

# **Tender Specifications**





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ESMA Eu	uropean Securities and Markets Authority	
Staff Agency	The companies which have been awarded by the Framework Contract(s)	
Contractor	The person who has been contracted by ESMA via the Framework Contract with a Specific Contract	
Service Man- ager	Appointed by the <i>Staff Agency</i> to execute the <i>Service</i> as described in "ESMA Invitation to Tender"	
Contract Man- ager	The person nominated by ESMA for the internal management of the contracts and counterpart to the Service Manager of the Staff Agency	



#### **Introduction to ESMA**

ESMA is an independent EU Authority that was established on 1 January 2011. It works closely with the national competent authorities who are members of the European System of Financial Supervision and the other European Supervisory Authorities – the European Banking Authority (ESMA) responsible for banking and the European Insurance and Occupational Pensions Authority (EIOPA) responsible for insurance and occupational pensions.

ESMA also contributes to the financial stability of the European Union, in the short, medium and long-term, through its contribution to the work of the European Systemic Risk Board, which identifies potential risks to the financial system and provides advice to diminish possible threats to the financial stability of the Union. ESMA is also responsible for coordinating actions of securities supervisors or adopting emergency measures when a crisis situation arises.

ESMA's mission is to enhance the protection of investors and promote stable and well-functioning financial markets in the European Union (EU). As an independent institution, ESMA achieves this aim by building a single rule book for EU financial markets and ensuring its consistent application across the EU. ESMA contributes to the regulation of financial services firms with a pan-European reach, either through direct supervision or through the active coordination of national supervisory activity.

Further information about the Authority can be found on the ESMA website www.esma.europa.eu.

## The tender process

The purpose of competitive tendering for awarding contracts is two-fold:

- to ensure the transparency of operations;
- to obtain the desired quality of services, supplies and works at the best possible price.



# 1. Overview of this tender

# 1.1 Description of the contract

The services required by ESMA are described in the terms of reference in **section 2** of the present tender specifications.

In drawing up a tender, tenderers should bear in mind the provisions of the draft contract in **Annex I**. In particular, the draft contract indicates the method and the conditions for payments to the contractor. The submission of an offer once implies that the tenderer has agreed to the conditions of these tender specifications as well as to all terms and conditions set out in the draft contract.

Tenderers are expected to examine carefully and respect all instructions and standard formats contained in these specifications and the invitation to tender. An offer which does not contain all the required information and documentation may be rejected.

# 1.2 Timetable UPDATED on 24/01/2014

Activity	Date	Comments
Launching of tender	05/12/2013	Dispatch of contract notice to the OJ
Deadline for request of clarifications from ESMA	27/01/2014	Ten working date before the deadline for submission
Site visit or clarification meeting (if any)	-	Not applicable
Last date on which clarifications are issued by ESMA	31/01/2014	
Deadline for submission of offers	<del>06/02/2014</del> 20/02/2014	At 16:00 CET
Interviews (if any)	-	Not applicable
Opening session	<del>13/02/2014</del> <b>27/02/2014</b>	At 10:00 a.m. CET
Date for evaluation of offers	Opening date plus 2 weeks	Estimated
Notification of award to the selected Tenderer	Evaluation date plus 3 weeks	Estimated
Contract signature	Notification date plus 2 weeks	Estimated



# 1.3 Participation in the tender procedure

This procurement procedure is open to the natural or legal person wishing to bid for the assignment and established in the EU.

Tenderers must not be in any situation of exclusion under the exclusion criteria indicated in section <u>3.1</u> of these tender specifications and must have the legal capacity to allow them to participate in this tender procedure (see section <u>3.2.1</u>).

Please note that any attempt by a tenderer to obtain confidential information, enter into unlawful agreements with competitors or influence the evaluation committee or ESMA during the process of examining, clarifying, evaluating and comparing tenders will lead to the rejection of his tender and may result in administrative penalties.

# 1.4 Participation of consortia

A consortium may submit a tender on condition that it complies with the rules of competition.

A consortium may be a permanent, legally-established grouping or a grouping which has been constituted informally for a specific tender procedure. Such grouping (or consortium) must specify the company or person heading the project (the leader) and must also submit a copy of the document authorising this company or person to submit a tender. All members of a consortium (i.e., the leader and all other members) are jointly and severally liable to the Contracting Authority.

In addition, each member of the consortium must provide the required evidence for the exclusion and selection criteria (see section 3 of these tender specifications). Concerning the selection criteria 'technical and professional capacity', the evidence provided by each member of the consortium will be checked to ensure that the consortium **as a whole** fulfils the criteria.

The participation of an ineligible person will result in the automatic exclusion of that person. In particular, if that ineligible person belongs to a consortium, the whole consortium will be excluded.

#### 1.5 Subcontracting

If subcontracting is envisaged, the tenderer must clearly indicate in the tender which parts of the work will be subcontracted. The total value of the subcontracted part of the services cannot represent the total value of the contract value.

Subcontractors must satisfy the eligibility criteria applicable to the award of the contract. If the identity of the intended subcontractor(s) is already known at the time of submitting the tender, subcontractors to a value exceeding 10% of the framework contract must provide the required evidence for the exclusion and selection criteria.

If the identity of the subcontractor is not known at the time of submitting the tender, the tenderer who is awarded the contract will have to seek ESMA's prior written authorisation before entering into a subcontract.

Where no subcontractor is given, the work will be assumed to be carried out directly by the tenderer.



#### 1.6 Presentation of the tender

Tenders must comply with the following conditions:

## a) Double envelope system

Offers must be submitted in accordance with the **double envelope system**:

The <u>outer envelope</u> or parcel should be sealed with adhesive tape and signed across the seal and carry the following information:

- the project title: Consultancy
- the name of the tenderer:
- the indication "Offer Not to be opened by the internal mail service":
- the address for submission of offers (as indicated in the invitation to tender letter)
- the date of posting (if applicable) should be legible on the outer envelope

The outer envelope must contain three inner envelopes, namely, Envelopes A, B and C.

The content of each of these envelopes shall be as follows:

- 1. Envelope A Administrative documents
  - The signed, dated and duly completed **Tender Submission Checklist** using the template in **Annex IX**;
  - The duly filled in, signed and dated **Exclusion Criteria and Non-Conflict of Interest Declaration**(s) as requested in section <u>3.1</u> and using the standard template in **Annex II**;
  - The duly filled in, signed and dated Legal Entity Form(s) as requested in section 3.2.1 and using the standard template in Annex III as well as the requested accompanying documents;
  - The duly filled in, signed and dated **Financial Identification Form** using the template in **Annex IV**;
  - The financial and economic capacity documents as requested in section 3.2.2;
  - The technical and professional capacity documents as requested in section 3.2.3;
  - A statement containing the name and position of the tenderer's authorised signatory in Annex V; and
  - In case of consortia, a **consortium agreement** duly signed and dated by each of the consortium members specifying the company or person heading the project and authorised to submit a tender on behalf of the consortium (please see section <u>1.4</u> of these tender specifications);
  - In case of **subcontracting**, the tender must include a cover letter presenting the name of the tenderer and identified subcontractors if applicable, and the name of the single contact person in relation to this tender.
    - If applicable, the cover letter must indicate the proportion of the contract to be subcontracted.
    - Subcontractors must provide a letter of intent stating their willingness to provide the service foreseen in the offer and in line with the present tender specification.



# 2. Envelope B – Technical proposal

• One original (unbound, signed and clearly marked as "Original"), one electronic version and three copies (bound and each marked as "Copy") of the Technical Proposal, providing all information requested in section 4.

## 3. Envelope C – Financial proposal

 One signed original and three copies of the Financial Proposal, based on the format in found in **Annex VII**.

## b) Language

Offers must be submitted in one of the official languages of the European Union. ESMA prefers, however, to receive documentation in English. Nonetheless, the choice of language will not play any role in the consideration of the tender.

#### 1.7 Confirmation of offer submission

In order to keep track of offers due to arrive, tenderers who do not hand deliver their offers are requested to complete and return the form found **Annex VIII**.

#### 1.8 Contacts between ESMA and the tenderers

Contacts between ESMA and tenderers are prohibited throughout the procedure, except in the following circumstances:

#### 1.8.1 Written clarification before the deadline for submission of offers

Requests for clarification regarding this procurement procedure or the nature of the contract should be done **in writing only** and should be sent by mail or email to:

**ESMA** 

Attn: Procurement Office CS 60747 103, Rue de Grenelle 75345 Paris, CEDEX France email: procurement@esma.europa.eu

Each request for clarification sent to ESMA should indicate the publication reference and the title of the tender.

The deadline for clarification requests is indicated in the timetable under section **1.2.** Requests for clarification received after the deadline will not be processed.

At the request of the tenderer, ESMA may provide any additional information or clarification resulting from the request for a clarification on the ESMA Procurement webpage. Clarifications might be published in the form of questions and answers on ESMA webpage respecting the anonymity of the requesting party.

ESMA may, on its own initiative, inform interested parties of any error, inaccuracy, omission or other clerical error in the text of the contract notice or in the ten-



der specifications by publishing a corrigendum on its website (http://www.esma.europa.eu/page/Procurement).

Tenderers should regularly check the ESMA website for updates.

## 1.8.2 After the closing date for submission of tenders

If, after the tenders have been opened, some clarification is required in connection with a tender, or if obvious clerical errors in the submitted tender must be corrected, the ESMA may contact the tenderer, although such contact may not lead to any alternation of the terms of the submitted tender.

## 1.9 Visits to ESMA premises

No site visits at ESMA's premises are deemed necessary for this procedure.

#### 1.10 Interviews

The Evaluation Committee will not conduct interviews for this procedure

#### 1.11 Division into Lots

This tender is divided into lots.

- LOT-1 covers IT profiles such as Project Manager, Project Assistant, Business Analysts or technology experts. (non-exhaustive)
- LOT-2 covers general administration profiles such as HR assistant, Team assistant (nonexhaustive)

The tenderer must be in a position to provide all the services requested per LOT applied for. <u>The tenderer may apply for one or both LOTs</u>.

#### 1.12 Variants

Not applicable

# 1.13 Confidentiality and public access to documents

All documents provided by the tenderer become the property of the ESMA and are deemed confidential.

In the general implementation of its activities and for the processing of tendering procedures in particular, ESMA observes the following EU regulations:

- Council Regulation (EC) No. 1049/2001 of 30 May 2001 regarding public access to European Parliament, Council and Commission documents; and
- Council Regulation (EC) No. 45/2001 of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data.

The tender process will involve the recording and processing of personal data (such as a tenderer's name, address and CV). Such data will be processed pursuant to Regulation (EC) No. 45/2001.



Unless indicated otherwise, tenderer's replies to questions and any personal data requested by ESMA in the tender specifications and for the purpose of the tender, will be processed solely for that purpose by ESMA. A tenderer is entitled to obtain access to their personal data on request and to rectify any such data that is inaccurate or incomplete.

#### 1.14 Contractual details

A draft contract is attached to these technical specifications as Annex I. The draft contract is applicable to both lots. If one tenderer wins both lots, one contract can be conclude for all services (lot 1 and 2).

ESMA wishes to conclude a contract for 1 year from the date of signature with the possibility of three extensions of 1 year (1+1+1+1). The maximum contract duration will be 4 years. The maximum value of the contracts shall be € 12 890 000

Lot 1: €10.740.000, 00 Lot 2: €2.150.000, 00

ESMA reserves the right to increase these ceiling amounts - in accordance with Article 134(1)(f) of the Rules of Application of the Financial Regulations - REGULATION (EU, EURATOM) No 966/2012 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002).

The framework contract will be executed through specific contracts or purchase orders.

A framework contract will establish the terms governing specific contracts to be awarded during a given period; in particular, with regard to price.

Signature of the framework contract imposes no obligation on the Authority to order services. Only the implementation of the framework contract through specific contracts is binding for ESMA.

Each specific contract or purchase order (from now on will be referred to only as specific contract) will contain details of deliverables and timelines for particular services to be provided.

# 2. Terms of reference

The terms of reference will become an integral part of the contract that may be awarded as a result of this tender procedure. All aspects of the terms of reference are applicable to both lots, with the exception of the profiles, each of which are all clearly marked as applicable either Lot 1 or Lot 2.

# 2.1 Introduction: Background to the invitation to tender

ESMA will require skilled personnel to work mostly on-site, as a complement to its regular staff, for the following indicative reasons:

- to carry out, on a temporary basis, tasks which require specific competencies which are not available within ESMA
- to temporarily replace staff absent due to maternity leave, long-term sickness or other reasons
- ▶ to cope with peak periods which require an additional workforce for a fixed period of time



- ▶ to carry out on a temporary basis additional tasks to the ordinary ones resulting from specific projects
- to provide temporary human resources due to staff shortages

The objective of the envisaged framework agreements is to support the operational functions of ESMA by providing a fast and flexible way of satisfying the ESMA with the "supply of skilled staff" for above mentioned reasons.

## 2.2 Description of the goods/services & scope of the contract

The scope of the service is as defined by these terms of reference. It includes the supply of skilled staff for ESMA. The Staff Agency will act as a broker to screen the freelance and consultancy market, shortlist CVs, and post freelancers or consultants (Contractors) for each ESMA. LOT-1 covers IT profiles such as Project Manager, Project Assistant, Business Analysts or technology experts. LOT-2 covers general administration profiles such as HR assistant, Team assistant. Further information including a full list of profiles in scope of this contract is provided in Annex XI

The variety of activities and duties for which ESMA may request skilled personnel in the context of this Framework Contract may include, among others, the following:

- ▶ IT activities and duties including support and project work
- ► General administrative support (including data entry, filing, archiving etc)
- Administrative duties involving some degree of technical knowledge such as bookkeeping
- Support for the organisation of meetings, conferences and events
- Budgetary, financial, and accounting duties
- Procurement support
- Human resources related activities support
- Support for external and internal communications activities (e.g. press relations, Intranet)

The abovementioned list of activities and duties is not exhaustive. It is indicative of the type of assignments likely to arise. The Contractors employed under specific contracts will carry out activities that would be normally carried out by regular staff. Therefore, it is expected that deployed Contractors work in close cooperation with ESMA staff members and Contractors from other Staff Agencies and other external contractors of ESMA in the premises of ESMA.

# 2.2.1 General description of the work/tasks

- A. Identifying suitable consultants or freelancer as interim staff according to the profiles, levels and call-off procedure defined in these terms of reference
- B. Pre-screening of CVs and interviews with potential candidates prior to forwarding the Contractor's CV to ESMA.
- C. Facilitate interviews between ESMA staff and the Contractor. Depending on the circumstances interviews can be held on the phone or at the office location of ESMA



- D. Negotiation of hourly rates to achieve the agreed price range which is specified in the framework contract and reviewed on an annual basis
- E. Signing of specific contracts to define the Contractors identity, the daily rate, the maximum number of days and the duration of the posting
- F. Processing of monthly time sheets and quarterly invoicing according to conditions laid down in the framework contract and specific contract. Monitoring of actual days vs. maximum days defined in the specific contract
- G. Finding adequate replacement for contracted staff in case of (i) prolonged absence of the contractor, (ii) termination of the specific contract by the Contractor or (iii) termination of the specific agreement by ESMA
- H. Retain know how about each ESMA in order to improve the selection and screening of CVs prior to submission to the respective staff member.
- I. Organisation and follow-up of service review meetings with the appointed Contract Manager.



### 2.2.2 The Staff Agency and the Service Manager

General responsibility for the framework contract and specific contracts with ESMA falls to the Staff Agency. Operational responsibility for the framework contract and specific contracts lies with the Service Manager of the Staff Agency. The Staff Agency shall nominate a Service Manager, who will be the point of contact for all issues related to the provision of the services under this framework contract. The Service Manager will not be provided an office infrastructure (office space, hardware/software, telephone network etc.) at ESMA's premises. However, he/she must be reachable and if required available for meetings during the normal working hours of ESMA.

This Service Manager should have experience of at least 8 years in the fields relevant to the service and employed by the Staff Agency for at least 2 years.

## 2.2.3 The Contract Manager

ESMA will appoint a Contract Manager who is responsible for the operation and execution of the service. The Contract Manager will be the primary contact person for the Service Manager.

## 2.2.4 The Contractor (assigned personnel)

Each Contractor proposed to ESMA must be skilled and experienced for the required tasks as indicated in the profile. All profiles have two categories:

Junior = >3 years of experience in the knowledge areas specified in these specifications (and the Service Request form at the time of order).

Senior = >6 years of experience in the knowledge areas specified in these specifications (and the Service Request form at the time of order).

They must have a very good command of English.

During their assignment, the Contractors must demonstrate a high level of diplomacy and service orientation in the course of their work contacts with internal customers and peer colleagues.

Contractors are recruited at a specified profile level based on their relevant professional experience (number of years – either >3 or >6 years). Should the Contractor transition to the next higher profile level it will not have effect and repercussion on the assigned profile level or on the remuneration in the Specific Contract. The Contractor keeps the same profile level until the end of the specific contract.

The contractor will be provided office infrastructure (office space, hardware/software, telephone network etc.) at ESMA's premises if working on-site.

# 2.2.5 **Provision of infrastructure**

ESMA shall make available the infrastructure needed for the execution of the on-site work (office space, hardware/software, telephone network etc.) to the Contractor.

The entire required infrastructure for the execution of the off-site services (i.e. related to the Service Manager) shall be the responsibility of the Staff Agency or the con-



tractor. In no event shall the Staff Agency or contractor be able to plead the infrastructure as a reason for not meeting any of its obligations, in particular with regard to deadlines and quality.

# 2.2.6 Security and confidentiality requirements

The Contractor shall comply with the ESMA's security rules. The Contractors will be requested to sign a confidentiality agreement as a condition for the signature of the assignment. For sensitive tasks, ESMA may exceptionally request the consultant to provide a certificate of good conduct or equivalent (e.g. criminal records). In such case, it will specify this requirement in the job description for the assignment.

## 2.2.7 Working days and hours

The Consultant is required to work the work the standard hours and days of ESMA. The standard working days are from Monday to Friday, except on ESMA Holidays published on their website. For 2014 these are:

- 1 January Wednesday, New Year's Day
- January Thursday, the day following New Year's Day
- 17 April Maundy Thursday/Holy Thursday
- 18 April Good Friday
- 21 April Easter Monday
- 1 May Thursday, Labour Day
- 2nd may Friday, the day following Labour Day
- 9 May Friday, Anniversary of the Declaration made by President Robert Schuman in 1950
- 29 May Thursday, Ascension Day
- 30 May Friday, the day following Ascension Day
- 9 June Whit Monday
- 15 August Friday, Assumption Day
- 24 December to Wednesday (6 end-of-year days) to Wednesday
- 31 December

Total: 18 days



The standard working hours are from 9am to 5.30pm GMT including 30 minutes break (on standard working days), which equates to an **8 hour working day**. In general, Contractors will be working standard hours and standard working days. The Contractor shall be responsible for ensuring that the above timings are complied with.

On request and after written confirmation from the contractor, followed by written approval from the ESMA, the work of the contractor can be outside standard working days and standard working hours. The Contractor shall be responsible for ensuring that approved hours outside the standard working days and standard working hours are assigned correctly in the timesheet and the approval is attached to the timesheet of the contractor.

#### 2.2.8 Languages

The working language (written and spoken) is English. Contractors should have excellent command of English (Minimum B2 Level or equivalent).

#### 2.2.9 Service recording and invoicing

Every day the Contractor shall record their worked time. At the end of each month, the Contractor shall complete and sign the attendance sheet (timesheet) and forward it to its management representative or coordinator at ESMA and as named in the specific contract. The ESMA staff member shall be in charge of checking the consistency between the daily records and the monthly timesheet. The Contractor shall subsequently forward the time sheet to the Service Manager or Staff Agency representative for preparing the invoicing – which shall be done on a **quarterly** basis.

#### 2.2.10 Service Performance Review

The Service Manager must provide quarterly reports to the responsible Contract Manager at the ESMA. The report shall include relevant information related to the execution of the service as well as past and active postings of Contractors. The report with complete and accurate information for the previous quarter must be delivered by the end of the second calendar week of the current quarter.

Service review meetings shall be held twice per year at ESMA's premises. The Staff Agency will be represented by the Service Manager and ESMA by the Contract Manager. Additional participants can be invited by the Service Manager and Contract Manager. The purpose of the Service Review meeting is to review the past performance of the service, identify any necessary measure to improve the quality of the service as well as foreseen changes with impact on the provision of the services.

The Service Manager shall send the agenda for each meeting at least 10 working days before the meeting takes place to the nominated Contract Manager at ESMA. The Contract Manager may request to add additional items to the agenda. After every Service Review meeting the Service Manager drafts the meeting minutes and makes them available to the Contract Manager within 5 working days after the meeting was held.

The Contract Manager may decide to schedule ad-hoc meetings with the Service Manager if required. After every ad-hoc meeting the Service Manager drafts the meeting minutes, which will be made available to the Contract Manager within 5 working days after the meeting was held.



# 2.2.1 Replacement of Consultants

The Staff Agency must ensure a high degree of stability of the services. It is the responsibility of the Staff Agency to arrange the replacement of Contractors in case of (i) under performance, (ii) prolonged absence or early termination of the specific agreement by the Contractor.



#### 2.2.2 Prices for Contractors

Daily rates for interim staff shall include all general expenses related to the specific agreement as well as expenses directly and indirectly related to the provision of the services defined under these terms of reference and in the framework contract (e.g. searching for suitable candidates, screening of CVs, timesheet and invoicing, travel, subsistence, etc.). No expenses incurred in the performance of the Framework contract or specific contract will be reimbursed separately by ESMA.

Prices must be submitted in EURO. If the operational currency of the tenderer is not EURO the official exchange rate published on the European Commission web site should be used to calculate the prices in Euro for the month in which the tender is prepared.

http://ec.europa.eu/budget/contracts grants/info contracts/inforeuro/inforeuro en.cfm

## 2.2.3 Service Level Agreement

ESMA has a Service Level Agreement which is attached in Annex XII. This shall be applicable.

# 2.3 Service ordering and invoicing procedure

The ordering procedure will follow a call-off in cascade procedure. It will be initiated by sending the "Service Request Form" to the primary Staff Agencies. The "Service Request Form" will describe the profile requirements. The Service Manager shall, within a specified time frame respond with up to 3 CVs that match the requested profile and level. Should the primary Staff Agency not be in a position to answer the request ESMA will automatically send the request for service to the second Staff Agency. If necessary the same procedure will then apply to the next Staff Agency. The chosen Staff Agencies and Service Managers must have the capacity to carry out in parallel several individual orders.

ESMA will assess the CVs and conduct interviews. Interview shall be conducted either via phone or at the premises of ESMA if possible. Shall no candidate meet the requirements of ESMA the cascade will be activated as described in the previous paragraph.

The proposal selected shall be followed by a formal offer from the Staff Agency which will be the basis for establishing a Specific Contract with the Staff Agency. This procedure shall be applied for all service requests.

Supply of interim staff shall be provided when the parties agree in the Specific Contract that a specified hourly is to be paid for a given number of days in return for the provision of the Contractor.

Each profile listed in Annex-XI of these terms of reference will follow the definitions as described in the table below.



Tasks and responsibilities	These are extensive examples of the tasks that will be expected to be performed by the required profiles. This list is neither exhaustive nor restrictive and is to be regarded as indicative.
Education and professional qualifications	A description of the educational or professional qualifications that is required for the profile. This description is neither exhaustive nor restrictive and is to be regarded as indicative.
Knowledge and skills	These are extensive examples of the knowledge and skills that a person with required profile is expected to possess depending on the level of the profile and required tasks. The list is neither exhaustive nor restrictive and is to be regarded as indicative.
Level based on professional experience	>3 years - junior
	>6 years - senior

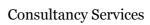


# 2.2.4 Service Ordering Procedure

The following table defined the standard service ordering procedure which will be followed for the majority of call-offs. The Deadline indicated is understood as "maximum duration" during which the service managers shall respond when executing the call-off. As a matter of principle, the service manager should respond as soon as can be possible to the service requests put forward by ESMA.

Step	Description	Actor	Deadline <sup>1</sup>
1	Submission of the "Service Request Form" to the Service Manager of the primary Staff Agency (i.e. via email).	ESMA	+0
2	The Service Manager confirms the receipt of the request form via email and indicates whether or not he/she is intending to submit an offer. Confirmations shall be send via email to ESMA contact person defined on the "Service Request Form". If the Service Manager does not intend to submit an offer, ESMA will automatically cascade the "Service Request Form" to the next Staff Agency in the list.	Service Manager	+2
3	The Service Manager submits up to 3 CVs. CVs should include the following information: Name, date of birth, highest relevant educational qualification, professional certification(s) relevant for the posting, professional experience relevant for the posting, history of employments, technical experience (IT tools) and a short summary of the pre-screening done by the Service Manager	Service Manager	+6
4	ESMA will evaluate the offer which will include a face-to-face interview. If not possible to setup a face-to-face interview a phone interview will be held. The Service Manager shall facilitate the scheduling of interviews within a short time frame. In case no suitable Contractor was identified after the evaluation, ESMA will automatically cascade the "Service Request Form" to the next Staff Agency in the list.	ESMA	+10
5	The Service Manager will be informed and the specific agreement will be prepared by ESMA. If the selected candidate rejects the offer, ESMA will automatically cascade the "Service Request Form" to the next Staff Agency in the list or revert to the second Contractor proposed initially by the Staff Agency.	ESMA	+12
6	ESMA will submit the specific agreement for counter signing by a representative of the <i>Staff Agency</i> .	ESMA	+16
7	Specific agreement signed by both parties.	Service Manager	+20

 $<sup>^{\</sup>scriptscriptstyle 1}$  Relative to the submission date of the "Service Request Form" in working days







# 2.2.5 Service invoicing procedure

The following table describe the service invoicing procedure.

Step	Description	Actor	Deadline <sup>2</sup>
1	Preparation of timesheet every month for the previous month	Contrac- tor	+2
2	Validation and authorisation of time sheet by ESMA supervisor	ESMA	+3
3	Submission of timesheet to Staff Agency / Service Manager	Contrac- tor	
3	Preparation of quarterly invoice and sub- mission to ESMA contact person	Service Manager	(+6 days following the conclu- sion of the quarter)
4	Receipt of invoice and validation against time sheets	ESMA	+10 (days following the conclu- sion of the quarter)
5	Payment of invoice	ESMA	+30 (after receipt of the invoice)

# 2.4 Place of performance of the contract

All tasks will be expected to be performed on the ESMA premises unless agreed in writing beforehand by the ESMA contract.

The contractor will not work on the off-site premises unless it is a written agreement to work off-site by the management representative or coordinator at ESMA or stipulated in the Specific Contract. If working off-site they must be reachable and if required available for meetings and telephone calls during the normal working hours of ESMA.

# 2.5 Intellectual property rights

Not applicable

<sup>&</sup>lt;sup>2</sup> Relative to the first working day of a month in working days

<sup>&</sup>lt;sup>3</sup> In accordance to payment terms defined in the Contract (Annex I)



#### 2.6 Prices

#### 2.6.1 Currency of tender

Prices must be quoted in Euro.

The Financial Proposal Form in **Annex VII** must be used to submit a tender.

# 2.6.2 All-inclusive prices

Prices submitted in response to this tender must be inclusive of all costs involved in the performance of the contract (e.g. to include delivery, supply and installation, maintenance, travel, subsistence, etc). No expenses incurred in the performance of the services will be reimbursed separately by ESMA.

## 2.6.3 Price revision

Prices submitted in response to this tender shall be fixed and not subject to revision for Specific Contracts concluded during the first year of performance of the Framework Contract.

From the beginning of the second year of performance of the Framework Contract, prices may be revised upwards or downwards each year, where such revision is requested by one of the contracting parties by notice served no later than three months before the anniversary of the date on which the Framework Contract became effective.

Specific Contracts shall be concluded on the basis of the prices in force on the date on which they are signed. Such prices shall not be subject to revision.

Further details can be found in the draft Framework Contract.

#### 2.6.4 Costs involved in preparing and submitting a tender

ESMA will not reimburse any costs incurred in the preparation and submission of a tender. Any such costs must be paid by the tenderer.

## 2.6.5 Protocol on the Privileges and Immunities of the European Union

ESMA is, as a rule, exempt from all taxes and duties, and in certain circumstances is entitled to a refund for indirect tax incurred, such as value added tax (VAT), pursuant to the provisions of articles 3 and 4 of the Protocol on Privileges and Immunities of the European Union. Tenderers must therefore quote prices which are exclusive of any taxes and duties and must indicate the amount of VAT separately.

#### 2.6.6 Payments

Payments will be made quarterly.

Invoices must be accompanied by:

- Signed monthly timesheets for each consultant
- Agreed and signed quarterly report



#### 2.6.7 Financial guarantees

Not applicable

# 3. Exclusion and selection criteria

# 3.1 Exclusion criteria

Tenderers shall be excluded from participation in procurement procedure if they are in any of the following situations:

- 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 power 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 ESMA can justify including by decisions of the EIB 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 France or those of the country where the contract is to be performed;
- e) they or persons having power 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 detrimental to the Union's financial interests;
- f) following another procurement procedure or grant award procedure financed by the Community budget, they have been declared to be in serious breach of contract for failure to comply with their contractual obligations.

In addition to the above, contracts may not be awarded to tenderers who, during the procurement procedure for this contract:

- are subject to a conflict of interest;
- are guilty of misrepresenting the information required by ESMA as a condition of participation in the procurement procedure or fail to supply this information.

The declaration on honour is also required for identified subcontractors whose intended share of the contract is above 10%.

# **Declaration and means of proof**

All tenderers must certify that they are not in any of the situations listed above by completing and signing the attached Exclusion Criteria & Non-Conflict of Interest Declaration in **Annex II**.



The tenderer to whom the contract is to be awarded shall provide in addition, within 15 days following the notification of award and preceding the signature of the contract, the following documentary proofs to confirm the declaration referred to above:

- For points a), b) and e), a recent extract from the judicial record or, failing that, an equivalent document recently issued by a judicial or administrative authority in the country of origin or provenance showing that those requirements are satisfied.
- For point d) a recent certificate issued by the competent authority of the State concerned.

Where the document or certificate referred to above is not issued in the country concerned, it may be replaced by a sworn or, failing that, a solemn statement made by the interested party before a judicial or administrative authority, a notary or a qualified professional body in his country of origin or provenance.

This requirement applies to all members of the consortium in case of joint tender and to identified subcontractors whose intended share of the contract is above 10%

# 3.2 Selection criteria

Tenderers must submit evidence of their legal, economic, financial, technical and professional capacity to perform the contract.

The evidence requested should be provided by each member of the group in case of joint tender and identified subcontractor whose intended share of the contract is above 10%. However a consolidated assessment will be made to verify compliance with the minimum capacity levels.

The tenderer may rely on the capacities of other entities, regardless of the legal nature of the links which it has with them. It must in that case prove to ESMA that it will have at its disposal the resources necessary for performance of the contract, for example by producing an undertaking on the part of those entities to place those resources at its disposal.

# 3.2.1 Legal capacity

#### Requirement

A tenderer is asked to prove that they are authorised to perform the contract under the national law as evidenced by inclusion in a trade or professional register, or a sworn declaration or certificate, membership of a specific organisation, express authorisation or entry in the VAT register.

#### Evidence required

The tenderer shall provide a duly filled in and signed Legal Entity Form (see **Annex III**) accompanied by the documents requested therein.

(Where the tenderer has already signed another contract with ESMA, they may provide instead of the legal entity file and its supporting documents a copy of the legal entity file provided on that occasion, unless a change in his legal status occurred in the meantime).

# 3.2.2 Economic and financial capacity

#### Requirement

The tenderer must be in a stable financial position and have the economic and financial capacity to perform the contract. The total value of the contract for each respective lot may not represent more than 25% of the company's average annual



turnover in the last three years and the company shall have an average net positive operational cash flow. This means if a tenderer applies for both lots, the combined total value of both contracts shall not exceed 25% of their average annual turnover in the last 3 years.

## **Evidence required**

Proof of economic and financial capacity shall be furnished by the tenderer (i.e. in case of joint tender, the combined capacity of all members of the consortium and identified subcontractors) providing the following documents:

- -balance sheets for the last 3 financial years
- -statements of the undertaking's profit and loss statements for the last 3 financial years
- -statements of the undertaking's overall cash flow for the last 3 financial years
- -Evidence of professional risk indemnity. Provide brief details of the level and risks included.

ESMA reserves the right to request any other document enabling it to verify the tenderer's economic and financial capacity.

# 3.2.3 Technical and professional capacity

Requirement(s)

# a. Criteria relating to tenderers

Tenderers (in case of joint tender, tenderers may rely on the combined capacity of all tenderers) must comply with and provide evidence for the following criteria:

The tenderer must demonstrate experience as a Freelance Staffing Agency having over the last 3 years placed at least 100 consultants — at least 50 with English language at least B2 level - within three European Economic Area member states.

The tenderer must prove capacity to draft reports in English.

The tenderer must prove experience of working in within three European Economic Area member states placing the profiles identified in Annex XI with high coverage of the profiles (per lot).

#### b. Criteria relating to the team delivering the service:

Service Manager: At least <u>86</u> years of experience in service management overseeing large contracts, quality control of delivered service, client orientation and conflict resolution experience with contracts of a similar size and coverage with experience in management of team of at least 5 people.

Language quality check: at least 3 members of the team should have B2 language skills in English or equivalent, as guaranteed by a certificate or past relevant experience.



Recruitment Consultants: A minimum of two recruitment consultants of at least 5 years of experience (as recruitment consultants) placing at least 50 people per year over the past 3 years.

#### c. Evidence:

The following evidence should be provided to fulfil the above criteria:

- List of relevant contracts (at least 3 of similar contract value) provided in the past 3 years, with sums, figures, dates and contracting body, public or private. The most important services shall be accompanied by certificates of satisfactory execution, specifying that they have been carried out in a professional manner and have been fully completed;
- A list demonstrating within previous 3 years the placing of at least 100 consultants at least 50 with English language at least B2 level within three European Economic Area member states.
- The educational and professional qualifications of the persons who will provide the service for this tender (the team delivering the Staff Agency service) – the persons described in point b. above – **Service Manager who will be used for the contract**, the service team/recruitment consultants -(CVs, preferably using the template in Annex VI) including the management staff). Each CV provided should indicate the intended function in the delivery of the service.
- Example CVs of personnel the tenderer would be able to propose for at least 10 of the profiles for lot 1 and/or 5 of the profiles for lot 2. For the CVs to be accepted, each must include at least 3 years of experience in at least 3 of the listed 'knowledge and skills' and meet the requisite 'Education and Qualifications'.
- At least 5 example reports which the tenderer has drafted in English in the execution of previous contracts within the last 3 years (at least one page of each).

# 4. Award of the contract

Offers are opened and evaluated by a committee, possessing the technical and administrative capacities necessary to give an informed opinion on the offers. The committee members are nominated on a personal basis by ESMA under guarantee of impartiality and confidentiality. Each of them has equal voting rights.

Only the tenders meeting the requirements of the exclusion and selection criteria will be evaluated in terms of quality and price.

# 4.1 Technical proposal (Applicable to both lots)

The assessment of technical quality will be based on the ability of the tenderer to meet the purpose of the contract as described in the terms of reference. To this end, the tenderer must provide the information requested in Annex XIII.

The information in the technical proposal must be consistent with the terms of reference and must be signed by the tenderer.



# 4.2 Technical evaluation (Applicable to both lots)

The quality of technical offers will be evaluated in accordance with the award criteria and the associated weighting as detailed in the evaluation grid below.

No	Criteria	
	Technical Questionnaire (Annex XIII):	
1	Objective of the contract and ESMA work environ-	10
	ment	
2	Coverage of the requested profiles	40
3	Service Ordering and invoicing procedure	15
4	Selection and presentation of CVs	25
5	Service performance review	10
	TOTAL	100

Only tenders scoring 70 points or more (of a maximum of 100) points against the technical award criteria will have their financial proposal evaluated.

# 4.3 Financial proposal

The financial proposal should be presented in the format found in **Annex VII**. The financial evaluation will be based on the following sub-weightings:

<u>Lot 1</u>

In Hours	Out of Hours
0.75	0.25
Senior	Junior
0.7	0.3
Profile	Weight
1	0.06
2	0.06
3	0.06
4	0.06
5	0.04
6	0.04
7	0.04
8	0.04
9	0.2
10	0.04
11	0.04
12	0.2
13	0.04
14	0.04
15	0.04

#### **Lot 2**



In Hours	Out of Hours
0.75	0.25
Senior	Junior
0.7	0.3
Profile	Weight
1	0.14
2	0.14
3	0.14
4	0.14
5	0.14
6	0.14
7	0.16

# 4.4 Choice of the selected tender (Applicable to both lots)

The contract will be awarded to the tenderer offering the quality/price, taking into account the awarding criteria listed above. No award criteria and sub-criteria other than those detailed above will be used to evaluate the offer.

The weighting of quality and price will be applied as follows:

### 4.5 No obligation to award

Completing the procedure of the call for tenders in no way imposes on the ESMA an obligation to award the contract. ESMA shall not be liable for any compensation with respect to tenderers whose offers have not been accepted, nor shall ESMA be liable when deciding not to award the contract.

# 4.6 Notification of outcome

Each tenderer will be informed in writing about the outcome of the call for tender.

If tenderers are notified that a tender has not been successful, tenderers may request additional information by fax or mail. At the discretion of ESMA, this information can be given in a follow-up letter providing further details in writing, such as the name of the tenderer to whom the contract is awarded and a summary of the characteristics and relative advantages of the successful tender. However, ESMA would like to stress that it is not free to disclose any information affecting the commercial interests of other tenderers.

#### **List of Annexes**

Annex I — Draft contract

Annex II — Exclusion criteria and non-conflict of interest declaration

Annex III — Legal entity form

# **Consultancy Services**



Annex IV — Financial identification form

 ${\bf Annex}\ {\bf V-Authorised\ signatory\ form}$ 

 ${\bf Annex~VI-Curriculum~Vitae~template}$ 

Annex VII — Financial proposal form

Annex VIII — Confirmation of offer submission

Annex IX — Tender submission checklist



# **Annex I — Draft contract**

Please see the attached document

undon



The

#### Annex II — Exclusion criteria and non-conflict of interest declaration

#### TO BE COMPLETED AND SIGNED BY THE TENDERER

signed	l:
	in his/her own name (if the economic operator is a natural person or in case of own declaration of a director or person with powers of representation, decision making or contro over the economic operator)
	or representing (if the economic operator is a legal person)
official	l name in full (only for legal person):
official	l legal form (only for legal person):
official	l address in full:
VAT re	egistration number:

declares that the company or organisation that he/she represents:

- a) is not bankrupt or being wound up, is not having its affairs administered by the courts, has not entered into an arrangement with creditors, has not suspended business activities, is not the subject of proceedings concerning those matters, and is not in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
- b) or persons having power of representation, decision making or control over it have not 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*;
- has not been guilty of grave professional misconduct proven by any means which the contracting authorities can justify including by decisions of the EIB and international organisations;
- d) is 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 France and those of the country where the contract is to be performed;
- e) or the persons having power of representation, decision making or control over them have not 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 detrimental to the Union's financial interests;
- f) following another procurement procedure or grant award procedure financed by the Community budget, has not been declared to be in serious breach of contract for failure to comply with their contractual obligations.



In addition, the undersigned declares on their honour:

- g) they have no 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;
- h) they will inform the contracting authority, without delay, of any situation considered a conflict of interest or which could give rise to a conflict of interest;
- i) they have not made and will not make any offer of any type whatsoever from which an advantage can be derived under the contract;
- j) they have not granted and will not grant, have not sought and will not seek, have not attempted and will not attempt to obtain, and have not accepted and will not accept any advantage, financial or in kind, to or from any party whatsoever, constituting an illegal practice or involving corruption, either directly or indirectly, as an incentive or reward relating to award of the contract;
- k) that the information provided to ESMA within the context of this invitation to tender is accurate, sincere and complete;
- l) that in case of award of contract, they shall provide the evidence that they are not in any of the situations described in points a, b, d, e above.

For situations described in (a), (b) and (e), production of a recent extract from the judicial record is required or, failing that, a recent equivalent document issued by a judicial or administrative authority in the country of origin or provenance showing that those requirements are satisfied. Where the Tenderer is a legal person and the national legislation of the country in which the Tenderer is established does not allow the provision of such documents for legal persons, the documents should be provided for natural persons, such as the company directors or any person with powers of representation, decision making or control in relation to the Tenderer.

For the situation described in point (d) above, recent certificates or letters issued by the competent authorities of the State concerned are required. These documents must provide evidence covering all taxes and social security contributions for which the Tenderer is liable, including for example, VAT, income tax (natural persons only), company tax (legal persons only) and social security contributions.

For any of the situations (a), (b), (d) or (e), where any document described in two paragraphs above is not issued in the country concerned, it may be replaced by a sworn or, failing that, a solemn statement made by the interested party before a judicial or administrative authority, a notary or a qualified professional body in his country of origin or provenance.

By signing this form, the undersigned acknowledges that they have been acquainted with the administrative and financial penalties described under art 141 and 145 b of Rules of Applications (Commission Delegated Regulation 1268/2012 of 29/10/12), which may be applied if any of the declarations or information provided prove to be false.

Full name	Date	Signature	



# Annex III — Legal entity form

Please download and complete the appropriate legal entity form:

# For individuals:

 $http://ec.europa.eu/budget/library/contracts\_grants/info\_contracts/legal\_entities/legEnt\_indiv\_en.pdf$ 

# For private companies:

http://ec.europa.eu/budget/library/contracts\_grants/info\_contracts/legal\_entities/legEnt\_priv Comp\_en.pdf

# For public entities:

http://ec.europa.eu/budget/library/contracts\_grants/info\_contracts/legal\_entities/legEnt\_public\_en.pdf



# Annex IV — Financial identification form

Please download and complete the financial identification form available at: http://ec.europa.eu/budget/library/contracts\_grants/info\_contracts/financial\_id/fich\_sign\_ba \_gb\_en.pdf



# ${\bf Annex\,V-Authorised\,signatory\,form}$

# Address and contact details

Tenderer Name	
Address	
Post Code	
Tel	
Fax	
Email	
Web Site (if applicable)	
Legal Status	
Contact person for this tender	
Legal signatory(ies)	



# ${\bf Annex\,VI-Curriculum\,Vitae\,template}$

A template of ESMA's preferred Curriculum Vitae format is available from: http://europass.cedefop.europa.eu/europass/home/vernav/Europass+Documents/Europass+C V.csp



# ${\bf Annex\ VII-Financial\ proposal}$

See attachment



### **Annex VIII – Confirmation of offer submission**

In order to keep track of offers due to arrive, tenderers who do not hand deliver their offers are requested to complete and return this form by fax or email.

Title: Consu	ltancy
Publication	<b>Reference:</b> OJ/05/12/2013-PROC/2013/009
	, Attention to the Procurement Office ement@esma.europa.eu
-	ted an offer for this call on/ using the following delivery service:
• • •	Registered mail Express mail Courier Service Other
Tenderer nam email:	e:
Telephone nu	mber:



### **Annex IX — Tender submission checklist**

The checklist must be used to ensure that you have provided all the documentation for this tender and in the correct way. This checklist should be signed and included in **Envelope A** of your offer.

You must submit your offer in <u>one outer envelope</u> which contains 3 separate inner envelopes clearly marked **Envelopes A**, **B** and **C**.

### Please Tick ✓ the boxes provided

Envelope 'A' - Administrative documents - must contain

The duly completed, signed and dated <b>Exclusion Criteria and Non-Conflict of Interest Declaration.</b>
The duly completed, signed and dated <b>Legal Entity Form</b> (s)
The duly completed, signed and dated Financial Identification Form
The <b>economic and financial capacity documents</b> requested in section 3.2.2
The <b>technical and professional capacity documents</b> requested in section 3.2.3



# $\mathbf{Annex}\,\mathbf{X} - \mathbf{Service}\,\mathbf{Request}\,\mathbf{Form}$

See attachment



#### **Annex XI - Profiles**

### 1. Profile description for LOT 1

Profile: Production Engineer	LOT-1
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### Tasks and Responsibilities:

- Missions expected for production engineer are:
- Tracking and monitoring backups
- Troubleshooting and problems (support level 1 and 2)
- Climbing when necessary to outsourcer or publisher and monitoring resolution
- Coordination and implementation of operations and changes into production
- Writing and improved operating procedures (in English)
- Monitoring of the quality of service
- Reporting to the management and preparation of Steering Committee
- Monitoring of resource capacity (Physical Server, storage).
- Support during the migration project
- Specifying operation requirements (monitoring, logs, compliance with production tools and process)
- Advising/Feed Back to Design authority on platforms design

### **Education and qualifications:**

English (fluent in written and spoken)

- Operating Systems : Red hat Linux , Ubuntu, Windows
- Databases: MySQL, Oracle, MS SQL Server
- Application servers : JBoss , Tomcat
- Windows: Exchange, Active Directory, SCCM, DFS
- Apache web server
- Clustering : Redhat, Mysql, MS SQL, Oracle
- Methodology: ITIL
- Shell Programming
- Java Programming, PHP
- LDAP
- Networks
- Virtualization
- Monitoring (Nagios, Centreon, BMC Patrol)
- Backup Solution (VEEAM, Backup Exec)



#### **Profile: Production Engineer**

<del>LOT-1</del>

### **Tasks and Responsibilities:**

- Missions expected for production engineer are:
- Tracking and monitoring backups
- Troubleshooting and problems (support level 1 and 2)
- Climbing when necessary to outsourcer or publisher and monitoring resolution
- Coordination and implementation of operations and changes into production
- Writing and improved operating procedures (in English)
- Monitoring of the quality of service
- Reporting to the management and preparation of Steering Committee
- Monitoring of resource capacity ( Physical Server , storage) .
- Support during the migration project
- Specifying operation requirements (monitoring, logs, compliance with production tools and process)
- Advising/Feed Back to Design authority on platforms design

### **Education and qualifications:**

• English (fluent in written and spoken)

#### **Knowledge and skills:**

- Operating Systems:, Windows, Unix
- Databases: My SQL
- Application servers : Exchange, Active Directory, SCCM, DFS
- Methodology: ITIL
- LDAP
- Networks
- Virtualization
- Monitoring (Nagios, Centreon, BMC Patrol)
- Backup Solution (VEEAM, Backup Exec and others)

### **Profile: Production Manager**

LOT-1

#### Tasks and Responsibilities:

- The Production Manager will be responsible for the service delivered to internal and to external users. He will be in charge of:
- Managing and Organizing the day to day operations of the production team
- Defining the service levels with Business and PMs for all applications,
- Improving the quality of deliverables within an international organization in the finance industry, and provide platforms and stable for business services.
- Managing and organizing services deliverd by provider for Run the Business and Change the Business Mode
- Reporting on services delivered by operations, support and provider

### **Education and qualifications:**



- ITIL Certification
- University degree (BSc) in computer science or engineering.
- Professional certifications relevant to the knowledge area

- ITIL Service Delivery, Service Management
- JIRA or a management tool similar services
- Applications Service Delivery / Set service levels in cooperation with users
- Operations Management IT production
- Coordination of IT Helpdesk Team
- DR / Business Continuity
- Multiple data centres ( Data Centre ) / data centre migration
- Provision of a pan- European service.



### Profile: Helpdesk Analyst

LOT-1

### Tasks and Responsibilities:

- Resolution of user requests
- Records of applications in the tool tickets
- Escalation to the outsourcer and monitoring of the resolution
- Propose improvements to the service and for users

## **Education and qualifications:**

- MS Certifications
- University degree (BSc) in computer science or engineering

- Windows 7
- Windows Server 2008+
- Active Directory 2008+
- Exchange 2010 SP2
- Forefront Protection for Exchange
- WDS
- WSUS
- Terminals and Blackberry enterprise server
- 4TRESS AAA
- Bit locker encryption
- International Environment



### Profile: Helpdesk Manager LOT-1

### Tasks and Responsibilities:

- For this role you will be responsible for the administration and management of the IT helpdesk.
- You will manage the day to day tasks of the department and provide mentoring to staff as when required.
- Finally, you will also manage the deployment, integration, maintenance, development, upgrade, and support of all helpdesk systems.

### **Education and qualifications:**

- MS Certifications
- University degree (BSc) in computer science or engineering
- ITIL v3

- Managing and organizing Helpdesk (HD) team providing support level 1-2 to 150 users and to 1200 external users across 30 European countries. ). Performing appraisals and reviewing employees performance
- Reporting on services delivered by operations, support and provider. Experience implementing and working with SLA's and a call logging system
- Excellent communication skills both externally and at all levels in the company, both written and verbal with the ability to summarise technical concepts to non-technicians.
- Ability to investigate and propose new solutions and systems to support the business. Enthusiastic, self-confident and self-motivated.
- Being either a team lead or help desk manager (management of 1st and 2nd line IT professionals is essential)
- Willing to adapt and take on new challenges and driven to continuously improve
- Implementing new improvements to the IT infrastructure
- Working experience of Active Directory and Windows XP/7
- Exchange



Profile: Database Administrator	LOT-1

- Design and develop efficient and robust database solutions
- Install, configure and maintain SQL Server databases
- Troubleshoot and resolve database issues in a timely manner and to agreed service levels.
- Proactively investigate areas of the database infrastructure that have the potential to jeopardize business continuity and produce robust solutions
- Perform stress testing and benchmarking
- Perform database backups and restores. Ensure that disaster recovery procedures are robust and regularly tested.
- Prepare capacity planning and sizing
- Maintain multiple development and test environments. Prepare, manage and execute database deployments to Production.
- Plan, implement and maintain security at the database level
- Provide department and business level reporting.

### **Education and qualifications:**

• University degree (BSc) in computer science, computer engineering or business administration or proven ability to perform the tasks commensurate with such a formal academic qualification

- Advanced DBA skills with Oracle and MYSQL
- Knowledge of SQL Server
- Expert understanding of Database Server architecture, administration and security
- Solid grasp of advanced SQL query techniques
- In-depth experience in managing and troubleshooting replications and mirroring
- Expert in Stored Procedures, TSQL commands and SQL Coding
- Expert in query, index and database IO performance tuning
- Expert understanding of database design principals
- Ability to proactively identify, troubleshoot and resolve live database system issues
- Experience in identifying and monitoring key performance areas. Be proactive in assessing performance improvements
- Ability to manage all database maintenance plan activities including backups, indexing, integrity and consistency checks, etc
- Experience supporting Reporting Services and standard reporting tools
- Experience running and supporting large databases under high transaction rates
- Experience with working in software development life cycles
- Exposure to the Agile development methodology



Profile: Business Analyst	LOT-1

- The business analyst supports the users in analysing the user requirements
- Ensures that the IT solution meets the user requirements and complies with existing IT principles and policies
- Establish functional specifications and data modelling, co-ordinates user acceptance testing and supports the drafting of the business area's related documentation
- Assist the project manager in planning activities
- Organises workshops and co-ordination of project stakeholders, taking into account the data and information required for this activity and the project schedule based on userrequirements
- Formulates Service Management procedures and Service Level requirements based on end-user input
- Develops business cases and approaches/methodologies to the analysis work
- Performing requirement engineering activities based on formal techniques and methods (analysing, capturing and managing requirements)
- Modelling of business processes
- Test according to business specifications

### **Education and qualifications:**

- University degree (BSc) in computer science, computer engineering or business administration or proven ability to perform the tasks commensurate with such a formal academic qualification
- Professional qualifications in business analysis

- Excellent knowledge in defining and documenting user requirements, both functional and non-functional:
- Knowledge in requirement engineering activities based on formal techniques and methods (comprising the analysis, capture and management of requirements);
- Experience in applying test methodologies
- Excellent analytical skills and a problem-solving orientation;
- Knowledge of IT Service Management processes and best practice (such as ITIL), in particular in the areas of service level management;
- Very good command of English with proven drafting ability;
- Excellent knowledge in using Microsoft applications, including: Word, Excel, Power Point, Visio.
- Strong interpersonal skills, customer orientation, self-motivation, and the ability to work in a small team are very important



Profile: IT Architect	LOT-1
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- Contributes to establish and enhance the IT architecture;
- Designing IT solutions that meet business requirements in line with the IT architectural principles;
- Participating in writing functional and technical specifications of applications or data
- Participating in writing technical documentation for tender procedures
- Working with peer colleagues and users to collect requirements, analyse and evaluate proposals, conduct negotiations and implement specifications according to defined architectural standards.

### **Education and qualifications:**

- University or college degree in computer engineering, computer science, physics or mathematics or a related discipline or
- Professional experience and qualification in IT architecture methodologies

- Strong knowledge of state-of-the-art IT methodologies and tools,
- proven ability in translating technological issues in a business context
- Identifying technical solutions for business requirements.
- Experience in team/group facilitation, project management and training would be an advantage
- Very good analytical skills.
- Ability to work under pressure and to deliver to agreed deadlines.
- Proven ability to generate a range of possible, also innovative, solutions and to assess the implications of these solutions.
- Good interpersonal skills, in particular communication and negotiation skills, and the ability to work in a team and co-ordinate own activities with others.
- Very good command of English with proven drafting ability.



LOT-1

#### Tasks and Responsibilities

- Contribute to establish and enhance the IT Security policy
- Defines the security requirements for projects in line with the security policies and methodologies
- Works closely with the Business Analyst and IT Architect in designing IT solutions that meet business requirement.
- Participates in writing functional and technical specifications for security related topics
- Performs security assessments and penetration tests, identifies security measures and informs the Project Manager and the system owners of any remaining risks prior to the live operation of the IT system or application
- Work with peer colleagues and users to collect requirements, analyse and evaluate proposals, conduct negotiations and implement specifications according to defined architectural standards.

### **Education and qualifications:**

- University or college degree in computer engineering, computer science, physics or mathematics or a related discipline
- Professional certification in IS security (CISSP, CISA, ISO 27001).
- Technical IS Security certifications (GIAC, OCSP, CEH)

- Experience in application development and database security, OS security, network security. Strong knowledge of state-of-the-art security techniques and methods such as internet security tools, IDS, PKI and encryption.
- Ability to perform penetration testing would be an advantage
- Strong knowledge of state-of-the-art IT methodologies and tools,
- proven ability in translating technological issues in a business context
- deep experience in documenting and writing technical and business papers
- Identifying technical solutions for business requirements.
- Experience in team/group facilitation, project management and training would be an advantage
- Very good analytical skills.
- Ability to work under pressure and to deliver to agreed deadlines.
- Proven ability to generate a range of possible, also innovative, solutions and to assess the implications of these solutions.
- Good interpersonal skills, in particular communication and negotiation skills, and the ability to work in a team and co-ordinate own activities with others.
- Very good command of English with proven drafting ability.



Profile: Project Manager	LOT-1
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- In close co-operation with the ESMA project manager, the Project Manager defines and plans the project deliverables and estimates the resources necessary to meet the goals.
- He/she ensures the delivery by the project team of the agreed deliverables on time, in the agreed quality and within the approved budget.
- He/she ensures that the relevant manager or group receives appropriate information and
  provides early warnings on critical issues, supporting the responsible staff in applying
  project risk management methodology. He/she elaborates proposals and advises on how
  issues critical to the success of the project could be resolved.
- Maintains the project plan, managing parts of it and revising it as appropriate to meet changing needs in terms of scope and requirements.
- Monitors and reports on timeline issues arising in the project to the relevant stakeholders with a particular focus on project dependencies and milestones on the critical path.
- Acts as primary point of contact as concerns enquires on project management related issues and liaising with relevant stakeholders on an ongoing basis.
- Supports relevant staff in assessing whether project deliverables meet specified acceptance criteria, and assists the project team coordinating their activities.

### **Education and qualifications:**

- University or college degree in computer engineering, computer science or business administration or
- Formal qualification in computer studies or proven ability to perform the tasks commensurate with such a formal qualification or ability to perform the tasks commensurate with such a formal academic qualification.
- Formal qualification in project management (e.g. PMI, PRINCE2)

- Proven experience with defined project management methodology as well as planning estimation, budget management, performance monitoring, quality assurance and risk analysis.
- Proven experience and broad IT background in the areas relevant to the specific IT projects:
- Understanding of business requirements in the areas of financial markets and statistics
- Good understanding of project management methodology.
- Good knowledge of MS Project and MS Office, in particular Word, Excel and PowerPoint.
- Proven ability to generate a range of practicable and innovative solutions and to assess the implications of these solutions.
- Strong interpersonal skills, including excellent communication, negotiation and conflict resolution skills, self-motivation and coordination ability.
- Strong analytical and planning skills.



- In cooperation with the Project Manager, the Project Assistant contributes to the project documentation (documentation filing structure, proof reading of main documents) and the project planning.
- Supports the IT Team across multiple projects in the IT work plan.
- Performance of general administration and specific tasks for the projects (e.g. reporting, communication coordination, etc.).
- The specific tasks assigned to this duty mainly comprise the preparation of various types of formal project-related documents, such as status reports, letters and memos, approval requests and the review and tracking of project-related documents.
- Assemble, collate, distribute and archive project information and provide this information on request; update project information and documents and maintain the project records. This include preparation and follow-up of project related documents, like project plans, status reports, letters and memos, tracking of deliverables and approvals, etc;
- Administer project related communication, sometimes acting as focal point for the projects, using any kind of communication tool required for the project (e.g. email, documents, wiki pages) ensuring an efficient communication flow within and outside the project.
- Ensure the proper setup and follow up of project related meetings (e.g. summarising of feedback for documents and minutes; tracking of project activities and actions).

### **Education and qualifications:**

- Formal commercial / vocational qualification or formal qualifications in business studies, administration or another relevant subject;
- Familiar with IT and project terminology and good understanding of IT processes and environment.
- Knowledge of project management and experience with methodology and project documentation as well as planning tool (knowledge of MS Project) and writing skills.

- Demonstrable experience in assisting and supporting project management in an international, multi-stakeholder environment as described in the tasks above;
- Demonstrable experience in the independent preparation of meetings and taking minutes and coordinating administrative activities, as well as preparing administrative documents as described above:
- Experience in commitment entry and budget monitoring;
- Knowledge of project management basic terminology and related processes would be an asset;
- Previous experience in contract and/or license management would be an asset;
- Very good knowledge of MS Office (Word, Access, PowerPoint, Excel and Outlook. Experience using Microsoft Project would be an advantage);



Profile: IT Systems Expert	LOT-1
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- Contribute to the technical design, drafts technical specifications of IT systems for Operating system environments
- Participate in the definition of concepts and design of complex systems and infrastructure including high availability solutions
- Participate in the design of security policies to the Windows environment
- Co-ordination of the development and integration of IT systems from such as preparation, integration, acceptance and rollout to production systems
- Maintain the standard desktop image of ESMA
- Develop, test and deploy desktop application packages
- Incident and problem management for the server and desktop environment
- Produce technical documentation

### **Education and qualifications:**

• Advanced university degree in Computer Engineering, Computer Science or Physics or proven ability to perform the tasks commensurate with such a formal academic qualification

- Excellent knowledge and experience of Windows environments (server and desktop environments) or
- Excellent knowledge of desktop software provisioning tools and methodologies in a Microsoft Windows environment or
- Excellent knowledge and experience of a Unix or Linux based server systems and environments
- Good analytical skills and a problem-solving orientation
- Strong interpersonal skills, self-motivation and the ability to work in a team are very important.
- Very good command of English with proven drafting ability



P	rofile: Software Engineer	LOT-1
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- Develop, integrates, tests and documents application software modules implemented in MS Office with VBA (.NET), or Java , or LAMP or Backend system to meet agreed business specifications.
- Performs technical testing and prepares the relevant technical documentation.
- Investigate, diagnose and resolve bugs and incidents of applications developed in the mentioned technology

#### **Education and qualifications:**

• University or college degree in computer engineering, computer science, physics or mathematics or a related discipline, or a level commensurate to the tasks or proven ability to perform the tasks commensurate with such a formal academic qualification

- Proven experience in application development in a related technology,
- Knowledge of developing applications based on .NET/ASP or PHP or JEE and ASP, CSS, XML, XSLT
- Knowledge of SQL and knowledge of at least one of the following programming languages Java, C++, PHP and PL/SQL
- Knowledge of current PC technology, client/server architecture and 3-tier architecture would be an advantage
- Good analytical skills and a problem-solving orientation
- Strong interpersonal skills, self-motivation and the ability to work in a team are very important.
- Very good command of English with proven drafting ability



Profile: Business Intelligence / Data Warehouse Ex-	LOT-1
pert	

- Participate in IT projects for the development of IT application services from design to rollout of reports and universes.
- Drafts technical specifications in line with the architectural design
- Develops solutions in line with the technical specifications, integrates systems and interfaces,
- Performs technical testing and prepares the relevant technical documentation.
- Supports end during acceptance tests
- Investigate, diagnose and resolve defects during operations.
- Develop appropriate scripts and procedures for the databases and universes.
- Review and implement security policies to the databases, ensuring data consistency and integrity
- Develop a working knowledge of business processes implemented in the data warehouse

### **Education and qualifications:**

• University or college degree in computer engineering, computer science, physics or mathematics or a related discipline.

- Knowledge of Data warehouse/OLAP concepts and of Dimensional Modelling, as well as of the use of common RDBMS at the database design and development level. Exposure to complex dimensional data models
- Experience in reporting using common reporting tool, and data model analysis
- Knowledge of ETL tools
- Proven ability in the logical and physical design of relational databases.
- Proven experience in the specification of performance tuning, administration and security requirements.
- Good knowledge of SQL, PL/SQL, Stored procedure programming and shell scripting.
- Good analytical skills and a problem-solving orientation
- Strong interpersonal skills, self-motivation and the ability to work in a team are very important.
- Very good command of English with proven drafting ability



### **Profile: IT Network and Telecommunications Expert** LOT-1

### **Tasks and Responsibilities**

- Participate in IT projects for the development and planning of IT Networks (LAN, WAN) and telecommunication services
- Performs reviews of implemented IT Networks and Telecommunications systems and makes proposals how to improvements the existing service in terms of availability, operability, IT security and costs
- Drafts technical specifications and participate in ESMA's tender procedures for IT Networks and telecommunication services
- Participates in technical testing and prepares the relevant technical documentation.

### **Education and qualifications:**

• University or college degree in computer engineering, computer science, physics or mathematics or a related discipline.

- Knowledge of IT Networks (LAN / WAN) and Telecommunications products, methodologies and architectures
- Proven ability in the physical design of IT Networks and Telecommunications solutions.
- Knowledge of VoIP concepts and implementations
- Knowledge of enterprise network routing protocols
- Proven experience in the specification of performance tuning, administration and security requirements.
- Good analytical skills and a problem-solving orientation
- Strong interpersonal skills, self-motivation and the ability to work in a team are very important.
- Very good command of English with proven drafting ability



#### **Profile: XBRL Expert**

LOT-1

#### Tasks and Responsibilities

- Develop XBRL Taxonomy with existing tools on the market
- Develop DPM (Data Point Models) according to ESMAs standards
- Consult business user and IT in XBRL technologies
- Consult and develop documentation and standards for XBRL
- Test and perform quality control for DPM and Taxonomies
- Investigate, diagnose and resolve bugs and incidents of Taxonomies in XBRL

### **Education and qualifications:**

• University or college degree in computer engineering, computer science, physics or mathematics or a related discipline, or a level commensurate to the tasks or proven ability to perform the tasks commensurate with such a formal academic qualification

- Proven experience in XBRL
- Knowledge of developing Taxonomies and DPM
- Knowledge of business topics in relation to the supervisors roles
- Knowledge of integration of taxonomies in existing standard third party XBRL software
- Good analytical skills and a problem-solving orientation
- Strong interpersonal skills, self-motivation and the ability to work in a team are very important.
- Very good command of English with proven drafting ability



### 2. Profile description for LOT 2

Pr	ofile: <b>C</b>	Commu	nications assistant	LOT-2	
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#### Tasks and responsibilities:

- Support in managing and updating the public website and presence of the in social media;
- Support in maintaining and updating the intranet and other internal communication tools:
- Support in monitoring the media and main stakeholders activities as well as in maintaining social media presence;
- Support in organising press and communication events;
- Support in managing and updating databases and mailing lists

### **Education and qualifications:**

- Professional qualifications in communication, marketing, PR, EU affairs. Background in Finance or Economics is an asset.
- Excellent command of English

- Proven experience as communications assistant (general or specialised in web, press, public relations, events, etc.), preferably in a public body.
- Good knowledge of MS Project and MS Office, in particular Word, Excel and PowerPoint.
- Excellent communication skills both in writing and verbally;
- Good knowledge of website maintenance, writing for the web and design, social media



### **Profile: Communications officer**

LOT-2

#### Tasks and responsibilities:

- Support in drafting the external communication plan
- Support and advice in drafting reports and publications;
- Support and advice in developing the web and social media strategy
- Support in managing and maintaining the public website
- Support and advice in developing the internal communication strategy and tools
- Drafting briefings, speeches, press releases and statements;
- Monitoring the media and main stakeholders activities;
- Organising and managing press and communication events;

### **Education and qualifications:**

- University degree and proven professional qualifications in communication, marketing, PR, EU affairs (background in Finance and/or Economics is an asset)
- Excellent command of English (working ability in other major European languages is an advantage)

- Proven experience as communications officer (general or specialised in web, press, public relations, etc.), preferably in a public body.
- Good knowledge of MS Project and MS Office, in particular Word, Excel and PowerPoint.
- Good understanding of EU institutions and EU policy making;
- Good knowledge and understanding of financial regulation, supervision and financial stability;
- Excellent communication skills both in writing and verbally;
- Good knowledge of website maintenance, writing for the web and design, social media



### **Profile:** Financial assistant

LOT-2

### Tasks and responsibilities:

- Provision of administrative support to the finance team of the organization.
- Support and assistance to operational initiation of financial transactions and preparation of commitment and payment requests;
- Collection, verification and processing of all documentation required to support the commitment and payment requests;
- Following up the financial implementation of projects, checking cost statements, preparation of de-commitments, and ensuring timely closure of contracts and administrative commitments;
- Preparation of budget transfers;
- Contribution to development and implementation of homogeneous and compatible procedures, norms, and methods of processing and access to financial information and documents;
- Filing financial documents and correspondence according to filing rules;
- Registration and administration of incoming invoices.
- Executing any other administrative tasks as decided by and under the responsibility of the Director Operations.

### **Education and qualifications:**

Completed university studies in administration or finance of at least three years attested by a diploma and appropriate professional experience of at least three years in similar position closely related to accounting, budget, management, finance, or auditing.

- Have good knowledge of the EU Financial Regulation and experience in working with the EU financial budgetary system;
- Excellent knowledge of IT systems used in finance and accounting;
- Have advanced training in finance, administration or audit;
- Have excellent knowledge of MS Office suite (in particular Excel and Word)



#### **Profile: Human Resources Assistant**

LOT-2

### Tasks and responsibilities:

- Provision of organizational and administrative support to the human resources related activities.
- Providing administrative and organizational support in:
  - All recruitment related activities: registration and screening of applications, communication with applicants, invitations to interviews, organization of interviews, organization of medical examinations, post interview communication
  - Performance appraisal related activities
  - Training and development related activities
  - Leave administration
  - Procurement activities related to HR
  - Performing tasks as a key user of the HR IT system, ensuring its smooth operation and quality of HR data and processes
- performing tasks related to administration of interview and medical examination related expenses and provision of administrative support in all financial matters related to HR activities
- Executing any other administrative tasks as decided by and under the responsibility of the Director Operations and/or the Principal Human Resources Officer.

#### **Education and qualifications:**

Secondary education attested by a diploma, or specific training, or professional experience in the field of human resources, namely HR administration, recruitment, performance appraisal, training, and procurement related to HR activities.

- Experience in providing administrative support to recruitment activities;
- Experience in supporting performance appraisal;
- Experience in organization of and administration related to training;
- Experience in supporting procurement related to HR activities;
- Excellent IT skills at a user level combined with willingness to experiment new approaches for improving efficiency;
- Experience in administration of reimbursement claims;
- Experience in an EU/multicultural/international working environment



Profile: Procurement Assistant	Profile:	<b>Procurement Assistant</b>
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LOT-2

### Tasks and responsibilities:

- Provision of administrative support to the procurement process in the conduct of public tenders and related activities of the ESMA.
- Providing administrative and technical assistance and support in the entire public procurement procedure;
- Supporting planning, execution and monitoring of procurements according to the annual procurement plan;
- Supporting development and maintenance of procurement rules, standards, guidelines:
- Supporting the review and approval of tender documentation;
- Providing administrative support to negotiations.
- Executing any other administrative tasks as decided by and under the responsibility of the Director Operations and/or the Principal Procurement Officer.

### **Education and qualifications:**

Completed university studies in administration or finance or related area of at least three years attested by a diploma and proven professional experience in procurement at EU level of at least three years.

- Proven comprehensive knowledge and experience in procurement and public tenders at EU level;
- Excellent knowledge of standard MS Office applications;
- Proven ability to draft documentation related to procurement and public tenders (e.g. Request for Proposals, Invitations to Tender, procurement reports);
- Ability to analyse data from complex sources and be aware of best practices in EU procurement.



LOT-2

#### Tasks and responsibilities:

- Provision of secretarial, administrative, and personal support to the ESMA management.
- Providing secretarial, administrative and personal assistance to the management in their daily business and personal tasks;
- Managing time, itineraries and diaries;
- Scheduling of meetings and note taking, preparing meeting dossiers;
- Preparing various summary reports (incl. Excel spreadsheets) based on the source data provided by other departments, using MS Office;
- Managing correspondence, documents filing and archiving;
- Responsibility for the reception desk, interacting with visitors and answering any visitor related enquiries;
- Executing general office and administrative duties;
- Covering for other secretarial staff in their absence;
- Executing any other administrative tasks as decided by and under the responsibility of the Director in Operations and/or the Principal Human Resources Officer.

### **Education and qualifications:**

- a) A level of post-secondary education attested by a diploma, or
- b) A level of secondary education attested by a diploma giving access to post-secondary education and appropriate professional experience as personal assistant/secretary.

- Have knowledge of other official languages of the European Union;
- Have experience in an EU/multicultural/international working environment;
- Have excellent Word, PowerPoint, Excel and Outlook skills.



# Annex XII - Service Level Agreement

See attachment



# **Annex XIII – Technical Questionaire**

See attachment