
Specifications – Invitation to Tender VT/2011/3

NETWORK OF INDEPENDENT EXPERTS ON SOCIAL INCLUSION

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TITLE OF THE CONTRACT

Network of Independent Experts on Social Inclusion

VT/2011/3

Contract notice n°

1. BACKGROUND

1.1. The Europe 2020 Strategy

The Europe 2020 Strategy¹ launched by the European Commission in March 2010 sets out a new economic strategy to go out of the crisis and prepare EU economy for the next decade.

Europe 2020 puts forward three mutually reinforcing priorities:

- Smart growth: developing an economy based on knowledge and innovation.
- Sustainable growth: promoting a more resource efficient, greener and more competitive economy.
- Inclusive growth: fostering a high-employment economy delivering social and territorial cohesion.

Five targets are set which define where the EU should be by 2020 and against which progress can be tracked, and which Member States has been asked to translate into national targets reflecting starting points:

- 75 % of the population aged 20-64 should be employed
- 3% of the EU's GDP should be invested in R&D
- The "20/20/20" climate/energy targets should be met
- The share of early school-leavers should be below 10% and at least 40% of the younger generation should have a degree or diploma.
- Promoting social inclusion, in particular through the reduction of poverty, by aiming to lift at least 20 million people out of the risk of poverty and exclusion.

Inclusive growth – a high employment economy delivering, social and territorial cohesion.

Inclusive growth means empowering people through high levels of employment, investing in skills, fighting poverty and modernising labour markets, training and social protection systems so as to help people anticipate and manage change, and build a cohesive society. It is also essential that the benefits of economic growth

¹ EUROPE 2020 A strategy for smart, sustainable and inclusive growth COM(2010)2020 final
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52010DC2020:EN:HTML>

spread to all parts of the Union, including its outermost regions, thus strengthening territorial cohesion. It is about ensuring access and opportunities for all throughout the lifecycle. Europe needs to make full use of its labour potential to face the challenges of an ageing population and rising global competition.

Action under this priority will require modernising, strengthening employment, education and training policies and social protection systems by increasing labour participation and reducing structural unemployment, as well as raising corporate social responsibility among the business community.

Access to childcare facilities and care for other dependents will be important in this respect. Implementing flexicurity principles and enabling people to acquire new skills to adapt to new conditions and potential career shifts will be key.

A major effort will be needed to combat poverty and social exclusion and reduce health inequalities to ensure that everybody can benefit from growth. Equally important will be the ability to meet the challenge of promoting a healthy and active ageing population to allow for social cohesion and higher, longer productivity.

1.2. The European Platform against poverty

In order to meet the targets of the Europe 2020 strategy, the Heads of States and Governments adopted a series of flagship initiatives. Among these initiatives the **European platform against poverty**² sets out ways to help Member States move up a gear in fighting social exclusion and thus ensuring economic, social and territorial cohesion by helping the poor and socially excluded and enabling them to play an active part in society.

It identifies following areas for action:

- Delivering actions across the policy spectrum;
- Greater and more effective use of the EU Funds to support social inclusion;
- Promoting evidence-based social innovation;
- Working in partnership and harnessing the potential of the social economy;
- Enhanced policy coordination among the Member States

1.3. The Open Method of coordination for social protection and social inclusion

² Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - The European Platform against Poverty and Social Exclusion: A European framework for social and territorial cohesion COM (2010)758final - <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2010:0758:FIN:EN:PDF>

Commission Staff Working paper- List of key initiatives Accompanying document to the Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - The European Platform against Poverty and Social Exclusion: A European framework for social and territorial cohesion COM(2010) 758 final - <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52010SC1564:EN:NOT>

The Open Method of Coordination for social inclusion (OMC) was launched in 2001 as a comprehensive process of coordination at EU level. Later on it was extended to pensions, health and long term care and became the Open Method of coordination for social protection and social inclusion.

Common objectives for social inclusion were defined and Member States were invited to present national action plans (NAP social inclusion), underpinned by indicators and monitoring mechanisms.

In July 2008 the European Commission published a Communication on "A renewed commitment to social Europe: Reinforcing the Open Method of Coordination for Social Protection and Social Inclusion"³ as part of its Renewed Social Agenda. On the basis of a review of existing evidence on the effectiveness of the OMC the Communication concludes that while the Social OMC has become an important tool to foster cooperation and coordination of Member States in the field of social inclusion and social protection its potential is largely underused and a number of weaknesses need to be addressed. The Communication contains a number of proposals aimed at:

- Increasing political commitment and visibility of the process in order to enhance delivery;
- Strengthening the positive articulation with other EU policies, through better mainstreaming of social objectives in other policy areas and particularly through better interaction with the "growth and jobs" strategy;
- Reinforcing the analytical tools underpinning the process, with a view to move towards the definition of quantified targets and enhance evidence-based policy making;
- Increasing ownership in Member States, boosting implementation and enhancing mutual learning, through better monitoring mechanisms, better stakeholders' involvement and more effective horizontal and vertical governance arrangements.

The integration of the Social OMC into the Europe 2020 strategy provides a stronger basis for the EU to meet its social goals. It is important that the instruments and tools that have been developed under the Social OMC cross-fertilise with the governance architecture of Europe 2020, to best serve the purposes of the new strategy. Therefore, the Commission will continue to work with Member States and key stakeholders and foster solutions that ensure ownership, commitment and delivery. The Commission will discuss with Member States and other institutional and non-institutional actors, how to best adapt the working methods of the Social Open Method of Coordination to the new governance of Europe 2020. An external assessment of the *Effectiveness and the impact of the Social OMC in preparation of the new cycle* has also been

³ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - "A **renewed commitment to social Europe**: Reinforcing the Open Method of Coordination for Social Protection and Social Inclusion" COM(2008)418final - <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52008DC0418:EN:HTML>

conducted. The Commission will present a report before the end of 2011 summarising the orientations emerged and the follow up it will give to it.

The EPSCO Council conclusions of 6 December 2010 on *The Social dimension in the context of an integrated Europe 2020 Strategy*⁴ invites the Commission to support the work of the Social Protection Committee (SPC) in its areas of competence of the social dimension of Europe and The SPC is invited to ensure the monitoring of the social situation and the development of social protection policies, including an assessment of the social dimension of Europe 2020.

1.4. PROGRESS

PROGRESS⁵ is the EU employment and social solidarity programme, set up to provide financial support for the attainment of the European Union's objectives in employment, social affairs and equal opportunities as set out in the Social Agenda⁶, as well as to the objectives of the Europe 2020 Strategy. This new strategy, which has a strong social dimension, aims at turning the EU into a smart, sustainable and inclusive economy delivering high levels of employment, productivity and social cohesion. The European Union needs coherent and complementary contributions from different policy strands, methods and instruments, including the PROGRESS programme, to support the Member States in delivering on the Europe 2020's goals.

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

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

⁴ http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/lsa/118244.pdf

⁵ Decision No 1672/2006/EC of the European Parliament and of the Council of 24 October 2006 establishing a Community Programme for Employment and Social Solidarity — Progress, JO L 315 of 15.11.2006

⁶ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - Renewed social agenda: Opportunities, access and solidarity in 21st century Europe COM/2008/0412 final of 02.07.2008.

The present call for tenders is issued in the context of the implementation of the 2011 annual work plan which can be consulted at <http://ec.europa.eu/social/main.jsp?catId=658&langId=fr>

The Commission is assisted by a Network of Independent Experts on Social Inclusion for the assessment of national social inclusion policies, in the context of the Europe 2020 strategy, and for the analysis and assessments on specific issues in the field of poverty and social inclusion. The management of this network has for several years been part of a contract including also the management of Peer Reviews and the communication strategy related to both activities.

The Commission has decided to separate these activities in two different contracts.

This call for tender is aimed at the management of a Network of Independent Experts on Social Inclusion.

2. SUBJECT OF THE CONTRACT

The subject of the contract is to provide support services to the Commission for the management of the Network of Independent Experts on Social Inclusion.

The **Network of Independent Experts on Social Inclusion** shall assist the Commission by providing independent:

- Information and expert assessment on any significant development relevant for social inclusion, such as changed legislative frameworks, budgetary allocations, socio-economic or political developments, including thematic reviews;
- Analyses of the actual implementation of the Europe 2020 strategy at both national and local level, including governance aspects
- Identification of necessary policy reforms, policy orientations and potential national targets
- Assessment of the use of Structural Fund in the field of social inclusion.

The Network of Independent Experts on Social Inclusion will contribute to assessing how the Member States and participating countries' social inclusion policies are tackling the key challenges with regard to the social inclusion objectives of the Europe 2020 strategy, and how the measured performance in terms of social inclusion is progressing in relation to national and European targets. In addition, the network will contribute to assessing the interlinkages between the activities carried out in the framework of the Open Method of Coordination for Social Protection and Social Inclusion and the implementation of the Europe 2020 NRPs and the integrated guideline 10. For candidate and EEA countries, assessments of equivalent scope will be carried up.

The experts will produce and regularly update profiles available to the Commission on the Member States. The profiles will include key data and give an overview of current policies and trends. In addition, the experts will produce two in-depth reports per year.

The reports and assessments should confront the strategies and policies of the Member States with relevant non-official views, including from stakeholders and people experiencing poverty, and allow the Commission to assess to what extent the policy

approaches taken by the Member States support the Europe 2020 strategy and an assessment of how the Member State progress with regard to the challenges identified.

Reports may also contain an update on national trends and policy developments in thematic fields which are deemed relevant in the context of the EU policy coordination process on social inclusion, as well as reporting on the involvement of relevant stakeholders in the social inclusion process and on other governance issues.

The support services to the Network of Independent Experts on Social Inclusion are to be delivered by the contractor through a core team (the Network Core Team) that includes members with social inclusion expertise, assisted by the social inclusion experts, working under its responsibility and in close contact with the geographical desks of Commission Direction General Employment, Social Affairs and Inclusion. The Network Core Team will be lead by a Project Director, who will be the European Commission's main contact point. The Network Core Team will steer and coordinate the activities of the Network of Independent Experts on Social Inclusion, liaise with the Commission, and process their contributions into regular reports for publication or just for the Commission, as appropriate. The reports for publication will be made available on the Website "[Peer Review in Social Protection and Social Inclusion and Assessment in Social Inclusion](#)" and on the [website of DG EMPL](#).

The experts should exchange information and collaborate with other groups of experts supported by the Progress programme, such as:

- [European Network of Legal Experts in the non-discrimination field](#)
- [Network of socio-economic experts focusing on most forms of discrimination](#)
- [Government expert group in the field of non-discrimination and the promotion of equality](#)
- [The Network of experts on employment and gender equality issues](#)
- [The Network of experts in gender equality, social inclusion, health and long-term care](#)

3. PARTICIPATION

Please note that:

The competition is open to any natural person or legal entity coming within the scope of the Treaties and any other natural 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.

4. TASKS TO BE CARRIED OUT BY THE CONTRACTOR

4.1. GEOGRAPHICAL COVERAGE

The contract will cover:

- the 27 Member States,
- Iceland,
- Lichtenstein,
- Norway,
- Serbia
- Croatia,
- former Yugoslav Republic of Macedonia and
- Turkey.

The other Western Balkan countries included in the stabilisation and association process may join the PROGRESS Programme upon negotiating Memoranda of Understanding. If, during the contract period, some of these countries start to participate in the Programme, an extension of the contract will be made by negotiated procedure according to Article 126(1)(f) of Commission Regulation n° 2342/2002 (EC, Euratom) laying down detailed rules for the implementation of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities⁷.

4.2. THE NETWORK OF INDEPENDENT EXPERTS ON SOCIAL INCLUSION

The Network of Independent Experts on Social Inclusion is made up of at least one independent expert per participating country as set out under 4.1 Geographical coverage (see above). If, for one country, several experts participate in the network, one of them should have the overall responsibility.

The contractor is responsible for the selection of the experts and will coordinate the activities of the network. The contractor will liaise with the Commission. The annual work programme, the reporting guidelines and deadlines will all have to be agreed with Commission. The contractor will process the experts' contributions into regular reports for the Commission, ensuring quality. The Commission will be consulted on the reports.

The independent social inclusion experts should maintain access to all relevant public documentation at national level and provide regular information covering labour market and social policy developments, as well as socio-economic trends.

Their contributions will usually take the form of:

- general periodic reviews on their respective countries,
- cross-country thematic reviews,
- surveys of innovative practices,
- independent policy assessments,
- regular assessments including through country profiles.

The Commission will facilitate the access of the Experts to contact points in the national ministries and other key partners. It will also keep the Network Core Team

⁷ Official Journal L 357 of 31/12/2002

informed about relevant developments in EU policy, in particular with regard to social inclusion and social protection issues.

The Network Core Team should take stock of the work carried out by the existing network, including the current operational guide⁸, bridging the work of the previous program period with the new period.

4.2.1. Country profiles

The experts will produce country profiles with key data and information on current policy and trends, taking into account especially the Europe 2020 strategy (such as social inclusion targets, integrated guideline 10 and Joint Assessment Framework). For experts from pre and candidate countries the country profiles will be adapted to their situation. To facilitate the use of the information in the work of the Commission, the profiles will be updated twice a year on a regular basis. In addition, the contractor may be requested to provide an ad-hoc update, maximum twice a year. The contractor will need to complete such assignments 3 weeks after such a request was communicated to the Network Core Team. The country profiles should be made available for the Commission through an easy to access manner. The information should be made available in a way that allows for easy incorporation in office documents, such as word, powerpoint and excel files, as well as giving a overall overview of the information. The Contractor will develop the structure, scope of the country profiles to be produced, including how it will be made available, with the approval of the Commission.

4.2.2. Reports

The experts will produce two reports per country per year. The reports will be provided in EN with an approximate length of 25 pages (plus annexes). The timing of these reports is to be agreed with the Commission. It is expected that the independent experts will submit their draft reports within three weeks after the Commission approves the guidance note of the Network Core Team, which is responsible for their distribution and for the coordination of work.

Before submitting their reports, experts can be requested to prepare a 1-2 pages flash report in order to provide the Commission with very timely key information.

On the basis of the country reports, the Network Core Team will produce a synthesis report in English four weeks after the submission of the country reports.

The contractor will ensure that the Commission's requirements are respected, in a harmonised way, in the country reports, and transmit them to the Commission for approval.

Some of the reports may be made publically available after consultation with the Member States, to be carried out by the Commission. The contractor will be in charge of translating those reports that will be published. The synthesis reports that is published should be translated into DE and FR. Where country reports are published, these shall be available in English and translated in to the national language(s).

⁸ http://www.peer-review-social-inclusion.eu/network-of-independent-experts/operational-guide_en_network

4.2.3. Ad hoc requests

Independent social inclusion experts may be called to assist the Commission with short-term research and information, either complementing the information presented in the country profiles and reports or provide input on other issues during the year. The experts can also be called to participate or make specialist presentations at seminars, conferences, or participate in peer reviews. The Commission will channel these requests through the Network Core Team.

For each expert 6 working days per year and travel costs for one conference shall be foreseen for this task. Ad hoc requests of a horizontal nature may also be addressed to the experts of the Network Core Team. A provision of 10 working days should be foreseen in the financial offer.

4.2.4. Meetings

The Network Core Team will organise one meeting per year in Brussels with the whole network in order to discuss the results achieved over the closing semester and the detailed specifications of the work for the next semester.

The contractor will invite all independent social inclusion experts, prepare the agenda and working documents (inter alia draft outlines for the reporting) liaising with the Commission, as well as producing the minutes after the meetings. On the same occasion, it is expected that experts and Commission's desk officers will meet bilaterally.

The meeting will take place in Brussels, in English, without interpretation. Meeting rooms, accommodation, travel and subsistence costs for participating experts will be organised and paid for by the contractor.

In addition, the contractor will organise a two-day annual seminar of the Network of Independent Experts on Social Inclusion which should be dedicated mainly to cross cutting issues and methodological questions. Staff of Commission services will attend this seminar. The contractor will be in charge of all the expenses for this seminar, except the travel and subsistence costs for Commission staff.

Independent social inclusion experts should also envisage being asked to participate or make specialist presentations at seminars or conferences (see details in paragraph 4.2.3 above).

4.3. DISSEMINATION

The reports of the network will be published on the peer review website (administered by the Peer Review contractor – VT/2011/002). It will be ensured that the contractor in charge of peer reviews operates in close cooperation with the contractor in charge of the management of The Network of Independent Experts on Social Inclusion.

The contractor for The Network of Independent Experts on Social Inclusion is responsible for implementing further dissemination activities that ensures that reports and results are communicated to researchers, policy makers, stakeholders

and other relevant actors. Decisions about the communication and dissemination activities and will be taken in agreement with the Commission.

4.3.1. WEB SITE

During the previous years a website has been developed to disseminate information on Peer reviews and the Network of Independent Experts on Social Inclusion (<http://www.peer-review-social-inclusion.eu>).

This website will, as from 2012, be managed by the contractor in charge of the Peer review programme on social protection and social inclusion. In order to keep consistence and synergies between the Peer review programme and the activities of the Network of Independent Experts on Social Inclusion, this website will continue to disseminate information on both programmes.

The Network Core Team will prepare information and documents for publication and cooperate on their publishing with the contractor for the peer review programme on the website. They will also draft short texts in English, French and German for the website of the European Commission and that can also be used in other communication activities on the work and published reports of the independent experts. The contractor for the peer review programme will facilitate the website publishing of the public reports of the Network of Independent Experts on Social Inclusion on the peer review website.

4.3.2. Other

New communication channels may be identified and used during the time period of the contract. The Network Core Team will be invited to give appropriate inputs on its activities and is also invited to make suggestions for a better dissemination of the reports.

4.4. QUALITY CONTROL AND ASSESSMENT

The contractor will ensure the high quality of the activities undertaken and the reports produced. The contractor is requested to carry out an annual evaluation of the activities focusing on:

- The organisation of the activities;
- The quality of the country profiles and reports
- The effectiveness of the communication strategy with regard to the results of the activities carried out in the framework of the contract.

4.5. REQUIREMENTS ON HOW THE TASKS SHALL BE CARRIED OUT

The PROGRESS Programme aims to promote gender mainstreaming in all its five policy sections and commissioned activities. Consequently, the Contractor shall take the necessary steps to ensure that:

- Gender equality issues are taken into account when relevant for the drafting of the technical offer by paying attention to the situation and needs of women and men;
- Implementation of proposed activities includes a perspective informed by a systematic consideration of the gender dimension;
- Performance monitoring includes the collection and gathering of data disaggregated by sex when needed;
- Its proposed team and/or staff respects the gender balance at all levels.

Equally, needs of disabled people shall be duly acknowledged and met while executing the requested service. This will ensure in particular that where the Contractor organises training sessions and conferences, issues publications or develops dedicated websites, people with disabilities will 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 is encouraged to foster an appropriate mix of people, whatever their ethnic origin, religion, age, and ability.

The Contractor will be required to detail in its final activity report the steps and achievements made towards meeting these contractual requirements.

5. PROFESSIONAL QUALIFICATIONS REQUIRED

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

Additional requirements: see paragraph "Selection criteria".

6. TIME SCHEDULE AND REPORTING

See Article I.2 and Annex I of the draft contract "Tender Specifications and Monitoring".

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

- **TIME SCHEDULE**

The contract will have duration of 12 months. It may be renewed 3 times.

- **INTERIM AND FINAL REPORTING**

In addition to the specific reports required by each specific task, as mentioned above,

- an interim report to be submitted during the sixth month of execution of the contract. It shall indicate the state of play of the different activities covered by the contract;
- a final report to be submitted at the end of the contract period.

Both reports should be submitted in English and include, for the time period concerned:

- a complete description of the work done;

- a presentation of the results obtained;
- an assessment of the activities and recommendations to improve management procedures;
- any comments, suggestions or recommendations judged useful or necessary by the Contractor;
- **Additional requirements:**

PROGRESS is implemented through a results-based management (RBM). The Strategic Framework, developed in collaboration with the Member States, social partners and civil society organisations, sets out the intervention logic for PROGRESS-related expenditure and defines PROGRESS' mandate and its long-term and immediate outcomes. It is supplemented by performance measures which serve to determine the extent to which PROGRESS has delivered the expected results. See in Annex the overview of PROGRESS performance measurement framework. For more information on the strategic framework, please visit [PROGRESS website](http://ec.europa.eu/social/main.jsp?catId=659&langId=en) <http://ec.europa.eu/social/main.jsp?catId=659&langId=en> .

The Commission regularly monitors the effect of PROGRESS-supported or commissioned initiatives and considers how they contribute to PROGRESS outcomes as defined in the Strategic Framework. In this context, the Contractor will be asked to dedicatedly work in close cooperation with the Commission and/or persons authorised by it to define the expected contribution and the set of performance measures which this contribution will be assessed against.

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/service order/. 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 necessary rights of access.

7. PUBLICATION AND INFORMATION REQUIREMENTS

In accordance with the General conditions, all contractors are under the obligation to acknowledge that the present service has received funding from the Union 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 European Union's Programme for Employment and Social Solidarity – PROGRESS, the following formulation shall be used:

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

This programme is implemented by the European Commission. It was established to financially support the implementation of the objectives of the

European Union in the employment, social affairs and equal opportunities area, and thereby contribute to the achievement of the Europe 2020 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.

For more information see: <http://ec.europa.eu/progress>

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

With regard to publication and any communication plan linked to the present activity, the Contractor will insert the European Union logo and mention the European Commission as the Contracting Authority in every publication or related material developed under the present contract.

8. PAYMENTS AND STANDARD CONTRACT

According to Article I.4 and II.4 of the draft contract:

"Payments under the Contract shall be made in accordance with Article II.4 [of the draft contract]. Payments shall be executed only if the Contractor has fulfilled all his contractual obligations by the date on which the invoice is submitted. Payment requests may not be made if payments for previous periods have not been executed as a result of default of negligence on the part of the Contractor.

- ***Performance guarantee***

Not applicable.

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".

9. PRICES

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

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

The maximum amount available for this contract is €1.100.000.

Bidders should note that any bids exceeding this limit will not be considered.

The financial offer must cover one year and be presented in a way that allows identification of the nature and details of costs (number of items, unit prices etc).

- **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 (including the days of participation in meetings / seminars).
 - Direct costs include
 - Travel expenses of the contractor's staff;
 - Travel and subsistence costs of the Network of Independent Experts on Social Inclusion;
 - Costs related to the meetings of the Network of Independent Experts on Social Inclusion;
 - Reporting expenses;
 - Costs in developing regular reporting structure
 - Translation and printing;
 - Shipping of documents;
 - Documentation;
 - Costs related to quality control and assessment;
 - Any unavoidable expenses necessary to the achievement of the Contract.

10. COMPOSITION OF A PARTNERSHIP OR CONSORTIUM

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 may be required to do so after the award if this formulation is necessary for the good execution of the contract⁹.

However, a grouping of firms 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 paragraphs "Exclusion criteria and supporting documents" and "Selection criteria" must be supplied by every member of the grouping.

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

⁹ 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. 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

11. EXCLUSION CRITERIA AND SUPPORTING DOCUMENTS

1) Bidders must provide a declaration on their honour, duly signed and dated, that they are not in one of the situations referred to in Article 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)¹⁰.*

Article 94:

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

- 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;(..."*

¹⁰ 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.

(...)"

- 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 Rules¹¹, confirming the declaration referred to in point 12.1) above**

Article 134 of the Implementation 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 bidders to who the contract will be awarded.

- **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.

12. SELECTION CRITERIA

¹¹ Commission Regulation n° 2342/2002 (EC, Euratom) laying down detailed rules for the implementation of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities - Official Journal L 357 of 31/12/2002

The candidates will be selected on the basis of their financial and economic capacity and their technical capacity.

- **ECONOMIC AND FINANCIAL CAPACITY**

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

The following documents should be provided:

- a) Proof of turnover of the last financial year at least equivalent to 100% of the price of the contract;
- b) Full set of financial statements (comprising at least a balance sheet and profit and loss account) for the last two financial years, where the tenderer is required by law to produce such statements. Where the relevant company law requires these financial statements to be audited, the audit's statement should be included. Where the tenderer is not required to produce full financial statements, other documents establishing financial capacity should be submitted (eg internal reports, management accounts, appropriate bankers' statements, evidence of professional risks indemnity insurance etc).

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

- **TECHNICAL CAPACITY:**
- The Project Director and Network Core Team should be Category I experts, as outlined in Annex IV of the draft contract, experts' CVs.
- The Project Director and the Network Core Team should have proven experience in research and policy work in the field of social inclusion, including in depth knowledge of the EU social inclusion process. They should also have a proven track record in managing similar activities as well as excellent analytical and drafting capacity and good organisational and coordination skills.
- The Network Core Team should demonstrate solid linguistic capability covering at least the three working languages of the Commission (English, German, French).
- The national experts proposed for the Network of Independent Experts on Social Inclusion should ensure an optimal coverage across the countries participating in the programme.

- Each expert should have a strong experience of minimum 6 years in the fields of policy analysis and assessment in social inclusion, a good knowledge of the national context in this respect and show ability to work in an international context. The experts should have excellent drafting skills and analytical capability.
- The experts should have no-conflict of interest and should be independent. A conflict of interests arises where the ability of an expert to perform his duties impartially and objectively is impaired because of family or emotional ties, political or national affinity, economic interest or any other pertinent connection or common interest with national authorities. Each expert proposed must declare that he/she has no conflict of interests. If he/she discovers during the contract period that such a conflict exists, he/she will declare it immediately and will resign from the contract if required by the Commission.

Means of proof required:

- Details of educational and professional qualifications (CVs) of the Network Core Team and for the proposed national experts, including overview of published research articles and books or other contributions to projects or work in the social inclusion field.
- A list of the works carried out by the organisation in the last five years.

Please note that CVs must not exceed two pages, it is recommended that they use the presentation of the Europass CV http://europass.cedefop.europa.eu/europass/preview.action?locale_id=1

13. AWARD CRITERIA

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

- a) Quality and consistency of the tender
 - The degree of understanding of the nature of the assignment, its context and results to be achieved (20 %);
- b) Quality of the bid and the proposed methodological approach
 - Quality of the bid and of the methodology proposed for organising the network and facilitating the experts work, including the ability to bridge and build on the work of the former contractor, develop the expertise and knowledge of the experts, the administrative and logistical tasks involved and communication strategy (30%).
 - Quality of the bid and the methodology proposed for the preparation of the reports and country profiles, and the quality assurance of reports and country profiles (30%).

- Human resources mobilised to carry out the different stages of the work, structure of the team and experts, and allocation to tasks, and ability to complete the work well within the time available (20%).

It should be noted that the contract will *not* be awarded to a tenderer who receives less than 70% on the Award Criteria.

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

14. CONTENT AND PRESENTATION OF THE BIDS

14.1. Content of bids

The bid must include:

- all information and documents necessary to enable the Commission to appraise the bid on the basis of the exclusion, selection and award criteria (see points 11, 12 and 13 above);
- a bank ID form duly completed and signed by the bank;
- a "legal entity" form duly completed;
- the price (the financial offer must be signed);
- the detailed CVs of the proposed experts;
- the name and function of the contractor's legal representative (i.e. the person authorised to act on behalf of the contractor in any legal dealings with third parties);
- proof of eligibility: tenderers must indicate the State in which they have their registered office or are established, providing the necessary supporting documents in accordance with their national law

14.2. Presentation of the bid

Bids must be submitted in triplicate (i.e. one original, two copies and an electronic copy of the technical part of the bid (CD rom)).

They must include all the information required by the Commission.

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.

15. VALIDITY OF THE TENDER

Tenders must be valid for up to 8 months after submission.

OVERVIEW OF PROGRESS PERFORMANCE MEASUREMENT FRAMEWORK

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

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

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

Legal Regime

Outcome:
Compliance in Member States with EU law related to PROGRESS areas.

Performance Indicators

1. Transposition rate of EU law on matters related to PROGRESS policy areas
2. Effectiveness of application in Member States of EU law on matters related to PROGRESS policy areas.
3. EU policies and legislation are grounded in thorough analysis of situation and responsive to conditions, needs and expectations in Member States in PROGRESS areas
4. Extent to which PROGRESS-supported policy advice feeds into the development and implementation of EU legislation and policies
5. Cross-cutting issues are addressed in PROGRESS policy sections
6. EU policies and legislation display a common underlying logic of intervention in relation to PROGRESS issues
7. Gender mainstreaming is systematically promoted in PROGRESS

Shared Understanding

Outcome:
Shared understanding and ownership among policy/decision-makers and stakeholders in Member States, and the Commission, of objectives related to PROGRESS policy areas.

Performance Indicators

1. Attitudes of decision-makers, key stakeholders and general public regarding EU objectives in PROGRESS policy areas
2. Extent to which national policy discourses or priorities reflect EU objectives
3. Extent to which principles of good governance (including minimum standards on consultation) are respected in policy debate
4. Extent to which the outcomes of policy debates feed into the development of EU law and policy.
5. Greater awareness of policy-and decision-makers, social partners, NGOs, networks regarding their rights/obligations in relation to PROGRESS policy areas
6. Greater awareness of policy-and decision-makers, social partners, NGOs, networks regarding EU objectives and policies in relation to PROGRESS policy areas

Strong Partnerships

Outcome:
Effective partnerships with national and pan-European stakeholders in support of outcomes related to PROGRESS policy areas.

Performance Indicators

1. Existence of common ground/consensus among policy and decision-makers and stakeholders on EU objectives and policies
2. Identification and involvement by the EU of key actors in a position to exert influence or change at EU and national levels
3. Effectiveness of partnerships in relation to outcomes related to PROGRESS policy areas.
4. Number of individuals served or reached by networks supported by PROGRESS.
5. Extent to which advocacy skills of PROGRESS-supported networks have improved
6. Satisfaction of EU and national authorities with the contribution of networks
7. Extent to which PROGRESS-supported networks take a cross-cutting approach

Annex I

Exclusion criteria (Article 93(1) FR)	Supporting documents to be provided by applicants, tenderers or bidders (Article 134 IR)	
<p>1. Exclusion from a procurement procedure, Article 93(1) FR :</p> <p><i>« Candidates or tenderers shall be excluded from participation in a procurement procedure if:</i></p>		
<p>1.1. (subparagraph a)</p> <ul style="list-style-type: none"> ▪ <i>they are bankrupt or being wound up,</i> ▪ <i>are having their affairs administered by the courts,</i> ▪ <i>have entered into an arrangement with creditors</i> ▪ <i>have suspended business activities,</i> ▪ <i>are the subject of proceedings concerning those matters,</i> ▪ <i>or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations¹²;</i> 	<p>Recent extract from the judicial record</p> <p>or</p> <p>recent equivalent document issued by a judicial or administrative authority in the country of origin or provenance</p> <p>or</p> <p>Where no such certificate is issued in the country concerned : 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</p>	
<p>1.2. (subparagraph b)</p> <p><i>they have been convicted of an offence concerning their professional conduct by a judgment which has the force of res judicata¹³;</i></p>	<p>Cf. supporting documents for Article 93(1)(a) FR above</p>	

¹² See also Article 134(3) IR : Depending on the national legislation of the country in which the tenderer or candidate is established, the documents referred to in paragraphs 1 and 2 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.

¹³ Cf. footnote n° 1.

Exclusion criteria (Article 93(1) FR)	Supporting documents to be provided by applicants, tenderers or bidders (Article 134 IR)	
1.3. (subparagraph c) <i>they have been guilty of grave professional misconduct proven by any means which the contracting authority can justify;</i>	Declaration by the candidate or tenderer that he is not in the situation described	
1.4. (subparagraph d) <i>they have not fulfilled 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 performed¹⁴;</i>	Recent certificate issued by the competent authority of the State concerned confirming that the candidate is not in the situation described or Where no such certificate is issued in the country concerned : 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	
1.5. (subparagraph e) <i>they have been the subject of a judgment 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 interests¹⁵;</i>	Cf. supporting documents for Article 93(1)(a) FR above	
1.6. (subparagraph f) <i>They are currently subject to an administrative penalty referred to in article 96(1)</i>	Declaration by the candidate or tenderer that he is not in the situation described	

¹⁴ Cf. footnote n° 1.

¹⁵ Cf. footnote n° 1.

Exclusion criteria (Article 94 FR)	Supporting documents to be provided by applicants, tenderers or bidders (Article 134 IR)	
2. Exclusion from a procurement or grant award procedure Article 94 FR : « <i>Contracts may not be awarded to candidates or tenderers who, during the procurement procedure:</i>		
2.1. (subparagraph a) <i>are subject to a conflict of interest;</i>	Statement by the applicant, tenderer or bidder confirming the absence of conflict of interests, to be submitted with the application, bid or proposal	-
2.2. (subparagraph b) <i>are guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participation in the contract procedure or fail to supply this information»¹⁶.</i>	<ul style="list-style-type: none"> - No specific supporting documents to be supplied by the applicant, tenderer or bidder - It is the responsibility of the authorising officer, represented by the evaluation committee, to check that the information submitted is complete¹⁷ and to identify any misrepresentation 	-

¹⁶ Cf. Article 146(3) of the FR Implementing Rules: « ...the evaluation committee may ask candidates or tenderers to supply additional material or to clarify the supporting documents submitted in connection with the exclusion and selection criteria, within a specified time-limit. » and Article 178(2) of the FR Implementing Rules: « The evaluation committee may ask an applicant to provide additional proof or to clarify the supporting documents establishing financial and operational capacity, within a specified time-limit. »

¹⁷ Cf. footnote n°1