

## Notice of Call for Expression of Interest (CEI)

### No EMSA/CEI/1/2021 for the establishment of a Database of External Experts by the European Maritime Safety Agency

#### 1. Introduction

The European Maritime Safety Agency (EMSA or “the Contracting Authority”) was established under Regulation (EC) No 1406/2002 of the European Parliament and of the Council<sup>1</sup> as amended for the purpose of ensuring a high, uniform and effective level of maritime safety.

While implementing its core tasks, the Agency organises, develops or implements numerous activities, that may require specific expertise to complement the one existing inhouse. The specific expertise could be provided by individuals identified through this Call for Expression of Interest (CEI) and included in the **EMSA Database of External Experts** (also referred to as “the Database”) and will support the implementation of the Agency’s activities.

#### 2. General Description of the Procedure

This CEI procedure is based on the provisions of Article 237 of the Financial Regulation and aims at selecting external experts that meet specific criteria, to be included in the **EMSA Database of External Experts**.

Note that this is a continuous process that will remain open for a period of **5 years from the date of publication of this notice on EMSA’s website**. Incoming applications received in response to this CEI will be evaluated as a minimum on a quarterly basis. Candidates who are not in any exclusion criteria and meet the selection criteria will be included in the EMSA Database of External experts according to their specified areas of expertise. Candidates may submit an application at any **time except in the last three months of validity of the CEI**. Candidates will be informed of the outcome of the evaluation.

Once included in the Database, external experts may be contracted to perform activities and/or projects in support of EMSA, covering a wide range of areas related to the tasks of the Agency, including support in the development of training material, carrying out studies, support to specific technical projects, capacity building projects, support in drafting national legislation, etc.

**Inclusion in the EMSA Database of External Experts does not entail any obligation on EMSA’s side to conclude a contract with any external expert.**

**At any moment an External Expert may request to be removed from the Database by sending an e-mail to: [Experts@emsa.europa.eu](mailto:Experts@emsa.europa.eu).**

If an expert already included in the Database updates any information related to Exclusion or Selection Criteria, the candidate will be re-evaluated. The updated profile of the candidate is only considered to be

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<sup>1</sup> Regulation (EC) No 1406/2002 of the European Parliament and of the Council of 27 June 2002 establishing a European Maritime Safety Agency (OJ L 208, 5.8.2002, p.1.).

included in the EMSA Database of External Experts if the result of the evaluation is positive, for which the candidate will also be informed.

Where a particular task is to be performed by the External Expert, EMSA issues a contract (Appendix II) to the external expert for performance of the task(s) 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. Other criteria used may also be: a reasonable balance between academic and practical expertise, sufficient geographical representativeness, or a suitable rotation among External Experts in the EMSA Database. Possible conflicts of Interest of the External Expert will be revaluated before issuing a contract.

The EMSA Database of External Experts set up through this CEI will constitute a mechanism for using expertise and knowledge but will not be considered a mechanism of representation of the Agency. Experts listed in the Database do not act or speak on behalf of EMSA, and EMSA cannot be held responsible for their actions and expressions.

### **3. Admissibility**

For the purpose of this CEI, any natural person, regardless of their current occupation, may apply. Civil servants may apply under their private capacity and in line with the conditions set by their employer.

Nationals of all EU Member States, Iceland, Liechtenstein, Norway and of the beneficiary countries of EU financed projects under the Instrument for Pre-Accession Assistance (IPA) and the European Neighbourhood Policy (ENP) instruments implemented by the Agency, are eligible to participate in this CEI.

### **4. Type of expertise**

This CEI concerns the areas of expertise as listed in Appendix I.

### **5. Exclusion criteria**

To be eligible to participate in this procedure, an expert must not be in any of the exclusion situations listed in the Declaration of Honour, as follows:

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 the European Investment Bank and international organisations;
- (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 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.

For this purpose, candidates shall provide a Declaration of Honour (DoH), stating that they are not in one of the situations of exclusion listed therein. The completed and signed DoH using **Appendix III** shall be uploaded under the tab 'Evidence' within the e-application form.

Another DoH may also be requested to the External Expert before the signature of a contract.

## **6. Selection criteria - Technical and professional capacity**

### **A. General qualifications and skills:**

In order to be considered for inclusion in the Database, candidates shall have:

- University degree of at least bachelor level or equivalent and at least 7 years of relevant professional experience after obtaining the degree  
or minimum 10 years of any relevant professional experience without a degree
- Knowledge of written and spoken English at proficiency level C1.

#### **6.1.1 Evidence**

Candidates shall provide through the ePortal, information on their qualifications, skills and expertise in the selected fields.

Candidates may be requested by EMSA, prior to the inclusion in the EMSA Database on External Experts, to present the following evidences:

- Proof of studies such as diplomas or certificates;
- Proof of work experience such as letter from previous employer or copy of employment contract;
- Proof of language level such as certificates or proof that they have studied or worked in the relevant languages.

EMSA also reserves the right to request additional evidence or proof of any statements included in the Application.

## **7. Application via e-Portal**

Applications shall be submitted through the e-Portal, a website that is publicly accessible at: <https://experts.emsa.europa.eu/> by creating the profile “Expert” and filling in an application form.

Within the application procedure, candidates will identify the area of their expertise and skills from a set of pre-defined areas as defined in Appendix I.

The e-Portal works as follows:

- All features of the e-Portal are accessible and functioning using all major desktop internet browsers. The features that are also accessible using all major mobile internet browsers and adapted to different screen sizes and input devices.
- All candidates have access to the same set of features of the e-Portal. The e-Portal provides features for the candidates to access and manage the profiles that they have created. Candidates have access only to their own profiles; thus, the e-Portal provides a secure mechanism to identify the candidates as owners of their profiles.
- Candidates can request EMSA to remove their profile from the e-Portal via the following e-mail: [Experts@emsa.europa.eu](mailto:Experts@emsa.europa.eu)
- Every candidate can enter a maximum of 1 application for Expert.
- For most of its features, the e-Portal provides the necessary comments, instructions and explanations next to the relevant field/s.
- Applications may be submitted at any time, except in the last three months of the validity of the CEI, as assignments can arise at any point in time.
- Submission of an application implies the acceptance of the terms and conditions laid down in this CEI, all the relevant appendices and the conditions set under the e-Portal.
- Questions related to the application process may be submitted to the following e-mail address: [Experts@emsa.europa.eu](mailto:Experts@emsa.europa.eu) and will be answered in a timely manner.
- Expenses incurred in connection with preparing and submitting the application shall be borne by each candidate and will not be reimbursed.

## **8. Protection of Personal Data**

Since processing your expression of interest involves the recording and processing of personal data (such as name, address and CV), the data will be processed in accordance with Regulation (EU) 2018/1725 of the

European Parliament and of the Council<sup>2</sup>. Your reply to this notice and any personal data requested are required for the purposes indicated in this notice and will be processed solely for those purposes by the contracting authority indicated in point 2, which is also acting as data controller.

Details concerning the processing of personal data are contained in the privacy statement “Information on personal data protection in procurement procedures” available at: <http://www.emsa.europa.eu/about/personal-data-protection.html>

Personal data may be registered in the Early Detection and Exclusion System (EDES) if an applicant is deemed to be in one of the situations detailed in Article 136 of Regulation (EU, Euratom) No 2018/1046 of the European Parliament and of the Council<sup>3</sup>.

For more information, see:

[http://ec.europa.eu/budget/library/explained/management/protecting/privacy\\_statement\\_edes\\_en.pdf](http://ec.europa.eu/budget/library/explained/management/protecting/privacy_statement_edes_en.pdf).

## **9. Conditions of remuneration and reimbursement of experts**

The fee to be paid to the experts will be 400 EUR per day actually worked (8 hours).

The draft contract is attached to this CEI Notice (**Appendix II**). The travel and subsistence expenses borne by and linked to the performance of tasks assigned by EMSA to the expert will be reimbursed under the conditions set out in the contract and in accordance with the applicable EMSA Reimbursement Rules published on EMSA website: <http://www.emsa.europa.eu/documents/reimbursement-rules.html>

## **10. Place of delivery of services**

The tasks will be carried out at the premises and locations designated by EMSA in the contract. Where appropriate, tasks may be carried out remotely using electronic communication tools at EMSA's request.

## **11. Ex-post transparency**

In order to guarantee ex-post transparency, the list of external experts (name and subject of the tasks executed) who have concluded a contract following this procedure shall be published on the EMSA website. If an external expert has concluded a contract of more than EUR 15 000, the name, the locality (region of origin), amount, and subject of the contract shall be published on the EMSA website no later than 30 June of the year following contract award. The information shall be removed two years after the year of contract signature.

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<sup>2</sup> 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, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC

<sup>3</sup> Regulation (EU, Euratom) No 2018/1046 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1269/2013, (EU) 1301/2013, (EU) 1303/2013, (EU) 1304/2013, (EU) 1309/2013, (EU) 1316/2013, (EU) 223/2014, (EU) 283/2014 and Decision No 541/2014/EU and repealing Regulation No 966/2012.