



EUROPEAN MEDICINES AGENCY
SCIENCE MEDICINES HEALTH

1 June 2018
EMA/281766/2018
European Medicines Agency
Legal Department

Ex ante publicity of a negotiated procedure

EMA/2018/11/LD – Legal advice in relation to Dutch employment and labour law

The European Medicines Agency (hereinafter referred to as “the Agency” or “EMA”) intends to procure legal advisory services in relation to Dutch employment and labour law - EMA/2018/11/LD.

The scope of this contract shall be the provision of legal advice in relation to Dutch employment and labour law.

A negotiated tender with a maximum indicative budget of €135,000.00 is planned to be launched in June 2018 and the contract awarded will be for a period of four years (1+1+1+1).

Interested economic operators meeting the minimum technical requirements and the criteria below may express their interest by sending an e-mail indicating the reference number and subject of the procurement to: AF-LD-TENDERS@ema.europa.eu together with the name, address and business details before 1200H UK time on Friday 15 June 2018.

The following minimum technical requirements shall apply to this framework contract:

- Compliance with applicable environmental, social and labour law obligations established by Union law, national legislation, collective agreements or the international environmental, social and labour conventions listed in Annex X to Directive 2014/24/EU;
- The working language of the Agency is English and the contractor must confirm that it will be able to communicate with the Agency in English for seamless implementation and execution of all the services covered within the scope of the contract, including responsibilities resulting from regulatory requirements such as Health and Safety and Data Protection, as well as for the efficient and timely response in respect to contract management; and
- Processing of personal data in connection with this service must comply with EU data protection legislation and in particular, Regulation (EU) 679/2016, the General Data Protection Regulation.

Interested economic operators should comply, at least, with the following criteria:

- All tenderers must have authorisation to perform the contract under national law.
- The average annual turnover of the tenderer must be a minimum value of €65,000.00 for each of the last two financial years.



- Experience in handling matters relating to Dutch labour and employment law of at least three years with a proof of delivery of the last three years.
- Relevant professional qualifications and experience of a minimum of two lawyers to be assigned to the Agency with a combined minimum of five years' experience (having at least one lawyer meeting a minimum requirement of three years' experience) in handling matters relating to Dutch employment and labour law and who are registered with the Dutch Bar; and
- The tenderer and the assigned lawyers shall not have a conflict of interest, which could affect the performance of the services of the contract. It follows that the tenderer shall not be in any situation that could compromise the impartial and objective performance of the contract with regard to the rendition of legal advice. Compliance with the specific rules of conflict of interest regulating the legal profession, including professional ethics rules shall be observed.

This publication does not constitute any obligation on the part of the Agency to invite any economic operator having expressed its interest to tender. Only the candidates invited to tender by the Agency will be admissible. Registering interest to receive an invitation to tender in a negotiated procedure of this type does not create any legal right or legitimate expectation on the part of any economic operator.