

**Belgium-Brussels: Study on e-Privacy Directive: assessment and transposition, effectiveness and compatibility with proposed Data Protection Regulation (SMART 2013/0071)**

OJ S 78/2014 19/04/2014

Contract award notice

Services

Directive 2004/18/EC

**Section I: Contracting authority**

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**I.1. Name and addresses**

Official name: European Commission, DG Communications Networks, Content and Technology, Unit H4 — Trust and Security

Postal address: avenue du Bourget 1 (BU31, Office 04/003)

Town: Brussels

Postal code: 1049

Country: Belgium

For the attention of: Jakub Boratynski, Head of Unit

E-mail: [cnect-h4@ec.europa.eu](mailto:cnect-h4@ec.europa.eu)

Telephone: +32 22969452

**Internet address(es):**

General address of the contracting authority: [https://ec.europa.eu/dgs/connect/index\\_en.htm](https://ec.europa.eu/dgs/connect/index_en.htm)

Address of the buyer profile: <http://ec.europa.eu/digital-agenda/en/newsroom/all/1374>

Electronic access to information: <http://ec.europa.eu/digital-agenda/en/newsroom/all/1374>

**I.2. Type of the contracting authority**

European institution/agency or international organisation

**I.3. Main activity**

Other: Communications networks, content and technology.

**I.4. Contract award on behalf of other contracting authorities**

The contracting authority is purchasing on behalf of other contracting authorities: no

**Section II: Object of the contract**

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**II.1. Description****II.1.1. Title**

Study on e-Privacy Directive: assessment and transposition, effectiveness and compatibility with proposed Data Protection Regulation (SMART 2013/0071).

**II.1.2. Type of contract and place of performance or delivery**

Services

Service category No 11: Management consulting services [6] and related services

NUTS code

**II.1.3. Information about a framework agreement or a dynamic purchasing system (DPS)****II.1.4. Short description of the contract or purchase(s)**

The objective of the study is to gather evidence on the transposition of the e-Privacy Directive into Member States' legal systems. The goal is to take stock of national experiences with

regard to specific provisions of the e-Privacy Directive. The contract will identify specific areas within the e-Privacy Directive in which the evaluation will be focused. In principle, such areas will encompass:

- (i) the application of Article 5(3) of the Directive on cookies;
- (ii) the application of Article 4 on security breach notification; and
- (iii) the scope of application of the provisions on location and traffic data.

In addition, the study will also seek to gather evidence and require an analysis of the interaction of the e-Privacy Directive with the Data Protection Regulation in order to assess how the 2 instruments play together.

#### **II.1.5. CPV code(s)**

79419000 Evaluation consultancy services

#### **II.1.6. Information about the Government Procurement Agreement (GPA)**

The procurement is covered by the Government Procurement Agreement: yes

### **II.2. Total value of the contract/lot**

#### **II.2.1. Total value of the contract/lot**

Value: 246 400 EUR  
excluding VAT

## **Section IV: Procedure**

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### **IV.1. Type of procedure**

#### **IV.1.1. Type of procedure**

Open

### **IV.2. Award criteria**

#### **IV.2.1. Award criteria**

The most economically advantageous tender in terms of

1. Understanding of the tasks required. Weighting 30
2. Technical quality of tender. Weighting 50
3. Management. Weighting 20

#### **IV.2.2. Information about electronic auction**

An electronic auction has been used: no

### **IV.3. Administrative information**

#### **IV.3.1. File reference number attributed by the contracting authority**

SMART 2013/0071.

#### **IV.3.2. Previous publication concerning this procedure**

##### **Prior information notice**

Notice number in the OJ S: [2013/S 63-104533](#) of 29.3.2013

##### **Contract notice**

Notice number in the OJ S: [2013/S 148-256553](#) of 1.8.2013

##### **Other previous publications**

Notice number in the OJ S: [2013/S 152-263759](#) of 7.8.2013

## **Section V: Award of contract**

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Contract No: 30-CE-0629642/00-85

**V.1. Date of conclusion of the contract**

9.4.2014

**V.2. Information about tenders**

Number of tenders received: 7

**V.3. Name and address of the contractor**

Official name: time.lex BV CVBA in partnership with Spark Legal Network & Consultancy Ltd.

Postal address: Congresstraat 35

Town: Brussels

Postal code: 1000

Country: Belgium

**V.4. Information on value of the contract/lot**

Total value of the procurement:

Value: 246 400 EUR

excluding VAT

If annual or monthly value:

Number of months: 9

**V.5. Information about subcontracting**

The contract is likely to be subcontracted: yes

Value or proportion likely to be subcontracted to third parties:

Proportion: 55,34 %

**Section VI: Complementary information**

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**VI.1. Information about European Union funds**

The procurement is related to a project and/or programme financed by European Union funds:  
yes

Identification of the project: Regulatory Framework for the Digital Agenda.

**VI.2. Additional information**

**VI.3. Procedures for review**

**VI.3.1. Review body**

Official name: General Court

Postal address: rue du Fort Niedergrünwald

Town: Luxembourg

Postal code: 2925

Country: Luxembourg

E-mail: [generalcourt.registry@curia.europa.eu](mailto:generalcourt.registry@curia.europa.eu)

Telephone: +352 4303-1

Fax: +352 4303-2100

Internet address: <http://curia.europa.eu>

**VI.3.2. Review procedure**

Precise information on deadline(s) for review procedures: Within 2 months of the notification to the plaintiff, or in absence thereof, of the day on which it came to the knowledge. A complaint to the European Ombudsman does not have as an effect either to suspend this period or to open a new period for lodging appeals.

**VI.3.3. Service from which information about the review procedure may be obtained**

Official name: European Commission

Postal address: avenue du Bourget 1 (BU31, Office 04/003)

Town: Brussels

Postal code: 1049

Country: Belgium

Telephone: +32 22969452

**VI.4. Date of dispatch of this notice**

10.4.2014