
Specifications – Invitation to tender No VT/2008/31

Study contract on "Anticipating skill needs of the labour force and equipping people for new jobs. Which role for Public Employment Services in early identification of skill needs and labour up-skilling?"

1. TITLE OF THE CONTRACT

Study Contract – "Anticipating skill needs of the labour force and equipping people for new jobs. Which role for Public Employment Services in early identification of skill needs and labour up-skilling?"

2. PROGRESS INTRODUCTION

In its Social Agenda (2005-2010), the Union has fixed as its overall strategic goal to promote more and better jobs and to offer equal opportunities for all. The realisation of the Social Agenda relies on a combination of instruments comprising EU legislation, the implementation of open methods of coordination in various policy fields and financial incentives such as the European Social Fund.

The Decision n°1672/2006 establishing a Community programme for employment and social solidarity – PROGRESS was adopted by the European Parliament and the Council on 24 October and published in the OJ on 15 November 2006.

PROGRESS aims at supporting the core functions of the European Community towards fulfilling its Treaty-delegated tasks and powers in its respective areas of competence in the employment and social sphere. PROGRESS mission is to strengthen the EU contribution in support of Member States' commitments and efforts to create more and better jobs and to build a more cohesive society. To that effect, PROGRESS will be instrumental in:

- providing analysis and policy advice on PROGRESS policy areas;
- monitoring and reporting on the implementation of EU legislation and policies in PROGRESS policy areas;
- promoting policy transfer, learning and support among Member States on EU objectives and priorities; and
- relaying the views of the stakeholders and society at large.

More specifically, PROGRESS will support:

- (1) the implementation of the European Employment Strategy (section 1);
- (2) the implementation of the open method of coordination in the field of social protection and inclusion (section 2);
- (3) the improvement of the working environment and conditions including health and safety at work and reconciling work and family life (section 3);
- (4) the effective implementation of the principle of non-discrimination and promotion of its mainstreaming in all EU policies (section 4);

(5) the effective implementation of the principle of gender equality and promotion of its mainstreaming in all EU policies (section 5).

The present Call for tenders is issued in the context of the implementation of the 2008 annual work plan: http://ec.europa.eu/employment_social/progress/annwork_en.htm

3. BACKGROUND ON PUBLIC EMPLOYMENT SERVICES AND NEW SKILLS FOR NEW JOBS

The role of PES in the European Employment Strategy

The Mission Statement for PES adopted by the Directors General of the PES in the EU/EEA area in December 2006¹, highlights the importance of developing a culture of "labour upskilling" in a globalised context which presents challenges (the ageing population and the need to enlarge workforce by bringing back to work inactive people, so as to reduce inactivity rate and increase employment rate), but also creates new opportunities and new markets.

PES are one of the most important source of assistance to the jobseekers who experience the greatest difficulties in finding a job. The PES play a central role in the European Employment Strategy, in terms of developing service models that are capable to offer a new start to all jobseekers before they reach 6 (youth) or 12 (adults) months of unemployment. These new starts should be a real first step towards effective reintegration into the labour market and possible prevention of long-term unemployment (LTU) at a time of growing labour market shortages/mismatches and as a major cause of social exclusion.

More specifically, PES' modernisation efforts over the past years have made a substantial contribution to the progress achieved with both prevention and reduction of LTU. This is linked to the development of a service model to deal with the unemployed built around several elements², among which a sophisticated methodology of case management. This is based on the early diagnosis of individual needs of jobseekers (*profiling*) with the aim to design **tailor-made action plans**, and a range of **personalised services** in tune with their **skills and competencies**.

The new skills for new jobs initiative

The issue of **early identification of skill and competence needs** is growing in importance. In a rapidly changing economic and social environment, policy-makers and practitioners must be able to identify and respond promptly to new and changing skill and competence requirements. Such decisions depend on reliable information provided by research, which therefore takes on a central role in shaping future-oriented education and training, i.e. acquisition of skills and competences needed by the labour market. Furthermore, the process of European integration and EU enlargement makes the provision and availability of information about trends in the development of skills and competences even more important. Relevant findings could support both the development of a European knowledge-based society and the achievement of various objectives set in **European employment and lifelong learning strategies**.

The Commission's 2008 Strategic Report on economic and employment reforms and the Community Lisbon Programme stress that one of the key policy areas for reform is the improvement of the anticipation and matching of skills and labour market needs. Both

¹ http://ec.europa.eu/employment_social/employment_strategy/pdf/pes_missionstatement20061404_en.pdf

² "Joint Statement of European Employment Services concerning their role in preventing and reducing long-term unemployment", 22 June 2000

documents state that *"The Commission will make proposals to address the skills gap by improving the forecasting and monitoring of future skills requirements"* by *"improving the capacity to anticipate EU-wide labour market trends and skills needs"*.

The March 2008 European Council confirmed that investing in people and modernising labour markets remains one of the priority areas. It also *"invites the Commission to present a comprehensive assessment of the future skills requirements in Europe up to 2020, taking account of the impacts of technological change and ageing populations and to propose steps to anticipate future needs. Given the important role economic migration can play in respect of the labour market and skills shortages, cooperation in the field of legal migration should also be increased"*. The December 2007 European Council already stressed that *"Member States and the Commission should give priority to the implementation of the New Skills for New Jobs initiative"*.

In November 2007, the Education Council adopted a resolution³ on the "new skills for new jobs" initiative; this resolution aimed at a more coordinated approach based on existing structures in order to better respond to the objectives of the integrated guidelines of the Lisbon Strategy. Similarly, in December 2007, the EPSCO Council, in its Conclusions on the European Employment Strategy highlighted the "new skills for new jobs" initiative as one of the key areas for the future of the EES. This initiative emphasises practical steps to be taken in the area of education and training to provide citizens with better opportunities to succeed on the labour market. The emphasis is thus on three points.

First, equipping people with the skills necessary for new jobs. In this context, a specific reference is made to *"disseminating information on the skills and competences needed for new jobs through EURES, the national employment services and the European and national networks on guidance"*.

Second, the importance of work on validating competences, transparency of qualifications and identification of training needs.

Third, the need for better anticipation of skill needs and gaps on the labour market. The Council invited the European Commission to strengthen the European network for the early identification of skill needs and the European forecasting system on employment trends.

Early identification of skill needs mainly concerns research and analysis at national, regional, local, sectoral and occupational levels as well as the **analysis of skill needs of specific target groups**, such as the low skilled, those at risk, disabled persons, minorities, and others. Approaches mainly include enterprise and labour force surveys at different levels, forecasting techniques⁴, case studies, analyses of job advertisements, expert inquiries, scenarios, and observatories on skill developments.

Against this background, the Public Employment Services play a key role, by delivering active labour market policies and ensuring greater transparency of employment, mobility⁵ and

³. <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2007:290:0001:0003:EN:PDF>

⁴An interesting example is represented by those initiatives aimed at finding a common European approach to identify skill needs and skill gaps (see, in particular, *"Future skill needs in Europe. Medium-term forecast. Synthesis report"* (Cedefop, February 2008 - http://www.trainingvillage.gr/etv/Upload/Information_resources/Bookshop/485/4078_en.pdf).

⁵ *"Mobility, an instrument for more and better jobs: The European Job Mobility Action Plan (2007-2010)"*, COM(2007) 773 final (http://www.ec.europa.eu/employment_social/news/2007/dec/com_2007_0773_en.pdf).

training opportunities at national and European level (IG 20⁶) as well as a greater access to training for the unemployed and the inactive (IG 19)⁷. From this viewpoint, a specific contribution may come from these major labour market institutions whose mission is improving labour demand and supply matching, in terms of identifying, and ideally anticipating, jobseekers' skills (through such specific services as career guidance⁸) so as to improve labour force employability and meet employers' requirements⁹.

4. SUBJECT OF THE CONTRACT: ISSUES TO BE ADDRESSED

The scope of the study is to explore and analyse the national approaches, at the level of delivery chain of Public Employment Services, aimed at ensuring a better matching of labour demand and supply needs in a changing environment where new skills are required and the labour force is expected to be adaptable to such requirements.

The analysis should also contribute to the assessment of customer service performance upon the implementation of relationship management practices, as well as help identify possible good practices and likely further developments of the labour force early identification and upskilling approach.

The focus of the study is mainly put on how to exploit and implement the potential contribution of Public Employment Services within the wider context designed by the "New Skills for New Jobs" EU initiative.

More specifically, the subject of the contract is to provide a sound analysis and proper assessment of the current state of the art and development of the main actions taken by National PES.

The study will cover, amongst others, the relationship with and the cooperation with other actors delivering employment services, including Private Employment Services (PRES) and NGOs. It will cover all EU Member States and the EFTA/EEA countries Iceland, Norway and Liechtenstein.

It is foreseen that its results will be disseminated, also within the framework of a mutual learning process mainly through the dissemination of good practice in one or more seminars/meetings.

5. PARTICIPATION IN THE TENDERING PROCEDURE

Please note that:

⁶ Integrated guideline 20 mentions explicitly *"the need to improve matching of labour market needs through the modernisation and strengthening of labour market institutions, notably employment services, (...) better anticipation of skills needs, labour market shortages and bottlenecks (...)"*

⁷ Integrated guideline 19 refers explicitly to *"Ensuring inclusive labour markets, enhance work attractiveness, and make work pay for job-seekers, (...) through active and preventive labour market measures including early identification of needs, job search assistance, guidance and training as part of personalised action plans, provision of necessary social services to support the inclusion of those furthest away from the labour market and contribute to the eradication of poverty, (...)"*

⁸ *Career Guidance in Europe's Public Employment Services. Trends and Challenges* (October 2005-http://ec.europa.eu/employment_social/employment_strategy/pesguidancereport_en.pdf).

⁹ PES have potentially an important role to play as the gateway to lifelong learning, helping people to review the direction of their careers, helping them determine what learning would benefit them and steering them to appropriate institutions or learning packages

The competition is open to any physical person or legal entity coming within the scope of the Treaties and any other physical person or legal entity from a third country which has concluded with the Communities a specific agreement in the area of public contracts, under the conditions provided for in that agreement.

Where the Multilateral Agreement on Public Contracts concluded within the framework of the WTO applies, the contracts are also open to nationals of States that have ratified this Agreement, under the conditions provided for therein. It should be noted that research and development services, which come under category 8 of Annex II A of Directive 2004/18/CE, are not covered by this Agreement.

In practice, the participation of applicants from third countries that have concluded a bilateral or multilateral agreement with the Communities in the area of public contracts must be allowed, under the conditions provided for in that agreement. Bids submitted by applicants from third countries that have not concluded such an agreement may be accepted, but may also be rejected.

6. TASKS TO BE CARRIED OUT BY THE CONTRACTOR

The contractor is expected to produce an inception report, an intermediate report, a draft final report, and a final report (see point 8.1). All the reports have to be validated by the Commission. Additionally, the contractor must also be available to present the results of the study at an internal seminar in the Commission as well as an external event.

The final output of the contract will be a final report providing:

1. An inventory of the whole range of actions that can be taken by PES to empower the labour force in order to meet the changing labour demand, also in terms of "replacement demand".

More specifically, by "replacement demand" it is meant the demand which arises from the exit of workers from the working population, distinguished according to sex, age, status in the labour force (employed, unemployed, and other), and occupational group. Consequently, data from the Labour Force Survey (National and/or Eurostat) should be collected and eventually compared with those available at PES level. As a result, tables per single country need to be provided.

2. A mapping of existing practices at PES level in terms of addressing specific target groups and clients to enhance and adapt their competencies to the market (sectoral strategies, specific initiatives, projects, etc).

The "mapping" should be carried out in a clear relation to step 1, i.e. accordingly to the occupations and qualifications requested on the (local) labour market, as "perceived" by PES, both quantitatively (datasets on inflow of vacancies, etc) and qualitatively (surveys on enterprises, etc). As a result "boxes" per single country should be designed and delivered.

3. An analysis of the potential that can be further exploited on the PES side to contribute to the identification of new skills and new jobs.

The analysis of the "potential" should ideally be elaborated in terms of SWOT (Strengths, Weaknesses, Opportunities, and Threats) analysis, by providing a related clear "tables set"

For each of the three above issues, a number of questions internal to PES management and organisation will have to be addressed:

1. How to segment/differentiate the customers in order to better identify their skills/competencies and let them improve, adapt and/or acquire new ones? Is there any specific pattern/pathway in this respect (e.g. an integrated approach) and/or specific professional profiles (e.g. employment advisers or counsellors) involved? In which way is involved labour demand and the employers' side (survey, enquires, etc) in order to identify their future needs so as to plan career/training/etc paths?
2. What are the factors for successfully building up tailor-made services (to jobseekers and job changers) so as to deliver personalized paths that may help people develop new/different skills?
3. Which services are delivered (e.g. Labour market information, skill mapping, career guidance, training, etc) and which are not, to what extent and through which channels? E.g.: *assessment/screening* (e.g. of individual attributes, competences, and preferences; of psychological state; of employability; of informal and non-formal learning); *career management planning* (e.g. helping individuals develop a Personal Action Plan; assistance in managing job changes); *individual intensive employment counselling* (e.g. through a case-management approach to employment assistance); *personality development* (e.g. promoting self-esteem in clients; coaching in social skills)
4. Which are (if any) the main target-groups addressed and what are the main challenges faced according to the different "customers"?
5. Which role PES do play as the gateway to guidance, education-to-work and job-to-job paths, lifelong learning, in helping people to review the direction of their careers and to determine what learning would benefit them and steering them to appropriate institutions or learning packages? Which specific contribution can be expected in terms of PES function and role to the EU wide initiative "New Skills for New Jobs"?

Description of the tasks

Task 1: Exhaustive and detailed inventory, by country (Mapping study)

The contractor will conduct a brief but comprehensive description and analysis of the concept of "skill(s)" and "early identification" of labour force needs mainly in terms of employability. From this viewpoint, the contractor will identify (mapping) the practices and strategies implemented by the Public Employment Services. For example matching and vocational training services in a combined and/or complementary way or profiling techniques to identify employment barriers personalised for each users so as to provide tailor-made services to jobseekers, eligible to different services according to their distance from the labour market. This should be done in a cross-countries view, by analysing and assessing data and case studies in different landscapes and scenario throughout the EU Member States, so to make appropriate comparisons, with a specific focus on: what has been developed so far; what has worked/not worked; how models have been implemented and eventually adapted to the changing environment, also including guideline principles and practical examples. The contractor should base, but not limit, this work on all the existing analyses on this subject.

Task 2: Data collection and assessment

This task includes an analysis and synthesis of data of the services and activities delivered and possible new initiatives implemented in order to face the new trend of labour demand and changing labour market needs. It will in particular investigate and identify which target-groups are mainly involved, how they are addressed and through which specific paths/approaches. The contractor will use data (e.g. on job vacancies) to address labour market mismatches and new trends on the labour demand side, by pinpointing emerging shortages and gaps, and thus directing and shaping services to job seekers and employers

while anticipating their needs and recruitment difficulties. The contractor will also include a description of the classification used by the PES (ISCO, ROME, etc.). In this respect, the data collection should be meant as covering two dimensions:

- a. the "short-term perspective": monitoring the issue of labour market mismatches on the basis of statistics and other relevant sources of information on labour market mismatches
- b. the "long-term perspective" in terms of "new trends on the labour demand side" based on possible forecasting modelling exercises, e.g. prospective methods.

Task 3 Analysis and Forward looking

The analysis will specifically focus on the potential and actual benefit of the contribution that public employment services, through the implementation of active labour market policies, in particular, may have in terms of early identification and anticipation of skill needs. Namely the actions expected to facilitate/improve the matching between workers and employers, i.e. retraining programmes which are expected to give workers the skills required by firms, whilst employment services can provide better information on vacancies or help to improve the search effectiveness of the unemployed and/or restore the employability of the participants.

The study will also explore possible innovative ways to improve the service delivery and how to further develop what achieved so far, by describing (and, where possible, assessing) the different methods used by PES to deliver the above mentioned actions/programmes.

Task 4: Good practices and transfer of findings

The study will also focus on the identification and selection of good practices in implementing new approaches and strategies to shape the labour force and help jobseekers and job changers to meet the changing requirements of the market. The contractor will conduct a survey on experiences amongst PES, in this respect, with special focus on the transfer of findings into policy and the implementation of the initiatives. The contractor will assess the implementation of activities that fall within the area of "personalised employment services" through client segmentation, giving special attention to those categories that have particularly acute needs for individualised and tailor-made support on the road to employment: these include the long-term unemployed, women returnees, persons with disabilities¹⁰, the unqualified and low-skilled, company-closure clients, elder people, young people, migrants, people living in very remote areas) and customers with a variety of social problems since far from the labour market and with no (or minor) possibility to exit the unemployment status. The specific targets mentioned above are indeed belonging to those groups in society that are typically most in risk being further excluded and therefore need special support in terms of tailor-made services aimed at identifying labour force skill and their possible needs in relation to the new labour market trends and changing labour demand.

Task 5: Final report, publication and dissemination of the results

The contractor will draft a final report in which a comparative analysis of the various initiatives and their results will be presented. This report will summarise the work carried out under tasks 1 to 4. It will include, in particular, the type of initiatives, one sheet per country, and the presentation of case studies. It will also include a comparative analysis. This analysis will have to highlight the differences between and the common denominators of all the initiatives. It will also compare the effectiveness and relevance of recognised national and regional initiatives and initiatives taken individually by companies. The contractor will draw

¹⁰ Commission Communication "*Third Edition of European Action Plan for people with disabilities (2008-2009)*", COM(2003) 650 final (November 2007).

conclusions on the relevance and value added of these initiatives, by making a clear link to the guidelines and principles included in the Council Resolution of 15 November 2007 on the New skills for New jobs (2007/C 290/01) with a specific reference to those related to the "employment services" tasks and role.

Other tasks to be carried out

In executing this contract, the contractor will be expected to work closely with the Commission.

The contractor will appoint a person to coordinate the project, who will be the Commission's contact point.

The implementation of the contract will be monitored by a steering committee comprising persons representing the contractor, the relevant Commission services and external experts.

The contractor will attend a maximum of 6 meetings in Brussels during the term of the contract. Budget resources should therefore be earmarked for these participations in the bid.

A maximum of six trips from the contractor's place of work to the Commission's offices in Brussels should be foreseen: kick-off meeting, presentation of inception report, presentation of intermediate report, presentation of draft final report, and presentation of final report. Additionally, the contractor must also be available to present the results of the study at meetings or working groups organised by the Commission.

The study should have the following features:

- the text of all documents will be drafted in English;
- it will be provided to the European Commission in electronic format as Microsoft Word document, with charts in Microsoft Excel and presentations in Microsoft PowerPoint;

The Commission will need to approve the inception report, the intermediate report and the draft final report, respectively, before work proceeds.

7. PROFESSIONAL QUALIFICATIONS REQUIRED

See Annex IV of the draft contract.

Tenderers interested in carrying out the study are invited to put forward a team of experts who can demonstrate a solid experience on the field of the study and documented good knowledge.

The tenderer should provide a methodology. This must include all information demonstrating the technical capacity needed to successfully carry out the work requested. The technical proposal should address all matters laid down in the description of the tasks and should include models, examples and solutions to problems raised in the specifications.

8. TIME SCHEDULE AND REPORTING

See Article I.2. of the contract.

8.1 Additional requirements (specific deadlines for the performance of tasks):

The full duration of the contract will be 18 months, from the date of contract signature.

The project is expected to produce one inception report, one intermediate report, and a final report, on the basis of the following indicative timetable:

Kick-off meeting (within one month after the signature of the contract)

Inception meeting – to prepare for the meeting the contractor is expected to provide an inception report, specifying the plan of work, the distribution of tasks in the team and the methodological tools of the study (3 months after the signature of contract).

Intermediate report – to cover the progress of work done and first results should be submitted within 8 months after the signature of the contract. The intermediate report should explain progress made so far, covering tasks 1 to 3 described under point 6 above (8 months after the signature of the contract).

Draft final report – to present the draft final report, to be written in English for a maximum 100 pages (excluding annexes). (14 months after the signature of the contract).

The draft final report should cover tasks 1 to 5 under point 6 above and contain

1) descriptive fiches on good practices which can be published on the website for dissemination purposes and

2) the conclusions and recommendations of the study, which should be presented in a very clear and concise way.

Final report – this will be submitted 16 months after signature of the contract. The final report will include a PowerPoint Presentation explaining the context and the results of the study, as well as speaking points (30 minutes presentation) in English, French and German. The contractor will be asked to present the Final report to Commission staff.

Dissemination meeting – by the end of the contract (18 months after the signature of the contract and after approval by the Commission of the final report). The contractor will be asked to make a presentation of the study to the Commission staff and/or to external persons.

All reports described above will be submitted in English, in 3 hard copies as well as in electronic format. As a matter of principle, with a view to favouring valorisation by the European Commission of all results obtained and outputs delivered under PROGRESS programme, the Contractor will be required to provide - either upon specific request or in any event with the final activity report - for each of the tasks required under the present Call the following:

- Presentation of their key points in one page. Key points should be concise, sharp and easily understandable. They shall be provided in English, French and German. Other Community languages would be welcome even if not compulsory.
- And an executive summary in 5/6 pages in English, French and German.

8.2 How activities shall be carried out:

The PROGRESS Programme aimed at promoting gender mainstreaming in all its five policy sections and commissioned or supported activities. Consequently, the Contractor will take the necessary steps to ensure that:

- Gender equality issues are taken into account when relevant for the drafting of the technical offer by paying attention to the situation and needs of women and men;
- Implementation of the requested tasks includes a gender perspective by considering systematically women and men dimension;

- Performance monitoring includes the collection and gathering of data disaggregated by sex when needed.
- its proposed team and/or staff respects the gender balance at all levels.

Equally, needs of disabled people shall be duly acknowledged and met while implementing the action. This will in particular entail that where the Contractor organises training sessions, conference, issues publications or develops dedicated websites, people with disabilities have equal access to the facilities or the services provided.

Finally, the European Commission encourages the contractor to promote equal employment opportunities for all its staff and team. This entails that the contractor shall foster an appropriate mix of people, whatever their ethnic origin, religions, age, and ability.

The contractor will be required to detail in its activity report accompanying the request for the final instalment the steps and achievements it made towards meeting these requirements.

8.3 Publicity and information requirements:

In accordance with the General conditions, the Contractor is under the obligation to acknowledge that the present service is delivered on behalf of the Community in all documents and media produced, in particular final delivered outputs, related reports, brochures, press releases, videos, software, etc, including at conferences or seminars. In the context of PROGRESS, the following formulation shall be used:

This (publication, conference, training session) is supported for under the European Community Programme for Employment and Social Solidarity (2007-2013). This programme is managed by the Directorate-General for Employment, social affairs and equal opportunities of the European Commission. It was established to financially support the implementation of the objectives of the European Union in the employment and social affairs area, as set out in the Social Agenda, and thereby contribute to the achievement of the Lisbon Strategy goals in these fields.

The seven-year Programme targets all stakeholders who can help shape the development of appropriate and effective employment and social legislation and policies, across the EU-27, EFTA-EEA and EU candidate and pre-candidate countries.

PROGRESS mission is to strengthen the EU contribution in support of Member States' commitments and efforts to create more and better jobs and to build a more cohesive society. To that effect, PROGRESS will be instrumental in:

- *providing analysis and policy advice on PROGRESS policy areas;*
- *monitoring and reporting on the implementation of EU legislation and policies in PROGRESS policy areas;*
- *promoting policy transfer, learning and support among Member States on EU objectives and priorities; and*
- *relaying the views of the stakeholders and society at large*

For more information see:

http://ec.europa.eu/employment_social/progress/index_en.html

For publications it is also necessary to include the following reference: *"The information contained in this publication does not necessarily reflect the position or opinion of the European Commission"*

With regard to publication and any communication plan linked to the present service, the Contractor will insert the European Union logo, and if any another logo developed for the employment and social solidarity fields, and mention the European Commission as the Contracting Authority in every publication or related material developed under the present study contract.

9. PAYMENTS AND STANDARD CONTRACT

In drawing up the bid, the tenderer should take into account the provisions of the standard contract comprising the "General terms and conditions applicable to service contracts".

Pre-financing

Following signature of the Contract by the last contracting party, within 30 days of the receipt by the Commission of a request for pre-financing with a relevant invoice, a pre-financing payment equal to 30% of the total amount referred to in Article I.3.1 of the contract shall be made.

Interim payment

Requests for interim payment by the Contractor shall be admissible if accompanied by

- the intermediate report in accordance with the instructions laid down in Annex I of the contract,
- the relevant invoices,

provided the report has been approved by the Commission.

The Commission shall have 60 days from receipt to approve or reject the report, and the Contractor shall have 30 days in which to submit additional information or a new report.

Within 30 days of the date on which the intermediate report is approved by the Commission, an interim payment corresponding to the relevant invoices, up to maximum 40% of the total amount referred to in Article I.3.1 of the contract, shall be made.

Payment of the balance

The request for payment of the balance of the Contractor shall be admissible if accompanied by:

- the final technical report in accordance with the instructions laid down in Annex I of the contract,
- the relevant invoices,

provided the report has been approved by the Commission.

The Commission shall have 60 days from receipt to approve or reject the report, and the Contractor shall have 30 days in which to submit additional information or a new report.

Within 30 days of the date on which the report is approved by the Commission, payment of the balance of the total amount referred to in Article I.3.1 of the contract shall be made.

10. PRICES

The total price of the offer will not exceed € 250.000,00 (Euro two hundred and fifty thousand).

The price must be stated in EUR(€), net of VAT¹¹ (using, where appropriate, the conversion rates published in the C series of the Official Journal of the European Union on the day when the invitation to tender was issued), and broken down according to the model in Annex III included in the attached standard contract.

Under the terms of Articles 3 and 4 of the Protocol on the Privileges and Immunities of the European Communities, the latter are exempt from all charges, taxes and duties, including value added tax; such charges may not therefore be included in the calculation of the price quoted. The amount of VAT is to be indicated separately.

Expenditure other than for fees and direct costs, such as estimated travel and subsistence expenses, must be indicated separately and is reimbursable on receipt by the Commission of **original** supporting documentation, to include receipted invoices, travel documents including tickets, boarding passes, etc.

Part A: Professional fees and direct costs

Fees, expressed as the number of person-days multiplied by the unit price per working day for each expert proposed. The unit price should cover the experts' fees and administrative expenditure, but not the reimbursable expenses referred to below.

Other direct costs (to be specified if any)

Any translation expenses

Part B: Reimbursable expenses

See annex III.2.2.1 of the contract.

Travel expenses (other than local transport costs)¹²

Subsistence expenses of the Contractor and his staff (covering the expenditure incurred by experts on short-term trips outside their normal place of work)¹³

Contingencies

Total price = Part A + Part B = € 250.000,00 maximum

¹¹ Including all other taxes and/or duties that the contractor might have to pay according to the fiscal legislation of the relevant country, as stated in the Protocol on Privileges and Immunities.

¹² Travel expenses will be reimbursed, where appropriate, on the basis of the shortest itinerary on production of original supporting documents, including receipts and used tickets, within the following limits (see Article II.7 "Reimbursements" of the draft contract): travel by air shall be reimbursed up to the maximum cost of an economy class ticket at the time of the reservation; travel by boat or rail shall be reimbursed up to the maximum cost of a first class ticket; travel by car shall be reimbursed at the rate of one first class rail ticket for the same journey and on the same day; travel outside Community territory shall be reimbursed under the general conditions stated above provided the Commission has given its prior written agreement.

¹³ Agreed per diem rates are to be used for each Member State (see Annex III.2.2.1 of the contract).

11. GROUPINGS OF ECONOMIC OPERATORS OR CONSORTIA

Tenders can be submitted by groupings of service providers/suppliers who will not be required to adopt a particular legal form prior to the contract being awarded, but the consortium selected may be required to assume a given legal form when it has been awarded the contract if this change is necessary for proper performance of the contract¹⁴. However, a grouping of economic operators must nominate one party to be responsible for the receipt and processing of payments for members of the grouping, for managing the service administration, and for coordination. The documents required and listed in the following points 12.1 (i.e. declaration on their honour) and 13 must be supplied by every member of the grouping. Each member of the grouping assumes a joint and several liabilities towards the Commission.

12. EXCLUSION CRITERIA AND SUPPORTING DOCUMENTS

1) Bidders must provide a declaration on their honour, duly signed and dated, that they are not in one of the situations referred to in Articles 93 and 94 a) of the Financial Regulation.

Those articles are as follows:

"Article 93:

Applicants or tenderers shall be excluded if:

- a) they are bankrupt or being wound up, are having their affairs administered by the 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 in national legislation or regulations;
- b) they have been convicted of an offence concerning their professional conduct by a judgement which has the force of res judicata;
- c) they have been guilty of grave professional misconduct proven by any means which the contracting authority can justify;
- d) they have not fulfilled 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) they have been the subject of a judgement which has the force of res judicata for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the Communities' financial interests;
- f) they are currently subject to an administrative penalty referred to in Article 96(1)¹⁵.

"Article 94:

¹⁴ These entities can take the form of an entity with or without legal personality but offering sufficient protection of the Commission's contractual interests (depending on the Member State concerned, this may be, for example, a consortium or a temporary association). The contract has to be signed by all members of the group, or by one of the members, which has been duly authorised by the other members of the grouping (a power of attorney or sufficient authorisation is to be attached to the contract), when the tenderers have not formed a legal entity.

¹⁵ "Article 96 (1): The contracting authority may impose administrative or financial penalties on the following:

- (a) candidates or tenderers in the cases referred to in point (b) of Article 94;
 - (b) contractors who have been declared to be in serious breach of their obligations under contracts covered by the budget.
- (...)"

Contracts may not be awarded to candidates or tenderers who, during the procurement procedure:

- are subject to a conflict of interest;
- are guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participation in the procurement procedure or fail to supply this information. (...)"

2) The tenderer to whom the contract is to be awarded shall provide, within a time limit defined by the contracting authority and preceding the signature of the contract, the evidence referred to in Article 134 of the implementing Rules, confirming the declaration referred to in point 1 above.

Article 134 of the Implementation Arrangements – Supporting documents

1. The contracting authority shall accept, as satisfactory evidence that the candidate or tenderer is not in one of the situations described in points (a), (b) or (e) of Article 93 of the Financial Regulations, production of a recent extract from the judicial record or, failing that, a recent equivalent document issued by a judicial or administrative authority in the country of origin or provenance showing that these requirements are met.

2. The contracting authority shall accept, as satisfactory evidence that the candidate or tenderer is not in the situation described in point (d) of Article 93 of the Financial Regulations, a recent certificate issued by the competent authority of the State concerned.

Where no such document or certificate is issued in the country concerned, it may be replaced by a sworn or, failing that, a solemn statement made by the interested party before a judicial or administrative authority, a notary or a qualified professional body in his country of origin or provenance.

3. Depending on the national legislation of the country in which the tenderer or applicant is established, the documents referred to in paragraphs 1 and 2 above shall relate to legal entities and/or physical persons, including, where considered necessary by the awarding authority, company directors or any person with powers of representation, decision-making or control in relation to the tenderer.

See Annex 6 of the tender specifications (which may be used as a checklist) for the supporting documents accepted by the European Commission to be provided by applicants, tenderers to whom the contract will be awarded.

3) The contracting authority may waive the obligation of a candidate or tenderer to submit the documentary evidence referred to in Article 134 of the Implementing Rules, if such evidence has already been submitted to it for the purposes of another procurement procedure launched by DG EMPL and provided that the issuing date of the documents does not exceed one year and that they are still valid.

In such a case, the candidate or tenderer shall declare on his honour that the documentary evidence has already been provided in a previous procurement procedure and confirm that no changes in his situation have occurred.

13. SELECTION CRITERIA

The selection of bids will be carried out in accordance with the following criteria:

a) Economic and financial capacity:

Tenderers must provide sufficient information to satisfy the Commission of their financial standing and more particularly that they have the necessary resources and financial means to carry out the work that is the subject of the tender and that the tenderer is viable for the duration of the contract.

The following three documents should be provided:

- A statement of the tenderer's overall turnover (at least twice the value of this contract, i.e. 500.000 EUR) and turnover in respect of services to which the contract relates for the previous three financial years.
- A bank declaration providing evidence of sound financial standing.
- Accounts - balance sheets and profit and loss accounts - for the last two financial years, for which accounts have been closed, certified by an external audit, if required by national law.

In case of tenders from consortia, the above mentioned documents must be provided for each member of the consortium.

If for some exceptional reason which the contracting authority considers justified, the tenderer or candidate is unable to provide the references requested by the contracting authority, he may prove his economic and financial capacity by any other means which the contracting authority considers appropriate.

b) Technical and professional capacity:

Educational and professional qualifications of the service provider will be substantiated by providing

- Detailed CV's of all members of the study team responsible for providing the service,
- A list of principal services or studies provided in the relevant policy domain over the past 3 years,
- Solid experience of analysis in the field concerned, including the theoretical and empirical aspects, as attested by the CVs and related documentation of the experts proposed;
- Good experience in the specific field of the study, as attested by the CVs and related documentation of the experts proposed;
- A declaration by the co-ordinator certifying that the language skills are sufficient to execute the tasks efficiently. The contractor or consortium should demonstrate solid linguistic capability covering at least the three working languages of the Commission (English, French, German,) and should ensure that the project contains provision for interpretation and translation if this is considered necessary by the contractor;
- A list of co-ordinators and experts to be used for the study, together with their CVs and qualifications and professional capacities;
- A declaration by the co-ordinator certifying the competence of the team to carry out the project study, including professional and linguistic capabilities;

In the case of tenders from consortia: clear identification of the co-ordinator of the work who will also be responsible for signing the contract, and written confirmation from each member

of the consortium that they would be ready and willing to participate in the project, and describing their role.

Tenderers not meeting the abovementioned requirements on economic, financial and technical capacity will be excluded from further assessment of their bids.

14. AWARD CRITERIA

The contract will be awarded to the bid offering the best price/quality ratio, taking account of the following criteria:

a) the quality of the offer 30% in total

- Demonstration of an understanding of the nature of the study in terms of the context and the results to be achieved – 15%;

- Explanation of the frame of reference of the study and the fields to be covered – 15%;

b) the methodological approach proposed 40% in total

- Completeness and clarity of the methods for processing information and interpretation of the quantitative and qualitative information – 15%;

- Relevance and consistency of activities to supplement the sources of information available (surveys, interviews, etc.) – 15%;

- Methods for providing feedback in respect of the study results and recommendations – 10%;

c) the clarity and coherence of the plan of work 30% in total

- Work plan and organisation of the work, including the feasibility of the time schedule proposed – 15%;

- Soundness of resources and expertise allocation, including structure of the team with regards to the identification and distribution of tasks – 15%;

Minimum attainment overall

Please note that the contract will not be awarded to any bid that receives **less than 70 %** in the award criteria.

The points total will then be divided by the price, with the highest-scoring bid being chosen.

15. CONTENT AND PRESENTATION OF BIDS

Content of bids

Tenders must include:

- all information and documents necessary to enable the Commission to appraise the bid on the basis of the selection and award criteria (see points 13 and 14 above);
- a bank ID form duly completed and signed by the bank;

- a "legal entity" form duly completed;
- the price, the price can be detailed using the same format in annex III of the model contract;
- the detailed CVs of the proposed experts, including a list of experts which can be presented in the same format as in annex IV of the model contract;
- the name and function of the contractor's legal representative (i.e. the person authorised to act on behalf of the contractor in any legal dealings with third parties);
- proof of eligibility: tenderers must indicate the State in which they have their registered office or are established, providing the necessary supporting documents in accordance with their national law.

Presentation of bids

Bids must be submitted in triplicate (i.e. one original and two copies).

They must include all the information required by the Commission (see points 10, 11, 12 and 13 above).

They must be clear and concise.

They must be signed by the legal representative.

They must be submitted in accordance with the specific requirements of the invitation to tender, within the deadlines laid down.

Regarding the presentation of the bid, it is recommended to:

- Print the documents double-sided, where possible;
- Use only 2-hole folders (please do not bind or glue).

Validity of tenders

Tenders must be valid up to 6 months after submission.

Annex I Overview of Progress Performance Measurement Framework

OVERVIEW OF PROGRESS PERFORMANCE MEASUREMENT FRAMEWORK

Annex I of the Tender Specifications

PROGRESS Ultimate Outcome

Member States implement laws, policies and practices in a manner that contributes to the desired outcomes of the Social Agenda

PROGRESS works toward its ultimate outcome by helping strengthen the EU's support for Member States' efforts to create more and better jobs and to build a more cohesive society. PROGRESS seeks to contribute to (i) an **effective legal regime** in the EU in relation to the Social Agenda; (ii) **shared understanding** across the EU with regard to Social Agenda objectives; and (iii) **strong partnerships** working toward Social Agenda objectives.

In operational terms, support provided by PROGRESS facilitates (i) provision of analysis and policy advice; (ii) monitoring and reporting on the implementation of EU legislation and policies; (iii) policy transfer, learning and support among Member States; and (iv) relaying to decision-makers the views of the stakeholders and society at large.

Legal Regime Outcome: <i>Compliance in Member States with EU law related to PROGRESS areas.</i> Performance Indicators	Shared Understanding Outcome: <i>Shared understanding and ownership among policy/decision-makers and stakeholders in Member States, and the Commission, of objectives related to PROGRESS policy areas.</i> Performance Indicators	Strong Partnerships Outcome: <i>Effective partnerships with national and pan-European stakeholders in support of outcomes related to PROGRESS policy areas.</i> Performance Indicators
<ol style="list-style-type: none"> 1. Transposition rate of EU law on matters related to PROGRESS policy areas 2. Effectiveness of application in Member States of EU law on matters related to PROGRESS policy areas. 3. EU policies and legislation are grounded in thorough analysis of situation and responsive to conditions, needs and expectations in Member States in PROGRESS areas 4. Extent to which PROGRESS-supported policy advice feeds into the development and implementation of EU legislation and policies 5. Cross-cutting issues are addressed in PROGRESS policy sections 6. EU policies and legislation display a common underlying logic of intervention in relation to PROGRESS issues 7. Gender mainstreaming is systematically promoted in PROGRESS 	<ol style="list-style-type: none"> 1. Attitudes of decision-makers, key stakeholders and general public regarding EU objectives in PROGRESS policy areas 2. Extent to which national policy discourses or priorities reflect EU objectives 3. Extent to which principles of good governance (including minimum standards on consultation) are respected in policy debate 4. Extent to which the outcomes of policy debates feed into the development of EU law and policy. 5. Greater awareness of policy-and decision-makers, social partners, NGOs, networks regarding their rights/obligations in relation to PROGRESS policy areas 6. Greater awareness of policy-and decision-makers, social partners, NGOs, networks regarding EU objectives and policies in relation to PROGRESS policy areas 	<ol style="list-style-type: none"> 1. Existence of common ground/consensus among policy and decision-makers and stakeholders on EU objectives and policies 2. Identification and involvement by the EU of key actors in a position to exert influence or change at EU and national levels 3. Effectiveness of partnerships in relation to outcomes related to PROGRESS policy areas. 4. Number of individuals served or reached by networks supported by PROGRESS. 5. Extent to which advocacy skills of PROGRESS-supported networks have improved 6. Satisfaction of EU and national authorities with the contribution of networks 7. Extent to which PROGRESS-supported networks take a cross-cutting approach