



## CALL FOR EXPRESSION OF INTEREST FOR THE ESTABLISHMENT OF A LIST OF EXTERNAL EXPERTS TO PROVIDE EXPERTISE TO FUSION FOR ENERGY

REF: F4E-EXT-EXP-CALL-2023

### 1. What is 'Fusion for Energy'?

The European Joint Undertaking for ITER and the Development of Fusion Energy, (hereinafter 'Fusion for Energy') has been established by the Council of the European Union with three objectives:

- providing Europe's contribution to the ITER International Fusion Energy Organisation as the European Domestic Agency,
- providing Europe's contribution to the Broader Approach agreement between EU and Japan (JT-60SA, IFMIF-EVEDA and IFERC projects) as the Implementing Agency,
- preparing for the construction of demonstration fusion reactors (DEMO).

Further information on the organisation and activities of Fusion for Energy can be found on its website at: <http://fusionforenergy.europa.eu/>

### 2. The list of external experts

Fusion for Energy invites applications from individuals with a view to establish a list of external experts (hereinafter 'list') who could be asked to:

- provide technical expertise in the areas listed in Attachment n.1
- support the evaluation of tenders or proposals
- provide specific design services
- provide support in the evaluation of R&D results
- attend meetings, provide advice, develop scientific reports or guidance documents
- participate in working groups
- provide technical/administrative support to a particular task or activity undertaken by Fusion for Energy in any of the areas listed in Attachment n.1

The list will be valid for a period of five years from the date of publication of this call. For any given expert, the total sum of payments (including remuneration but excluding expenses such as travel and accommodation) to be made throughout the duration of the list, shall not exceed 140 000 EUR.

A selection panel will be appointed for the overall duration of the call to verify that applicants pass the exclusion and selection criteria set out in section 5 and 6 of this call, in order to be included in the list. The panel shall evaluate the submitted applications on a quarterly basis.

Inclusion in the list entails no obligation on the part of Fusion for Energy to award a contract. For information purposes, around 30 Expert contracts are signed per year at Fusion for Energy and payments are made for a total value of approximately 500 000 EUR per year.

### 3. Areas of technical expertise

The list of external experts will be divided into areas of expertise. The areas of expertise are listed in the Attachment n.1.

#### **4. How to Apply**

Applications must be submitted using the **on-line application system** available on the Fusion for Energy website: <https://f4e.gestmax.eu/apply/352/1>

Detailed instructions on how to apply and how to complete the application form are available at the same address.

Applications which fail to comply with this formal requirement will not be evaluated.

Applicants must confirm in their application that they are not in any of the situations listed in section 5 (Exclusion criteria).

Applicants may apply for one or more areas of expertise and should indicate in their applications the area or areas of expertise they are applying for.

Applications may be submitted at any time during the period of validity of the list, as indicated in section 2, except for the last 3 months of validity of the list.

Experts may withdraw at any moment during the period of validity of the list by written notice to Fusion for Energy.

#### **5. Exclusion criteria**

Candidates shall be excluded from participation if they are in one of the situations of exclusion referred to in article 136 of the Financial Regulations<sup>1</sup>:

- a) the person is bankrupt, subject to insolvency or winding-up procedures, its assets are being administered by a liquidator or by a court, it is in an arrangement with creditors, its business activities are suspended, or it is in any analogous situation arising from a similar procedure provided for under Union or national law;
- b) it has been established by a final judgment or a final administrative decision that the person is in breach of its obligations relating to the payment of taxes or social security contributions in accordance with the applicable law;
- c) it has been established by a final judgment or a final administrative decision that the person is guilty of grave professional misconduct by having violated applicable laws or regulations or ethical standards of the profession to which the person belongs, or by having engaged in any wrongful conduct which has an impact on its professional credibility where such conduct denotes wrongful intent or gross negligence, including, in particular, any of the following:
  - (i) fraudulently or negligently misrepresenting information required for the verification of the absence of grounds for exclusion or the fulfilment of eligibility or selection criteria or in the implementation of the performance of a contract or an agreement;

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<sup>1</sup> REGULATION (EU, EURATOM) 2018/1046 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 18 July 2018 repealing Regulation (EU, Euratom) No 966/2012 on the financial rules applicable to the general budget of the Union.

- (ii) entering into agreement with other persons or entities with the aim of distorting competition;
  - (iii) violating intellectual property rights;
  - (iv) attempting to influence the decision-making process of the contracting authority during the award procedure;
  - (v) attempting to obtain confidential information that may confer upon it undue advantages in the award procedure;
- d) It has been established by a final judgement that the person is guilty of any of the following:
- (i) fraud, within the meaning of Article 3 of Directive (EU) 2017/1371 of the European Parliament and of the Council<sup>2</sup> and Article 1 of the Convention on the protection of the European Communities' financial interests, drawn up by the Council Act of 26 July 1995<sup>3</sup>;
  - (ii) corruption, as defined in Article 4(2) of Directive (EU) 2017/1371 of the European Parliament and of the Council or active corruption within the meaning of Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of EU Member States, drawn up by the Council Act of 26 May 1997<sup>4</sup>, or conduct referred to in Article 2(1) of Council Framework Decision 2003/568/JHA<sup>5</sup> or corruption as defined in other applicable laws;
  - (iii) conduct related to a criminal organisation, as defined in Article 2 of Council Framework Decision 2008/841/JHA<sup>6</sup>;
  - (iv) money laundering or terrorist financing within the meaning of Article 1(3), (4) and (5) of Directive 2015/849 of the European Parliament and of the Council<sup>7</sup>;
  - (v) terrorist offences or offences related to terrorist activities as well as of inciting, aiding, abetting or attempting to commit such offences as defined in Articles 3, 14 and Title III of Directive (EU) 2017/541 of the European Parliament and of the Council of 15 March 2017 on combating terrorism;
  - (vi) child labour or other offences concerning trafficking in human beings as defined in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council<sup>8</sup>;

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<sup>2</sup> Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017 on the fight against fraud to the Union's financial interests by means of criminal law (OJ L 198 28.7.2017, p. 29)

<sup>3</sup> OJ C 316, 27.11.1995, p. 48.

<sup>4</sup> OJ C 195, 25.6.1997, p. 1.

<sup>5</sup> Council Framework Decision 2003/568/JHA of 22 July 2003 on combating corruption in the private sector (OJ L 192, 31.7.2003, p. 54).

<sup>6</sup> Council Framework Decision 2008/841/JHA of 24 October 2008 on the fight against organized crime (OJ L 300, 11.11.2008, p. 42).

<sup>7</sup> Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Regulation (EU) No 648/2012 of the European Parliament and of the Council, and repealing Directive 2005/60/EC of the European Parliament and of the Council and Commission Directive 2006/70/EC

<sup>8</sup> Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims and replacing Council Framework Decision 2002/629/JHA (OJ L 101, 15.4.2011, p. 1).

- e) The person has shown significant deficiencies in complying with the main obligations in the performance of a contract or an agreement financed by the Union's budget, which has led to its early termination or to the application of liquidated damages or other contractual penalties, or which has been discovered following checks, audits or investigations by a contracting authority, the European Anti-Fraud Office (OLAF) or the Court of Auditors;
- f) it has been established by a final judgment or final administrative decision that the person has committed an irregularity within the meaning of Article 1(2) of Council Regulation (EC, Euratom) No 2988/95<sup>9</sup>;
- g) it has been established by a final judgment or final administrative decision that the person has created an entity in a different jurisdiction with the intent to circumvent fiscal, social or any other legal obligations in the jurisdiction of its registered office, central administration or principal place of business;

In the on-line application form, applicants are requested to declare that they are in none of the situations of exclusion listed above (as listed in section I "SITUATION OF EXCLUSION CONCERNING THE PERSON" of the declaration on honour to be found in the on-line application system).

Before signature of an Expert contract, the selected experts are requested to provide a signed and dated declaration on honour confirming the declaration provided in the on-line application system.

Fusion for Energy reserves the right to request applicants to provide supporting evidence of non-exclusion at any time.

## **6. Selection criteria**

In order to be selected and included in the list of experts, candidates must fulfil the following minimum requirements:

Candidates shall:

- (a) hold a university degree relevant to the area(s) of expertise they apply for;
- (b) have at least five years of relevant professional experience in the area(s) of expertise they apply for, after completion of their studies (university degree).
- (c) have a very good written and oral knowledge of the English language (at least level B2 of the Common European Framework of References for Languages<sup>10</sup>).

Before signature of an Expert contract, Fusion for Energy may request the selected experts to provide supporting documents relating to their education and professional experience (i.e., copy of university degree and certificates of working experience) to demonstrate fulfilment of the selection criteria.

## **7. Use of the list - Conditions of Appointment**

Fusion for Energy will assign experts on the list to the task on the basis of the skills, experience and knowledge necessary for the field and in accordance with the principles

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<sup>9</sup> Council Regulation (EC, Euratom) No 2988/95 of 18 December 1995 on the protection of the European Communities financial interests (OJ L 312, 23.12.1995, p. 1).

<sup>10</sup> <https://www.coe.int/en/web/common-european-framework-reference-languages/table-1-cefr-3.3-common-reference-levels-global-scale>

of non-discrimination, equal treatment and absence of conflict of interests.

The selection process is also governed by the principle of rotation of the experts. The principle of rotation may be waived only in duly substantiated cases in the interest of the service, such as to ensure continuation of additional tasks within the same project.

The evaluation of experts' applications shall be done on the basis of specific selection and award criteria related to the professional experience requested to perform the tasks.

Experts on the list possessing the most appropriate competences and expertise for the tasks to be performed according to Fusion for Energy's needs will be appointed through the signature of a contract between the expert and Fusion for Energy.

Before appointment, the expert may be asked to declare any conflict of interest in relation to the tasks of the appointment, including any relationship with the contractors of F4E. Based on the declaration, F4E may decide to appoint another expert.

According to the general regime, experts are entitled to a fixed compensation of 450 EUR per full working day (8 hours).

Exceptionally, a different fixed compensation may apply in the following cases, following a decision by Fusion for Energy, when duly justified:

- 800 EUR per full working day (8 hours): applicable only in case of exceptional expertise required by the specific nature or complexity of the tasks and only applicable to experts with at least 25 years of professional experience, after completion of their studies (university degree).

- 300 EUR per full working day (8 hours): applicable in case of experts providing technical/administrative support tasks as indicated in the last bullet point under Section 2.

Half day fee (4 hours) can also be paid.

In addition, experts carrying out tasks away from their place of residence are entitled to a flat rate subsistence allowance and the reimbursement of travel expenses according to the rules defined in the Contract.

As regards new contracts, renewals, and/or extensions, a general limitation for appointment duration of the expert is established at a cumulative maximum of 150 working days per calendar year and at the cumulative ceiling (in EUR) detailed in Section 2 in five years. This maximum ceiling (in EUR) shall include all fees to be paid to an expert during the entire validity of the list, excluding expenses such as travel and accommodation.

The model contract for experts and the rules applicable to external experts within Fusion for Energy are available on the Fusion for Energy website:

<https://fusionforenergy.europa.eu/working-as-an-expert/>

Experts registered and validated in the current list, in place up to 24/05/2023, will not be automatically transferred to the new list and shall submit a new application.

## **8. Data Protection**

Any personal data provided by the applicant shall be processed pursuant to the European Regulations related to personal data protection, in particular Regulation (EU) 2018/1725



relating to the protection of natural persons with regard to the processing of personal data by the Union institutions and bodies and rules relating to the free movement of personal data between them or to other recipients established in the Union.

Any personal data provided by the expert shall be processed by Fusion for Energy as described in the Personal Data Protection Policy available at <https://fusionforenergy.europa.eu/privacy-policy/>

## **9. Transparency (ex-post)**

An overview of experts (incl. name and subject of the tasks executed) who have concluded a contract following the procedure set out in section 4 shall be published on the website of the contracting authority.

If an expert has concluded a contract of more than 15 000 EUR, the name, the locality (region of origin), amount, and subject of the contract shall be published on the Fusion for Energy website no later than 30<sup>th</sup> June of the year following contract award. The information shall be removed two years after the year of contract award.