

Ex-ante advertisement for a middle value negotiated procedure with at least five candidates, in order to acquire services of maximum price of 70 000 EUR

Provision of a study on NRAs' independence

BEREC and its Office were established by Regulation (EU) No 2018/1971 of the European Parliament and of the Council of 11 December 2018. BEREC shall contribute to the development and better functioning of the internal market for electronic communications networks and services, by aiming to ensure a consistent application of the EU regulatory framework for electronic communications. The Office shall assist BEREC in this task, by providing professional and administrative support services. For more details on BEREC and the BEREC Office, please refer to the BEREC [website](#).

The BEREC Office hereby announces the intention to launch of a middle value negotiated procedure with at least five candidates in order to establish 1 year service contract with estimated maximum value of EUR 70 000.

The purpose of the contract is to acquire a study on NRAs' independence. The study should compile a reasoned recollection of all currently available research and analysis developed so far around the independence-linked features of Regulators operating in Europe in different sectors. The study should investigate the EU legislative frameworks presiding over the identified sectors and outline how theoretical independence features translate into legal terms and what guarantees the EU legislators have envisaged so far for independent Regulators. The successful tenderer should deliver an analysis of the case law to date concerning independence of Regulators. This analysis should cover closed cases only and lead to the identification of the qualifying issues at stake so far, the profile of the violation, and the relevant ECJ assessments. At a later stage the study should move its focus on the electronic communications sector and to test all the identified features and characteristics (as enshrined in the considered legal frameworks) against the European legislative framework for electronic communications. Furthermore the successful tenderer have to carry out a factual survey of the competences, safeguards and potential threats for NRAs' independence in the Member States on the background of the identified theoretical independence-related characteristics.

This publication for a contract with a value below the Directive 2014/24/EU threshold is made pursuant to obligation under Article 163(2) of the Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union and repealing Regulation (EU, Euratom) No 966/2012.

Interested economic operators may express their interest to participate in this middle value negotiated procedure by sending their expression by 16 December 2021 **in writing to the following mailbox:**

procurement@berec.europa.eu

The economic operators which express their interest will be invited by the contracting authority to participate in the above mentioned procurement procedure. Nevertheless, the contracting authority reserves a right to invite other economic operators to participate regardless of the fact if they expressed their interest or not.

[The day of sending out the procurement documents will follow shortly after the deadline for expressing the interest to participate.](#)

DATA PROTECTION

The processing of personal data by the BEREC Office for the purpose of implementing procurement procedures is subject to Regulation (EU) No 2018/1725. Details concerning the processing of your personal data are available in the privacy statement for procurement procedures organized by the BEREC Office, accessible at:

https://berec.europa.eu/eng/berec_office/public_procurement/1657-privacy-statement-for-public-procurement-procedures