

**EX ANTE PUBLICITY (POINT 3 OF ANNEX I OF GFR):**

**NEGOTIATED PROCEDURE TO BE LAUNCHED BY FUSION FOR ENERGY  
FOR A VALUE BETWEEN EUR 15 000 AND EUR 143 000**

Procedure reference:	F4E-AMF-1644
Title of the procedure:	Provision of Expert Services related to the Engineer's and Employer's role under FIDIC based construction contracts.
scope of the procurement:	<p>The services to be provided will include:</p> <ul style="list-style-type: none"> <li>- advice in relation to the assessment of claims submitted by the F4E contractors under the Construction contracts;</li> <li>- advice on situations which may impact contractual costs and/or schedule, variations and on F4E claims;</li> <li>- advice on the Engineer's and Employer's organisation (separation of functions, responsibilities, composition, skills, roles and responsibilities, trainings, and possible integration of the Engineer's function with the one of the ITER Organization) and;</li> <li>- advice on the implementation of the F4E Action Plan in response to the 11<sup>th</sup> Annual Assessment of F4E (which was related to F4E's FIDIC based construction contracts).</li> </ul>
Budget	The maximum ceiling amount for this Contract is <143 000 EUR
Activity code or CPV:	79100000-5 - Legal services 79111000-5 - Legal advisory services 71530000-2 Construction consultancy services
Technical documents for information:	The tender documents will be sent to pre-selected candidates and all the interested candidates who have expressed their interest.
Minimum number of Candidates to be invited <sup>1</sup> :	5
Exclusion criteria:	<p>The exclusion criteria are listed under Art. 136 of the REGULATION (EU, Euratom) 2018/1046 on the financial rules applicable to the general budget of the Union.</p> <p>Link to the external guidance on support documentation for the exclusion criteria:  <a href="https://industryportal.f4e.europa.eu/mainmenu/how-to-do-business/procurement-documents/">https://industryportal.f4e.europa.eu/mainmenu/how-to-do-business/procurement-documents/</a></p>

<sup>1</sup> A minimum of 3 candidates will be invited for contracts below EUR 60 000 and a minimum of 5 candidates for contracts between EUR 60 000 and EUR 143 000. Only preselected candidates will be invited to negotiate. If you register as interested candidate, you will be informed when the call is launched.

Selection criteria <sup>2</sup> :	<p>The candidate shall:</p> <ol style="list-style-type: none"> <li>1) have an average consolidated turnover for the last 2 (two) financial years (2021 and 2022) equal or larger than EUR 71 000 (seventy one thousand EURO) and a professional risk indemnity insurance coverage</li> <li>2) have a dedicated team of at least 1 assigned expert having minimum C1 level of English language and minimum 15 (fifteen) years of experience in construction law and construction contracts' claims management</li> <li>3) have relevant reference assignments within the last 3 years (from January 2021, until January 2024): <ul style="list-style-type: none"> <li>- 2 (two) reference assignments related to claim management, adjudication/arbitration proceedings;</li> <li>- 2 (two) reference assignments related to advice type services.</li> </ul> </li> </ol>
Indicative schedule for the procedure -	<ul style="list-style-type: none"> <li>- Indicative date to launch the call: Mid-February 2024</li> <li>- Indicative date for contract signature: Mid-April 2024</li> </ul>
Procurement documents:	The set of tender documents will be sent to the interested candidates who have shown interest and provided the below information within the deadline.
Deadline to submit interest to participate:	<b>09 February 2024</b>
Submission of your interest to participate:	<p>Please send an e-mail to the following address: <a href="mailto:tenders-adm@f4e.europa.eu">tenders-adm@f4e.europa.eu</a> expressing interest to participate and including the following information as a minimum:</p> <ul style="list-style-type: none"> <li>- name and registered address of your company;</li> <li>- details of the contact person(s) including e-mail and telephone number;</li> <li>- brief description of the experience of your company related to the mentioned scope and indicative selection criteria.</li> </ul>
Participation:	Only candidates from F4E Member States <sup>3</sup> will be invited
Questions and answers	Questions concerning the submission of an interest to participate shall be sent by email: <a href="mailto:tenders-adm@f4e.europa.eu">tenders-adm@f4e.europa.eu</a>
Other information:	<p>Interested companies are invited to register to EU-Supply, the e-submission tool used by F4E, at the following link: <a href="https://eu.eu-supply.com/ctm/Company/CompanyRegistration/RegisterCompany">https://eu.eu-supply.com/ctm/Company/CompanyRegistration/RegisterCompany</a>.</p> <p>Please include the exact name of the company as registered in EU-supply and the registered contact email in your expression of interest.</p>

<sup>2</sup> Only applicable if selection criteria are foreseen. The interested candidates may be invited to explain in their replies how they meet the selection criteria. The selection criteria may be verified during the procurement procedure and evidence may be requested to be provided. Reception by a candidate of the F4E Invitation to tender does not imply that the candidate complies with the selection criteria.

<sup>3</sup> The F4E Member States are the EU Member States and Switzerland.