

**Administrative Specifications for the Contracting of a Project
Assistant for the Project “Strengthening the Aviation Framework
and European Regulations for Ukraine”
(EUROPEAID/139433/DH/SER/UA)**

1. BACKGROUND

FIIAPP F.S.P. is a foundation of the State public sector whose activities, characterised by the absence of profit and the pursuit of the general interest, is framed in the field of international cooperation aimed at the institutional modernisation, for the reform of Public Administrations and the attainment of democratic governance.

In line with its foundational purposes, the Foundation FIIAPP F.S.P., was awarded by the European Commission, as member of a consortium also composed of the United Kingdom Civil Aviation Authority (CAA INTERNATIONAL LTD, CAA International or CAAi) and the Spanish Aviation Safety and Security Agency (AESA), a Service Contract referenced EuropeAid/139433/DH/SER/UA for the Provision of “Support to the State Aviation Administration of Ukraine (SAAU) in Reinforcing its Competencies in Air Operations (OPS) and Flight Crew Licensing (FCL)” (the Project).

The overall objective of the Project is to support the sustainable development of civil aviation and the civil aviation administration system, harmonise regulations and working practices to comply with the requirements of the EU norms and standards in the field of aviation safety (OPS&FCL).

The Project shall facilitate preparation for the implementation of the respective provisions stemming from the CAA Agreement between the EU and Ukraine, the Working Arrangement (WA) between the State Aviation Administration of Ukraine (SAAU) and the European Aviation Safety Agency (EASA).

The Project was awarded for implementation to a consortium of three parts, specifically it is composed of the United Kingdom Civil Aviation Authority (CAA INTERNATIONAL LTD, CAA International or CAAi), the Spanish Aviation Safety and Security Agency (AESA) and the International and Ibero-American Foundation for Administration and Public Policies (FIIAPP F.S.P.).

Three Project Key Experts will reside in Kiev during the Project’s implementation period. The Project’s implementation period is thirty-six months starting on 25th February 2019.

2. OBJECT



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FIIAPP F.S.P. wishes to contract one Project Assistant (from hereon in, the ASSISTANT) to work in Kiev alongside the Key Experts during the Project's implementation period.

The ASSISTANT will be contracted by FIIAPP F.S.P.

3. CONTRACTING AUTHORITY

The contracting authority, in accordance with the contract of a maximum amount of no more than €100,000.00, is the Secretary-General of FIIAPP, F.S.P.

4. LEGAL SYSTEM AND COMPETENT JURISDICTION

This current contract is private in character and will be governed by (due to FIIAPP F.S.P.'s legal nature as an international foundation and due to the contracts into which it enters in this capacity) the Title I of Book III of the Law 9/2017, of 8th November, on Public Sector Contracts by which the Directives 2014/23/UE and 2014/24/UE of the European Parliament and of the Council, of 26th of February of 2014, were transposed into national Spanish Law. In consequence of this law and pursuant to articles 3.1. e) and 3.3. b) therein, as a public-sector foundation, FIIAPP F.S.P. holds the status of contracting authority.

Pursuant to Article 27.2 of the Law 9/2017, of 8th November, on Public Sector Contracts, the civil courts shall have jurisdiction to resolve disputes arising between the parties regarding the effects, compliance and termination of private contracts. These courts shall also have jurisdiction to hear any disputes affecting the preparation and awarding of private contracts.

The present Terms of Reference have a contractual nature and contain the detailed conditions to which the final contract shall be adjusted.

The ignorance of the present Administrative Specifications, the contract, their annexed documents or instructions, or rules of any kind approved by FIIAPP and the Spanish Public Administration that can be applied in the implementation of the agreement shall not relieve the contractor from the obligation of compliance.

5. PROCEDURE AND FORM OF AWARD OF THE CONTRACT

For the award of these contracts, the FIIAPP F.S.P. will undertake a open simplified procedure.

6. PRESENTATION OF PROPOSALS

In order to participate in this tender, the bidder must submit, at the Registry of the FIIAPP F.S.P., located at C/Beatriz de Bobadilla 18-4^o, Madrid, before 12:00 p.m. C.E.T. on 26th March 2019 the bid that they propose, in one

sealed envelope. The envelope will be sent to Legal Advice and must indicate legibly, on the outside, the following:

- the name of the tender procedure and reference number for which the bid is being submitted,
- the signature of the bidder,
- the full name and capacity of the bidder
- the contact details of the bidder

7. FORM AND CONTENT OF THE PROPOSAL

The proposal must contain the following documentation:

A. Identity document

B. Declaration responsible for having full capacity to act and not to be incurs in the prohibitions of hiring provided for in article 71 of the Law 9/2017, of 8th November, on Contracts of the Public Sector, by which is transposed to the Spanish juridical order the Directives of the European Parliament and of the Council 2014/23/UE and 2014/24/UE, of 26th of February of 2014, (**Appendix II**).

C. Tax Residency Certificate

D. CV of the interested party

FIIAPP F.S.P. will not accept any proposal where the received envelopes arrive manipulated (not properly closed, open, torn...).

All documents that may be submitted must be originals or certified photocopies.

If the documentation is notarial, it must comply with the requisites regarding authentication set forth in the Law and in Notarial Regulations.

8. CERTIFICATION AND QUALIFICATION OF DOCUMENTS

Once the envelopes have been received by the Secretary of the Contract Award Committee, the Contract Award Committee will meet to preliminarily qualify the documents submitted.

If the committee observes defects or omissions in the submitted documentation that can be corrected, it will inform the interested parties verbally and in writing, thereby granting a period of no more than three business days so that tenderers can correct or amend such defects or omissions, thereby cautioning them that the tenderer will be definitively excluded if they do not proceed to correct the documentation within the granted period.

In this event, the interested parties that are required to correct defects must

send in the requested documentation by presenting it, without exception, at the Registry.

Subsequently, the Contract Award Committee will meet again to adopt the appropriate resolution about definitive admission of the tenderers in view of the received corrections.

9. CONTRACT AWARD COMMITTEE.

The composition of the Contract Award Committee will be the following:

Chairperson:	Economic Management, Ms. Gemma Cosido
Members:	Legal Officer Advisor, Ms. Beatriz Moreno Pascual Project Officer, Ms. Rose Watson Economic Manager of the Project, Ms. Esther Guijarro
Secretary:	Head of Department, Ms. Sonsoles Mories Álvaro

10. PERSON IN CHARGE OF THE CONTRACT

The contracting authority designates Alejandro Bueno de la Fuente as the responsible for the contract to be supervised by its execution and to make the decisions and dictate the necessary instructions in order to ensure the proper performance of the agreed benefit, within the scope of faculties that those attributed.

11. CAPACITY TO CONTRACT

Natural persons, with Spanish or foreign nationality, who have the full capacity to act and who do not fall under any of the conditions in the list "Prohibited to Hire" in paragraph 1 of article 71 of the Spanish Law on Public Sector Contracts, shall be eligible for the award of this contract. For this purpose, the rules contained in chapter II of title II of book I of the Spanish Law on Public Sector Contracts shall be taken into consideration.

12. BUDGET LINE

The fee for this contract will be a maximum amount of 61.200,00€ (sixty-one thousand and two hundred Euros), not including VAT, paid in instalments of 1.800,00€ (one thousand seven hundred Euros) once a month over the course of the Project implementation period.

The ASSISTANT will be responsible for covering any fee that may be applied by her payment service provider (and by intermediary service providers, if applicable) to the monthly fees paid by bank transfer.

13. DESCRIPTION OF THE SERVICES

a. Main tasks

- Directly report to the Team Leader and the Key Experts in daily duties;
- Assistance in the Team Leader and Key Experts' relocation to Kiev and in administrative issues with the Ukrainian Administration;
- Provide assistance for communication between the Team Leader and Key Experts, the State Aviation Administration of Ukraine (SAAU) and other relevant institutions;
- Coordination with involved SAAU Management and Departments and Units and other institutions participating in the project;
- Support in, and scheduling and organisation of meetings with the SAAU and other institutions;
- Attendance of meetings and drafting minutes;
- Organisation of Project missions of experts in Ukraine;
- Assistance to the Team Leader and Key Experts in the preparation of administrative and technical reports and working documents for the project activities;
- Organisation of Project participants' trips to Kiev, including room and local travel reservations, and other logistic support as required;
- Organisation of study visits to EU Member States;
- Interpretation between English, Ukrainian and Russian in working meetings and as and when required by the Team Leader and Key Experts and other figures involved in the Project;
- Translation between English and Ukrainian of documents, regulations, training materials, information material and other written material required by the project;
- General office management.

14. CRITERIA FOR THE EVALUATION

a. Requirements (Please complete Appendix I)

- University degree in Engineering and/or Economics;
- Five years of experience assisting with translation and interpretation in working environments in the sector of aviation;
- Five years of experience of working in cooperation with Ukrainian Public Administrations in the Aviation sector;
- Five years of experience of working on international cooperation projects;
- Excellent command of English, Ukrainian and Russian;

- Excellent communication skills;
- Proficient computer skills, including Microsoft Office applications;
- Experience preparing administrative and technical reports and various working papers for the project activities to a professional standard;

b. Merits (Please complete Appendix I)

- Previous actions working in EU financed Twinning projects;
- Previous actions working on projects in the field of civil aviation and civil aviation administration;
- Previous actions working in cooperation with the State Aviation Administration of Ukraine;
- Previous actions working in cooperation with the European Commission.

c. The evaluation of the CVs will be made according to the table below:

Merits	Scale	Max. Score
Previous actions working in EU financed Twinning projects	5 points per year of actions related	40
Previous actions working on projects in the field of civil aviation and civil aviation administration	2 points per year of actions related	20
Previous actions working in cooperation with the State Aviation Administration of Ukraine	2 points per year of actions related	20
Previous actions working in cooperation with the European Commission.	2 points per year of actions related	20
Max score		100

15.REGULATORY PROCEDURES

The contract shall be governed by:

- The clauses contained in this specification.

- The Provisions of law 50/2002 of the Foundations and in the 1337-2005 RD of November 11st.
- The Provisions set forth in the Law 9/2017, of 8th November, on Contracts of the Public Sector, by which is transposed to the Spanish juridical order the Directives of the European Parliament and of the Council 2014/23/UE and 2014/24/UE, of 26th of February of 2014.

The ignorance of the contract in any of its terms, of the documents annexed to it, or instructions, specifications or standards of any kind dictated by the FIIAPP F.S.P. which may have application in the execution of the agreement, shall not relieve the employer from the obligation of compliance.

16.DURATION OF THE CONTRACT

From the 25th April 2019 until the end of the Project implementation period, 24th February 2022.

17.PROPERTY OF THE WORK DEVELOPED.

The work carried out in any of sections will become the property of FIIAPP F.S.P..

The successful tenderer may not use for themselves or provide to third parties any data of the contracted works, or publish, total or partially the contents without the written permission of the FIIAPP F.S.P.. In any case the successful tenderer will be responsible for any harm arising from the breach of this obligation.

18.RESOLUTION OF THE CONTRACT.

The causes for termination of the contract are contained in article 211 of the Law 9/2017, of 8th November, on Public Sector Contracts:

- a) Non-compliance by any of the parties of the obligations described in the contract.
- b) The manifest lack of quality of the service provided or non-adaption of service provided to the conditions agreed in binding documents.
- c) The Declaration of insolvency in the terms that is described by the Law 22/2003, of July 9th, bankruptcy.
- d) Mutual agreement of the parties.
- e) Breach of the limitations in the field of outsourcing.
- f) Obstruction of the faculties of management and inspection of FIIAPP F.S.P.

19.REGIME OF PAYMENT

The successful tenderer is entitled to the payment of the agreed fees,



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corresponding to the work performed.

The fees will be paid to the ASSISTANT upon the presentation of the corresponding invoice issued by the ASSISTANT to FIIAPP, F.S.P., which must be an original document duly signed. Payment shall be within the 30 days following the receipt of the invoice by FIIAPP, F.S.P., and will be done by bank transfer.

21. AWARD TERM AND FORMALIZATION

The contract will be awarded within a period of 7 working days from the receipt of applications.

The document of formalisation of the contract shall be granted within a period of 7 working days from the award.

22. START OF THE ACTIVITY

The official starting date will be the 25th April 2019.

23. OPENING OF THE PROPOSALS

The envelope with the proposal will be opened by the Contract Award Committee in a public session on 27st March 2019 at 12:00 p.m C.E.T. at the headquarters of FIIAPP F.S.P.

APPENDIX I: Requirements and Merits

Requirements

Requirements	Yes/No	Comments
University degree in Engineering and/or Economics;		
Five years of experience assisting with translation and interpretation in working environments in the sector of aviation;		
Five years of experience of working in cooperation with Ukrainian Public Administrations in the Aviation sector;		
Five years of experience of working on international cooperation projects;		
Excellent command of English, Ukrainian and Russian;		
Excellent communication skills;		
Proficient computer skills, including Microsoft Office applications;		
Experience preparing administrative and technical reports and various working papers for the project activities to a professional standard;		

Merits

MERITS.				
Merit	Scale	Comments	Max score	Score
Previous actions working in EU financed Twinning projects	5 points per year of actions related		40	
Previous actions working on projects in the field of civil aviation and the civil aviation administration	2 points per year of actions related		20	
Previous actions working with the State Aviation Administration of Ukraine	2 points per year of actions related		20	
Previous actions working with the European Commission.	2 points per year of actions related		20	



APPENDIX II

STATEMENT OF COMPLIANCE

Mr/Ms, holder of D.N.I., acting in representation of, holder of C.I.F. and with its registered address at, in their capacity as and interested in the contract award procedure called by the International and Ibero-American Foundation for Administration and Public Policies,

Hereby makes this **STATEMENT OF COMPLIANCE**, for the purpose of the provisions set forth in Article 140.1 c) of the Law 9/2017, of 8th November, on Contracts of the Public Sector, by which is transposed to the Spanish juridical order the Directives of the European Parliament and of the Council 2014/23/UE and 2014/24/UE, of 26th of February of 2014.

- My client is not subject to any cause of prohibition to enter into contracts with the public sector in accordance with the provisions set forth in Article 71.1 of the LCSP.
- I am current in compliance with all tax and social security obligations imposed by provisions in force, without prejudice to undertaking to provide proof of such requisite before formally executing the contract, in accordance with the General Specifications according to which contracting is governed, if my client is awarded.

In....., on.....[day].....[month] [year].

(Place, date and signature of the tenderer)

Signed: