

Belgium, Luxembourg – Research and development consultancy services – Legal and operational support to data protection activities**OJ S 48/2024 07/03/2024****Contract or concession notice – standard regime
Services****1. Buyer**

1.1. Buyer

Official name: SESAR3 Joint Undertaking

Legal type of the buyer: EU institution, body or agency

Activity of the contracting authority: General public services

1.1. Buyer

Official name: Chips Joint Undertaking

Legal type of the buyer: EU institution, body or agency

Activity of the contracting authority: General public services

1.1. Buyer

Official name: Circular Bio-based Europe Joint Undertaking

Legal type of the buyer: EU institution, body or agency

Activity of the contracting authority: General public services

1.1. Buyer

Official name: Clean Aviation Joint Undertaking

Legal type of the buyer: EU institution, body or agency

Activity of the contracting authority: General public services

1.1. Buyer

Official name: Clean Hydrogen Joint Undertaking

Legal type of the buyer: EU institution, body or agency

Activity of the contracting authority: General public services

1.1. Buyer

Official name: EDCTP3 JU - Global Health EDCTP3 Joint Undertaking

Legal type of the buyer: EU institution, body or agency

Activity of the contracting authority: General public services

1.1. Buyer

Official name: Europe's Rail Joint Undertaking

Legal type of the buyer: EU institution, body or agency

Activity of the contracting authority: General public services

1.1. Buyer

Official name: European High-Performance Computing Joint Undertaking

Legal type of the buyer: EU institution, body or agency

Activity of the contracting authority: General public services

1.1. Buyer

Official name: Innovative Health Initiative Joint Undertaking (IHI JU)

Legal type of the buyer: EU institution, body or agency

Activity of the contracting authority: General public services

1.1. Buyer

Official name: SNS JU - Smart Networks and Services Joint Undertaking

Legal type of the buyer: EU institution, body or agency

Activity of the contracting authority: General public services

2. Procedure

2.1. Procedure

Title: Legal and operational support to data protection activities

Description: Based on growing case law and supervisory requirements as well as specific institutional particularities, the list of the tasks to be performed by a Joint Undertaking in the data protection field is expanding. For this reason, the contracting authorities intend to procure operational and legal support for the performance of these tasks to ensure, demonstrate and verify compliance (accountability) with the applicable law. These services may consist in providing: Legal assistance to data protection in the application of the relevant legal framework; Support services in the management of the exercise of rights and complaints from data subjects, risk, cybersecurity and impact assessments; Maintenance services of the systems of records and privacy notices; Audits services or performing benchmarking exercises as well as support services for the preparation of audits from the EDPS or other auditing body; Training of staff and other stakeholders.

Procedure identifier: 4a999502-13f0-40da-acc4-43f865b00170

Internal identifier: S3JU/2024/OP/0002

Type of procedure: Open

2.1.1. Purpose

Main nature of the contract: Services

Main classification (cpv): 73200000 Research and development consultancy services

2.1.3. Value

Estimated value excluding VAT: 3 150 700,00 EUR

2.1.4. General information

Additional information: In case of unavailability or disruptions in the functioning of the electronic means of communication provided in Section 5.1.11 in the last 5 calendar days before the time limit for receipt indicated in Section 5.1.12, the contracting authority reserves the right to extend this time limit and publish the extension at the Internet address provided in Section 5.1.11, without a preceding publication of a corrigendum to this notice. Economic operators interested in this procurement are invited to subscribe to the call for tenders at the address in Section 5.1.11 in order to get notified when new information or documents are published.

Legal basis:

Regulation (EU, Euratom) 2018/1046

2.1.6. Grounds for exclusion:

Bankruptcy: For the full list of exclusion grounds please consult the procurement documents.

5. Lot

5.1. Lot: LOT-0001

Title: Operational support to data protection activities

Description: Provision of support and assistance to the controller and the DPO of each contracting authority in the performance of their tasks in the field of data protection in order to ensure, demonstrate and verify compliance (accountability) in line with the Regulation and in particular as per Articles 1, 26 and 45 of the Regulation therein. The list of services under Lot 1 may include support in the following areas related to data protection: 1. System of records 2. Transparent information 3. Drafting, review and/or update of policies, documents and advise 4. Reporting and preparing for audits or inspections by EDPS or other auditing body 5. Management of data breaches 6. Awareness raising and training 7. Consultancy, benchmarking and project management services 8. Advice on data security 9. Performance of audits by the DPO 10. Tasks of a DPO

Internal identifier: S3JU/2024/OP/0002-LOT-1

5.1.1. Purpose

Main nature of the contract: Services

Main classification (cpv): 73200000 Research and development consultancy services

Additional classification (cpv): 79110000 Legal advisory and representation services, 79111000 Legal advisory services, 79112000 Legal representation services, 79140000 Legal advisory and information services

Options:

Description of the options: provided they are in conformity with the basic project, new services or works consisting in the repetition of similar services or works, may be entrusted up to 50 % of the initial contract to the initial contractor by negotiated procedure without prior publication of a contract notice.

5.1.3. Estimated duration

Duration: 48 Month

5.1.4. Renewal

The buyer reserves the right for additional purchases from the contractor, as described here: The framework contract is concluded for an initial period of 12 (twelve) months, renewable 3 (three) time(s). Please consult the draft framework contract in the procurement documents.

5.1.5. Value

Estimated value excluding VAT: 2 226 600,00 EUR

5.1.6. General information

Reserved participation: Participation is not reserved.

Procurement Project fully or partially financed with EU Funds.

5.1.9. Selection criteria

Criterion:

Type: Suitability to pursue the professional activity

Description: Please consult the procurement documents.

Criterion:

Type: Economic and financial standing

Description: Please consult the procurement documents.

Criterion:

Type: Technical and professional ability

Description: Please consult the procurement documents.

5.1.10. Award criteria

Criterion:

Type: Quality

Description: Please consult the procurement documents.

Weight (percentage, exact): 60

Criterion:

Type: Price

Description: Please consult the procurement documents.

Weight (percentage, exact): 40

5.1.11. Procurement documents

Deadline for requesting additional information: 10/04/2024

Address of the procurement documents: <https://ec.europa.eu/info/funding-tenders/opportunities/portal/screen/opportunities/tender-details/4a999502-13f0-40da-acc4-43f865b00170-CN?#anchorDocuments>

Ad hoc communication channel:

Name: Funding and Tenders Portal

URL: <https://ec.europa.eu/info/funding-tenders/opportunities/portal/screen/opportunities/tender-details/4a999502-13f0-40da-acc4-43f865b00170-CN?#anchorDocuments>

5.1.12. Terms of procurement

Terms of submission:

Electronic submission: Required

Address for submission: <https://webgate.ec.europa.eu/digit/opsys/esubmission?cftUuid=4a999502-13f0-40da-acc4-43f865b00170>

Languages in which tenders or requests to participate may be submitted: Bulgarian, Czech, Danish, German, Greek, English, Spanish, Estonian, Finnish, French, Irish, Croatian, Hungarian, Italian, Lithuanian, Latvian, Maltese, Dutch, Polish, Portuguese, Romanian, Slovak, Slovenian, Swedish

Electronic catalogue: Not allowed

Deadline for receipt of tenders: 18/04/2024 23:30:59 (UTC+2)

Deadline until which the tender must remain valid: 6 Month

Information about public opening:

Opening date: 22/04/2024 11:00:00 (UTC+2)

Terms of contract:

Electronic invoicing: Allowed

5.1.15. Techniques

Framework agreement: Framework agreement, without reopening of competition

Information about the dynamic purchasing system: No dynamic purchase system

5.1.16. Further information, mediation and review

Review organisation: Court of Justice of the European Union

5.1. Lot: LOT-0002

Title: Specialized Legal services on Data Protection

Description: Provision of specialised legal and advisory services in the context of: 1. Analysis of legal issues, recommendations, drafting of various documents of a complex nature (agreements, clauses, information notices, privacy policies, procedures, reports of various natures, etc.) as well as the critical review and validation of documents proposed by the

contracting authority. The subject matter of this analysis may cover complex legal issues in data protection such as international transfers and administrative arrangements, standard contractual clauses, biometric data, security, international cooperation, derogations, externalisation of the data protection function. 2. Negotiations or exchanges with a view to drawing up agreements, working arrangements, amendments and annexes to an existing agreement. 3. Assessment of case law and guidelines from other EU institutions or advisory bodies 4. Litigation, in which case, the service will consist of legal support to the contracting authority's DPO and legal department concerned throughout the procedure, via the drafting of decisions, conclusions, minutes, notes, etc. as well as defending the interests of the contracting authority involved in oral debates, where appropriate.

Internal identifier: S3JU/2024/OP/0002-LOT-2

5.1.1. Purpose

Main nature of the contract: Services

Main classification (cpv): 73200000 Research and development consultancy services

Additional classification (cpv): 79110000 Legal advisory and representation services, 79111000

Legal advisory services, 79112000 Legal representation services, 79140000 Legal advisory and information services

Options:

Description of the options: provided they are in conformity with the basic project, new services or works consisting in the repetition of similar services or works, may be entrusted up to 50 % of the initial contract to the initial contractor by negotiated procedure without prior publication of a contract notice.

5.1.3. Estimated duration

Duration: 48 Month

5.1.4. Renewal

The buyer reserves the right for additional purchases from the contractor, as described here:

The framework contract is concluded for an initial period of 12 (twelve) months, renewable 3 (three) time(s). Please consult the draft framework contract in the procurement documents.

5.1.5. Value

Estimated value excluding VAT: 924 100,00 EUR

5.1.6. General information

Reserved participation: Participation is not reserved.

Procurement Project fully or partially financed with EU Funds.

5.1.9. Selection criteria

Criterion:

Type: Suitability to pursue the professional activity

Description: Please consult the procurement documents.

Criterion:

Type: Economic and financial standing

Description: Please consult the procurement documents.

Criterion:

Type: Technical and professional ability

Description: Please consult the procurement documents.

5.1.10. Award criteria

Criterion:

Type: Quality

Description: Please consult the procurement documents.

Weight (percentage, exact): 60

Criterion:

Type: Price

Description: Please consult the procurement documents.

Weight (percentage, exact): 40

5.1.11. Procurement documents

Deadline for requesting additional information: 10/04/2024

Address of the procurement documents: <https://ec.europa.eu/info/funding-tenders/opportunities/portal/screen/opportunities/tender-details/4a999502-13f0-40da-acc4-43f865b00170-CN?#anchorDocuments>

Ad hoc communication channel:

Name: Funding and Tenders Portal

URL: <https://ec.europa.eu/info/funding-tenders/opportunities/portal/screen/opportunities/tender-details/4a999502-13f0-40da-acc4-43f865b00170-CN?#anchorDocuments>

5.1.12. Terms of procurement

Terms of submission:

Electronic submission: Required

Address for submission: <https://webgate.ec.europa.eu/digit/opsys/esubmission?cftUuid=4a999502-13f0-40da-acc4-43f865b00170>

Languages in which tenders or requests to participate may be submitted: Bulgarian, Czech, Danish, German, Greek, English, Spanish, Estonian, Finnish, French, Irish, Croatian, Hungarian, Italian, Lithuanian, Latvian, Maltese, Dutch, Polish, Portuguese, Romanian, Slovak, Slovenian, Swedish

Electronic catalogue: Not allowed

Deadline for receipt of tenders: 18/04/2024 23:30:59 (UTC+2)

Deadline until which the tender must remain valid: 6 Month

Information about public opening:

Opening date: 22/04/2024 11:00:00 (UTC+2)

Terms of contract:

Electronic invoicing: Allowed

5.1.15. Techniques

Framework agreement: Framework agreement, without reopening of competition

Information about the dynamic purchasing system: No dynamic purchase system

5.1.16. Further information, mediation and review

Review organisation: Court of Justice of the European Union

8. Organisations

8.1. ORG-0001

Official name: SESAR3 Joint Undertaking

Registration number: SESAR

Department: SESAR.ED - Executive Director, SESAR.ED.RES - Resources

Postal address: Rue de la fusée, 96, SESAR Joint Undertaking
Town: Brussels
Postcode: B-1130
Country subdivision (NUTS): Arr. de Bruxelles-Capitale/Arr. Brussel-Hoofdstad (BE100)
Country: Belgium
Email: procurement@sesarju.eu
Telephone: +32 2 507 80 00
Internet address: <https://www.sesarju.eu/>

Roles of this organisation:

Buyer
Group leader
Central purchasing body awarding public contracts or concluding framework agreements for works, supplies or services intended for other buyers

8.1. ORG-0002

Official name: Chips Joint Undertaking
Registration number: CHIPS
Postal address: TO 56 5/5
Town: Brussels
Postcode: 1049
Country subdivision (NUTS): Arr. de Bruxelles-Capitale/Arr. Brussel-Hoofdstad (BE100)
Country: Belgium
Email: procurement@sesarju.eu
Telephone: +32 2 507 80 00
Internet address: <https://www.chips-ju.europa.eu/>

Roles of this organisation:

Buyer

8.1. ORG-0003

Official name: Circular Bio-based Europe Joint Undertaking
Registration number: CBEJU
Postal address: Avenue de la Toison d'Or 56-60, White Atrium Building
Town: Brussels
Postcode: B-1060
Country subdivision (NUTS): Arr. de Bruxelles-Capitale/Arr. Brussel-Hoofdstad (BE100)
Country: Belgium
Email: procurement@sesarju.eu
Telephone: +32 2 507 80 00
Internet address: <https://www.cbe.europa.eu/>

Roles of this organisation:

Buyer

8.1. ORG-0004

Official name: Clean Aviation Joint Undertaking
Registration number: CAJU
Postal address: White Atrium building, 4th Floor, Avenue de la Toison d'Or 56-60
Town: Brussels
Postcode: B-1060
Country subdivision (NUTS): Arr. de Bruxelles-Capitale/Arr. Brussel-Hoofdstad (BE100)
Country: Belgium
Email: procurement@sesarju.eu

Telephone: +32 2 507 80 00
Internet address: <https://www.clean-aviation.eu/>

Roles of this organisation:

Buyer

8.1. ORG-0005

Official name: Clean Hydrogen Joint Undertaking
Registration number: CHJU
Postal address: White Atrium building, Avenue de la Toison d'Or 56-60
Town: Brussels
Postcode: B-1060
Country subdivision (NUTS): Arr. de Bruxelles-Capitale/Arr. Brussel-Hoofdstad (BE100)
Country: Belgium
Email: procurement@sesarju.eu
Telephone: +32 2 507 80 00
Internet address: <https://www.clean-hydrogen.europa.eu>

Roles of this organisation:

Buyer

8.1. ORG-0006

Official name: EDCTP3 JU - Global Health EDCTP3 Joint Undertaking
Registration number: GHEDCTP3
Postal address: Rue de la fusée, 96, SESAR Joint Undertaking
Town: Brussels
Postcode: B-1130
Country subdivision (NUTS): Arr. de Bruxelles-Capitale/Arr. Brussel-Hoofdstad (BE100)
Country: Belgium
Email: procurement@sesarju.eu
Telephone: +32 2 507 80 00
Internet address: <https://www.sesarju.eu/>

Roles of this organisation:

Buyer

8.1. ORG-0007

Official name: Europe's Rail Joint Undertaking
Registration number: EURAIL
Postal address: White Atrium building, 2nd Floor, Avenue de la Toison d'Or 56-60
Town: Brussels
Postcode: B-1060
Country subdivision (NUTS): Arr. de Bruxelles-Capitale/Arr. Brussel-Hoofdstad (BE100)
Country: Belgium
Email: procurement@sesarju.eu
Telephone: +32 2 507 80 00
Internet address: <https://rail-research.europa.eu/>

Roles of this organisation:

Buyer

8.1. ORG-0008

Official name: European High-Performance Computing Joint Undertaking
Registration number: EUROHPC
Postal address: 12, Rue Guillaume Kroll, Technopolis Building - Wing E

Town: Luxembourg
Postcode: L-2920
Country subdivision (NUTS): Luxembourg (LU000)
Country: Luxembourg
Email: procurement@sesarju.eu
Telephone: +32 2 507 80 00
Internet address: <https://eurohpc-ju.europa.eu/>

Roles of this organisation:

Buyer

8.1. ORG-0009

Official name: Innovative Health Initiative Joint Undertaking (IHI JU)
Registration number: IHJU
Postal address: Avenue de la Toison d'Or 56-61
Town: Brussels
Postcode: B-1060
Country subdivision (NUTS): Arr. de Bruxelles-Capitale/Arr. Brussel-Hoofdstad (BE100)
Country: Belgium
Email: procurement@sesarju.eu
Telephone: +32 2 507 80 00
Internet address: <https://www.ihj.europa.eu>

Roles of this organisation:

Buyer

8.1. ORG-0010

Official name: SNS JU - Smart Networks and Services Joint Undertaking
Registration number: SNSJU
Postal address: Rue de la fusée, 96, SESAR Joint Undertaking
Town: Brussels
Postcode: B-1130
Country subdivision (NUTS): Arr. de Bruxelles-Capitale/Arr. Brussel-Hoofdstad (BE100)
Country: Belgium
Email: procurement@sesarju.eu
Telephone: +32 2 507 80 00
Internet address: <https://www.sesarju.eu/>

Roles of this organisation:

Buyer

8.1. ORG-0011

Official name: Court of Justice of the European Union
Registration number: CURIA
Postal address: Rue du Fort Niedergrünwald
Town: Luxembourg
Postcode: L-2925
Country subdivision (NUTS): Luxembourg (LU000)
Country: Luxembourg
Email: GC.Registry@curia.europa.eu
Telephone: +352 4303-1
Internet address: <http://curia.europa.eu>

Roles of this organisation:

Review organisation

8.1. ORG-0012

Official name: European Commission

Registration number: EUCOM

Postal address: Mondrian (CDMA), Rue du Champ de Mars 21

Town: Brussels

Postcode: B-1050

Country subdivision (NUTS): Arr. de Bruxelles-Capitale/Arr. Brussel-Hoofdstad (BE100)

Country: Belgium

Email: procurement@sesarju.eu

Telephone: +32 2 299 11 11

Internet address: <https://commission.europa.eu/>

Roles of this organisation:

TED eSender

11. Notice information

11.1. Notice information

Notice identifier/version: 1563ed80-6372-449f-b60c-d143856815ba - 01

Form type: Competition

Notice type: Contract or concession notice – standard regime

Notice dispatch date: 05/03/2024 14:52:37 (UTC+1)

Languages in which this notice is officially available: English

11.2. Publication information

Notice publication number: 140312-2024

OJ S issue number: 48/2024

Publication date: 07/03/2024