

## **Specifications-Tender N°VT/2009/028**

Supported employment for people with disabilities in the EU and EFTA-EEA – good practices and recommendations in support of a flexicurity approach

**1. Title of the contract:** *Supported employment schemes for people with disabilities in the EU and EFTA-EEA – good practices and recommendations in support of a flexicurity approach – VC/2009/0264*

### **2. Background**

#### **2.1 Objectives of the Progress Programme**

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

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

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

More specifically, *PROGRESS* supports:

- (1) the implementation of the European Employment Strategy (section 1);
- (2) the implementation of the open method of coordination in the field of social protection and inclusion (section 2);
- (3) the improvement of the working environment and conditions including health and safety at work and reconciling work and family life (section 3);
- (4) the effective implementation of the principle of non-discrimination and promotion of its mainstreaming in all EU policies (section 4);
- (5) the effective implementation of the principle of gender equality and promotion of its mainstreaming in all EU policies (section 5).

Against this background, *PROGRESS* pursues the following general objectives, as set out in article 2.1 of the Decision:

- (1) to improve the knowledge and understanding of the situation prevailing in the Member States and in other participating countries through analysis, evaluation and close monitoring of policies;
- (2) to support the development of statistical tools and methods and common indicators, where appropriate broken down by gender and age group, in the areas covered by the programme;
- (3) to support and monitor the implementation of Community law, where applicable, and policy objectives in the Member States, and assess their effectiveness and impact;
- (4) to promote networking, mutual learning, identification and dissemination of good practice and innovative approaches at EU level;
- (5) to enhance the awareness of the stakeholders and the general public about the EU policies and objectives pursued under each of the policy sections;
- (6) to boost the capacity of key European level networks to promote, support and further develop Community policies and objectives, where applicable.

The present Call for tenders is issued in the context of the implementation of the 2009 annual plan of work which is consultable at:

[http://ec.europa.eu/employment\\_social/progress/annwork\\_en.htm](http://ec.europa.eu/employment_social/progress/annwork_en.htm).

## **2.2 The European Disability Strategy**

The present call is also to be placed in the framework of the EU disability strategy built on three pillars: (1) EU anti-discrimination legislation and measures, which provide access to individual rights; (2) eliminating barriers in the environment that prevent disabled people from exercising their abilities, and (3) mainstreaming disability issues in the broad range of Community policies which facilitate the active inclusion of people with disabilities.

In order to provide a dynamic framework for the EU disability strategy a rolling multi-annual series of EU Disability Action Plans (DAP) are established by the European Commission to ensure a coherent long term policy follow-up to the European Year of Disabled People in the enlarged Europe.

The EU Disability Strategy is spelled out in three Commission Communications<sup>1</sup>:

- Communication from the European Commission on establishing equal opportunities for people with disabilities: a European Action plan. (COM/2003/650)
- Communication from the European Commission on the situation of disabled people in the enlarged European Union: the European Action plan 2006 – 2007 (com/2005/604).
- Communication from the European Commission on the situation of disabled people in the European Union: the European Action Plan 2008-2009 (COM/2007/738)

The present third phase of the EU Disability Action Plan for 2008-2009 determines five priorities:

1. fostering accessibility of the labour market; (with explicit reference to supported employment and flexicurity)
2. boosting accessibility of goods, services and infrastructures;

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<sup>1</sup> These and other relevant documents can be found at:  
[http://ec.europa.eu/employment\\_social/index/7003\\_en.html](http://ec.europa.eu/employment_social/index/7003_en.html)

3. consolidating the Commission's analytical capacity to support accessibility;
4. facilitating the implementation of the UN Convention;
5. and completing the Community legislative framework of protection against discrimination.

The Commission considers that disability is an issue of human rights and thus not a matter of discretion. The disability strategy therefore aims at the elimination of discrimination and at providing to people with disabilities the same rights as non-disabled people, not only in theory but also in practice. This requires adequate policies, legislation and actions aiming at equal opportunities and defined together with disabled people themselves.

The EU and EFTA<sup>2</sup>-EEA<sup>3</sup> perceives disability essentially as the result of the dynamic interaction between a person with impairment and his or her environment. This implies the need to ensure that social constructions which lead to discrimination and stigmatisation are eliminated. Very often it is the environment that is disabling rather than the nature of the disability itself. The European Commission approach is an inclusive one, not based on the need to identify separate categories of persons with disabilities but instead focusing on the needs of individuals. This social model of disability also implies a gradual moving away from disability-specific programmes, towards a more mainstreamed and inclusive approach.

As part of this much more inclusive approach, the Commission strongly supports the mainstreaming of disability issues in Community programmes and policies in order to achieve full equality of opportunities for disabled people.

### **2.3 Employment of persons with disabilities, supported employment and the EU flexicurity framework**

In the light of the shrinking working population due to the demographic changes it is more important than ever to ensure that all groups of the population throughout working life are given a real chance to contribute to the output of the society. One of these groups is people with disabilities, as specifically mentioned in Council Conclusion nr 34 of the Spring Council of March 2006. The key challenges Member States are facing with respect to disability policy are low employment rates, a high dependency on benefits, high and increasing public spending on sickness and/or disability benefits as well as an increased poverty risk among those with disabilities. For the moment, only 50% of disabled people are employed compared to 68% of non-disabled. The inactivity rate of people with disabilities is twice that of non-disabled people. Only 15.9% of working disabled persons is provided with some assistance to work. At the same time, 43.7% of respondents believe they could work if they were given adequate assistance.<sup>4</sup>

Access to employment is a right for all individuals. This is clearly highlighted in the UN Convention on the Rights of Persons with Disabilities<sup>5</sup> and in the Charter of Fundamental Rights. The Charter in Article 15 "Freedom to choose an occupation and right to engage in work" states under point 1 that " Everyone has the right to engage in work and to pursue a freely chosen or accepted occupation" and in point 3 that "Nationals of third countries who are authorised to work in the territories of the Member States are entitled to working conditions equivalent to those of citizens of the Union". In practice persons with disabilities

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<sup>2</sup> European Free Trade Area

<sup>3</sup> European Economic Area

<sup>4</sup> Labour Force Survey 2002

<sup>5</sup> In particular - Article 27

are far from being able to enjoy these rights. The relevant European policy framework is constituted by several Guidelines for the Employment policies of the Member States adopted as part of the European Employment Strategy calling for attracting and retaining more people in employment as well as increasing labour supply.<sup>6</sup>

The EU Disability Action Plan 2008-2009 calls for a comprehensive approach to increase the employment rate of people with disabilities through a combination of flexible employment schemes, supported employment, active inclusion, and positive measures complementing the existing European legislation on non-discrimination.

The Common Principles of Flexicurity endorsed by the European Council in December 2007 constitute the common framework for the implementation of integrated flexicurity strategies in the Member States. In line with its Communication on Flexicurity "Towards common principles of Flexicurity: More and better jobs through flexibility and security"<sup>7</sup>, the Commission will explore the opportunities for disabled persons under the Flexicurity framework.

Flexicurity is a means to reinforce the implementation of the Lisbon Strategy, create more and better jobs, modernise labour markets, and promote good work through new forms of flexibility and security to increase adaptability, employment and social cohesion. By increasing adaptation to change and easing transitions between jobs, flexicurity aims at protecting employment and long-term employability rather than particular jobs.

Flexicurity involves the deliberate combination of (1) Flexible and reliable contractual arrangements (from the perspective of the employer and the employee, of "insiders" and "outsiders") through modern labour laws, collective agreements and work organisation; (2) comprehensive lifelong learning strategies to ensure the continual adaptability and employability of workers, particularly the most vulnerable; (3) effective labour market policies that help people cope with rapid change, reduce unemployment spells and ease transitions to new jobs; (4) modern social security systems that provide adequate income support, encourage employment and facilitate labour market mobility. This includes broad coverage of social protection provisions (unemployment benefits, pensions and healthcare) that help people combine work with private and family responsibilities such as childcare. Whereas Flexicurity is explicitly called upon to support gender equality the link with ensuring equal rights for persons with disabilities still needs be made more explicit.

### **3. Subject of the contract**

The contract covers the production of a study Report, a Compendium of good practice on supported employment schemes incorporating integrated flexicurity measures in the European Union and EFTA-EEA and a Directory of supporting services and the organisation of an expert meeting in Brussels. The aim of these products is to contribute to an improvement of the employment rate of person with disabilities.

To that end the study will involve a comparative analysis of supported employment schemes and integrated flexicurity policies which provide personal assistance and workplace adaptations taking into consideration the needs of disabled people in open paid employment. It will highlight the relevance and possibilities of the various forms of supported employment, by mapping and assessing existing practices in the Member States and EFTA-EEA countries, by giving recommendations for better policy design on State level, by illustrating successful

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<sup>6</sup> [OJ L 198. 26.7.2008](#)

<sup>7</sup> COM/2007/539

applications and by facilitating access to support services in order to encourage policy makers, workers and employers alike. Supported employment schemes shall be analysed in the general framework of enhanced labour market flexibility combined with security as described in the Communication on flexicurity.

The definition, design, prevalence and usage of supported employment schemes in the Member States are widely differing. However it is acknowledged that their usage or that of similar schemes has not yet reached its full potential. There is a need to identify good practices showing results in terms of quantity and quality of growing employment in the open labour market for persons with disabilities. The research should also lead to policy recommendations to increase the use and effectiveness of supported employment.

Supported Employment shall be defined in a general sense as providing support to people with disabilities to secure and maintain paid employment in the open labour market. It may aim to facilitate the first entry into the labour market, to facilitate transitions from sheltered to regular employment or it can be a part of a rehabilitation measure. It covers all kinds of measures, providing personal assistance and workplace adaptations taking into consideration the needs of disabled people in open paid employment.

Design of supported employment process can for example consist of various elements like (1) initial information and identification services engaging the candidates, (2) vocational profiling including the identification of skills and preferences for work, (3) job finding by matching the profile with a suitable job and finding an employer, (4) workplace arrangements engaging the employer, (5) on/off the job support supporting the integration into the job and the workplace.

Seeing supported employment as an active labour market policy, it is also important to include the role of public employment services in the analysis.

Further it is important to take account of any relevant activities at European level (e.g. peer reviews, expert exchanges like those in the context of Employment Committee) that might take place on the topic (or on job retention schemes preventing early exit from the employment market and orientations for the reform of financial compensation providing income replacement) during the time the study is carried out and to prepare the study output in a way that it can be used as input to such activities.

#### **4.Participation**

Please note that:

- The competition is open to any physical person or legal entity coming within the scope of the Treaties and any other physical person or legal entity from a third country which has concluded with the Communities a specific agreement in the area of public contracts, under the conditions provided for in that agreement.
- Where the Multilateral Agreement on Public Contracts concluded within the framework of the WTO applies, the contracts are also open to nationals of States that have ratified this Agreement, under the conditions provided for therein. It should be noted that research and development services, which come under category 8 of Annex II A of Directive 2004/18/CE, are not covered by this Agreement.

## **5.Task to be carried out by the contractor**

### **5.1 Description of the Tasks**

The contractor will produce a study Report, a Compendium of good practice on supported employment schemes incorporating integrated flexicurity measures in the European Union and EFTA-EEA countries and a Directory of supporting services, in regular and close co-operation with the European Commission (DG EMPL, Unit G3 Integration of People with Disabilities). In particular the contractor will undertake the following tasks:

#### **A - Mapping and analysis of national supported employment schemes and integrated flexicurity measures**

An overview of existing supported employment or similar measures in the EU and EFTA-EEA countries shall be achieved and show what measures are achieving good results. Therefore the contractor shall collect and analyse information in the 27 EU Member States and the countries of the European Economic Area (Norway, Iceland, Liechtenstein). It is equally important to highlight where supported employment or similar schemes do not exist.

The overview by Member State shall describe the concepts and their usage and their effectiveness be assessed. This shall include the identification of the legal basis, embedding in social, welfare and labour market policies, structure of maintenance and constellation and responsibilities of cooperating services (e.g. public employment services), financial ceilings, quantitative information on usage and caseloads, general impact assessment.

The following questions shall be answered:

#### **1. Definition and benchmarking with similar or related services per Country**

- Is there a “supported employment” scheme, or anything similar under another name?
- What is the precise definition used for supported employment (or equivalent) and what for sheltered employment?
- What type of “job-coaching” is used?
- By whom is the job coaching performed?
- Are there any transition measures between sheltered and supported employment?
- How is supported employment used to facilitate the entry and stimulate the integration of people with disabilities in the open labour market?
- What are the other vulnerable groups it is used for?
- Is supported employment always about paid jobs in the open labour market, or does it also involve placements with training fees, jobs in a (semi-) sheltered environment etc.
- Is supported employment identified as an active labour market measure, and identified and described as such in the National Reform Programme?
- How is supported employment combined with any other ALMP, like wage subsidies?
- Is there an integrated flexicurity approach, deliberately combining the four components of flexicurity?
- What is the average duration of formal supports? Is there an upper limit to access to the services of the job coach?

- Are there specific eligibility requirements in order to qualify for supported employment services e.g. a particular type of impairment or level of functioning?
- Is there an opportunity for those in supported employment to gain external recognition of the skills and knowledge they gain?
- Is there a limitation with regard to the level of disability? Can all persons with disabilities make use of supported employment and its access to the services, linked to the level of support needs?
- Is there any training for staff providing support services? If so, please specify.
- Are there any flexicurity measures for persons with disabilities that are different from those for the general population?

## **2. Funding**

- How is supported employment financed? What are the sources? Only with public money? Which services contribute/cooperate?
- The benefit trap: is it really an advantage for people with disabilities to get out of a benefit and into a job in the open labour market?
- How flexible is it to enter and leave the benefit system when leaving a job?
- Does work pay? What is the net difference between unemployment with benefits and employed without benefits?
- What financial incentives are available for employers and employees?

## **3. Monitoring**

- How is supported employment monitored? Who monitors? Are any targets set? Is there information on case loads?
- Are any statistics available on the extent of its use and on its success rate, and if yes, where?
- Paid vs. unpaid jobs: are there data on how many of the jobs obtained are 'real' paid jobs? How many are rather training placements with participants receiving a training fee? Are there data on job retention?
- Is it considered as a successful and efficient method? On what ground?
- What types of jobs are usually targeted by supported employment services?
- Are supported employment workers assisted to change jobs?
- Are there organisations offering individual future career planning in the context of supported employment?
- What data are collected on flexicurity measures and their longer term results for persons with disabilities and their employers?
- Is there an impact evaluation of activation measures on employment?

## **4. The role of (public) employment services (PES)**

- How is supported employment integrated in the services of PES?
- Is PES personnel trained to provide supported employment services?
- Are private providers/employment services providing supported employment services?
- If yes, do they have performance targets and what kind?
- Does a stakeholder forum exist focusing on employment of people with disabilities, including all actors (people with disabilities, social service providers, local authorities, researchers etc?)
- What is their role in promoting/ developing integrated flexicurity schemes?

## **5. The role of other services and key actors**

- What are the other services involved in the supported employment process in your state and how do they cooperate (social service, housing, transport, etc)?
- What is the role of specific service providers like rehabilitation services?
- What is the role of social partners in general and trade unions in particular?
- What is the role of non governmental organisations representing people with disabilities?
- What is the role of cooperative structures and how are they organised?

#### **6. Meeting employers' needs:**

- How good, efficient, quick is the job matching?
- What about employer satisfaction?
- Any data on how intensive/frequent the contact with employers is?
- Any data on what kind of enterprises (public/private, size, ...) are worked with most and in the most successful way?
- Any 'success methods' or appropriate training on meeting employers' needs?
- Is there any cost-benefit information for employers?

#### **7. Meeting the employee's needs**

- What is the average income of workers in supported employment?
- What is the drop out rate from supported employment services?
- Is there any information about the job satisfaction of supported employment workers?
- What about their income security?
- How are experiences with physical and functional workplace environment to specific employee's needs?

#### **8. General questions**

- What are the main advantages of supported employment?
- What are the main pitfalls?
- How can its use and effectiveness be maximised?
- To which extent could it be used for other vulnerable groups?
- What is the impact of the economic crisis on the resources made available for support schemes (in a time when support is likely to be more needed than before)?
- What are the general experiences with supported employment from a user perspective?
- Are supported employment professionals and support staff trained (training for: job coach, job finder, job carver, general).
- Does cooperation with (special needs education) schools and training centers with the focus on transition from school to adult life exist, to prevent segregation?
- How do supported employment and flexicurity interact?

Furthermore supported employment has to be put in the context of European goals and policies (social inclusion, Employment Strategy, compliance with other European legislation such as the Employment Equality Directive 2000/78/EC, European disability strategy and the UN Convention on the Rights of Persons with Disabilities, etc.)

#### **B - In depth analysis**

In addition to the general analysis of supported employment an in depth analysis of at least five countries (selection to be agreed with the Commission based on a proposal of the bidder

with the aim to have the most representative selection) shall be conducted. This analysis shall focus in greater detail than under A on the interaction between supported employment schemes and the Flexicurity approach. Reference shall be made to the relevant research and key documents in particular the European Commission's Communication on the common principles of Flexicurity.<sup>8</sup> It has to be assessed:

(a) How the integrated approach and inclusive concept of Flexicurity can best be applied for the benefit of people with disabilities;

(b) where the application of Flexicurity principles contributes positively to the employment situation of people with disabilities;

(c) where and in what way national policies considered Flexicurity principles in adapting employment policies for people with disabilities in the recent years and what Flexicurity elements are applied in supported employment policies;

(d) how such measures can be used to comply with the obligations of State Parties set in Article 27 of the UN Convention on the Rights of Persons with Disabilities.

### **C - Compendium of good practice**

During the mapping and analysis phase the contractor shall develop criteria for the identification of good practice in the field of supported employment and present at least:

- Five national policies including the underlying funding and share of responsibility of involved services and other relevant organisations analysed in the framework of flexicurity that are addressing the needs or are inclusive of the needs of persons with disabilities;

- Nine positive employers' experiences with supported employment schemes;

- Nine positive employees' experiences.

The examples shall cover a wide variety of cases like different kinds of impairments, different company sizes different geographical regions and new and old member states, EU and EFTA-EEA countries

The collected examples shall also be presented in form of a text that can be used as stand alone document including a preface that is suitable for distribution to the general public, possibly together with the directory of supporting services mentioned below.

### **D – Directory of supporting services (address book)**

In the course of the study, data on relevant services in the European countries which can support employers and employees shall be collected and listed covering the 27 EU Member States and the countries of the European Economic Area (Norway, Iceland, Liechtenstein). Data collected shall comprise at least: the name, address, website, email address and telephone number of the service.

The collected data shall also be presented in the form of a stand alone document in such a way that it can be easily used by the general public (requirements for language, lay-out, users instruction, table of contents, index etc).

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<sup>8</sup> COM (2007) 359

## **E- Policy Recommendations**

The analysis on supported employment shall lead to conclusions and policy recommendations with a focus on:

- (a) How supported employment schemes can be successfully introduced or their effectiveness improved, their usage increased;
- (b) what role the EU level can play to increase the utilisation of supported employment in the Member States and EFTA-EEA countries (e.g. Legislation, funding through Structural Funds, priorities for the new disability strategy etc.);
- (c) how integrated Flexicurity policies or specific measures can contribute to successful integration of persons with disabilities in the labour market;
- (d) how the EC can comply with its relevant obligations under the UN Convention on the Rights of Persons with Disabilities, in particular in Article 27, and how it can help the Member States and EFTA-EEA countries to comply with theirs?

These recommendations shall be presented separately from the chapter with conclusions of the study report.

## **F- The organisation of an expert meeting**

The draft final report shall be presented and discussed during an expert meeting of not longer than one day at the Commission's premises in Brussels. Participants are 7-15 experts and Commission representatives. The discussions of this meeting shall feed into the final study report. The meeting should be scheduled to take place between the end of month 11 and the end of the contract period and allowing sufficient time to incorporate the meeting's findings into the final report.

### **5.2 Guide and details on how the tasks are to be carried out**

The PROGRESS Programme aimed at promoting gender mainstreaming in all its five policy sections and commissioned or supported activities. Consequently, the Contractor will take the necessary steps to ensure that its proposed team and/or staff respects the gender balance at all levels. It will also pay due attention when appropriate to the gender dimension of the service he is asked to deliver as detailed in the description of tasks.

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

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

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

At the end of the work, the Contractor should provide all relevant information, results and products in a suitable format for presentation as a news item on the DG's website<sup>9</sup>. The Contractor should provide: a short summary of the outcomes in English, French and German; related documents (pdf with table of contents and internal hyperlinks); related links; images and/or graphical elements.

## **6. Professional qualifications required**

See Annex IV of the draft contract, experts' CVs.

Any replacement of experts during the period covered by the contract has to be submitted as a preliminary to the European Commission for agreement

## **7. Time schedule and reporting**

See Article I.2. of the contract.

### **7.1 Publicity and information requirements**

In accordance with the General conditions, all contractors are under the obligation to acknowledge that the present service has been commissioned for the Community in all documents and media produced, in particular final delivered outputs, related reports, brochures, press releases, videos, software, etc, including at conferences or seminars. In the context of the Community Programme for Employment and Social Solidarity – PROGRESS, the following formulation shall be used:

*This (publication, conference, training session etc) is commissioned under the European Community Programme for Employment and Social Solidarity - PROGRESS (2007-2013).*

*This programme is managed by the Directorate-General for Employment, social affairs and equal opportunities of the European Commission. It was established to financially support the implementation of the objectives of the European Union in the employment and social affairs area, as set out in the Social Agenda, and thereby contribute to the achievement of the Lisbon Strategy goals in these fields.*

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

*PROGRESS mission is to strengthen the EU contribution in support of Member States' commitment. PROGRESS will be instrumental in:*

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

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<sup>9</sup> <http://ec.europa.eu/social>

*For more information see:*

[http://ec.europa.eu/employment\\_social/progress/index\\_en.html](http://ec.europa.eu/employment_social/progress/index_en.html)

## **7.2 Calendar**

The duration of the tasks shall not exceed 14 months. The starting date will be the date on which the contract is signed by the last contracting party.

## **7.3 Reports**

The following reporting requirements are expected:

### **a. Inception note**

An inception note in English - including the methodological and structural part of the work - indicating the scope of research should be delivered **within 1 month** after the starting date on which the contract is signed by the last contracting party.

### **b. Interim technical report**

An interim report containing - an executive summary of maximum 2 pages in English, a comprehensive report of the work carried out including the interviews, the analysis and the conclusions in English, a methodology note (legislation and literature reviewed, interviews carried out, data or database used) should be delivered **within 6 months** after the starting date of the contract.

### **c. Draft final report**

A draft final report containing - a comprehensive report of the work carried out including the analysis and the conclusions in English, a methodology note (legislation and literature reviewed, interviews carried, data or database used) should be delivered **within 12 months** after the starting date on which the contract is signed by the last contracting party taking into account the comments of the Commission on the draft final report.

A preparatory version of the draft final report shall be presented and discussed during an expert meeting at the Commission's premises in Brussels. (7-15 experts and Commission representatives). The discussions of this meeting shall feed into the final study report. The meeting has to be organised by the successful bidder and all costs have to be covered by the bid (accessibility, personal assistance for the participants if needed, interpretation, travel and subsistence for participants).

The meeting should be scheduled to take place between the end of month 11 and the end of the contract period and allowing sufficient time to incorporate the meeting's findings into the final report.

### **d. Final report**

1. A final accessible report in English containing - a comprehensive description of the work carried out, a methodology note (legislation and literature reviewed, questionnaire, interviews carried out, data or database used, etc.) proofread by an English native speaker.
2. the concrete deliverables (all in electronic form (word or pdf and in paper copy):

- The study report covering tasks A, B and E mentioned above and shortly describing the production of C and D in the form of a document ready for publication (max. 150 pages), clearly structured including a summary in English, French and German, a separate chapter on Conclusions as well a separate chapter on Recommendations;
- the Compendium of Good Practice also including a short preface (indicative size max. 60 pages);
- The Directory of supporting services in the EU 27 and the countries of the European Economic Area (Norway, Iceland, Liechtenstein) (address book);
- a short expert meeting report (task F) including general information and the participant's contributions (max. 20 pages).

The final report shall be delivered at the **latest 14 month** after signature of the contract taking into account the comments of the Commission on the draft final report.

## **8. Progress Programme reporting requirements**

*PROGRESS* will be implemented through a results-based management - RBM. Managing for outcomes and results is about working to maximise results for European citizens. This includes:

- Identifying the most important results for European citizens;
- Managing for these results, including setting clear desired results, implementing plans based upon these results and learning about ‘what works’ in the process;
- Seizing opportunities to work together whenever this helps achieve the results.

As a first step, a Strategic Framework for the implementation of *PROGRESS* has been developed in collaboration with Member states and organisations from the civil society. The Strategic Framework provides the framework for implementing *PROGRESS*, complemented by the Performance Measurement, which defines *PROGRESS* mandate, its long-term and specific outcomes. See in Annex the overview of *PROGRESS* performance measurement framework. For more information on the strategic framework, please visit *PROGRESS* website.

The Commission will in that context monitor the effect of *PROGRESS* supported or commissioned initiatives and considers how these initiatives contributes to *PROGRESS* outcomes as defined in the Strategic Framework. In that context, the Contractor will be asked to loyally work in close cooperation with the Commission and/or persons authorised by it to define their expected contributions and the set of performance measures against which their contribution will be assessed. The Contractor will be asked to collect and report on its own performance to the Commission and/or persons authorised by it against a template which will be annexed to the contract. In addition, the Contractor will make available to the Commission and/or persons authorised by it all documents or information that will allow *PROGRESS* performance measurement to be successfully completed and to give them the rights of access.

## **9. Payments and standard contract**

In drawing up the bid, the tenderer should take into account the provisions of the standard contract comprising the "General terms and conditions applicable to service contracts". In particular, as mentioned in the section on "Guide and details on how the tasks are to be carried out" (point 5.2), the Contractor is required to detail in its final activity report its achievements in meeting the described equal opportunities provisions.

Payments will be made on receipt of the corresponding invoices, according to the following schedule:

- Prefinancing

Following signature of the Contract by the last contracting party, within 30 days of the receipt by the Commission of a request for pre-financing with a relevant invoice, a pre-financing payment equal to 20% of the total amount referred to in Article I.3.1 of the contract shall be made.

- 2 Interim Payments

Request for a *first interim payment* by the Contractor shall be admissible if accompanied by :

- the interim technical report in accordance with the instructions laid down in Annex I of the draft contract,
- the relevant invoices, provided the report has been approved by the Commission.

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

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

Request for a *second interim payment* by the Contractor shall be admissible if accompanied by

- the draft final report in accordance with the instructions laid down in Annex I of the draft contract,
- the relevant invoices, provided the report has been approved by the Commission.

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

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

- Payment of the balance

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

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

provided the report has been approved by the Commission.

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

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

## 10. Prices

The Commission is exempt from all duties, taxes and other charges, including VAT, under Articles 3 and 4 of the Protocol on the Privileges and Immunities of the European Communities; these may not therefore be incorporated in the calculation of the tender price.

Prices must be indicated in Euro (€) exclusive of VAT<sup>10</sup> (using, where appropriate, the conversion rates published in the C series of the Official Journal of the European Union on the day when the invitation to tender is issued), and broken down according to the model in Annex III included in the attached standard contract. The amount of VAT should be shown separately.

Prices must be fixed amounts, and will be firm and final. No price revisions will be accepted during the full duration of the contract.

The maximum amount available for this contract is **€350.000**, contingencies included, if any. Tenderers should note that any bids exceeding this limit will not be considered.

### Professional fees and direct costs

- Fees, expressed as the number of person-days multiplied by the unit price per working day for each expert proposed. The unit price should cover the experts' fees and administrative expenditure.
- Other direct costs (please specify in detail).
  - any translation expenses
  - Travel expenses (other than local transports costs)
  - Subsistence expenses of the contractor and his staff or other people involved in the work (covering the expenditure incurred by experts on short-term trips outside their normal place of work).
  - Expenses for the shipment of equipment or unaccompanied, luggage directly connected with performance of the tasks specified in Article I.1 of this draft contract.

### **The total price (Maximum € 350.000)**

## 11. Groupings of economic operators or consortia

Tenders can be submitted by groupings of service providers/suppliers who will not be required to adopt a particular legal form prior to the contract being awarded, but the

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<sup>10</sup> But including all other taxes and/or duties that the contractor might have to pay according to the fiscal legislation of the relevant country

consortium selected may be required to assume a given legal form when it has been awarded the contract if this change is necessary for proper performance of the contract<sup>11</sup>. However, a grouping of economic operators must nominate one party to be responsible for the receipt and processing of payments for members of the grouping, for managing the service administration, and for coordination. The documents required and listed in the following points 12 and 13 must be supplied by every member of the grouping.

Each member of the grouping assumes a joint and several liability towards the Commission.

## **12. Exclusion criteria and supporting documents**

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

*Those articles are as follows :*

*"Article 93 :*

*Applicants or tenderers shall be excluded if:*

- a) they are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;*
- b) they have been convicted of an offence concerning their professional conduct by a judgement which has the force of res judicata;*
- c) they have been guilty of grave professional misconduct proven by any means which the contracting authority can justify;*
- d) they have not fulfilled their obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established or with those of the country of the contracting authority or those of the country where the contract is to be performed;*
- e) they have been the subject of a judgement which has the force of res judicata for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the Communities' financial interests;*
- f) they are currently subject to an administrative penalty referred to in Article 96(1)<sup>12</sup>.*

*(...)*

*Article 94 :*

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

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<sup>12</sup> "Article 96(1): The contracting authority may impose administrative or financial penalties on the following:

(a) candidates or tenderers in the cases referred to in point (b) of Article 94;

(b) contractors who have been declared to be in serious breach of their obligations under contracts covered by the budget.

(...)"

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

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

#### Article 134 of the Implementing Rules – Evidence

§3. The contracting authority shall accept as satisfactory evidence that the candidate or tenderer to whom the contract is to be awarded is not in one of the situations described in point (a), (b) or (e) of Article 93(1) of the Financial Regulation, a recent extract from the judicial record or, failing that, 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 candidate or tenderer is not in the situation described in point (d) of Article 93(1) of the Financial Regulation, a recent certificate issued by the competent authority of the State concerned.

Where the document or certificate is not issued in the country concerned, it may be replaced by a sworn or, failing that, a solemn statement made by the interested party before a judicial or administrative authority, a notary or a qualified professional body in his country of origin or provenance.

§4. Depending on the national legislation of the country in which the candidate or tenderer is established, the documents referred to in paragraph 3 shall relate to legal persons and/or natural persons including, where considered necessary by the contracting authority, company directors or any person with powers of representation, decision-making or control in relation to the candidate or tenderer.

***See Annex I (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.***

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

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

## 13. Selection criteria

### 13.1 Economic and financial capacity to carry out the study demonstrated as follows:

- the tenderer must provide proof of turnover in the last financial year at least equivalent to 100% of the proposed price of the contract;
- balance sheets from the last two financial years, where publication of the balance sheets is required under company law in the country in which the service provider is established;
- if the tenderer cannot provide these documents, his bid must be accompanied by evidence that there is no legal obligation to annually publish the turnover and/or the balance sheet. In this case, a bank declaration providing evidence of good financial standing of the tenderer may be accepted by the contracting authority.

### 13.2 Technical and professional capacity for carrying out the project:

- A list of the main works carried out by the tenderer in relation to the subject of this call for tender over the past 3 years proving merits and experience in **micro-economic analytical studies and/or labour market policy evaluation addressing also employment of persons with disabilities**. In the case of tenders from consortia this list must be provided by each member of the consortium. Where the work was undertaken for the European Commission, the candidate must also indicate the reference number of the Commission contract and the department for which the contract was performed.
- Good experience in the specific field of the study (in particular on academic and research activities in the area disability and employment), as attested by the CVs and related documentation of experts proposed. The details of educational and professional qualifications of all the persons providing the services have to be included.
- the coordinator must certify his team's ability to work in all the languages which are necessary to properly carry-out in the respective countries the tasks mentioned in article 5 of the terms of reference, (including those of the new Member States); covering at least the 3 working languages of the Commission (English, French, German).
- A list of co-ordinator(s) and experts proposed, together with their CVs and qualifications and professional capacities including linguistic capabilities.
- Proof of enrolment in one of the professional trade registers or a declaration or certificate, as prescribed in the legislation of the country in which the tenderer is located.
- In the case of tenders from consortia: clear identification of the co-ordinator of the work who will also be responsible for signing the contract, and written confirmation from each member of the consortium that they would be ready and willing to participate in the work, and briefly describing their role.

## 14. Award criteria

The contract will be awarded to the tenderer whose offer represents the best value for money, taking account the criteria listed and total price.

- The level of understanding of the nature of the assignments, its context and the results to be achieved: **40%**:

Nature of assignment: The lead contractor should explain his conceptual approach for undertaking the study in accordance with the overall purpose and aim as set out in the tender specifications: **(20%)**

Context and results to be achieved: The lead contractor should clearly define the required analysis, the issues to be addressed and the nature of the outcome to be achieved: **(20%)**

- The quality and appropriateness of the methodological approach proposed for the study. This will be assessed through the working methods and strategy proposed by the tenderer: **60%**:

Methodology: The lead contractor should describe the way in which the analyses will be undertaken, i.e. the various steps envisaged, the documentary efforts undertaken, and the collection of data necessary **(30%)**

Strategy: The lead contractor should explain how the various parts of the analysis will be integrated into the conceptual approach **(30%)**

Offers scoring less than 50% for any criterion will be deemed to be of insufficient quality and eliminated from further consideration.

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

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

## **15. Content and presentation of bids**

### **15.1 Content of the bids**

Tenders must include:

- a signed and dated letter of introduction;
- The tenderer's name, full address, telephone and fax numbers and e-mail address;
- The name and function of the Contractor's legal representative (person authorised to act on behalf of the Contractor in any legal dealings with third parties);
- all information and documents necessary to enable the Commission to appraise the bid on the basis of the selection and award criteria (see points 13 and 14 above) and taking into account the exclusion criteria (see point 12 above);
- Detailed information on the work programme as described in points 5 and 14;
- a "legal entity" form duly completed;
- The full statutes, which must also demonstrate proof of eligibility; tenderers must indicate the State in which they have their headquarters and must provide the evidence required under their national law;
- VAT number or proof of exemption;
- a bank ID form duly completed and signed by the bank;
- The details of the price proposed, presented in accordance with point 10 above
- Documents demonstrating economic and financial capacity as specified in point 13 above

## **15.2 Presentation of the bids**

- Bids must be submitted in triplicate (one original and two copies).
- They must include all the information required by the Commission (see points 9, 10, 11 and 12 above).
- They must be clear and concise.
- They must be signed by the legal representative.
- They must be submitted in accordance with the specific requirements of the invitation to tender, within the deadlines laid down.