



Brussels, 10 May 2021

Ex-ante publicity for middle-value contract

Subject: Negotiated procedure to conclude a middle value contract:

Legal consultancy on setting up ELA's mediation procedure and on personal data protection

1. Purpose of the request for services

The European Labour Authority (ELA) is a union body established by Regulation (EU) 2019/1149. Its aim is to ensure that EU rules on labour mobility and social security coordination are enforced in a fair, simple and effective way and to make it easier for citizens and businesses to reap the benefits of the internal market.

To help perform two of its tasks, ELA will launch a negotiated procedure comprising two lots, to conclude a middle value contract to provide legal consultancy services to set up a mediation procedure (Lot 1); and to comply with EU obligations on data protection (Lot 2).

The legal support to be provided under Lot 1 will assist ELA in achieving its objective, as stated in Article 2(c) of Regulation (EU) 2019/1149, in the area of mediation and facilitation a solution in cases of cross-border disputes between Member States on the application of relevant Union law.

The Contractor is expected to contribute to the work of ELA, by providing expertise in conceptual and analytical work, with the aim of achieving the deliverables specified in the Work Programme 2021. The Contractor will be expected to support ELA in achieving its deliverables, by providing legal advisory and drafting of various documents to achieve the required deliverables.

The legal support to be provided under Lot 2 will assist ELA in assessing different data protection legislation with a view to establishing potential and limitations of sharing individual data in the context of the Authority, in particular as regards the coordination and carrying out of concerted and joint inspections.

The Contractor is expected to deliver an analysis and recommendations concerning appropriate technical and organisational measures to comply with the obligations imposed by the Regulations (EU) 2016/679 (13) or (EU) 2018/1725, in particular measures relating to the lawfulness of the processing of data (including storage of

data), the security of the processing activities, the provision of information and the rights of data subjects, in the context of the exchange of personal data under different ELA's tasks.

2. Price

The maximum amounts for this contract are Lot 1 EUR 50 000 and Lot 2 EUR 75 000.

3. Indicative time schedule and contact point

The indicative time schedule for launching the negotiated procedure is June 2021. Interested economic operators can express their interest to participate in this negotiated procedure until **25/05/2021** at **12:00** in writing to EMPL-ELA-PROCUREMENT@ec.europa.eu. The indicative date to sign the contract is August 2021.

The estimated performance period of the resulting contract is 12 months (contract not renewable).

4. Protection of personal data

If processing a tender involves the recording and processing of personal data (such as name, address and CV), this data will be processed pursuant to Regulation (EC) No 2018/1725. Unless indicated otherwise, any personal data will be processed solely for evaluation purposes under the negotiated procedure by the Head of Unit of Unit F4 -Programme Management & Implementation, DG Employment, Social Affairs and Inclusion. Details concerning the processing of personal data are available in the privacy statement. The tenderer's personal data may be registered in the Early Detection and Exclusion System (EDES) if the tenderer is in one of the situations mentioned in Article 136 of the Financial Regulation. For more information, see the privacy statement.