



Tender specifications

Call for tender VT/2015/025

*Support for developing better country
knowledge on public administration and
institutional capacity building*

Table of content

Technical part.....	4
1. Title of the contract	4
2. Background.....	4
3. Subject of the contract	6
4. Tasks to be carried out by the contractor	7
4.1. Overview	7
4.2. Inception Phase	8
4.3. Task 1 – Key characteristics of public administrations in Member States9	
4.4. Task 2 – Understanding reform dynamics	11
4.5. Task 3 – The role and effect of (external) support.....	12
4.6. Task 4 – Conclusions, lessons and recommendations for future EU support in this area	15
4.7. Task 5 – Thematic support	16
4.8. Project Management	17
5. Time schedule and reporting.....	18
6. Price	20
6.1. Protocol and taxes applicable	20
6.2. Details for prices	20
6.3. Presentation of financial offer.....	21
6.4. Payments and contract.....	21
Administrative part	22
1 Participation	22
1.1 Participation to the procedure	22
1.2 Contractual conditions.....	22
1.3 Sub-contracting	22
2 Joint tenders.....	23
3 Exclusion criteria and supporting documents	23
4 Selection criteria.....	24
4.1 Economic and financial capacity and evidence	24
4.2 Technical and professional capacity criteria and evidence	25
5 Award criteria	28
6 Content and presentation of offers	29
6.1 Content of bids	29
6.2 Presentation of bids	31

Annex 1: Public administration in the European semester	32
Annex 2: Support for institutional capacity building in MS	40

Technical part

1. Title of the contract

Support for developing better country knowledge on public administration and institutional capacity building.

2. Background

Good governance and quality of public administrations is recognisably in the interests of the EU citizens and Member States, to achieve maximum value from finite public funds and create a public-private interface that raises employment and growth. Worldwide, the evidence is irrefutable: high productivity, high income per head economies have the most effective and efficient public institutions. The internal market cannot be completed, the EU acquis cannot be effectively implemented, and the goals of smart, inclusive and sustainable growth cannot be realistically achieved without good governance.

Member State administrations currently face the triple challenge of: delivering better with less - meeting societal & business needs in times of tighter budgets; adapting service provision to demographic, technological and societal changes; and improving the business climate through fewer and smarter regulations and better services in support of growth and competitiveness.

Experience in Europe in the past two decades shows different administrative reform paths and results¹ mainly due to different degree of reform capacity, sustainability of reform approach, coverage and a 'fitting context'. The incentives that triggered the "New Public management" wave of reforms in older Member States, addressed domestically recognised needs to reduce the size of government and make administration more efficient. Change has been rationalised through the accumulated management experience and exchange with peers. In new Member States, the "first wave" of reforms began with the EU-accession requirements² for establishing professional and depoliticised civil service systems. The limited internal capacity was compensated with externally managed support. Limited strategic orientation and ownership of reforms³ led to mixed results⁴.

Recently, the fiscal crisis has reinforced the relevance of public administration downsizing, outcome and result-orientation, and reduction of bureaucracy across Europe. Administrative culture however tends to produce important differences in the operationalization of these principles in management-oriented public administrations and in more legalistic ones⁵. The need for quick results is another reason why on many occasions the focus is only on budgetary

¹ Christopher Pollitt and Sorin Dan. 2011. COCOPS Policy Brief 1: The Impact of New Public Management (NPM) Reforms in Europe. see http://www.cocops.eu/wp-content/uploads/2013/07/COCOPS_PolicyBrief_1_newlayout.pdf

² <http://www.sigmaweb.org>

³ For more information see thematic evaluations of the PHARE programme.

⁴ Meyer-Sahling, J. (2009), "Sustainability of Civil Service Reforms in Central and Eastern Europe Five Years After EU Accession", SIGMA Papers, No. 44, OECD Publishing; Also WB, Administrative capacity in the new EU member states : the limits of innovation? See <http://documents.worldbank.org/curated/en/2007/06/8187914/administrative-capacity-new-eu-member-states-limits-innovation>

⁵ Gerhard Hammerschmid, Steven Van de Walle, Anca Oprisor and Vid Štimac. September 2013. COCOPS Policy Brief 4: Trends and Impact of Public Administration Reforms in Europe: Views and Experiences from Senior Public Sector Executives. see <http://www.cocops.eu/wp-content/uploads/2013/10/Policy-brief-wp3.pdf>

consolidation, cutting staff and salaries, instead of rethinking the scope of government and investing in the capacity of civil servants, as a basis for designing and delivering better quality of policies and services.

The EU has no specific competences in the administrative sphere but still has a strong indirect impact on the administrative practice in Member States through the administrative standards set in the *acquis*, the transfer of best practices with EU financial instruments, the promotion of management practices of its own institutions, etc.

Smart administration, development of human capital and related ICT of administrative and public services were seen as a fundamental requirement for economic growth and jobs already with the renewed Lisbon agenda. In response to the needs, in the 2007-2013 programming period⁶ institutional capacity building became a key policy priority for the European Social Fund. The support was intended to go beyond the technical assistance for the better management of EU funds and assist the ongoing administrative reforms. Altogether, about EUR 2 billion of European Social Fund (ESF) and European Regional Development Fund (ERDF) were allocated to measures supporting quality of public administration in 19 Member States.

An early assessment⁷ shows that the ESF programming has responded adequately to the needs for administrative capacity building. At the same time, the positive impact of this support was found to depend very much on the success of the individual interventions and the subsequent transfer of the results into the wider organisational change process and working environment. An ex-post evaluation⁸, carried out currently by DG Employment is expected to summarise overall results.

In 2014-2020, the European Structural and Investment (ESI) Funds⁹ should be the catalyst for achieving the objectives of the Union Strategy for smart, sustainable and inclusive growth. Through the European Semester¹⁰ the European Commission undertakes every year a detailed analysis of EU Member States' programmes of economic and structural reforms and provides them with proposals for Council recommendations (Country Specific Recommendations, CSRs)¹¹ for the next 12-18 months. The ESI Funds will serve as an effective means to support the implementation of the CSRs.

In 2014 some 20 Member States have received country specific recommendations (CSRs) in the area of public administration (see Annex 1 for details). 17 of them have programmed support to address the challenges under the specific thematic objective "*enhancing institutional capacity of public authorities and stakeholders and efficient public administration*" (TO11)¹² for a total of about EUR 4.2 billion. See Annex 2 for more information.

⁶ Community strategic guidelines on cohesion (2006/702/EC) For more information, see: <http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32006D0702&from=EN>

⁷ Assessment of administrative and institutional capacity building interventions and future needs in the context of European Social Fund. See: <http://ec.europa.eu/esf/main.jsp?catId=3&langId=en&keywords=&langSel=&pubType=512>

⁸ See for more information <http://ec.europa.eu/social/BlobServlet?docId=11325&langId=en>

⁹ From the European Social Fund (ESF) and the European Fund for Regional Development (ERDF)

¹⁰ For more information, see: http://ec.europa.eu/europe2020/making-it-happen/index_en.htm

¹¹ CSRs adopted for the coordination of the economic policies (Article 121(2) of the Treaty) and CSRs adopted for the coordination of the employment policies of the Member States (Article 148(4) of the Treaty). For more information see http://ec.europa.eu/europe2020/index_en.htm

¹² Full title of the thematic objective: 'enhancing institutional capacity of public authorities and stakeholders and efficient public administration'

In this context, understanding of public administration characteristics and dynamics in Member States is critical for the Commission in order to be able to provide for effective implementation of the ESIF investments, and/or other support and maximise EU value added. Furthermore, any future EU initiatives in this area - be they related to funding, policy or dialogue with Member States - need to be based on a sound understanding of context, needs, opportunities and challenges, as well as drivers and obstacles to administrative reform, in order to be able to respond with a targeted and customised approach that fits the specific needs of the respective Member State.

The amount and detail of information on functioning of national public administrations available to the Commission services tends to vary across (sub-)sectors and countries concerned. This assignment therefore needs to support the Commission in: ensuring consistent and coherent knowledge on the characteristics of public administrations across all EU Member States; deepening its understanding of public administration functioning based on common approach and methodology, and capture of reform initiatives and dynamics; understanding the role of external (EU funded) support to administrative reform process.

While there is obvious and particular attention on countries that receive EU funding for public administration reform from ESF/ERDF, and on those countries with specific recommendations from the European Semester, most of the work under this contract will cover all Member States, to have a wider and more varied basis for comparison of characteristics and factors driving change of public administrations in the EU.

There are many approaches, benchmarks and "products" for assessing governance and quality of public administrations, produced both by international organisations and the European Commission (see Annex 1, table 4 for selected international benchmarks). This contract shall not attempt to repeat or duplicate the existing. Rather, the aim is to "*understand the stories behind the indicators*" and to provide insights into actual internal logic and functioning of administrative systems in their politico-socio-economic context, beyond formal descriptions.

The assignment will be managed by the Directorate General for Employment, Social Affairs and Inclusion (DG EMPL, the contracting authority). However, the subject of this contract is of interest and relevance to several Directorates General of the European Commission. The contracting authority will therefore coordinate closely and facilitate the contractor's consultation with relevant services through a Commission *Inter-service Group for Public Administration Quality & Innovation*, and the Commission's European Semester Officers in Member States, as relevant. Key beneficiaries for this contract are Commission country desks in DG EMPL and other relevant services. Coordination with them needs equally to be assured.

3. Subject of the contract

The **purpose of the contract** is to enhance knowledge and understanding of the status and reform dynamics of public administrations in EU Member States, as well as the contribution of external support (including EU funding) for improving its quality, **with a view to better targeting EU support in this area in the future.**

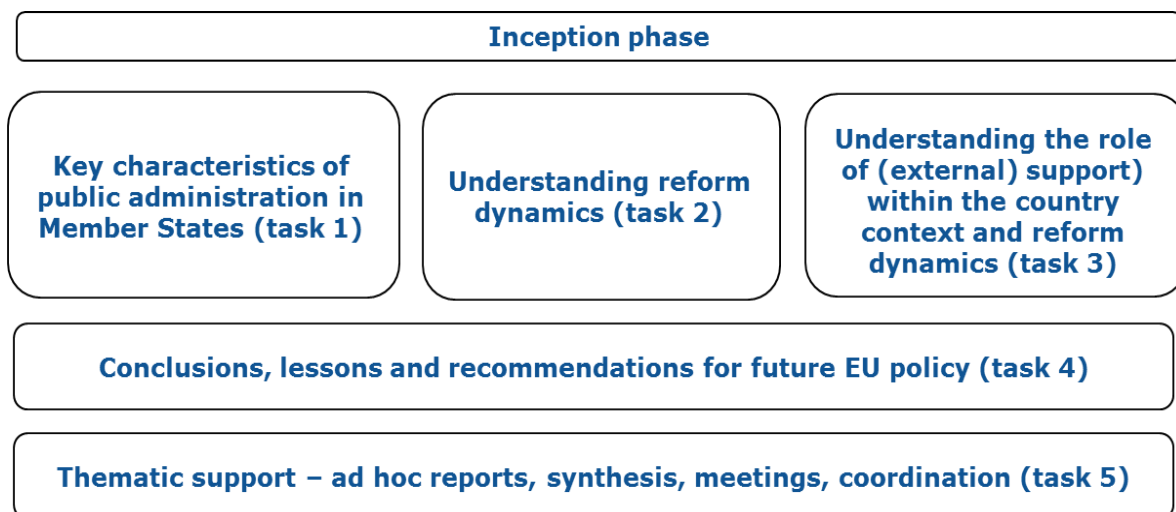
The **specific objectives** are:

- To develop a consistent country and thematic overview on the characteristics of public administrations in Member States, as well as on the content, outcomes and impact of reforms in this area;
- To understand the effects and effectiveness of EU and other support, approaches and initiatives to enhancing quality of public administration in EU Member States

4. Tasks to be carried out by the contractor

4.1. Overview

The following is a graphic overview of the main elements of the assignment.



In order to ensure maximum value added and to be fully in line with evolving Commission methods, the contract needs to follow an **integrated approach**. This means that work needs to be fully aware, take into account, and align without duplication, all related work in this area, be it from Commission or other international organisations' origin. In this regard, Annex 1, tables 2 and 3 provide an overview of existing regular assessments by the Commission. Annex 1, Table 4, provides an overview of most relevant regular international governance indices and benchmarks.

The main gaps in knowledge, and thus the main focus and scope of this contract will be on the core functions, organisation and performance of the administration (rather than, say, the delivery of specific sector services).

An indicative list of **core themes** includes:

- public institutions, organisation of the administration, civil service,
- capacity assessment and development,
- human resources management,
- policy coordination and implementation,
- administrative service delivery,
- better regulation,

- quality management,
- monitoring and evaluation,
- transparency and accountability,
- political economy,
- stakeholder participation,

The **final list of themes** will be agreed during the methodological development during the inception phase, and based on a thorough inventory of available assessments.

4.2. Inception Phase

During the inception phase, the contractor will mobilise the team (as per technical offer), and refine the design and scope of the overall assessment framework.

Team mobilisation

The implementation of the tasks under the contract is expected to be shared between three key experts - a project manager, policy expert and a monitoring & evaluation expert (the core team) and a number of relevant country and/or thematic experts (see *Sections 4 Selection Criteria* and *5 Award Criteria of the Administrative Part*).

All experts will work under the responsibility of a **project manager** (team leader), who will be responsible for the global management of the contract, including the administrative issues, communication with the contracting authority.

The core team will coordinate the implementation of the tasks, will be responsible for putting in place clear information and communication procedures, enabling all experts to carry out their work to the best of their ability. The core team will oversee the work of the other experts and provide methodological guidance where appropriate, in order to ensure quality and consistency of the outputs. The core team will process the experts' contribution and develop cross-country, thematic overviews, as required. The final responsibility for the timely and quality implementation of the tasks will lie with the project manager.

As a first step, the core team will mobilise, after approval by the Commission, the **pool of relevant country and/or thematic experts**. The experts will be required to collect country-specific information, and carry out analysis and reviews associated with the execution of the contract. The contractor may foresee also experts to ensure thematic coverage in addition to the members of the core team, in order to be able to provide know-how and experience in relation to the core themes outlined above.

The knowledge/experience of the experts is to be demonstrable and justifiable. They shall be independent in performing their tasks under the contract. Each proposed expert must declare that he/she has no conflict of interest in performing the tasks under the contract. If an expert discovers the existence of such conflict during the contract implementation, this has to be declared immediately and the expert will resign, if required by the Commission.

At the request of the Commission, the composition of the pool of the country/thematic experts may be modified in the course of the contract, if required for the performance of the contract. The Commission can either approve the contractor's proposal of relevant experts, or request the contractor to propose a different, equally qualified expert.

Every replacement of a member of the core team will entail an addendum to the contract. The pool of country/thematic experts is not considered to be part of the core team. The engagement and/or substitution of an expert will need to be endorsed by the contracting authority and documented in a side-letter, without contract addendum.

For the purpose of proposing or replacing experts, the contractor shall send a written request to the Commission, specifying the details and level/categories of experts concerned, including the CVs of the proposed experts.

The tenderers are requested to provide an overview table of the detailed expertise that they plan to engage for the implementation of the contract tasks (country information outputs, thematic overviews, assessment of ESF and other interventions). The table shall provide also the categorisation of experts and distribution of tasks. The CVs of the core team only shall be provided with the tender.

The team of all required experts shall be in place and operational within one months after the start of the contract.

Finalising methodology for project implementation

The core team will finalise and agree with the Commission the final content, and specific templates for the outputs of the project tasks. The "*scope of public administration*" has to be defined for each Member State, in order to ensure consistent and comparable set of information.

The methodology for task 1 will have to be finalised and agreed. The Commission will provide the Contractor with an outline of the information and data that is already available and regularly collected, as well as its main information needs and data gaps (see Annex 1). The task will be to establish what information can be further collected, for which elements, and for which countries. The team has to explore the options to cover the data/information gaps from primary or secondary national sources, in order to be able to ensure a quality level of information for all Member States.

The inception phase has to be completed within the first two months of the project and the outputs will be part of the inception report (see Section 5 of the Technical part). In case the contractor deems necessary, the work on the methodology for Task 1 ("key characteristics") only may be extended. In such case, the progress will have to be reported in the inception report and the final methodology will be included in a subsequent interim report. The finalisation of that methodology shall not impede the start of the other tasks.

4.3. Task 1 – Key characteristics of public administrations in Member States

The purpose of this task is to develop a substantive overview of public administration systems, culture and functions. Indicatively, this would include the following interrelated issues¹³:

- Scope, organisation and management of the administration;

¹³ The final set of criteria will be agreed during the methodology development

- Organisational characteristics of the civil service, including, definition of civil service, civil service code,, scope, size/cost, selection & recruitment, appraisal, compensation, promotion, management, learning & development, mobility, degree of (de-)institutionalisation, quality management, integrity mechanisms, salary & benefits (including as compared to private sector), perception as an employer;
- Multi-level governance - organisation of central, regional and local administration, and distribution of powers across levels of government (degree of [de-]centralisation); variations of capacity of various levels and territories;
- Policy making and regulatory management, strategic management, coordination, implementation, monitoring & evaluation (role and relative strength of centre of government);
- Political economy issues - politicisation, patronage and degree of clientelism (including link of politics with business), degree of cronyism vs meritocracy, privilege systems, power distance (e.g. degree to which civil servants proposals are encouraged by management/political level), level of stability (e.g. staff changes after elections), relations politic with civil service, openness and transparency, accountability, quality and practice of independent oversight (e.g. independent audit function, inspectorate, ombudsman), stakeholder dialogue and trust;
- Administrative culture – principles and values (documented and practiced), managerial vs napoleonic traditions, formal vs informal practices, degree of rule evasion (gap de jure – de facto practices), degree of policy mutation and implementation gaps, discretion of public officials vs checks and balances, etc.);
- Capacity and capability, efficiency and functional inefficiencies and overlaps, overall performance and "pockets of excellence", summary/conclusions of most recent ratings on main international benchmarks;
- Relevant data collection and availability on public authorities, main data gaps

The production of the administrative characteristics for each Member State needs to combine both quantitative and qualitative analysis. The objective is to understand and draw conclusions on the formal and informal institutional systems, capacity, performance and management of public administrations on the basis of that analysis.

The quantitative part will draw on existing indicators and statistics as far as possible (from national, international, including EC sources – see Annex 1). This will include descriptive statistics of the capacity and activities of the core administration rather than the wide public sector (for example it is not expected to cover areas where many non-government actors are involved like education, health, public works, utilities, etc.), unless required for general systemic understanding. In the qualitative part however comparisons could be made, in order to understand better the link between capacity and performance. The qualitative assessment may be based on official documents, reports, press articles, studies, recent research, information from projects, interviews with relevant stakeholders (civil servants, politicians, NGOs, think tanks, journalists), or other sources. It will explain the story behind a quantitative indicator, and will generate evidence in areas where there is no quantitative data.

For many of the above criteria (especially the more contentious ones), there will be little or no data, or even limited evidence. The experts thus need to develop a wide (and creative) set of approaches. This will include contacts and exchange with public authorities, think tanks, academia, civil society and independent media, and other stakeholders, as well as data mining and other relevant internet based research.

The work will particularly need to emphasise 7 EU member countries that are relevant in an ESIF context but are not members of the OECD (Bulgaria, Croatia, Cyprus, Latvia, Lithuania, Malta and Romania)¹⁴.

The task shall be completed by month 8 when the contractor is expected to present the report with a chapter for each Member State and a synthesis (see Section 5 of the Technical part).

The tenderers shall present in their offers a suggested approach to the organisation, implementation and successful completion of the task. The exact assessment framework will be agreed and finalised in collaboration with the contracting authority, during the inception phase.

4.4. Task 2 – Understanding reform dynamics

While task 1 provides an outline description of public administrations at a point in time, task 2 tries to capture reform dynamics in each Member State over time, and thus prepare the ground for task 3.

This task will investigate and analyse the key changes and reform patterns and outcomes in each Member State, under consideration of the following main criteria:

- **Main reform trends** over the last 20 years (outline chronology, and trend summary)
- **Political economy context** of recent and ongoing reforms, or lack thereof – main **drivers** (e.g. political window of opportunity, European Semester, competition & international benchmarks, cost factors, citizen demand, better service, future orientation) and **barriers** (vested interests, strong unions, lack of awareness, power structures, etc.) for reform;
- **Main topics and objectives** of the **current** reform agenda (for ongoing and envisaged reforms), for example: legal, institutional/organisational, centralisation – decentralisation, de-institutionalisation/PPP, innovation, quantitative and/or qualitative; expansion/consolidation, organisational impact of technological development
- **Reform processes** - where key reforms mainly incremental, or following a broader strategy/plan; initiated top – down (by government) or bottom up (by civil servants, civil society); gradual (building on existing capacities), or disruptive; change as part of an ongoing agenda, or with a specific start and end date; taking into account that the process of reform may be more important than its content; winners and losers of reform – overall satisfaction and acceptance; clear analysis and framing of underlying problems, or more ad hoc initiation of change actions (**note: while clearly interlinked, the role of external support for reform will be dealt with in task 5**)
- **Reform outcomes** – genuine change or just different structures, policies, organisations without substantive change in capability/performance (removal of institutional blockages); change or

¹⁴ For these countries the contractor can draw less from available OECD reports, therefore more work can be expected on data gathering and analysis

permanence of informal institutions; expected sustainability of reform; trends in performance according to international benchmarks.

As the above outline indicates, the research shall capture the rationale and outcomes of any reform processes. A critical aspect here is to explain the regulatory, political, cultural, organisational and/or technological context of reform and how capacity relates to performance (for example, how was a consolidation exercise implemented across institutions, levels of staff, functions of government, or how was a regulatory reform matched with change in service delivery).

The analysis will be based on official policy documents, reports, communications and press articles and releases, studies, recent research, information from projects, interviews with relevant stakeholders (civil servants, politicians, NGOs, academia, think tanks, journalists), and other sources.

Note: Reform activity may vary widely in different Member States. While any lack of reform, in spite of indications of potential advantages shall be equally assessed, there will be likely variation of substance (depending also on size and structure of individual countries). The final content of all country reports will thus be individually agreed with the contractor.

The first set of reports on reform dynamics with a chapter for each Member State and a synthesis for all shall be completed in month 4. An **update** of the country reports, as appropriate and a synthesis shall be prepared by month 17 (see Section 5 of the Technical Part).

The tenderers shall elaborate in their offer a methodology for the implementation of this task (see **Section 5 of the Administrative Part**).

4.5. Task 3 – The role and effect of (external) support

This task will specifically look at the role and effect of (external) support for public administration modernisation, within the country context (task 1) and reform dynamics (task 2).

The following provides an overview of key issues to be explored for this task:

General

- Map the (external) support for public administration capacity building and reform, including by international organisations (OECD, World Bank, etc.), foundations and non-governmental organisations, bilateral agreements (with other states), national budgets and other funds. Relative importance of financial/policy support to stimulate and execute reforms; evidence and examples of reforms without (external) financial support
- Explore the relative weight and importance of EU (financial) support vis-à-vis other forms of support.
- Explore the extent to which EU policies (including European Semester, ex-ante conditionalities for TO11) have been consistent and supported national public administration reforms

Specific

- Explore the role of ESIF on the overall public administration reform agenda in each MS. Has the funding of the two programming periods 2007-2013 and 2014-2020 been used in a strategic way¹⁵? In which areas, e.g. judiciary, human resources, e-government, etc.? Does it cover adequately all levels of government? Give specific examples of ESF support to strategic reforms (by area and level of support).
- Assess the role of ESIF ex-ante conditionality (for TO11) on reform planning and implementation?
- What ESIF implementation approach has been applied in each MS (types of projects, type of measures, timing, sequencing, etc.)? How does it relate to the reform strategy and what mechanisms were put in place to achieve coherence? What is the overall contribution to genuine structural reform? Can any replacement/substitution effects be observed (hiring of contractual staff to boost capacity)? Is substitution still helpful for building capacity, or is it rather counterproductive to genuine systemic change?
- Is there a significant change in the type/nature of measures/projects and/or approaches between ESF 2007-13 and ESIF 2014-2020, and on what basis (changed ESIF rules, or other factors?)
- What is the amount of EU funds in relation to overall spending on administrative reforms?
- To what extent have lessons learnt from ESF 2007-13 been incorporated into 2014-2020 programmes?
- Which failure cases & lessons learnt (systemic learning - trends) can be outlined? What are specific success/failure cases? How can failure situations be avoided in future?
- For each area covered, what impacts (i.e. changes triggered) have been produced by ESIF measures for public administration? What is the estimated sustainability?
- To what extent did EU funding make a difference (EU value added or would reform activities have taken place in any case)?
- Based on programming implementation so far what conclusions can be drawn in terms of effectiveness, i.e. fulfilment of objectives and achievement of set targets?
- Assess the system of output and result indicators in all OPs covering TO 11 and give good practice examples by type of area covered (e.g. judiciary, human resources, etc.).
- On the basis of this assessment and in view of the next programming period, propose a methodology for developing appropriate output, result and impact indicators in the areas covered by the institutional capacity building theme.
- Provide concrete examples of developing sound intervention logic (including target setting with baselines) in each area covered and propose a set of common output and result indicators that could be used in the next programming period.

Overview - the role of (external) support

The main assumption for this task is that most EU member states would have mobilised or received some form of technical and/or financial support in order to help design and deliver

¹⁵ Meaning addressing key systemic reform priorities and aiming at enhanced performance, efficiency, sustainability of public governance, rather than more ad hoc support to various entities/training.

public administration reforms. A portfolio of assistance might include work with international organisations, such as, for example, the OECD or the World Bank. Thirteen member states received funding from the ESF 2007-13 and seventeen receive funding from ESIF (ESF/ERDF) 2014-2020. Countries that are not beneficiaries of EU funding in this area, might use national budgets to buy expertise. Some might work through international or bilateral networks, and some reforms might also be carried out with internal capacities, and without external (financial) support.

The contractor shall help establish the role of (external) financial and technical support, over the last period. The assessment shall thus capture the relative weight and importance of EU funding as part of every country's portfolio. This shall capture also, for example, to what extent EU funds financed services, provided by international organisations.

A currently undergoing **ESF ex-post evaluation**¹⁶ will perform a thematic evaluation of support to institutional capacity building in the funding period 2007-13, based on national evaluations and implementation reports. This evaluation will provide a broad overview of measures and results, and is expected to produce a draft evaluation report in spring 2016. Therefore, the findings of this report including data/information and analysis will be the **baseline and starting point** for this task. The start of activities is therefore expected upon (near) completion of the work under the ex-post evaluation. The Commission will make relevant documents available.

The objective of Task 3 will be to build on these evaluation findings by looking at the broader environment into which ESF was implemented, examine the way into which ESF-supported results have been imbedded into the wider system and the impact they have on the administrative development in relevant Member States.

The contractor can further draw on:

- the earlier study from 2010, which mapped¹⁷ ESF interventions in support of institutional capacity building and identified some preliminary factors for effectiveness and efficiency.
- the Guidance Document on Indicators of Public Administration Capacity Building¹⁸
- the analysis of the outcome of the negotiations concerning the Partnership Agreements and European Social Fund (ESF) Operational Programmes, including multi-fund programmes, for the programming period 2014-2020¹⁹.

The assessment will look into elements, as outlined above and will review the strategic orientation of the supported interventions, coverage and types of projects, the approach to preparation of the project pipeline, relations between the key ESF and administrative reform policy actors, share of ESF out of the overall budget for administrative development, and sustainability. A key question is to what extent did/does EU funding lead to genuine and sustainable reform, and/or lead to substitution effects (contracting staff/expertise) and so called "capability traps" or "isomorphic mimicry"²⁰. The assessment of projects shall thus answer the question to what extent these projects created value added and/or created replacement/substitution (grounding out) effects. This allows cross-country

¹⁶ ESF 2007-2013 Ex Post Evaluation Synthesis (VT/2014/087).

¹⁷ Assessment of administrative and institutional capacity building interventions and future needs in the context of European Social Fund.

¹⁸ <http://www.ec.europa.eu/social/BlobServlet?docId=14144&langId=en>

¹⁹ Ongoing work, based on the adopted programmes for 2014-2020. Reports will be ready in 2016. Relevant input for the current project could be the assessment of the programming strategy for each country, the alignment with EU2020 and CSRs, review of the intervention logic and result orientation.

²⁰ see Andrews, et al., Escaping capability traps through problem driven adaptation, Centre for Global Development, working paper 299, June 2012, http://www.wto.org/english/tratop_e/gproc_e/gp_gpa_e.htm

comparison, and also accountability (how was funding effectively used and where did the money go). Final assessment shall attempt to be balanced and therefore consider the use of "triangulation" methods (i.e. obtain information from varying sources/groups of stakeholders). The findings shall be illustrated with as many concrete and specific examples/case studies (both good and bad practice) as possible.

The assessment will be done in two phases: for the ESF in 2007-2013, and for ESF/ERDF in 2014-2020, taking into account the differences of the two programming periods.

The assessment of the ESF 2007-2013 support will cover 13 Member States: Bulgaria, the Czech Republic, Estonia, Greece, Hungary, Italy, Latvia, Lithuania, Poland, Portugal, Romania, Slovenia, and Slovakia. The contractor will base the assessment on qualitative information collected in interviews, meetings, focus groups, database records, procurement data, project reports, and surveys with the managing authority, key stakeholders, and beneficiaries.

The implementation of the 2014-2020 period is in relatively early stage. Nevertheless, there are lessons to be drawn from the programming and the early stages of implementation. Especially, it shall be captured to what extent the new regulation (including requirement for ex-ante conditionality, link to European Semester recommendations, results orientation) produced a qualitatively different approach to the earlier funding period, and/or to what extent there is continuity and business as usual. In this context, the ownership and commitment to implementing national reform strategies (as required by the ex-ante conditionality for TO11) shall be reviewed. The assessment shall further include estimates on likely sustainability of currently selected measures/projects, and to what extent these lead to genuine structural changes/improvements, rather than substituting regular activities of the administration.

The assessment on institutional capacity building (TO11) under ESF and ERDF in 2014-2020 will cover 16 countries: Bulgaria, the Czech Republic, Croatia, Cyprus, Estonia, Greece, Hungary, Italy, Latvia, Lithuania, Malta, Poland, Portugal, Romania, Slovenia, Slovakia.

The assessment, covering support for public administration capacity building and reform in all EU Member States in general and the relevant EU countries for ESF 2007-2013, shall be completed by Month 12 of the project. The assessment for the relevant EU Member States in 2014-2020 shall be completed by month 18 (see Section 5 of the Technical part).

The tenderers shall elaborate in their offer a methodology for the implementation of this task.

4.6. Task 4 – Conclusions, lessons and recommendations for future EU support in this area

This task will draw together the conclusions from all previous tasks and consequently outline considerations and options for most appropriate policy support and delivery related to public administration modernisation and capacity building. This shall include a wide reflection of possible options and including alternatives to current EU policy support (e.g. different options for technical support, peer-to-peer arrangements, various funding mechanisms ranging from centrally managed to budgetary support), based on the conducted analysis.

Actual conclusions and recommendations will be based on the actual findings of the research; however, some considerations might indicatively include consideration of the following factors:

- Considering whether there are more effective alternatives to current support approaches, especially in contexts with limited political commitment to genuine reform
- Embedding a ‘thinking and working politically’ approach to reform
- Resolving the tension between the long-term processes of institutional change and short-term political horizons
- Ensuring reforms tackle problems with underlying functional effectiveness as opposed to simply adopting institutional forms
- Finding the right balance between a large scale centre of government approach and a small scale islands of effectiveness approach in specific contexts
- Achieving sustainable and systemic change through changes in the motivation and incentives of individuals, groups and organisations
- Working with non-state institutions, including informal norms
- Fostering political support and local ownership to open space for reforms
- Building the capacity of individuals, organisations and the broader institutional framework
- Developing different and customised approaches for each country or possible groupings of countries

The draft conclusions and recommendations will be presented and discussed with interested Commission services as well as with other relevant stakeholders, as relevant, before their finalisation.

4.7. Task 5 – Thematic support

This task covers auxiliary support requirements including thematic reviews, ad hoc requests, contributions to events, review meetings, collaborative platform

Thematic reviews

Using the input from tasks 1, 2 and 3, the core team shall develop **up to 6 thematic overviews** for the duration of the project, that shall present the common issues, policy approaches, and trends observed in the public administrations in the Member States, as well good and/or innovative practices. Some possible themes are human resources management, better regulation, quality management, service delivery, monitoring and evaluation. The precise list of the thematic reviews and the timeline for delivery will be agreed with the Commission at the inception/progress meetings (see Section 5 of the Technical Part).

Ad hoc requests

The experts may be called to assist the Commission with ad-hoc short-term requests for factual information concerning specific countries or themes. The requests may cover public administration in general or ESF support to it in particular. Some requests may involve groups of experts. To this end, the core team and the Commission shall agree a template which shall include all relevant details of the request (format, content, timing, publication possibilities, etc.)

The Commission will transmit its request to the core team, who will organise the delivery via the respective country experts. The core team shall assure quality and send the final output to the Commission.

In relation to this task, the contract is expected to:

- Be prepared to produce within short deadline (10-15 working days) a report and/or presentation
- Have the flexibility and capacity to address the public administration related topic, as requested by the Commission
- Consider the likely emergence of **up to 20 requests for ad-hoc advice** (these may be related to a specific country and/or specific theme).

4.8. Project Management

Review meetings

The Commission will organise up to five, one-day review meetings (as outlined below) in Brussels with the core team, (selected) national/thematic experts and Commission staff, including members of the inter-service group for public administration, as appropriate. The aim of this type of meetings is to:

- Discuss the results, achievements and challenges of the work delivered over the past period and outlook for the upcoming tasks for the next period;
- Provide an opportunity for the Commission to update the experts on the Commission priorities and work programme;
- Offer experts the opportunity to meet the Commission programme managers and discuss particular issues regarding the expert's activities or specific themes linked to programme implementation.

The contractor is responsible for organising the participation of the relevant experts and covering their costs, preparing the relevant points of the agenda and any working documents, as well as the meeting minutes. The minutes shall be analytical, and in addition to summarising the conclusions, shall steer the future direction of the contract work programme. The minutes shall be delivered within one week after the meeting.

Quality assurance

The work on the contract shall be carried out with the highest level of quality and integrity in terms of process, conduct and final product.

- In terms of sources: appropriate acknowledgment of primary and secondary sources and any literature, with adequate referencing and/or citation. Clear distinction own analysis and other sources.
- In terms of research methods: sound and robust approach using recognised good practice, appropriate and relevant research, evaluation and assessment methods. Provide

overall good process documentation, including all research methods and practices, and any challenges encountered

- In terms of language: all outputs shall be written in English. Language shall be clear, correct and concise including appropriate use of standard terminology.
- In terms of management: strong coordination and timely mobilisations of relevant, qualified and experienced experts, including with relevant language skills, as required.

The tender shall elaborate a detailed quality management mechanism for the assignment in the technical offer. The Contractor shall distribute the mechanism to all experts in order to ensure that the standards and criteria are respected.

Intellectual property rights

Please refer to the contract clauses I.8. and II.10.

5. Time schedule and reporting

The duration of the contract will be 20 calendar months from the date of the signature by the last contracting party.

Deliverables

- Pool of expert team mobilised and operational, and endorsed by contracting authority
- Finalised methodology for project implementation and tasks 1
- Report on "*public administration characteristics*" related to **task 1**, with a chapter for each EU Member State
- Report on "*reform dynamics*" related to **task 2**, with a chapter for each EU Member State
- Report on "*the role and effect of (external) support*" related to **task 3**, covering all EU Member States (in general), and relevant countries for ESF 2007-13
- Report on "*the role and effect of (external) support*" related to **task 3**, covering the relevant EU Member States, investing in TO11 under ESF/ERDF 2014-2020
- Report on "*conclusions, lessons and recommendations for future EU policy*",
- Up to 6 thematic reviews (topics to be agreed between the Commission and the contractor)
- Up to 20 ad hoc reports on specific issues (upon request)

Reporting schedule (management reports)

The contractor shall produce regular management reports, documenting progress of activities, and outputs achieved against schedule, as well as any challenges and recommendations relevant for the performance of the contract, as outlined below.

Inception report: detailing the final approach, methodology for project implementation, templates, including progress achieved and programme for the rest of the work.

Progress reports: providing management and process information, as well as estimation of planned vs actual progress, and any issues which could impede the achievement of the project objectives.

Final report: summarising overall progress and process, including outputs delivered, lessons and/or suggestions for improvement, and other relevant information to allow the Commission to judge the actual work performed.

The finalised deliverables under each task will be attached as annexes to the respective management reports.

Actions/Deliverables	Timetable: 20 months
Entry into force of the contract	Signature of the contract: reference date
Kick-off meeting	Reference date + 1 week
Pool of expert team mobilised and operational, and endorsed by contracting authority	Reference date + 1 month
Draft Inception report, including finalised methodology for task 1	Reference date + 2 month(s)
Inception meeting	Reference date + 2.5 month(s)
Draft Report on " <i>reform dynamics</i> " related to task 2 , with a chapter for each EU Member State	Reference date + 4 month(s)
Draft Report on " <i>public administration characteristics</i> " related to task 1 , with a chapter for each EU Member State	Reference date + 8 month(s)
Progress report 1	Reference date + 8 month(s)
Progress meeting 1	Reference date + 8.5 month(s)
Report on " <i>the role and effect of (external) support</i> " related to task 3 , covering all EU Member States (in general), and relevant countries for ESF 2007-13	Reference date + 12 month(s)
Progress report 2	Reference date + 14 month(s)
Progress meeting 2	Reference date + 14.5 month(s)
Update of report on " <i>reform dynamics</i> " related to task 2 , with a chapter for each EU Member State	Reference date + 17 month(s)

Report on "the role and effect of (external) support" related to task 3 , covering the relevant EU Member States, investing in TO11 under ESF/ERDF 2014-2020	Reference date + 18 month(s)
Up to 6 thematic reviews (topics to be agreed)	to be agreed between the Commission and the contractor
Up to 20 ad hoc reports on specific issues	Request + 15 working days
Draft report on "conclusions, lessons and recommendations for future EU policy"	Reference date + 19 month(s)
Draft final report	Reference date + 19 month(s)
Final meeting	Reference date + 19.5 month(s)

Up to 4 additional progress meetings can be scheduled in Brussels on request of the contracting authority or the contractor, as required. The purpose of these meetings will be to discuss the finalisation of presented deliverables and coordination of remaining work.

6. Price

6.1. Protocol and taxes applicable

The price for the tender must be quoted in euro. Tenderers from countries outside the euro zone have to quote their prices in euro. The price quoted may not be revised in line with exchange rate movements. It is for the tenderer to assume the risks or the benefits deriving from any variation.

Prices must be quoted free of all duties, taxes and other charges, including VAT, as the European Union is exempt from such charges under Articles 3 and 4 of the Protocol on the privileges and immunities of the European Union. The amount of VAT may be shown separately.

6.2. Details for prices

The maximum amount of the contract is €1,350,000.

Lump sum

The quoted price must be a fixed amount for all project tasks and must include all charges (including travel and subsistence expenses). Travel and subsistence expenses are not refundable separately.

- Professional fees and other costs expressed as the number of person-days multiplied by the unit price per working day for each expert proposed. The unit price shall cover the experts' fees and administrative expenditure.
- Other costs (i.e. translation)

6.3. Presentation of financial offer

Description	Unit price in EUR	Max. No of units	Unit type	Sub-total per item EUR	Total amounts in EUR
Task Experts' fees Details	0.00	0	w.d.	0.00	0.00
Other costs (please specify)	/	/	/	/	/
Total amount (art. I.3.1. of the contract)					0.00

6.4. Payments and contract

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

The payment will be made in 3 instalments:

- First interim payment equal to 20% of the total amount referred to in Article 1.3.1 of the contract shall be made within 60 days from the receipt of the invoice. The invoice for first payment may be submitted upon the submission of the first interim report. The first interim payment will be made after the Commission's approval of the first interim report. Second interim payment equal to 30% of the total amount referred to in Article 1.3.1 of the contract shall be made within 60 days from the receipt of the invoice. The invoice for the second interim payment may be submitted upon the submission of the first progress report. The second interim payment will be made after the Commission's approval of the first progress report.
- Third interim payment equal to 20% of the total amount referred to in Article 1.3.1 of the contract shall be made within 60 days from the receipt of the invoice. The invoice for the third interim payment may be submitted upon the submission of the second progress report. The third interim payment will be made after the Commission's approval of the second progress report.

- The balance payment shall be made within 60 days from the receipt of the invoice. The invoice for that payment may be submitted after the reception all the due reports and technical deliverables and the Commission's approval of the yearly final report. The contracting authority shall make the payment as specified in Article 1.4.2 in the Special Conditions of the contract.

Administrative part

1 Participation

1.1 Participation to the procedure

Participation in this tender procedure is open on equal terms to all natural and legal persons coming within the scope of the Treaties and to all natural and legal persons in a third country which has a special agreement with the Union in the field of public procurement on the conditions laid down in that agreement. Where the Multilateral Agreement on Government Procurement²¹ concluded within the WTO applies, the participation to the call for tender is also open to nationals of the countries that have ratified this Agreement, on the conditions it lays down.

All legal persons participating in the tender procedure must comply with the applicable environmental, social and labour laws.

1.2 Contractual conditions

The tenderer shall bear in mind the provisions of the draft contract which specifies the rights and obligations of the contractor, particularly those on payments, performance of the contract, confidentiality, checks and audits, and compliance with the applicable environmental, social and labour obligations.

1.3 Sub-contracting

Subcontracting is permitted in the tender but the Contractor will retain full liability towards the contracting authority for performance of the contract as a whole.

Tenderers must give an indication of the proportion of the contract that they intend to subcontract. Tenderers are required to identify the subcontractors whose share of the contract is above 15% tenderers. The tenderer(s) shall replace these subcontractor(s) in case they are in a situation of exclusion, including a violation of the applicable environmental, labour and social law.

During contract execution, the change of any subcontractor identified in the tender will be subject to prior written approval of the contracting authority.

²¹ See http://www.wto.org/english/tratop_E/gproc_e/gp_gpa_e.htm

2 Joint tenders

A joint tender is a situation where a tender is submitted by a group of economic operators (consortium). Joint tenders may include subcontractors in addition to the joint tenderers. In case of joint tender, all economic operators in a joint tender assume joint and several liability towards the contracting authority for the performance of the contract as a whole²². Nevertheless, tenderers must designate a single point of contact for the contracting authority.

After the award, the contracting authority will sign the contract either with all members of the group, or with the member duly authorised by the other members via a power of attorney.

The documents required and listed in the following points (10 and 11) must be supplied by every member of the grouping.

3 Exclusion criteria and supporting documents

- 1) All tenderers shall provide a declaration on their honour (see Annex 5 of the invitation letter), duly signed and dated by an authorised representative, stating that they are not in one of the situations of exclusion listed in **Articles 106 and 107 (1) of Financial Regulation**.

With this declaration the tenderers also declare their compliance with the applicable environmental, social and labour law obligations.

The declaration on honour is also required for identified subcontractors whose intended share of the contract is above 15%.

- 2) The successful tenderer shall provide the documents mentioned as supporting evidence in the Annex mentioned beforehand, before signature of the contract and within a deadline given by the contracting authority. This requirement applies to all members of the consortium in case of joint tender and to identified subcontractors whose intended share of the contract is above 15%.
- 3) As per the Rules of Application, the contracting authority shall accept the following as satisfactory evidence that the tenderer is not in one of the exclusion situation relating to bankruptcy, professional misconduct or fraud, corruption, involvement in criminal organisation, money laundering or any other illegal activity under Article 106(1) of the Financial Regulation: a recent extract from the judicial record or an equivalent document recently issued by a judicial or administrative authority in the country of origin or provenance showing that those requirements are satisfied. The contracting authority shall accept, as satisfactory evidence that the tenderer is not in a situation of bankruptcy, or non-payment of taxes or social security contributions under Article 106(1) of the Financial Regulation, a recent certificate issued by the competent authority of the State concerned.

²² 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.

In case the document or certificate referred to above is not issued in the country concerned and for the other cases of exclusion referred to in Article 106 of the Financial Regulation, 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.

Depending on the national legislation of the country in which the candidate or tenderer is established, the documents referred to above shall relate to legal persons and/or natural persons, or any person with powers of representation, decision-making or control in relation to the tenderer; this covers a natural person who is a member of the administrative body, or a natural person with power of representation, decision-making or control (company directors, members of the management or supervisory bodies, and cases where one natural person holds a majority of shares) over the above-mentioned legal person.

See Annex 5 of the invitation letter (which may be used as a checklist) for the supporting documents accepted by the European Commission to be provided by applicants, tenderers or tenderers to who the contract will be awarded.

- 4) The contracting authority may waive the obligation of a candidate or tenderer to submit the documentary evidence referred above, if such evidence has already been submitted for the purposes of another procurement procedure launched by DG Employment, Social Affairs and Inclusion, 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.

4 Selection criteria

Tenderers must prove their economic, financial, technical and professional capacity to carry out the work subject to this call for tender. The evidence for selection may be required at any stage of the present procurement procedure.

The evidence requested shall be provided by each member of the group in case of joint tender and identified subcontractor whose intended share of the contract is above 15%. However a consolidated assessment will be made to verify compliance with the minimum capacity levels.

The tenderer may rely on the capacities of other entities, regardless of the legal nature of the links which it has with them. It must in that case prove to the contracting authority that it will have at its disposal the resources necessary for performance of the contract, for example by producing an undertaking on the part of those entities to place those resources at its disposal.

4.1 Economic and financial capacity and evidence

a. Criteria

In order to prove their economic and financial capacity, the tenderer (i.e. in case of joint tender, the combined capacity of all members of the consortium and identified subcontractors) must comply with the following criteria:

- Annual turnover of the last two financial years above € 2 700 000.

b. Evidences

The following evidence shall be provided:

- Copy of the profit & loss account and balance sheet for the last two years for which accounts have been closed
- Appropriate statements from banks
- Presentation of balance sheets
- If applicable, evidence of professional risk indemnity insurance

If, for some exceptional reason which the contracting authority considers justified, a tenderer is unable to provide one or other of the above documents, he or she may prove his or her economic and financial capacity by any other document which the contracting authority considers appropriate. In any case, the contracting authority must at least be notified of the exceptional reason and its justification in the tender. The Commission reserves the right to request any other document enabling it to verify the tenderer's economic and financial capacity.

4.2 Technical and professional capacity criteria and evidence

a. Criteria relating to tenderers

Tenderers (in case of a joint tender the combined capacity of all tenderers and identified subcontractors) must comply with the following criteria:

The tenderer must prove experience in:

- managing projects with at least 2 projects delivered in the last 3 years for the minimum value of each project of € 700,000;
- academic and/or applied analysis and/or research, and/or consultancy/practice related to civil service, policy-making, institutional capacity, service delivery and/or anti-corruption with at least 5 projects delivered in this field in the last five years with a minimum value for each project of € 100,000;
- work experience in at least 18 EU countries in the area of public administration reform and/or institutional capacity building with at least 5 projects delivered in the last ten years, the combination of which must show the necessary coverage;
- evidenced ability to be able to cover the knowledge/experience requirements for all EU Member States through relevant expertise, associates, networks, etc.

- monitoring and evaluation of public policy or socio-economic development programmes - with at least 3 projects delivered in this field in the last three years with a minimum value for each project of € 50,000;
- survey techniques, data collection, statistical analyses and drafting reports and recommendations;

b. Criteria relating to the team delivering the service

The team with three key experts delivering the service shall include, as a minimum: a project manager (team leader), a policy expert and a monitoring and evaluation expert. They shall have the following profiles:

Project manager

The tenderer shall designate in its offer a senior manager, who will deal directly with the Commission. In addition to the operational contacts with Commission services, the project manager will organise the execution of services, which are the subject of the contract, and will have to make sure that these are delivered within the specified deadlines and high level quality standards. The project manager shall also have to ensure that all work of administrative nature is completed in accordance with contractual provisions. He/she shall make sure that reports, supporting documents to invoices and any other administrative/operational documents are drafted and presented in a way that enables easy assessment by Commission services.

The **project manager** shall be at least a level II expert (qualification levels are outlined in Section 6.1 of the Administrative part) with the following minimum qualifications:

Qualifications and skills

- University degree in a relevant field or equivalent.
- Proven communication and negotiation skills.
- Fluency in English. Knowledge of other EU languages is an advantage

General professional experience

- At least 10 years of professional experience

Specific professional experience

- At least 4 years' experience managing teams of professionals, including at least 2 years of managing international teams
- At least 4 years' professional experience related to institutional/organisational capacity building and/or public administration reform (either as an academic, international organisation, consultant or inside a public administration)

The **policy expert** shall be a level I expert (qualification levels are outlined in of the Administrative part) with the following minimum qualifications:

Qualifications and skills

- University degree in a relevant field or equivalent.
- Proven communication and negotiation skills
- Fluency in English. Knowledge of other EU languages is an advantage

General professional experience

- At least 15 years of professional experience

Specific professional experience

- At least 7 years' professional experience related to institutional/organisational capacity building and/or public administration reform (either as an academic, international organisation, consultant or inside a public administration)
- Proven experience in public administration research
- Proven work experience in at least five countries (EU and/or candidate), related to public administration

Monitoring and evaluation expert

The **monitoring and evaluation expert** shall be a level I (qualification levels are outlined in Section 6.1 of the Administrative part) expert in the area of monitoring and evaluation, with the following minimum qualifications:

Qualifications and skills

- University degree in social sciences or equivalent.
- Fluency in English. Knowledge of other EU languages is an advantage

General professional experience

- At least 15 years of professional experience

Specific professional experience

- At least 7 years' experience in the area monitoring and/or evaluation of socio-economic development, and/or public sector/public management programmes/projects
- At least five professional assignments of at least three months each related to monitoring & evaluation, in at least three different EU and/or candidate countries in the last five years
- Proven knowledge and/or experience in at least three of the following: socio-economic impact assessment, research methods, counterfactual evaluation, quantitative and/or qualitative indicators, and/or international assessments of public administration functioning and performance, institutional capacity building, public administration reform, design of monitoring and evaluation systems,

Other experts²³

All other experts shall be at least level III experts (qualification levels are outlined in Section 6.1 of the Administrative part) with proven high level expertise in public administration and in themes related to the tasks under Section 4. They shall have proven track record in performing relevant activities, organisational capacity and excellent analytical, drafting, and communication skills.

The overall team shall demonstrate adequate strong background in Member States public administration and related research experience, after having completed a university degree. All experts shall have excellent English writing skills.

A key asset of the team will be its ability to operate in all EU Member States, and to have access to stakeholder networks (linked to public administration management) in order to be able to gather data and information (including in local language) and to obtain expert and stakeholder opinions.

While CVs of country experts do not need to be included in the technical proposal (they will be selected after the award of the contract, as described in Section 4.2 of the Technical part), the tenderer is expected to present in the offer how a competent team of experts will be mobilised to cover all EU countries and to meet the required country knowledge/experience, as well as sector expertise.

c. Evidence

The following evidence shall be provided to fulfil the above criteria:

- List of relevant services provided in the time span indicated in each criterion above. The most important services shall be accompanied by certificates of satisfactory execution, specifying that they have been carried out in a professional manner and have been fully completed;
- CV and related documentation, testifying knowledge and experience as defined above;
- Information demonstrating the ability of the contractor to mobilise relevant expertise, to cover required country and sector knowledge requirements, and to ensure sufficient expertise and quality. In case of partnership with academia, think-tanks and other organisations that will not be part of the consortium, the offer should include letters of commitment for the purpose of this project.

5 Award criteria

The award of contract is based on the most economically advantageous tender, according to the best-price-quality ratio procedure. The quality of the tender will be evaluated based on the following criteria. The maximum total quality score is 100 points.

AC1: Quality of the proposed methodology (45 points)

- Feasibility and relevance of the approach for implementation of task 1 (15 points);

²³ Note that while key experts are exclusive (i.e. they may only be part of one bidder/consortium, "other experts" are not, and individual CVs will not be assessed)

- Quality and relevance of methodology related to task 2 (15 points);
- Quality and relevance of methodology related to task 3 (15 points);

AC2: Organisation of the work (45 points)

- Consistency between methodological approach, resources to be mobilized and organisation of the work for the achievement of expected results (15 points);
- Adequacy and robustness of the planned team mobilization: capacity and approach to mobilize and maintain with immediate replacement a qualified and experienced team to meet required country and sector expertise of the contract (indicate relevant partners from think tanks, academia, etc.²⁴ as appropriate); structure of the team, distribution of roles and responsibilities (15 points)
- Organisational clarity - coherence and soundness of the work plan, clarity and effectiveness of the management and coordination for the delivery of each task, critical path analysis (15 points);

Quality control measures (10 points)

- The quality control system applied to the service foreseen in this tender specification concerning the quality of work and deliverables, the language quality check, and continuity of the service in case of absence of any member of the team. The quality system shall be detailed in the tender and specific to the tasks at hand; a generic quality system will result in a low score. The quality system is expected to include a **project director** representing the consortium, and supervising the work of the experts.

Tenders must score minimum 50% for each criterion and sub-criterion, and minimum 70% in total. Tenders that do not reach the minimum quality thresholds will be rejected and will not be ranked.

After evaluation of the tender, the tenders are ranked using the formula below to determine the tender offering the best value for money:

Score for tender x = quality score for tender x/100 * 0,7 + cheapest price/price of tender x * 0,3.

The tender with the highest score on this basis, will be chosen.

6 Content and presentation of offers

6.1 Content of bids

Tenders must include:

²⁴ Other than consortium members

- A cover letter presenting the name of the tenderer (including all entities in case of joint offer) and identified subcontractors if applicable, and the name of the single contact person in relation to this tender;
 - 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);
 - In case of joint tender, the cover letter must be signed by a duly authorised representative for each tenderer, or by a single tenderer duly authorised by other tenderers (with power of attorney).
 - If applicable, the cover letter must indicate the proportion of the contract to be subcontracted
- Subcontractors must provide a letter of intent stating their willingness to provide the service foreseen in the offer and in line with the present tender specification.
- Proof of right to participate: 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;
- The tenderer (or the single point of contact in case of joint tender) must provide a Financial Identification Form and supporting documents. Only one form per offer shall be submitted (no form is needed for subcontractors and other joint tenderers). The form is available on:
http://ec.europa.eu/budget/contracts_grants/info_contracts/index_en.cfm
- In order to prove their legal capacity and their status, all tenderers must provide a signed Legal Entity Form with its supporting evidence. The form is available on:
http://ec.europa.eu/budget/contracts_grants/info_contracts/legal_entities/legal_entities_en.cfm

[Tenderers that are already registered in the contracting authority's accounting system (i.e. they have already been direct contractors) must provide the form but are not obliged to provide the supporting evidence.]

Tenderers must provide the following information if it has not been included with the Legal Entity Form:

 - For legal persons, a legible copy of the notice of appointment of the persons authorised to represent the tenderer in dealings with third parties and in legal proceedings, or a copy of the publication of such appointment if the legislation which applies to the legal entity concerned requires such publication. Any delegation of this authorisation to another representative not indicated in the official appointment must be evidenced.
 - For natural persons, where applicable, a proof of registration on a professional or trade register or any other official document showing the registration number.
- A technical and financial offer:
 - All information and useful documents in view to give to the Commission the opportunity to assess the offer on the basis of selection and award criteria (see points above);
 - Price;

- List of experts assigned, their CVs, classified by level of expertise according following criteria:

Level of qualification I
<p>Highly qualified expert having assumed important responsibilities in his/her profession, recruited for his/her management/supervisory, thought and creativity skills as regards professional practise.</p> <p>He/she must have at least 15 years professional experience of which at least 7 must be connected with the professional sector concerned and the type of tasks to be performed.</p>
Level of qualification II
<p>Highly qualified expert having assumed responsibilities in his/her profession, recruited for his/her management/supervisory, thought and creativity skills as regards professional practise.</p> <p>He/she must have at least 10 years professional experience of which at least 4 must be connected with the professional sector concerned and the type of tasks to be performed.</p>
Level of qualification III
<p>Certified expert having received a high-level training in his/her profession recruited for his/her thought and creativity skills as regards professional practise.</p> <p>He/she must have at least 5 years professional experience of which at least 2 must be connected with the professional sector concerned and the type of tasks to be performed</p>
Level of qualification IV
<p>Junior expert, newcomer to the profession but holding a university degree or equivalent training related to the professional sector concerned and the type of tasks to be performed.</p>

6.2 Presentation of bids

They must include all requested information (see tender specifications and draft contract).

They must be clear and concise.

They must be signed by the legal representative of the tenderer.

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

Annex 1: Public administration in the European semester

Table 1: Countries for which public administration has been identified as a structural challenge in the period 2012-2015

	2012	2013	2014	2015
AT				
BE				
BG				
CY		x	x	x
CZ				
DE				
DK				
EE				
EL	x	x	x	x
ES				
FI				
FR				
HR	x			
HU				
IE	x	x		
IT				
LT				
LU				
LV				
MT				
NL				
PL				
PT	x	x		
RO	x			
SE				
SI				
SK				
UK				

Legend:

	No challenge linked to public administration
	Public administration was identified as a challenge in the respective year
x	No recommendations in the respective year, as the country was subject to more intensive monitoring under programmes, aiming to restore macro-financial stability, growth and competitiveness

Table 2: Topics addressed in country-specific recommendations linked to public administration

Topic	2013	2014	Topic covered by regular Commission assessment
Ensuring rule of law			
* legal environment		x	no
* efficiency of judicial systems	x	x	yes
* law enforcement - control and efficiency of supervisory bodies		x	no
* accountability - corruption		x	yes
* accountability - transparency		x	no
* fundamental rights			no
Generating trust			
* trust In key public Institutions			yes
* trust In judiciary			yes
* citizens' rights awareness			yes
* confidence in economy			yes
* consumer confidence			yes
Open and participative governance			
* access to information			no
* open data			no
* stakeholder participation	x		no
* NGOs			no
* media			no
Competent and performance oriented public administration			
* centre of Government- strategic planning and decision making	x	x	no
* centre of Government - independence / capacity of regulatory bodies	x	x	no
* independent and professional civil service	x	x	no
* civil service management		x	no
* analytical capacity		x	no
* monitoring and evaluation	x	x	no
* policy co-ordination			no
* back office systems and tools/ interoperability			no
* quality management		x	no

Effective and efficient public administration (sector)			
* efficiency of public finance		x	yes
*budgeting & fiscal relations	x	x	yes
*efficiency of tax administration	x	x	yes
*synergy between tier of government		x	no
*local government: revenue, financial management, efficiency; public services	x	x	yes
*single market performance			yes
*public procurement	x	x	yes
*competition			yes
*customer protection			yes
*regulatory burden	x	x	yes
*administrative burden	x	x	yes
*quality of public services	x	x	yes
*administrative service delivery		x	no
*e-government	x	x	yes
*use of EU funds	x	x	yes
*quality of policies			no
*business environment -late payments	x	x	yes
*business environment - insolvency	x	x	yes

Table 3: Commission assessment tools that cover public administration topics

Areas	Assessment tools used by the European Commission	Timing
Ensuring rule of law		
efficiency of judicial systems	Justice Scoreboard	Annual
law enforcement	Rule of Law Mechanism ²⁵	ad hoc
accountability	Anti-corruption Report	Bi-annual
fundamental rights	Citizen's rights report	(foreseen) tri-annual
Generating trust		

²⁵ See: http://europa.eu/rapid/press-release_IP-14-237_en.htm

in key public institutions	Standard Eurobarometer	Twice yearly
in judiciary	Standard Eurobarometer	ad hoc
citizens' rights awareness	Citizen's rights report	(foreseen) tri-annual
confidence in economy	Standard Eurobarometer	Twice yearly
consumer confidence	Consumer markets Scoreboard	annual
Open and participative governance		
access to information	Digital Agenda Scoreboard	annual
open data	Digital Agenda Scoreboard	annual
stakeholder participation		ad hoc
Competent and performance oriented public administration		
centre of Government	assessment, mostly linked to ESIF ²⁶	ad hoc
co-ordination	assessment, mostly linked to ESIF	ad hoc
monitoring and evaluation	assessment, mostly linked to ESIF	ad hoc
civil service	assessment, mostly linked to ESIF	ad hoc
interoperability	National Interoperability Framework Observatory (NIFO)	
quality management	assessment, mostly linked to ESIF	ad hoc
Effective and efficient public administration		
efficiency of public finance	Economic Governance monitoring	ongoing
budgeting	Economic Governance monitoring	ongoing
single market	Single Market Scoreboard	annual
public procurement	Single Market Scoreboard Digital Agenda Scoreboard Anti-corruption Report	

²⁶ European Structural and Investment Funds see: http://ec.europa.eu/contracts_grants/funds_en.htm

	ESIF ex-ante conditionality	
customer protection	Consumer markets scoreboard	annual
regulatory burden	European Competitiveness Report SME Performance Review	annual
administrative burden	assessment, linked to ESIF	ad hoc
administrative service delivery	Single Market Scoreboard assessment, linked to ESIF	annual ad hoc
e-government	Digital Agenda Scoreboard	annual
use of EU funds	management of ESIF	ongoing
Quality public policies	n/a	

Table 4: Selected International Governance Indices

Name of Index	Origin	Description
<u>Corruption Perception Index</u>	<u>Transparency International</u>	<p>The CPI scores and ranks countries/territories based on how corrupt a country's public sector is perceived to be. It is a composite index, a combination of surveys and assessments of corruption, collected by a variety of reputable institutions.</p> <p>A country/territory's score indicates the perceived level of public sector corruption on a scale of 0-100, where 0 means that a country is perceived as highly corrupt and a 100 means that a country is perceived as very clean. A country's rank indicates its position relative to the other countries/territories included in the index. Ranks can change merely if the number of countries included in the index changes. Annual update.</p>
<u>Democracy Index</u>	<u>Economist Intelligence Unit</u>	<p>The Economist Intelligence Unit's index of democracy, on a 0 to 10 scale, is based on the ratings for 60 indicators grouped in five categories: electoral process and pluralism; civil liberties; the functioning of government; political participation; and political culture. Each category has a rating on a 0 to 10 scale, and the overall index of democracy is the simple average of the five category indexes. Annual update.</p>
<u>Doing Business Indicators</u>	<u>World Bank</u>	<p><i>Doing Business</i> measures the quality of the business environment. In 2015, the report covers the following categories : 1) Starting a business, 2) Dealing with construction permits, 3) Getting electricity, 4) Registering property, 5) Getting credit, 6) Protecting minority investors, 7) Paying taxes, 8) Trading across borders, 9) Enforcing contracts, 10) Resolving insolvency, 11) Labour market regulation. The methodology evolves over time; therefore year-to-year performance comparisons might not automatically be meaningful. Data is not based on firm or household surveys but on expert assessments.</p>
<u>Freedom in the World</u>	<u>Freedom House</u>	<p>Freedom in the World is a survey based annual global report on political rights and civil liberties, composed of numerical ratings and descriptive texts for each country. The report's methodology is derived in large measure from the Universal Declaration of Human Rights, adopted by the UN General Assembly in 1948. Freedom in the World operates from the assumption that freedom for all peoples is best achieved in liberal democratic societies. The report assesses the real-world rights and freedoms enjoyed by individuals, rather than governments or government performance per se. Political rights and civil liberties can be affected by both state and non-state actors. While both laws and actual practices are factored into the ratings decisions, greater emphasis is placed on implementation.</p>
<u>Global Competitiveness Index</u>	<u>World Economic Forum</u>	<p>The CGI defines competitiveness as the set of institutions, policies, and factors that determine the level of productivity of a country. It measures 12 pillars of competitiveness, of which, the first pillar concerns the "quality of Institutions". It considers the legal and administrative framework within which individuals, firms, and governments interact to generate wealth. This includes, for example, factors such as: a sound and fair institutional environment, protection of property rights, government attitudes toward markets and freedoms and the efficiency of its operations, in relation to excessive bureaucracy and red tape, overregulation, corruption, dishonesty in dealing with public contracts, lack of transparency and trustworthiness, inability to provide appropriate services for the business</p>

		sector, and political dependence of the judicial system, the proper management of public finances (pillar 3) and private sector ethics and transparency through the use of standards as well as auditing and accounting practices. Annual Report. The 2014 report covers 144 economies. It is based on a mixture of data sets – both quantitative and opinion survey based.
<u>Government at a Glance</u>	<u>OECD</u>	<p><i>Government at a Glance</i> provides a dashboard of key indicators contributing to the analysis and international comparison of public sector performance. Indicators on government revenues, expenditures, and employment are provided alongside key output and outcome data in the sectors of education and health. <i>Government at a Glance</i> also includes indicators on key governance and public management issues, such as transparency in governance, regulatory governance, new ways in delivering public services and HRM and compensation practices in the public service.</p> <p>It is published every two years. Covers only OECD members, thus some EU countries are not included (BG, CY, HR, MT, LT, LV, RO).</p>
<u>Governance Report</u>	<u>Hertie School of Governance</u>	<p>The main idea underlying <i>The Governance Report</i> is that the conditions of public policymaking have changed—and continue to change—as a result of: a greater openness of national borders, a growing volume of cross-border economic activity, deepening policy interdependence among countries, more risks and more competition not only among firms but also states, increased public/private partnering, civil society's strengthened role, and last but not least, major shifts in global power relations. - The <i>Governance Report</i> is less interested in ranking and scoring country performance, but rather supports methodological developments for capturing governance performance. It presents a collection of articles, discussions and case studies on capacity and policy dilemmas, including a reflection on governance indicators. It is published annually.</p>
<u>Prosperity Index</u>	<u>Legatum Institute</u>	<p>The Legatum Prosperity Index offers an insight into how prosperity is forming and changing across the world. The Index is a measurement of prosperity based on both income and wellbeing. Traditionally, a nation's prosperity has been based solely on macroeconomic indicators such as a country's income, represented either by GDP or by average income per person (GDP per capita). However, most people would agree that prosperity is more than just the accumulation of material wealth. It is also the joy of everyday life and the prospect of being able to build an even better life in the future.</p> <p>One of the eight pillars of the index covers: Governance. Variables for assessing governance include government stability, government effectiveness, and rule of law, including subcategories of: regulation, separation of powers, political rights, government type, political constraints, efforts to address poverty, confidence in the judicial system, business and government, corruption, government effectiveness, environmental preservation, separation of powers, government approval, voiced concern, confidence in military, confidence in honesty of elections. The annual report covers 142 countries.</p>
<u>Quality of Government</u>	<u>Quality of Government Institute, University of Gothenburg</u>	<p>The QoG is a survey with an information data set on the structure and behaviour of public administration. The data is based on a web survey of 1035 experts from 135 countries. The dataset covers different dimensions of Quality of Government, such as politicization, professionalization, openness, and impartiality. The QoG web survey is an ongoing project and data is continuously updated to increase the number of participating</p>

		experts and the number of countries represented by the survey.
<u>Sustainable Governance Indicators</u>	<u>Bertelsmann Foundation</u>	<p>SGI is a platform built on a cross-national survey of governance that identifies reform needs in 41 EU and OECD countries.</p> <p>The SGI brings together a broad network of experts and practitioners aiming to understand what works best in sustainable governance. SGI themes include: <i>Policy Performance</i> – including economic policies, social policies, environmental policies; <i>Democracy</i> - quality of democracy; and <i>Governance</i> - executive capacity, executive accountability</p>
<u>Transformation Index</u>	<u>Bertelsmann Foundation</u>	<p>The Bertelsmann Transformation Index (BTI) is based on 129 country reports. As the focus is on emerging economies only 11 EU countries from the latest accessions are covered (not CY). The BTI analyses and evaluates whether and how developing countries and countries in transition are steering social change toward democracy and a market economy.</p> <p>The BTI aggregates the results of this comprehensive study of transformation processes and political management into two indices: the <i>Status Index</i> and the <i>Management Index</i>. The Status Index, with its two analytic dimensions – one assessing the state of political transformation, the other the state of economic transformation – identifies where each of the 129 countries stand on their path toward democracy under the rule of law and a market economy anchored in principles of social justice. Focusing on the quality of governance, the Management Index assesses the acumen with which decision-makers steer political processes.</p> <p>The BTI is published every two years. The BTI does not cover countries that were members of the Organisation for Economic Cooperation and Development (OECD) by the year 1989.</p> <p>The Transformation Index is based on a qualitative expert survey in which written assessments are translated into numerical ratings and examined in a multi-stage review process so as to make them comparable both within and across regions.</p> <p>Assessed variables include: I. Democracy: 1 Stateness, 2 Political Participation, 3 Rule of Law, 4 Stability of Democratic Institutions, 5 Political and Social Integration; II. Market Economy, 6 Level of Socioeconomic Development, 7 Organisation of the Market and Competition, 8 Currency and Price Stability, 9 Private Property, 10 Welfare Regime, 11 Economic Performance, 12 Sustainability; Transformation Management: I. Level of Difficulty, II. Management Performance: 14 Steering Capability, 15 Resource Efficiency, 16 Consensus Building, 17 Internal Cooperation, Strategic Outlook</p>
<u>Transition Report</u>	<u>European Bank for Reconstruction and Development</u>	The <i>Transition Report</i> looks into the relationship between transition and democratisation, the scope for strengthening economic institutions, the state of human capital in the transition region, and the inclusiveness of economic systems. Of the EU countries, it only covers the member States of the 2004 and 2007 accessions.
<u>Worldwide Governance Indicators</u>	<u>World Bank Institute</u>	<p>The Worldwide Governance Indicators (WGI) project reports aggregate and individual governance indicators for 215 economies over the period 1996–2013, for six dimensions of governance: Voice and Accountability; Political Stability and Absence of Violence; Government Effectiveness; Regulatory Quality; Rule of Law; Control of Corruption</p> <p>These aggregate indicators combine the views of a large number of enterprise, citizen and expert survey respondents in industrial and developing countries. They are based on 32 individual data sources</p>

produced by a variety of survey institutes, think tanks, non-governmental organizations, international organizations, and private sector firms.

Annex 2: Support for institutional capacity building in MS

