SUBJECT: ADVERTISEMENT FOR CONTRACTS FOR THE PROVISION OF LEGAL SERVICES (Point 11.1h of Annex I to the Financial Regulation\textsuperscript{1})

I. Details of the contracting authority

European Asylum Support Office (EASO)
MTC Block A, Winemakers Wharf,
Grand Harbour Valletta, MRS 1917, Malta
E-mail: contracts@easo.europa.eu
Website: http://easo.europa.eu

II. Description of the contract

The contract(s) for the provision of legal services may vary in view of their particular subject, duration and value.

III. Description of services

The provision of legal services may cover any of the following area(s):

- Advice on admissibility of appeals lodged against EASO’s decisions (e.g. admissibility on the form, respect of deadlines, admissibility on the substance, standing of the appellant);
- Advice on the subject matter of proceedings before the European and national courts (e.g. actions for annulment, failure to act, damages claims), including litigation and pre-litigation advice;
- Litigation and pre-litigation advice to EASO in its contracts with third parties under Maltese/or different applicable law;
- Legal representation by a lawyer within the meaning of Article 1 of Council Directive 77/249/EEC in arbitration or conciliation or judicial proceedings;
- Arbitration and conciliation services;
- Document certification and authentication services which must be provided by notaries;

\textsuperscript{1} Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018
IV. Description of the procedure

In response to this advertisement, an economic operator who is potentially interested in providing the type of legal services described in section III, must submit to the functional mailbox indicated above the following duly completed and signed documents:

- A Legal Entity Form
- A Financial Identification Form
- A Declaration of honour with respect to the exclusion criteria and selection criteria
- A declaration regarding their capacity to provide legal services in the above-mentioned areas where they have expertise and to practice law in the indicated EU Member State.

The possibility to submit an expression of interest in response to this advertisement will remain open for as long as the notice is available in the section for procurement of EASO Website.

On the basis of the responses to this advertisement, a list of potential service providers will be drawn up. Potential service providers will be notified of inclusion in the list on the basis of the completeness of the documentation submitted. Inclusion on the list of potential service providers does not guarantee in any way that EASO will invite a potential service provider to present an offer in response to a request for services.

Contracts for legal services may be awarded by EASO following a negotiated procurement procedure.

When receiving a request for services from EASO the invited service provider will be required to submit to the functional mailbox contracts@easo.europa.eu the following duly completed and signed documents:

- A financial proposal
- The CVs of the proposed legal advisors

An invitation to present an offer in response to a request for services does not create an obligation on EASO to award a contract.

V. Access to the market

Participation in this procurement procedure is open on equal terms to all natural and legal persons coming within the scope of the Treaties, as well as to international organisations.

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2 Available at: http://ec.europa.eu/budget/contracts_grants/info_contracts/legal_entities/legal_entities_en.cfm
3 Available at: http://ec.europa.eu/budget/contracts_grants/info_contracts/financial_id/financial_id_en.cfm
4 See Annex I
5 Point 11.1h of Annex I to the Financial Regulation
6 Since the United Kingdom notified on 29 March 2017 its intention to leave the Union, pursuant to Article 50 of the Treaty on European Union, the Treaties will cease to apply to the United Kingdom from the date of entry into force of the withdrawal agreement or, failing that, two years after the notification, unless the European Council, in agreement with the United Kingdom, decides to extend that period. As a consequence, and without prejudice to any provisions of the withdrawal agreement, this only applies until the United Kingdom ceases to be a Member State".
It is also open to all natural and legal persons established in a third country which has a special agreement with the European Union in the field of public procurement under the conditions laid down in that agreement\(^7\).

Being launched by an EU Agency, this procurement procedure is not open to the countries parties to the Agreement on Government Procurement\(^8\).

The rules of access to the market apply to all joint tenderers but do not apply to subcontractors.

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\(^7\) Namely, under the Stabilisation and Association Agreements (SAA) economic operators established in FYROM, Albania, Montenegro, Serbia and Bosnia and Herzegovina have been granted access to procurement procedures of EASO regardless of the value of the purchase.

Moreover, under the European Economic Agreement, economic operators established in Iceland, Norway and Liechtenstein have full access to procurement procedures of EASO

\(^8\) Except for Iceland, Norway and Liechtenstein.