



**CALL FOR EXPRESSION OF INTEREST
EXTERNAL EXPERT OF AIR SAFETY OPERATIONS**

January 2022

1. Introduction

Albanian Civil Aviation Authority, (hereinafter “ACAA” or “the Contracting Authority”) is a public legal body, established by law no. 10233, dated 11.2.2010, “On the Civil Aviation Authority”, as amended, which has been given specific regulatory and oversight tasks in the field of civil aviation transport in the Republic of Albania.

A contracted expert is needed for Albanian CAA as required by ICAO standards and EASA, as well as National Regulation, in particular Minister Order No 59, dated 30.01.2020, transposition of Regulation (EU) No. 965/2012,” Laying down technical requirements and administrative procedures related to air operations”, as amended, ARO.GEN.200(a)(2) and related AMC2 ARO.GEN.200(a)(2), AMC4 ARO.GEN.200(a)(2); GM2 ARO.GEN.200(a)(2); GM3 ARO.GEN.200(a)(2) and GM7 ARO.GEN.200(a)(2).

2. Objectives

2.1 Main objectives

The objective of these Call for Expression of Interest is to contract an independent individual external expert who owns a PART-FCL license in accordance with Commission Regulation (EU) No 1178/2011 of 3 November 2011 laying down technical requirements and administrative procedures related to civil aviation aircrew pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council, who will be required to conduct on behalf of the Albanian CAA, the tasks associated with the oversight function of the ACAA of the commercial air transport operators, to ensure compliance with the requirements of Law No. 96/2020, “Air Code of the Republic of Albania”, Law No. 9658/2006 “ECAA Agreement”, Regulation (EC) No 216/2008 of the European Parliament and of the Council of 20 February 2008 “On common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC”, as well as Commission Regulation (EU) No 965/2012 of 5 October 2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council

These tasks will include but will not limit to the processing of the related technical documentation to be reviewed and assessed (several applications from the operators), inspections and audits conduct, preparation of relevant reports and respective tasks related to the follow up.

2.2 Specific Objectives

The objectives of the ACAA in the field of civil aviation are defined in the Article 8 of the Law No. 96/2020, “Air Code of the Republic of Albania”, which includes consideration of any emerging ICAO and EASA provisions.

This assignment will contribute to these objectives by addressing the issues outlined in Section 2.

The specific tasks to be performed by the contracted expert (auditor/inspector) will be:

- to ensure compliance with the applicable Conventions, Agreements, Laws, flight safety and operations Minister’s Ordinances/Orders and relevant guidance materials in the Civil Aviation;
- to ensure the implementation of the relevant specific requirements of Minister Order No 59, dated 30.01.2020, transposition of Regulation (EU) No. 965/2012), in area of commercial air transport operations, specifically paragraph ARO.GEN.200(a)(2), and its relevant AMC&GM related to the qualification and training of FOI in general and specifically AMC4 ARO.GEN.200 (a)(2) (for operations with Airbus A320/319 and Boeing B737);
- to provide recommendations proportionate to the complexity of the operations and/or propose safety promotion actions related to commercial operations and;
- based on the experience gained so far in an EASA Member state competent authority for civil aviation, the contracted expert should perform tasks associated to air operator’s certification and their oversight, considering and assessing the Acceptable Means of Compliance, based on the experience of a well-known civil aviation authority in Europe, member of EASA, and commercial air transport operator.

3. Scope of Work

Upon request of ACAA, the expert shall perform the tasks associated to the oversight of Commercial Air Transport Operators, operating with Airbus A320 and Boeing 737 the aircrafts family and for the respective air crew, and assessment of competence and other related oversight, certification or approvals.

Minister Order / Regulation	Scope of Work
<p>Decision of the Council of Ministers No. 1095, dated 24.12.2020 On the approval of the essential requirements in the field of civil aviation (Approximation with Basic Reg. (BE) Nr. 2018/1139, dated 04.07.2018), repealing the Basic Regulation (EC) No 216/2008</p> <p>Minister Order No 59, dated 30.01.2020, transposition of Regulation (EU) No. 965/2012), as amended;(AMC, GM, CS) to this Regulation</p> <p>Minister Order No 262/2019, as amended, transposition of Regulation (EU) No 1178/2011; (AMC, GM)</p>	<ul style="list-style-type: none"> - Oversight (audits/inspections/treatment of specific documentation) - Expertise during the process of AOC variations of Commercial Air Transport Operators - Examiners/instructor assessment of competence of CAT operators - AOC approvals/oversight

4. Specific Tasks

The following specific task should be undertaken by the type rated specialist:

- a) Conduct of in-flight inspections;
- b) Conduct of audit and inspections to operators and air crew with ACAA auditors/inspectors;
- c) In particular cases the contracted auditor/inspector may conduct alone the inspection (for example inspections of the pilot training in simulator or in en-route);
- d) Processing and assessment of air operator's documents submitted to Albanian CAA;
- e) Suggestions and recommendations as needed by the process performed.

5. Expected Deliverables

The contracted expert in support to DAOFSO¹ staff, during the 24 months' period shall submit to the ACAA, the following checklists, reports and documents in English, in electronic and printed format:

¹ Directorate of Air Operator's Flight Safety Oversight within ACAA

1. En Route Flight Inspections and expertise as per ACAA needs for some items during SANA inspections on national CAT Operators
2. Audit/review of Operations Manual and documents
3. Audit/inspection training programs & checking
4. Audit/inspection Operator Proficiency Check
5. Audit/inspection Operator Conversion training & checking
6. Audit/inspection Operational Control Center & Facilities
7. Audit/inspection Management System
8. Audit/inspection Flight time limitations and Fatigue Risk Management
9. Audit/inspection Occurrence reporting
10. Audit/inspection Flight Data Monitoring
11. Audit/inspection Approval of short landing operations
12. Audit/inspection Operator Recurrent Training & Checking
13. Audit/inspection Specific Approvals: PBN, RVSM, LVO, MNPS, ETOPS
14. Audit/inspection on AOC variation process
15. Audit/Inspection of transport of Dangerous Goods

The contracted expert shall also conduct office tasks, which require physical presence, as below:

1. Process evaluation for the initial issue of an AOC or Declaration or Authorization
2. Review and approval of Operations Manuals:
 - OM-A
 - OM-B
 - OM-C
 - OM-D
 - SMS
 - MSM
 - DGR
 - MEL
 - GOM
3. Evaluation and approval of the followings:
 - Special Approvals SPA
 - Management of Change
 - Risk Assessments
 - Variation of an AOC
 - Operator Application for: Designation/ Nomination as a Commander

- Acceptance of Ground instructors for example: CRM, SMS, DGR, FRM for FC & CC & Other
- Operator Personnel
- Other duties in cooperation with Airport Directory and Navigation Directory in common
- Practices which require expertise of pilots.

These audits and inspections are part of the “24 months” oversight plan” and the frequency of their conduct shall be variable, subject to the air operator’s performance (PBO - Performance Based Oversight).

Twenty percent of the office tasks may be performed remotely only if both following conditions are met:

- If the subject of the relevant task allows the expert to perform it remotely;
- Both parties (Expert and ACAA) agree in performing it remotely;

The contracted expert shall perform the above tasks always in cooperation with the Sector of Safety Operation Oversight staff of ACAA, except for Flight Simulation Training Device Inspections which can be performed only by the Contracted Expert.

6. Time of implementation

The contracted expert as auditor/inspector qualified for the type or category of Airbus A320 and Boeing B737 shall carry out the above tasks for a period of two **(2) YEARS** and will be available upon ACAA request for about 70 days.

7. Place of Delivery

Place of delivery shall be defined for each specific task/ activity, however in general services shall be performed in in Tirana, Albania, Places of Operators Different Activities or at the experts’ place of residence.

8. Remuneration & Reimbursement of Expenses Fees

8.1 Fees

Expert is entitled to a payment of EUR 450 for each full working day² spent performing the tasks assigned to him/her.

8.2 Per diem

In addition, experts performing tasks outside their place of residence may be entitled to a

² 1 full working day shall consist of 8 hours (excluding breaks and travelling time)

flat rate subsistence allowance and reimbursement for travel expenses

The subsistence allowance (per diem) is paid as a flat rate and is considered to cover all expenses incurred at the place of the meeting or assignment, including the costs of accommodation, meals and local travel (such as taxis or other means of public transport).

The amount of the subsistence allowance is the standard rate published by the European Commission (https://ec.europa.eu/international-partnerships/system/files/per-diem-rates-20200201_en.pdf) for the country where the assignment takes place.

The full amount will be paid for assignments of more than one day for those days which include an overnight stay. For one-day assignments, 25 % of a full per diem will be paid

For the day of return (which thus includes no overnight stay) from assignments of more than one day (which include overnight stay), and when the return to the point of departure is later than 8 p.m., 25 % of a full per diem will be paid.

8.3 Travel expenses

Travel expenses are reimbursed on the following basis:

- international travel from the place of residence of the expert (point of departure) to the location of the assignment;
- travel from another location other than the place of residence or the location of the assignment, under certain conditions, on a case-by-case basis, and when clearly specified and agreed upon in advance by the authorizing officer or the authorizing officer by delegation.
- In economy class, at the lowest rates available at the moment of the notification of the assignment, taking into account the time and/or special features of the assignment.

The following supporting documents need to be provided and submitted to the responsible staff member within the ACAA

- the electronic booking;
- the travel agency's invoice (when applicable);
- the boarding pass(es);

ACAA reserves the right to reject payment of travel expenditures if the most direct route and the most economical fare criteria have not been applied.

9. Reporting

The language of communication for the assignment shall be English. The Inspector will produce the documents in both electronic and hard copy formats, as Microsoft Word documents, and submit them to the ACAA for each task performed.

10. Selection Criteria

The expert (auditor/inspector) undertaking the above mentioned tasks shall meet the following minimum requirements below:

- a. hold or have held a valid type rating in an ATPL License as per Part-FCL, on the aircraft types concerned; or a class rating as appropriate; or a rating on aircraft types/classes with similar with A319&320 or B737/400, technical and operational characteristics;
If the applicant holds or have held one Type Rating of the above, then a Familiarization Training of the other Type shall be performed after the selection process, taking into account that 50 % of the Familiarization fee shall be covered by the ACAA, and the other 50% by the selected applicant itself;
- b. At least 5 years' proved operational experience in air transport operations appropriate to the allocated tasks;
- c. Proved experience in either operational management within an air transport operation; or as an instructor; or as an examiner; and;
- d. Have a very good written and oral command of the English language.;
- e. To possess professional qualification/experience relevant to the area(s) of expertise to which they apply;
- f. To have experience in preparing, updating & editing Audit Plans and to perform Gap Analysis;
- g. Experience in Initial Issue & Variations of AOC;
- h. Capable of compiling clear reports with minimum of misinterpretations;

11. Exclusion Criteria

Participation in this call is only open to natural persons who are not in any of the situations listed below (Article 136 of the Financial Regulation³), in particular:

³ Regulation (EU, Euratom) No 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, repealing Regulation (EC, Euratom) No 966/2012 (OJ L 193 of 30.07.2018, p. 1), as amended

- a. Bankrupt, subject to insolvency or being wound up, are having their affairs administered by a liquidator or by courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for under national legislation or Union law;
- b. Convicted of an offence concerning their professional misconduct by an administrative decision or a judgement of a competent authority of a Member State which has the force of res judicata;
- c. Guilty of grave professional misconduct proven by any means which the Contracting Authority can justify including by decisions of the EIB and other international organizations;
- d. Not in compliance with their obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established or with those of the country of the Contracting Authority or those of the country where the contract is to be performed;
- e. Subject to a judgement which has the force of res judicata for fraud, corruption, involvement in a criminal organization, money laundering or terrorist financing or any other illegal activity, where such illegal activity is detrimental to the European Union's financial interests;
- f. Subject to an administrative penalty for being guilty of misrepresenting the information required by the contracting authority as a condition of participation in the procurement procedure or fail to supply that information or for having been declared to be in serious breach of their obligations under contracts by the budget, or have created an entity in a different jurisdiction with the intent to circumvent legal obligations in the jurisdiction.

In addition to the above, contracts may not be awarded to experts who, during the call, are:

- Subject to a Conflict of interests
- Guilty of misrepresentation in supplying the information required by the Contracting Authority as a condition of participation in the call or fail to supply this information.

12. Confidentiality, Independence and Absence of Conflict of Interest

All experts are expected to ensure that their contractual and professional obligations in particular with regard to confidentiality, independence and absence of conflict of interests are well understood and upheld throughout and after any contract assignment.

At the time of contract assignment, the expert must sign a declaration of ‘Confidentiality, Independence and Absence of Conflict of Interests’ (Annex II to the draft contract) before Contract signature.

13. Application Process

Applications must include all the documents listed below and must be submitted using the official e-mail of ACAA (info@aca.gov.al), before 4th of February 2022, at 14.00 (GMT+1).

- Curriculum Vitae in EU format;
- ATPL License, with relevant type rating (in accordance with Part FCL), (Certified)/notarized copy;
- List of the trainings and qualifications with the period of validity, for the required tasks, notarized copy;
- Applicants must confirm in their application that they are not in any of the situations listed in section 11 – exclusion criteria by signing the Declaration on honour on exclusion criteria (Annex V);
- Applicants must justify how they fulfil the minimum criteria such as 5 years of relevant work experience. As evidence one or more projects/activities and assignments relevant to the scope of area must be provided.
- Applicants must provide evidence to justify any criteria they meet.

It is strictly required that applications are submitted in the requested format and include all information / documentation necessary to enable the ACAA to assess them. Failure to respect these requirements may result in the rejection of the application.

Before awarding a contract, the ACAA reserves the right to request any additional supporting documentation in order to verify the applicant’s qualifications, professional experience and/or language capabilities (i.e. copies of licenses, certificates, diplomas, references etc.).

Please also note that before contract assignment the ACAA may request a virtual interview in order to establish a first contact with the expert and/or assess / verify any information provided in the application.

Applicants may submit questions by e-mail to the following address up to 5 days before the deadline for submission of applications.

info@aca.gov.al

Subject: Call for application for external expert of air safety operations

13. Documents needed for Contract Signature

Before contract signature, the expert shall be required to submit the following documentation, within 5 days of notification, duly completed, signed and in original:

- Annex II, “Declaration of Confidentiality, Independence and Absence of Conflict of Interests”.
- Annex III, Financial Identification Form - using the template attached, including the IBAN and SWIFT/BIC code, indicating the bank account to which payments should be made.
- Annex IV, Legal Entity Form - the form applicable for natural persons attached to this notice.

Declaration on honour on exclusion criteria

The undersigned [*insert name of the signatory of this form*], representing:

(only for natural persons) himself or herself

Name:

Surname:

ID or passport number:

I – SITUATION OF EXCLUSION CONCERNING THE PERSON

(1) declares that the above-mentioned person is in one of the following situations: <u>[If yes, please indicate in annex to this declaration which situation and the name(s) of the concerned person with a brief explanation.]</u>	YES	NO
a) Bankrupt, subject to insolvency or being wound up, are having their affairs administered by a liquidator or by courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for under national legislation or Union law;	<input type="checkbox"/>	<input type="checkbox"/>
b) Convicted of an offence concerning their professional misconduct by an administrative decision or a judgement of a competent authority of a Member State which has the force of res judicata;	<input type="checkbox"/>	<input type="checkbox"/>
c) Guilty of grave professional misconduct proven by any means which the Contracting Authority can justify including by decisions of the EIB and other international organizations;	<input type="checkbox"/>	<input type="checkbox"/>
d) Not in compliance with their obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established or with those of the country of the Contracting Authority or those of the country where the contract is to be performed;	<input type="checkbox"/>	<input type="checkbox"/>
e) Subject to a judgement which has the force of res judicata for fraud, corruption, involvement in a criminal organization, money laundering or terrorist financing or any other illegal activity, where such illegal activity is detrimental to the European Union's financial interests;	<input type="checkbox"/>	<input type="checkbox"/>
f) Subject to an administrative penalty for being guilty of misrepresenting the information required by the contracting authority as a condition of participation in the procurement procedure or fail to supply that information or for having been declared to be in serious breach of their obligations under contracts by the budget, or have created an entity in a different jurisdiction with the intent to circumvent legal obligations in the jurisdiction.	<input type="checkbox"/>	<input type="checkbox"/>

Full name

Date

Signature