

**COMMUNITY ACTION PROGRAMME TO COMBAT SOCIAL EXCLUSION**

**CALL FOR TENDERS**

**«Policy Measures to ensure access to decent housing for migrants and ethnic minorities»**

Number VT/2003/44

**Period of Performance: 01.12.2003 – 30.11.2004**  
*(Annual contract)*

**Budget Line B3-4105**

**TERM OF REFERENCE**

## 1. Background

At the **Lisbon European Council** of March 2000, the Union has set itself a new strategic goal for the next decade: to become the most competitive and dynamic knowledge-based economy in the world, capable of sustainable economic growth, with more and better jobs and greater social cohesion. The European Council agreed to base **social inclusion policies** on an **open method of co-ordination** combining national action plans and a Commission initiative for co-operation.

An essential element of the open method of co-ordination is the Community action programme intended to support the EU policy co-operation.<sup>1</sup> The programme, entered into force on January 2002, with a budget of 75 M € over 5 years (2002-2006), is composed of three strands: 1) improving the understanding of social exclusion and poverty, supported by comparable indicators; 2) organising policy co-operation and mutual learning in the light of the national action plans to combat poverty and social exclusion; 3) developing the capacity of actors to address social exclusion and poverty effectively and to promote innovative approaches, in particular through networking at EU level.

The action programme seeks, inter alia, to improve the understanding of the phenomena of poverty and social exclusion. In this framework, the Programme provides for the development of common methodologies to measure and understand social exclusion and poverty, and on technical work on indicators, as well as for the development of thematic studies, in order to address common issues in connection with policy developments in Member States.

In the light of this, and on the basis of the priorities set out by the Programme Committee on a proposal of the Commission services, it has been decided to launch several calls for tenders.

### Specific context

One of the priorities for the work plan 2003 for the first strand of the action programme is the carrying out of thematic studies concentrating in particular on research on policy and on areas where the evaluation of the National Action Plans were seen to have more shortcomings. In this context, one of the themes selected by the Action Programme Committee, on a Commission's proposal, concerns access to housing and the specific situation of migrants and ethnic minority people.

The study is envisaged to analyse the target groups migrants with legal status and ethnic minorities. The structure and methodology should reflect the differences between the two groups, though also acknowledge their similar experiences.

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<sup>1</sup> Decision No 50/2002/EC of the European Parliament and of Council of 7 December 2001 establishing a programme of Community action to encourage cooperation between Member States to combat social exclusion, OJEC L10/1 of 12.1.2002.

## **2. Purpose of the contract**

The aim of the study is to analyse and identify the most effective supply – side policy measures to ensure access to decent housing for migrants with legal status and people belonging to ethnic minority groups. It should also identify demand – side needs of migrants and ethnic minorities, as perceived by themselves and others, in order to evaluate how adequately supply is meeting demands. The study should stress the specific features and similarities of approaches adopted with regard to these groups, compared with the more general situation of persons suffering poverty and social exclusion, as well as any discrimination suffered in terms of access to housing. It should determine and document the extent to which increased access to and quality of housing for migrants and people belonging to ethnic minority groups can make to combating poverty and social exclusion and increasing social inclusion.

The objective that this contract intends to achieve is to assist the development of more coherent and integrated policies in relation to access to housing for migrants and ethnic minority people as part of the further development of Member States' NAPs/incl. It will do this by producing a report which will identify the different ways which access to housing for migrants and ethnic minorities can help to combat poverty and social exclusion and contribute to promoting social inclusion and will specify the mix of policy approaches that can assist in this regard.

## **3. Tasks to be performed by the contractor**

This study will draw on existing research and data and will compare and contrast policy approaches and outcomes in a representative sample of at least eight different countries – chosen from both the Member States and the Candidate Countries participating in this sub-strand of the Programme - <sup>2</sup> in the area of access to housing for migrants and ethnic minorities as well as taking account of international studies and experience in this area and the views of those experiencing poverty and social exclusion. The consultant should in particular take into consideration the information and data gathered by the European Monitoring Centre on Racism and Xenophobia in Vienna.

The consultant should base his/her analysis on the definitions of migrants and ethnic minorities currently used in the different countries being investigated, in order to take into account the particular policy context of each country.

In particular the contracting party will undertake the following tasks:

- (i) identify whether relatively less access to and quality of housing for migrants and ethnic minorities can deepen and intensify poverty and social exclusion. The aim should be to identify common trends and specific features of policy, including outcomes. The methodology should identify and take into account:
  - how adequately the demand – side needs of migrants meet the supply - side of housing policy as it is enacted by the competent institutions or persons;

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<sup>2</sup> Twelve of the thirteen candidate countries (the exception is the Czech Republic, which is not taking part in the Action Programme) showed their interest in participating in the thematic studies activities.

- the level of institutional competence (private sector, NGO, local, regional, national etc.) of the provision of housing access and services, in respect of comparable comparative analysis;
  - specific features and similarities with regard to the target groups, compared with the more general situation of persons suffering poverty and social exclusion in terms of access to housing;
  - the length of stay within a country, or the different generations of the target group.
- (ii) identify the different barriers that prevent migrants and ethnic minorities at risk of poverty and social exclusion accessing, in a non-discriminatory way, services and opportunities suitable to their individual needs, drawing particular attention to the situation of immigrant women, and women belonging to ethnic minorities groups;
- (iii) document the contribution that increased access to a good quality housing for migrants and ethnic minorities can make to combat poverty and social exclusion and increase social inclusion of those groups. In this regard, the consultant should take into account:
- the positive or negative effects for migrants or ethnic minorities living in areas of high – density population, or communities of similar background.
- the usefulness / effectiveness of services relevant to housing in relation with the considered target groups;
- (iv) analyse and draw conclusions of quantitative and qualitative form as to the systemic approach and different mix of policies and programmes which are necessary to promote equality of access and remove barriers to access to housing by migrants and ethnic minorities experiencing poverty and social exclusion. Draw conclusions as to how adequately demand-side needs are being met by supply-side housing policies. In this regard, the consultant would be able to draw some conclusions of policies of best practice, taking into consideration the different levels of provisions for the countries analysed.
- (v) test these conclusions by presenting a draft report at a seminar to be held in the Commission's premises (and making use of the Commission's translation services). This would involve policy makers, experts and organisations working in the field of access to housing. The report would then be refined and amended by the consultants in the light of this dialogue.

### **Documentation**

Documents related to activities of Social Exclusion can be found at the Internet address:

[http://europa.eu.int/comm/employment\\_social/soc-prot/soc-incl/index\\_en.htm](http://europa.eu.int/comm/employment_social/soc-prot/soc-incl/index_en.htm)

## **4. Expertise required**

See Annex III and Annex IV of the standard contract and the comments in the selection criteria.

## **5. Time schedule and reporting**

### **5.1. Time schedule**

See article I.2 of the contract, and Annex IV reporting. The contract period will have a duration of 12 months and the expected starting date is the 1<sup>st</sup> December 2003.

### **5.2 Final reporting**

As well as the report of the study, the contractor will present a draft activity report and then a final report containing:

- a complete description of the work undertaken in the framework of this contract;
- a presentation of the results obtained for the whole of the contract period in accordance with the present terms of reference;
- any comments, suggestions or recommendations considered useful or necessary by the contractor.

The draft final activity report together with two copies ought to be submitted to the Commission at the latest four weeks before the end of the period mentioned above. The final activity report ought to be submitted at the latest two weeks after the Commission has sent its comments or has accepted the draft final activity report.

## **6. Payments and standard contract**

Payments shall be made in EUR (€)

The terms of payment are as follows:

- 30% within 30 days after the signing of the contract;
- and the balance following the Commission's acceptance of both the final report and final invoice.

In drawing up the bid, the tenderer should take account of the provisions of the standard contract which are included the 'General terms and conditions applicable to contracts'.

## **7. Price**

The price should be indicated in Euro (€), excluding VAT (using 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 sent out) and should be broken down as per the format given in Annex II of the draft contract.

As an indication, the maximum budget for this contract is EUR 150 000  
The price revision clause will be included within the contract.

■ **Part A: Fees and direct costs**

- Fees, expressed in number of person/days and unit price per working day for each Expert proposed. The unit price is expected to cover the expert's fees and administrative expenses, but it should not include the reimbursable costs defined below.

This includes ...

Other direct costs, to be described

■ **Part B: Reimbursable Costs**

- Travel expenses
- Daily subsistence allowances (DSA's): these cover all the subsistence costs of the Experts who are on mission for short term assignments outside their usual place of work
- Translations costs, if any
- Contingencies, if any

The total price = Part A + Part B

## 8. Composition of partnership or consortium

If a partnership or consortium is envisaged, its composition should be specified and the criteria listed under point 10 should be detailed to individual members of the partnership. In addition, one of the consortium members must be designated as lead Contractor, and must ensure full responsibility towards the Commission as regards both the tender and the future contract – if awarded to them.

The execution of the service is not reserved by law or regulation or administrative provision to a specific profession. Tenders should conform to the requirements of the general conditions. Tenders from *consortia* of firms or groups of service providers, contractors or suppliers must specify the role, qualifications and experience of each member of group. Tenders must be signed by the legal representative of the consultant. Also tenders must specify the name of the person authorised to sign the proposed contract.

## 9. Exclusion criteria

Article 93 taken from 'Council Regulation 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities' (Official Journal L 248, 16.09.02) establishes that:

"1. Candidates or tenderers shall be excluded from participation in a procurement procedure 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 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) following another procurement procedure or grant award procedure financed by the Community budget, they have been declared to be in serious breach of contract for failure to comply with their contractual obligations.

2. Candidates or tenderers must certify that they are not in one of the situations listed in paragraph 1."

In order to certify that candidates are not in one of the situations listed above, we follow Art. 134 of the Commission Regulation No 2342/2002 laying down the *detailed rules for the implementation* of Council Regulation No 1605/2002:

Article 134

**Evidence**

(Article 96 of the Financial Regulation)

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

2. The contracting authority shall accept, as satisfactory evidence that the candidate or tenderer is not in the situation described in point (d) of Article 93(1) of the Financial Regulation, a recent certificate issued by the competent authority of the State concerned.

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

3. Depending on the national legislation of the country in which the tenderer or 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.

Article 94 taken from 'Council Regulation 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities' (Official Journal L 248, 16.09.02) establishes that:

"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 contract procedure or fail to supply this information."

## **10. Selection criteria**

The following information on the consulting organisation's experience, expertise and financial and economic standing should be supplied.

1. A minimum experience and expertise of five years in the fields of policy research and analysis on issues of poverty and social exclusion part of which should have been focussed on access to housing -demonstrated by providing a list of relevant policy analysis, research projects and publications.

2. Details of educational and professional qualifications of the person(s) undertaking the study. The project director will require a deep knowledge in relation to access to housing in Member States and of the different policy approaches being adopted; an extensive knowledge of the European and international literature and data on the links between access to housing and social inclusion; a proven track record in the field of policy analysis, particularly in relation to poverty and social exclusion of migrants and ethnic minorities; a good understanding of the different policies in Member States that enhance or restrict access to housing for migrants and ethnic minorities.

3. The consultants/researchers should have no-conflict of interest and be completely independent. A statement of independence should be included in the offer -a statement of independence is a one page document signed by the consultant where she/he declares her/his independence.

4. Sound financial position of the consultant/researchers. Full set of audited financial statements and accounts -balance sheet and profit and loss account for the past three years. Annual budget of the last two years for a semi-public or non-profit organisation

## **11. Contract Award criteria**



### 11.1. Quality of the offer

- a) Quality and consistency of the tender (30%)
  - the degree of understanding of the nature of the assignment, its context and results to be achieved.
  - the quality and appropriateness of the strategy proposed for the implementation of the expertise.
  
- b) Technical value of the bid and the proposed methodological approach (70%).
  - the work programme: actions proposed to supplement the sources of information available, the knowledge and use of existing research in the fields covered by the expertise as well as available data to complement background information.
  - type of analysis provided: interpretation of quantitative and qualitative information according to the proposed strategy.
  - timetable including human resources mobilised to carry out the different stages of the work and the capacity to complete the work well in the time available.

### 11.2. Price

The contract will be awarded to the consultant whose offer represents the best value for money, taking into account the above criteria.

## 12. Content and presentation of the bids

### 12.1. Content of bids

The tender must include:

- \* Exclusion clauses. Include a certificate or declaration that the tenderers are not in one of the situations listed in art. 93 paragraph 1 (see page 7) and that tenderers are neither under situation (a) and (b) of art. 94 (Financial Regulation).
  
- \* Selection criteria. Demonstrate
  - (i) Experience and expertise of a minimum of five years
  - (ii) Details of educational and professional qualifications (CV's)
  - (iii) Statement of Independence
  - (iv) Set of audited financial statements and accounts for the past three years
  
- \* The price and full budget of costs
- \* Financial identification form duly completed and signed by the bank
- \* The detailed curriculum vitae of the proposed experts
- \* The name and quality of the contractor's legal representative (i.e. the person duly authorised to act legally on behalf of the contractor in relation to third parties)

### 12.2 Presentation of the bids

Bids must be submitted in triplicate (1 original and 2 copies)  
Bids must contain all the information required by the Commission  
Bids must be clear and concise  
Bids must be signed by the tenderer's legal representative  
Bids must be delivered according to the requirements set out in the letter of invitation to tender, and before the date and time indicated in this letter.