, which has led to its early termination or to the application of liquidated damages or other contractual penalties, or which has been discovered following checks, audits or investigations by an authorizing officer, OLAF or the Court of Auditors;

(f) it has been established by a final judgment or final administrative decision that the economic operator has committed an irregularity within the meaning of Article 1(2) of [Council Regulation \(EC, Euratom\) No 2988/95](#).

5.2 Selection criteria

5.2.1 Eligibility

- › The expert must be a national of any of the European Union Member States, Norway, Iceland, Liechtenstein or Switzerland or nationals of any of the countries represented in the EUMedRail project (Tunisia, Palestine, Libya, Morocco, Lebanon, Jordan, Egypt, Algeria, Israel and Turkey).
- › The expert must have a university degree in a scientific field, relevant to the technical expertise mentioned above (e.g. transportation, engineering etc.), or similar proven professional experience of at least 6 years in a national railway operator, where the expert has been trained in-house and developed railway expertise
- › S/he must have thorough knowledge (at least level B2 according to the Common European Framework of Reference for Languages) of English or French
- › The expert must have proven previous experience in working abroad of at least 1 year
- › At least 3 years of proven relevant work experience in one at least of the areas of technical expertise listed under 3.2

5.2.2 Criteria relating to technical and professional capacity

5.2.2.1 Essential

- › Proven capability to follow meetings, to report proceedings and to draft technical texts in English or French
- › Strong communication skills, including a proven track record of delivering presentations in the context of European Union Railway policy at conferences or workshop
- › Willing to travel outside the European Union

5.2.2.2 Advantageous

- › Knowledge of European railway policy, achieved as a result of participating in ERA activities, OTIF, ITF or EC working groups related to rail safety, interoperability and/or ERTMS
- › Proven additional relevant work experience in the field(s) of expertise listed under 3.2
- › Proven active experience in international working groups
- › Knowledge of the Arabic language is an asset

6 How to apply?

For applications to be valid, candidates must submit:

- › A duly completed **Application Form** (see template in Annex 1),
- › A detailed **EU curriculum vitae**, showing relevant expertise in the technical fields listed above (Europass format only available at: <http://europass.cedefop.europa.eu/en/home>).

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.

It is strictly required that applications are submitted in the requested format and include all information 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.

Submission of an application implies acceptance of the terms and conditions laid down in this call for expression of interest and all the annexes thereto.

Important Note:

Before inclusion on the list and/or contract signature, the Agency reserves the right to request any additional supporting documentation needed in order to verify the applicant's education, qualifications, professional experience and/or language capabilities (i.e. copies of 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.

7 Confidentiality, Independence and Absence of Conflict of Interests

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 Annex 2).

8 Conditions of remuneration and reimbursement of experts

Experts shall be remunerated at a fixed price of **450 euros/day worked**². The travel and subsistence expenses will be reimbursed under the conditions set out in the contract. Travel arrangements (flight/train and hotel accommodation bookings) may be done in advance by the European Union Agency for Railways (if needed).

9 Use of the list resulting from this notice

The list resulting from this notice will be used exclusively for tasks to be carried out as follows: execution of the tasks within the fields described at point 3, with a maximum threshold of €144 000 of total payments (including both remunerations and reimbursements) and 100 maximum number working days per expert).

² One full working day is defined as 8 hours (excluding breaks and travelling time)

10 Place of delivery

The work will be carried out in the field, i. e. in the countries, which are beneficiaries of the EUMEDRAIL-Project (or other technical co-operation activities of the Agency). The beneficiaries of the EUMEDRAIL-Project are Algeria, Egypt, Israel, Jordan, Lebanon, Morocco, Palestine³ and Tunisia. Some work may be carried out at the Agency's premises in Valenciennes, and/or at the premises of the Agency in Lille or occasionally in one of the EU Member States.

11 Expiry date of the list

The list resulting from this notice is valid from dispatch of this notice and for the duration of the multi-annual programme EUMedRail (valid until 31 December 2020). If the project implementation is extended, the duration of this call for interest may go beyond 31 December 2020. Interested parties may submit an application at any time prior to the last three months of validity of the list.

12 Appeal Procedure

A candidate who considers that a mistake has been made regarding the eligibility criteria (Section II, 1.2) of his/her application may ask for a review. To this end, a request for review may be submitted, within 20 calendar days of the email informing him/her of the rejection of his/her application. The request for review should quote the reference of the selection procedure concerned and should mention clearly the eligibility criterion/a requested to be reconsidered as well as the grounds. This request should be addressed to ERA's dedicated mailbox.

The candidate shall be informed, within 45 calendar days following the receipt of his/her request, on the decision of the Selection Committee on the matter.

13 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 (EU) No 2016/679 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data. Unless indicated otherwise, your reply to this notice and any personal data requested are required for the purposes indicated above in point 2 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/budget/library/explained/management/protecting/privacy_statement_edes_en.pdf

Your personal data may be registered in the Early Detection and Exclusion System (EDES) by the responsible Authorizing Officer of the Commission, should you be in one of the situations mentioned in Article 106 of the Financial Regulation (regulation EU/EURATOM 966/2012 of 25 October 2012 as amended).

14 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, 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 two years after the year of contract award.

³ This designation shall not be construed as recognition of a «State of Palestine» and is without prejudice to the individual positions of the Member States on this issue.

15 Date of dispatch of the official notice

28/06/2018

16 Date of receipt by the Publications Office

28/06/2018

17 Annexes

17.1 Annex 1: Application form

17.2 Annex 2: Draft contract and annexes