

## Call for Expressions of Interest (CEI)

for creation of external experts database no.2 to be established by the European Border and Coast Guard Agency - Frontex

### 1. Contracting Authority

The Contracting Authority for this Call for Expressions of Interest (CEI) is European Border and Coast Guard Agency - Frontex, Plac Europejski 6, 00-844 Warsaw, Poland. Contact phone no.: +48 22 2059500; contact fax no.: +48 22 2059501; contact e-mail address: [procurement@frontex.europa.eu](mailto:procurement@frontex.europa.eu). The complete documentation related to this CEI can be downloaded from: <http://frontex.europa.eu/about-frontex/procurement/open-restricted-tender-procedures/> .

### 2. Introduction of Frontex

Frontex, the European Border and Coast Guard Agency has been built on the foundations laid by Frontex - the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union, which had been coordinating the operational cooperation of EU Member States at the external borders for more than a decade. The concept of European Border and Coast Guard comprises the European Border and Coast Guard Agency and national authorities responsible for border management, including coast guard.

While the responsibility for the management of the external borders remains primarily with the Member States, Frontex supports border control at land, air and sea borders by reinforcing, assessing and coordinating actions of member states at the external borders of the European Union. It coordinates the deployment of technical equipment (vessels, helicopters and boats) and specialised border guards to those EU countries which face an increased migratory pressure.

The agency was set up in October 2016 on the basis of Regulation (EU) 2016/1624 of the European Parliament and of the Council of 14 September 2016 on the European Border and Coast Guard and amending Regulation (EU) 2016/399 of the European Parliament and of the Council and repealing Regulation (EC) No 863/2007 of the European Parliament and of the Council, Council Regulation (EC) No 2007/2004 and Council Decision 2005/267/EC (OJ L 251, 16.09. 2016, p. 1).

The mission of Frontex is to promote, coordinate and develop European border management in line with the EU fundamental rights charter and the concept of Integrated Border Management.

To help identify migratory patterns as well as trends in cross-border criminal activities, Frontex analyses data on the situation at and beyond EU's external borders. It monitors the situation at the borders and helps border authorities share information with Member States. It carries out vulnerability assessments to evaluate the capacity and readiness of each Member State to face challenges at its external borders, including migratory pressure.

Frontex coordinates and organises joint operations and rapid border interventions to assist Member States at the external borders, including in humanitarian emergencies and rescue at sea. The agency deploys European Border

and Coast Guard teams, including a pool of at least 1 500 border guards and other relevant staff to be deployed in rapid interventions. The members of the rapid reaction pool must be provided by Member States upon request by the agency. It also deploys vessels, aircraft, vehicles and other technical equipment provided by Member States in its operations. Frontex can also carry out operations on the territory of non-EU countries neighbouring at least one participating Member State, in case of migratory pressure at a non-EU country's border.

Frontex supports Member States with screening, debriefing, identification and fingerprinting of migrants. Officers deployed by the agency refer and provide initial information to people who need, or wish to apply for, international protection, cooperating with the European Asylum Support Office (EASO) and national authorities. It is national authorities, not Frontex, which decide who is entitled to international protection.

The agency can assist in forced returns of people not eligible for international protection from one or more Member State, including obtaining travel documents for returnees by working closely with consular authorities of the relevant third countries. It can also organise voluntary departures of nationals of non-EU countries who were issued return decisions by Member State authorities. Frontex can organise return operations on its own initiative and "collecting return operations" where returnees are returned with escort officers and transportation provided by their countries of origin. It has created a pool of forced return monitors who can monitor all forced return flights coordinated by the agency and a pool of forced return escorts and a pool of return specialists to be deployed in Member States when needed.

Frontex supports the cooperation of law enforcement authorities, EU agencies and customs at the maritime borders. Vessels and aircraft deployed in its operations also collect and share information relevant to fisheries control, detection of pollution and compliance with maritime regulations. The agency works closely with European Fisheries Control Agency (EFCA) and European Maritime Safety Agency (EMSA) to implement multipurpose operations. In these operations, vessels and aircraft deployed for border surveillance can also be used for fishing and environmental monitoring.

Frontex focuses on preventing smuggling, human trafficking and terrorism as well as many other cross-border crimes. It shares any relevant intelligence gathered during its operations with relevant national authorities and Europol.

The agency is the centre of expertise in the area of border control. It develops training curricula and specialised courses in a variety of areas to guarantee the highest levels of professional knowledge among border guards across Europe.

While fulfilling its mandate, Frontex liaises closely with other EU partners involved in the development of the area of Freedom, Security and Justice such as Europol, EASO, Eurojust, FRA or CEPOL, as well as with customs authorities in order to promote overall cohesion.

Frontex also works closely with the border-control authorities of non-EU/Schengen countries – mainly those countries identified as a source or transit route of irregular migration – in line with general EU external relations policy. Further information about Frontex could be obtained from: <http://frontex.europa.eu> .

### **3. General Description of the Procedure**

This procedure is based on the provisions of the Article 204 of the Financial Regulation and on Article 287 of the Rules of Application<sup>1</sup>. The CEI is directed only to natural persons (nationals) from EU Member States and Schengen Associated Countries - that will be verified by submission with the application a scan of the ID or passport. The CEI will be valid for 5 years from the date of its publication. The candidates may submit an application at any time prior to the last three months of validity of the list.

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<sup>1</sup> Regulation (EU, Euratom) No 966/2012 of 25 October 2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union and Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of the Regulation (EU, Euratom) No 966/2012 of 25 October 2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union.

The database of external experts set up through this CEI will constitute a mechanism for using expertise and knowledge, and will not constitute a separate body of Frontex. Experts listed in the database do not act or speak on behalf of Frontex, and Frontex cannot be held responsible for their actions and expressions.

This CEI must be read in conjunction with its annexes, downloadable from Frontex' website, which contain essential additional information:

- Annex I - Profiles of experts which are to form the prospective database,
- Annex II - Application Form,
- Annex III - Declaration,
- Annex IV - The draft of a prospective contract.

Incoming applications received in response to this CEI will be evaluated at least on a quarterly basis. The candidates who satisfy the required selection criteria will be pre-selected and put on a shortlist, according to the required profiles. All applicants will be informed of the results of the procedure (i.e whether or not they have been placed on the shortlist).

Inclusion on the shortlist entails no obligation on Frontex concerning a contract conclusion with a specific expert.

Where a particular task relating to the field described in the Annex I is to be performed by an external expert, Frontex will assign an expert to the task on the basis of his/her skills, experience and knowledge, and in accordance with the principles of non-discrimination, equal treatment and absence of conflict of interests.

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

Through the establishment of a database of external experts, Frontex aims to cover its needs for external expertise that may arise in the framework of Frontex's activities. This CEI concerns the fields as listed in the Annex I.

In order to be shortlisted, experts must fulfill the criteria outlined in the Annex I mentioned specifically for each profile described therein.

Frontex reserves the right to request evidence or proof of statements included in the submitted Application Form or in CV or in any supporting document provided.

#### **5. Application Procedure**

The candidates interested in providing services in accordance with profiles listed in Annex I of the CEI and fulfilling the requirements set in the CEI are invited to send their fulfilled and signed Application Form, the Declaration, CV and copy of ID or passport to the e-mail address: [externalexperts2@frontex.europa.eu](mailto:externalexperts2@frontex.europa.eu).

Submission of an application implies the acceptance of the terms and conditions laid down in this CEI and all the relevant annexes. Applications in response to this CEI may be submitted as early as possible, as assignments can arise at any point in time.

Expenses incurred in connection with preparing and submitting the application should be borne by the candidates involved and will not be reimbursed.

#### **6. Protection of Personal Data**

If processing candidates' Application Forms involves processing of personal data (such as name and surname, address and CV), such data will be protected pursuant to Regulation (EC) No.45/2001 on the protection of individuals with regard to the processing of personal data by the Union institutions and bodies and on the free movement of such data. Candidates involved in this CEI have the right to access their data and to request that

these are rectified or erased. Unless indicated otherwise, any personal data required from the candidates involved in this CEI will be processed solely for that purpose by Frontex.

Any personal data required from the candidates involved in this CEI may be registered in the Early Warning System (EWS) only or both in the EWS and Central Exclusion Database (CED), should you be in one of the situations mentioned in:

- The Commission Decision 2008/969 of 16.12.2008 on the Early Warning System
- or
- The Commission Regulation 2008/1302 of 17.12.2008 on the Central Exclusion Database.

Details concerning processing of the economical operators involved in this CEI are available on explanation to the model privacy statement at:

[http://ec.europa.eu/dataprotectionofficer/privacystatement\\_publicprocurement\\_en.pdf](http://ec.europa.eu/dataprotectionofficer/privacystatement_publicprocurement_en.pdf)

For more information see also the privacy statement on:

[http://budget/contracts\\_grants/info\\_contracts/legal\\_entities/legal\\_entities\\_en.cfm](http://budget/contracts_grants/info_contracts/legal_entities/legal_entities_en.cfm)

and the explanatory note on privacy statement for the Central Exclusion Database on:

[http://ec.europa.eu/budget/library/explained/management/protecting/privacystatement\\_ced\\_en.pdf](http://ec.europa.eu/budget/library/explained/management/protecting/privacystatement_ced_en.pdf).

References to the Commission should be read, where applicable, as the references made to Frontex.

#### **7. Use of the database resulting from the CEI**

The list resulting from this CEI will be used exclusively for the tasks within the fields described in the Annex I.

This procedure is applicable below the threshold of the Directive on public procurement (2014/24/EU). This ceiling applies to the total of all payments (including any reimbursable expenses) to be made to each expert throughout the entire duration set for the CEI. Thus, if the ceiling is reached (or is about to be reached) the expert can no longer be assigned tasks covered by this CEI.

#### **8. Conditions of remuneration and reimbursements**

Experts will be remunerated with a fee ranging from 250 to 450 EUR per day, depending on the particular assignment, and with a maximum threshold of 300 working days per expert for the entire duration of this CEI.

The travel, accommodation and subsistence expenses (if applicable) will be reimbursed on the basis of the rules on the reimbursement annexed to the contract.

The experts are requested to commit themselves to respect applicable national legislation (including taxation, social security and labour laws) with regard to any payment received from Frontex.

#### **9. Place of delivery of services**

The tasks will be carried out at the places indicated by Frontex for a particular assignment and agreed by the expert. Where appropriate, tasks may be carried out remotely using electronic communication tools. Where necessary, further details will be specified according to the tasks and circumstances.

## **10. Ex-post transparency**

Details on the experts who have concluded contract of more than €15 000 will be published on Frontex website no later than 30 June of the year following contract award.

These details include name, locality (region of origin), amount, and subject of the contract. The information will be removed two years after the year of contract award.

## **11. List of Annexes**

- Annex I - Profiles of experts which are to form the prospective database
- Annex II - Application Form
- Annex III - Declaration
- Annex III - The draft of a prospective contract.