



**Reference:** Call for proposals OCP/EEA/ACC/18/003-ETC/CME

**Subject:** Request for clarification of the terms of reference

### Question No 1

The terms of reference makes a differentiation between experts and key experts. Could you clarify the potential consequences of people acting as key experts? For example, does the commitment to work for more than 50% of their time for the ETC/CME apply to the entire 3-year period? What if people identified as key experts are not able to work the dedicated amount of time for the ETC/CME, for example because they move position within their organisation or because of involvement in other projects?

#### EEA's reply

As specified under section 4 and footnote No 16, key experts who will be organising and leading on the thematic content should indeed dedicate at least 50% of their time for that purpose. This requirement applies to the whole period of implementation of the framework partnership agreement and is meant to ensure the proper performance of the work identified in the agreed action plans attached to each specific agreement. In this respect, please refer to the provisions under section 8.1 of the terms of reference and those in Article I.2.3 of the draft framework partnership agreement, which require the partners to conclude a consortium agreement with the aim to ensure in particular the business continuity.

It is however understood, that at the time of submission of the proposal it may be difficult for an identified key expert to commit to dedicating at least 50% of his or her time to work for the ETC over the whole period of implementation of the framework partnership agreement, as indeed priorities and ambitions may change during that period. Partners shall nevertheless pay attention to the provisions contained in Article II.1.2 of the draft framework partnership agreement and in particular points (b) and (c) thereof.

### Question No 2

The terms of reference mentions a preference for partners with a share of at least EUR 50,000.00. Does it have to be motivated in the proposal if partners with a contribution of less than EUR 50,000.00 are included?

#### EEA's reply

As indicated in its heading, section 4 of the terms of reference is meant as a general guidance based upon EEA's past experience with the management of ETC. While partners are encouraged to follow this general guidance, they may of course depart from it if deemed appropriate. It is advisable in such cases to provide reasons as indeed the proposal will be assessed in terms of quality of the proposed ETC management, as specified under section 6.5 of the terms of reference (see award criterion No 6).

### Question No 3

Could you please clarify whether a current member of the EEA Scientific Committee may be proposed as one of the expert included in the proposal?

### EEA's reply

The assignment as EEA Scientific Committee member should not per se preclude the participation in a call for proposals for the award of a framework partnership agreement concerning an European Topic Centre as a partner's expert, as long as the EEA Scientific Committee member has not been part of the drafting of any terms of reference pertaining to the call for proposals or would have had privileged access to information pertaining to these calls for proposals prior to their launch.

Partners shall however bear in mind that pursuant to Article 148(6) of the rules of application of the financial rules applicable to the general budget of the Union, an applicant may be rejected where it is established that he/she has conflicting professional interest, which may negatively affect the performance of the framework partnership agreement.

In the event where the proposal would be successfully evaluated and the consortium awarded the framework partnership agreement, the proposed expert would obviously need to ensure a strict segregation of duty between his/her function as Scientific Committee member and his/her role as partner's expert, and would therefore need to abstain from any involvement in any work of the Scientific Committee which may have a bearing on the implementation of the framework partnership agreement. Appointed Scientific Committee members need to provide for the term of their appointment, annual declaration of interests that are made publicly accessible on the EEA website and the Scientific Committee needs to assess on an ad-hoc basis whether there would be an incompatibility if the Scientific Committee member would be involved in an agreement awarded by the EEA.