

Brussels, 17 May 2022

Post Award Invitation to tender for facilitators to provide consultancy services to PROSAFE

in the context of a call for proposals for EU action grants in the field of Market Surveillance under the Internal Market, Standardisation, Consumers and other financial services end-users part of the Single Market Programme and the newly awarded contract for the Support to the implementation of Article 4 of Regulation (EU) 2019/1020.

1 Background

PROSAFE is an international non-governmental organisation established in 1991 by market surveillance officers from various countries throughout Europe. Its main aim is to contribute to the safety of products and services by promoting best practices in market surveillance. Since 2006, PROSAFE has established itself as the organising and coordinating body for Joint Market Surveillance Actions in Europe. PROSAFE's official name is "Stichting PROSAFE". It is a foundation under Dutch law.

PROSAFE's main task is to coordinate Joint Actions. Each Joint Action comprises a number of work packages that target specific product groups, and a number of activities aiming at developing methods and best practices. Since 2006, PROSAFE has undertaken more than 20 Joint market surveillance Actions covering a wide array of product sectors with funding from European Union.

2 Objectives and Scope

This Call for Tenders concerns the presumed/potential provision of consultancy services in relation to an EU call for proposals for EU action grants in the field of Market Surveillance under the Internal Market, Standardisation, Consumers and other financial services end-users part of the Single Market Programme.

In this post-award phase, PROSAFE is seeking consultancy services to provide expertise and support for various roles and responsibilities in the framework of selected for funding/awarded EU projects, for the activity listed below.

Support for the delivery of the following horizontal activities (i.e., cross-sectoral):

- Support the implementation of Article 4 of Regulation (EU) 2019/1020.

The duration of each project is expected to be 24 months. Tenders shall provide a daily cost rate in Euros applicable for the 24-month duration of each project, VAT excluded (invoices to be issued with zero VAT).

Note: Stichting PROSAFE is VAT registered as taxable person established in Belgium as from 01 January 2020. PROSAFE's VAT number is BE 0809.226.854. From 1 January 2020 onwards, PROSAFE applies the reverse charge mechanism in accordance with Articles 44 and 196 of the VAT Directive 112/2006.

The working language is English.

In principle the work is carried out from the address of the facilitator except for meetings and conferences, where he or she will be required to travel and the costs will be reimbursed pursuant to the applicable rules and procedures.

The contract will be drawn up under Dutch legislation.

3 General selection criteria

The successful candidates should be outstanding and dynamic professionals, able to fulfil the following selection criteria as evidenced through their professional experience laid out in the CV and in the cover letter. The requirements must be fulfilled by the deadline for applications:

- Masters' degree of minimum 1 year OR post graduate professional experience of at least 5 years in a related field;
- Project management experience: strong ability to manage complex projects in an international context;
- Excellent communication and negotiation skills, proven through a track record of chairing meetings, of negotiating contracts with various suppliers, giving presentations to large international audiences;
- Excellent analytical skills and the ability to solve organisational and operational problems via a results oriented approach (e.g. having conducted market research, multiple analysis for market surveillance activities, collating and reporting on sampling and test data, efficient and creative problem-solving regarding project budgeting, scheduling and definition of work plan).
- Dedicated commitment to supply services during the entire 24-month project life cycle;
- No conflict of interest and will not have any such, e.g. contemporary working with or on behalf of manufacturers or economic operators in the product sectors relevant to this Call.

Applicants who are subject to any of the following **exclusion situations** can NOT participate:

- bankruptcy, winding up, affairs administered by the courts, arrangement with creditors, suspended business activities or other similar procedures (including procedures for persons with unlimited liability for the applicant's debts)
- in breach of social security or tax obligations (including if done by persons with unlimited liability for the applicant's debts)
- guilty of grave professional misconduct (including if done by persons having powers of representation, decision-making or control, beneficial owners or persons who are essential for the award/implementation of the grant)
- committed fraud, corruption, links to a criminal organisation, money laundering, terrorism-related crimes (including terrorism financing), child labour or human trafficking (including if done by persons having powers of representation, decision-making or control, beneficial owners or persons who are essential for the award/implementation of the grant)

- shown significant deficiencies in complying with main obligations under an EU procurement contract, grant agreement, prize, expert contract, or similar (including if done by persons having powers of representation, decision-making or control, beneficial owners or persons who are essential for the award/implementation of the grant)
- guilty of irregularities within the meaning of Article 1(2) of Regulation No 2988/95 (including if done by persons having powers of representation, decision-making or control, beneficial owners or persons who are essential for the award/implementation of the grant)
- created under a different jurisdiction with the intent to circumvent fiscal, social or other legal obligations in the country of origin or created another entity with this purpose (including if done by persons having powers of representation, decision-making or control, beneficial owners or persons who are essential for the award/implementation of the grant).

4 Qualifying/Award criteria

Candidates must have:

- a) Proven competence (Minimum of 3 years' experience) in project management of complex, multifaceted EU funded multi-partner projects, relevant to the horizontal activity(-ies) described in point 2 above;
- b) Significant experience in working in an international environment with EU/EFTA Market Surveillance Authorities - a minimum of three previous EU-funded projects;
- c) Experience in relation to the maintenance, application and dissemination of Good Practices, knowledge transfer and build-up in the context of market surveillance joint actions;
- d) A solid track-record of producing and delivering reports, guidelines and recommendations relevant to non-food product market surveillance, preferably in the context of market surveillance actions;
- e) Demonstrable ability to work as a leading member of a team within an established framework of policies and procedures but without direct supervision and with limited administrative support;
- f) Excellent knowledge of the English language verified through either being a native or having worked for 5 years in an international environment where English was the main working language, allowing active participation in project-related meetings and the drafting of project materials, including deliverables and technical reports.

5 Admissibility and documents

To be eligible tenders must be complete and contain all the requested information and supporting documents:

- a) A Declaration of Honour (Annex 1, downloadable from PROSAFE's website) in relation to the abovementioned exclusion criteria;
- b) CV preferably in Europass format or any other format that provides a detailed overview of the professional experience, competence and academic background;

- c) A bespoke cover letter explicating their interest to work in one or more projects/activities listed in point 2 above, and how they specifically meet the selection AND award criteria, with a clear remark regarding the expected net daily rate for the services to be provided per selected activity/project;
- d) A portfolio/list of relevant EU-funded projects that they have participated as an expert/facilitator in;
- e) A self-declaration of attestable in-place measures that ensure continuity of service over the 24-month period of each project;
- f) A declaration confirming explicit acceptance of the “General Conditions of Tenders for PROSAFE Contacts” (Annex 2, downloadable from PROSAFE’s website).

Tenders which will not include all the above listed evidence and documentation will be excluded from the evaluation.

Tenderers that submitted their bid in the previous pre-award invitation phase conducted in October 2021 may withdraw their application or re-confirm it by sending an official communication and re-sending the supporting documents that have changed in the meanwhile. The declaration of honour is valid for 1 year and thus its validity has not expired in line with the European Commission requirements.

6 Timeline for submissions

The deadline for the submission of tenders is **31 May 2022, 12:00 AM CET**. Applications received after this deadline will be automatically excluded from the evaluation.

Tenders must be submitted electronically (via email) to Ioana Sandu, Executive Director, at ioana@prosafe.org AND info@prosafe.org.

7 Requests for clarifications

Any questions for clarifications or other queries about the tender specifications must be submitted in writing **no later than 24 May 2022, 12:00 AM CET**, to Ioana Sandu, Executive Director, at ioana@prosafe.org AND info@prosafe.org. Only questions submitted in this way will be answered, in fairness to all bidders.

8 Assessment of tenders and selection of successful candidates

As part of the selection procedure the following steps will be followed:

- 1) Screening of tenders for compliance with all formal requirements including the selection criteria listed at point 3. Tenders found admissible and eligible will be evaluated against the qualifying/award criteria;
- 2) Assessment of qualifying bids based on the qualifying/award criteria listed at point 4 leading to selection of preferred bidders. If the assessment results in a draw for a single position, candidates will be invited to an interview.

- 3) Both successful and unsuccessful candidates will be informed about the evaluation results via email.

Candidates can appeal the decision within 3 days from the moment they received the email about the result of the selection.

All candidates will be informed of the decision on 1 June 2022 and thus are required to be active and aware on this date.

PROSAFE will analyse the appeal and provide a final decision by 3 June 2022.

9 Protection of personal data and confidentiality

If processing a tender involves the recording and processing of personal and sensitive data (such as name, address, email, quotations, etc.), such data will be processed pursuant to Regulation (EU) 2016/679 on data protection and privacy in the European Union and the European Economic Area. Any personal or sensitive data provided in connection to this Call will be processed by PROSAFE, which also acts as the data controller, solely for those purposes indicated above in point 2.



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