



Nr.34981/5/08.05.2014

NOTICE SELECTION OF ONE EXPERT

The Romanian Ministry of Justice, as Contracting Authority, announces the initiation of the procedure for selecting 4 experts in the framework of the project "*Improving cooperation between judges and public notaries in cross-border civil matters*" (JUST/2011/JCIV/AG/3417) for the elaboration of 2 guides in the field of international private family and successions law (2 experts/guide).

All the required documents for selection (please refer to point 8 "Procedural aspects" of the attached "Terms of reference") shall be sent until **02.06.2014, 17:00** to e-mail: achizitiipublice@just.ro or to the Registry of the Romanian Ministry of Justice – 17, Apolodor Street, district 5, postal code 050741, Bucharest, Romania (please specify the following on the envelope "In attention of the Public Procurement Service").

Each expert applying for this assignment will chose one out of the four topics presented in the terms of reference.

The applicants must comply with the profile in terms of required qualifications and abilities and of specific professional experience necessary for performing the tasks.

Requirements at minimal level:

- University degree in Law;
- Minimum 7 years of general professional experience following the graduation of the Law School;
- Minimum 5 years of professional experience *in the civil law field* (divorce, exercising parental authority, maintenance obligations, matrimonial property regime, the change of name after the divorce, the protection order, other law institutions provided by the EU Regulations in the field of the project, etc.), in case of contributing to the elaboration of the guide in the field of international private family law / *successions matters*, in case of contributing to the elaboration of the guide in the field of international private successions law, as a judge, notary, university professor, trainer for the law practitioners;
- At least 2 publications (articles, reviews, studies, reports, thesis, etc.) on the topics which also include those tackled by each guide.);





These selection criteria were established **in consideration of the following**:

- ✓ The candidate must have an educational level allowing him/her to fully comprehend the complex topics tackled by each of the two guides.
- ✓ In what concerns the general professional experience, as well as the professional experience *in the civil law field* (divorce, exercising parental authority, maintenance obligations, matrimonial property regime, the change of name after the divorce, the protection order, other law institutions provided by the EU Regulations in the field of the project, etc.), in case of contributing to the elaboration of the guide in the field of international private family law / *in successions matters*, in case of contributing to the elaboration of the guide in the field of international private successions law, it is necessary considering the fact that the level of complexity and the objective of the project - enhancing the juridical knowledge of the practitioners (public notaries and judges) in the field of international private family and successions law – require a high degree of experience, which can only be acquired throughout a considerable period of activity in the field.
- ✓ Considering the fact that the services required in the Terms of reference concern the elaboration of two guides addressed to the practitioners (public notaries and judges) in the field of international private family and successions law, it is necessary that the experts prove their experience to elaborate publications in the field tackled by the project

For proving the conformity with the requirements, the candidates shall submit:

- ✓ Copy of the diploma/s of the university degree;
- ✓ Copy of the identity card;
- ✓ Curriculum vitae (Europass format, signed – in pdf format), comprising references and contact details of the persons that might provide relevant information on the expert's activity. The CV will also reflect the fulfilling of the minimum requirements.
- ✓ List of publications
- ✓ For the experts choosing to elaborate the material in another language than their mother tongue, documents proving the excellent knowledge of the chosen language and, in case of absence of such documents, declarations stating that the expert has an excellent command of that language;
- ✓ financial offer regarding the requested fee/working day

The evaluation committee reserves the right to require, during the evaluation of the candidates, relevant documents proving the fulfillment of the requirements concerning professional experience (e.g. employment certificate/ certificate attesting the experience in the field of civil law, etc.).





In case all the candidates meet the minimal qualification requirements, the final selection of the candidates will be done also considering the financial offer, according to the evaluation system presented below.

Thus, the experts will indicate in the notice of intent that will be sent to the Romanian Ministry of Justice their **financial offer** for the requested fee/working day.

Awarding criteria:

General aspects:

- ✓ The evaluation points of each candidate shall be divided, on one hand, according to the minimum technical criteria and, on the other hand, according to the financial criteria, each one having a percentage of 70%, respectively 30%.
- ✓ The final evaluation of each candidate is the sum of the evaluation points for the fulfilment of the technical criteria (minimum requirements) and the evaluation points for the fulfilment of the financial criteria (based on the financial offer submitted by the candidate).

Technical evaluation:

- ✓ The minimum requirements represent 70% of the total evaluation points – technical evaluation – P.technical (n), is awarded as follows:

$$P_{\text{technical}}(n) = P_{\text{EP}}(n) + P_{\text{C}}(n) + P_{\text{P}}(n) \text{ where:}$$

- P. technical (n) is the score awarded to that candidate according to the degree of fulfillment of the above mentioned criteria - maxim 70 points;
- P. EP is the score for the number of years of professional experience – maximum 20 points;

Note: It counts only the experience exceeding 7 years, mentioned at the minimum requirements.

- P. C is the score for the number of years of professional experience *in the civil law field* (divorce, exercising parental authority, maintenance obligations, matrimonial property regime, the change of name after the divorce, the protection order, other law institutions provided by the EU Regulations in the field of the project, etc.), in case of contributing to the elaboration of the guide in the field of international private family law / *successions matters*, in case of contributing to the





elaboration of the guide in the field of international private successions law, as a judge, notary, university professor, trainer for the law practitioners – maxim 25 points;

Note: It counts only the experience exceeding 5 years, mentioned at the minimum requirements.

- P.P. is the score according to the publications of the candidate in the field of the project (articles, reviews, studies, reports, thesis etc.). For the highest number of the publications in the field of the project (articles, reviews, studies, reports, thesis etc.) – maximum 25 points.

Therefore, the score for each evaluation factor is calculated as follows:

a) **For the highest number of years of professional experience** in the field of the project, beside those mentioned in the minimum requirements – the maximum score is awarded -20 points = **P. max EP**

b) For other number of general professional experience than the one mentioned at the letter a), the score will be calculated as follows:

$P. EP(n) = \frac{\text{number of professional experience of the candidate}}{\text{P max EP}} \times 20$ points

c) **For the highest number of years of professional experience in the civil law field** (divorce, exercising parental authority, maintenance obligations, matrimonial property regime, the change of name after the divorce, the protection order, other law institutions provided by the EU Regulations in the field of the project, etc.), in case of contributing to the elaboration of the guide in the field of international private family law / *successions matters*, in case of contributing to the elaboration of the guide in the field of international private successions law, as a judge, notary, university professor, trainer for the law practitioners, a max score of 25 points is awarded = **P.max C**;

d) For other number of years of professional experience *in the civil law field* (divorce, exercising parental authority, maintenance obligations, matrimonial property regime, the change of name after the divorce, the protection order, other law institutions provided by the EU Regulations in the field of the project, etc.), in case of contributing to the elaboration of the guide in the field of international private family law / *successions matters*, in case of contributing to the elaboration of the guide in the field of international private successions law, as a judge, notary, university professor, trainer for the law practitioners,

¹ Following the preliminary evaluation of all the offers, it shall be identified the candidate having the highest professional experience in the field of the project, the number of years of this candidate being the base to calculate the technical score for this criterion for the rest of the candidates fulfilling the minimum requirements





than the one mentioned at the letter c), the score shall be calculated as follows:

P. C (n) = number of years / **P. max C** (the highest number of professional experience among the candidates²) X 25 points

- e) **For the highest number of publications** on the topics which also include those of the guides, namely international private family law (in matters such as: the divorce, exercising the parental authority, maintenance obligations, matrimonial property regime, the changing of the name after divorce, the protection order), in case of contributing to the elaboration of the guide in the field of international private family law / *international private successions law*, in case of contributing to the elaboration of the guide in the field of international private successions law, a maximum of 25 points shall be awarded=**P. max P**
- f) **For other number of publications** on the topics which also include those of the guides, namely international private family law (in matters such as: the divorce, exercising the parental authority, maintenance obligations, matrimonial property regime, the changing of the name after divorce, the protection order), in case of contributing to the elaboration of the guide in the field of international private family law / *international private successions law*, in case of contributing to the elaboration of the guide in the field of international private successions law, other than the one mentioned at the letter e), the score shall be calculated as follows:

P. P (n) = number of publications / **P. max P** (the highest number of publications among the candidate³) X 25 points

Financial evaluation:

✓ The price of the offer shall represent 30% of the total score, the financial score – P. financial (n), shall be granted as follows:

- a) **For the lowest tender price** (the amount in Euro, without VAT) shall be awarded 30 points = **P.min.**
- b) **For any other tender price** than the one mentioned at the letter a), the score shall be calculated as it follows:

P. financial (n) = P. min / P. fin (n) (other tender price) x 30 points, where:

² Following the preliminary evaluation of all the offers, it shall be identified the candidate having the greatest pedagogical experience in the field of the project, the number of years of this candidate being the base to calculate the technical score for this criterion for the rest of the candidates fulfilling the minimum requirements.

³ Following the preliminary evaluation of all the offers, it shall be identified the candidate having the greatest number of publications in the field of the project, the number of publications of this candidate being the base to calculate the technical score for this criterion for the rest of the candidates fulfilling the minimum requirements.





- P_n financial (n) is the financial score of the offer to be evaluated;
- P_{min} is the lowest tender price (the amount in Euro, without VAT) of the submitted offers;
- P_{fin} (n) is the price of the offer to be evaluated (the amount in Euro, without VAT)

Mention must be made that only the applications fulfilling the minimum requirements at technical level, as well as the financial offers observing the budgetary limits mentioned in the Terms of references will be considered.

Please see the Call for experts (Terms of references) enclosed to this notice.

For further information please address to Mrs. Cristina BUSOI, (phone +40372041162, e-mail cristina.busoi@just.ro), Department for European Programmes, or to Mrs. Ioana BURDUF (phone 0372041218, e-mail iburduf@just.ro), Department for International Law and Judicial Cooperation, Romanian Ministry of Justice.

