

Ex-ante publicity of a negotiated procedure for the award of a middle value contract

I. GENERAL INFORMATION

1. What is this publicity about?

Economic operators interested in the subject of this publicity should note that this is **not a call for tenders**. It is a publication to announce the Contracting authority's intention to launch a negotiated procedure for the award of a low or middle value contract and allow interested economic operators to express their interest.

⌚ This publication is made pursuant to point 3.1 of Annex I to [Regulation \(EU, Euratom\) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union \(the EU Financial Regulation\)](#) which requires ex-ante advertising of negotiated procedures for the award of middle and low value contracts (below the Directive threshold).

2. Who has access to European Commission negotiated low or middle value calls for tenders?

Participation is open on equal terms to all natural and legal persons coming within the scope of the EU treaties, as well as to international organisations. Persons established in third countries (non-EU countries) do not have the right to participate in procurement procedures (unless international agreements in the field of public procurement grant them the right to do so).

⌚ The rules on access to procurement do not apply to subcontractors unless a specific provision to the contrary is included in the planned call for tenders details. Subcontracting may not be used with the intent to circumvent the rules on access to procurement.

3. How to express interest?

Entities established in a country that has access to the procurement can express interest to participate in the planned procedure by sending an e-mail to SRB-PROCUREMENT@srb.europa.eu.

⌚ An expression of interest shall not convey any legal right or create a legitimate expectation of award of contract.

4. Where can the call for tenders' specifications be consulted?

All the information available about the planned procedure at this stage can be found below in the Ex-ante publicity notice.

The documentation of the actual call for tenders (invitation letter, tender specifications and draft contract) will be provided only to invited candidates when the procedure is launched.

⌚ The Contracting authority reserves the right not to launch the planned procedure or to cancel or abandon it, without any right to compensation.

5. What are the next steps following the ex-ante publicity?

The procurement procedure is launched by sending an invitation to tender to all persons who expressed interest, if any, as well as to any other economic operator that the Contracting authority wishes to invite.

Only invited candidates having received an invitation to tender from the Contracting authority may participate in the planned procedure.

Consequently, any tender received from a legal or natural person not invited to tender, even if in a consortium with an invited candidate, will be rejected. Therefore, if it is the case, please express your interest as a consortium. As an alternative, you may freely use subcontracting when submitting an offer.

If you have expressed interest in this publicity and you have access to the procurement (see point 2), you will be invited to submit a tender.

The Contracting authority reserves the right to invite also other economic operators than those having expressed interest following this ex-ante publicity.

⌚ Invited candidates can submit a joint tender with other economic operators only if they have expressed interest in the planned procedure as a consortium.

Subcontracting is permitted.

6. How is your personal data protected?

If processing your expression of interest involves the recording and processing of personal data (such as name, address and CV), such data will be processed pursuant to Regulation (EU) 2018/1725 of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC. Any personal data will be processed solely for the purposes of the future invitation to tender.

Details concerning the processing of personal data are available in the privacy statement below: <https://www.srb.europa.eu/en/procurement>.

II. Ex-ante publicity notice - negotiated procurement procedure

Subject: Provision of legal services in Belgian law

Ref: SRB/NEG/22/2023

1. Purpose of the Tender

The Single Resolution Board (“SRB”) intends to launch a call for tenders for a framework service contract for the provision of professional legal services concerning matters governed by Belgian law, including but not limited to general contract law, labour law, real estate law, tax law and non-contractual liability (“Requested Services”).

2. Scope & description of the tender

The Requested Services may include, but are not limited to:

- providing general advice on contractual matters governed by Belgian law,
- supporting the SRB in the negotiation and termination of such contracts,
- supporting the SRB in drafting such contracts and revising existing agreements,
- supporting the SRB in tax law, health and safety and labour law related matters,
- advising the SRB on matters of non-contractual liability governed by Belgian law.

The framework contract will have a maximum duration of 4 years and the expected maximum value is EUR 130,000 (one hundred thirty thousand euros). This figure is given for estimation purposes only and the actual value of the service contract will be decided at a later stage.

3. Description of the procedure

Ex-ante publicity is published ahead of a procurement procedure with the purpose of informing economic operators that the SRB is planning to launch a negotiated procedure to award a service contract on the above subject.

The aim of this notice is to support the SRB in the selection of the economic operators that will be invited to submit a tender.

Interested economic operators must send an e-mail declaring their interest by **31/07/2023, 18:00** Brussels time to SRB-PROCUREMENT@srb.europa.eu.

The SRB reserves the right not to launch the negotiated procedure.

SRB PROCUREMENT