



EUROPEAN COMMISSION
DIRECTORATE-GENERAL
REGIONAL POLICY
Policy development
Evaluation

ARES.825318

Brussels, 28. 07. 2011

REGIO.C.4./JM D(2011)894825

Dear Sir/Madam,

**Subject: Call for tenders by open procedure n° 2011.CE.16.B.AT.064 –
Evaluation of the JASPERS initiative from its inception until the
present.**

1. I enclose the call for tenders relating to the above mentioned contract.
2. If you are interested in this contract, you should submit a tender in triplicate in one of the official languages of the European Union.
3. Bids must be submitted
 - a) either by post or by courier not later than **19/09/2011**, in which case the evidence of the date of dispatch shall be constituted by the postmark or the date of the deposit slip, to the following address:

European Commission
Directorate-General for Regional Policy,
Evaluation Unit,
CSM 1 – 4/123
B – 1049 Brussels

- b) or delivered by hand to the following address:

European Commission
Directorate-General for Regional Policy,
Evaluation Unit,
CSM 1 – 4/123

Exact address :

avenue du Bourget, 1
B-1140 Brussels (Evere)
Belgium

not later than the end of working hours on **19/09/2011**. In this case, a receipt must be obtained as proof of submission, signed and dated by the official in the Commission's central mail department who took delivery. The department is open from 08.00 to 17.00 Monday to Thursday, and from 8.00 to 16.00 on Fridays. It is closed on Saturdays, Sundays and Commission holidays.

4. Tenders must be placed inside two sealed envelopes. The inner envelope, addressed to the department indicated in the invitation to tender, should be marked as follows: **"Invitation to tender n° 2011.CE.16.B.AT.064 - not to be opened by the internal mail department"**. If self-adhesive envelopes are used, they must be sealed with adhesive tape and the sender must sign across this tape.

The inner envelope must also contain two sealed envelopes, one containing the technical specifications (on paper plus a CD or DVD with a copy of those documents in electronic format -word or pdf-) and the other the financial bid. Each of these envelopes must clearly indicate the content ("Technical" and "Financial").

5. The specification, listing all the documents that must be produced in order to tender, including supporting evidence of economic, financial, technical and professional capacity and the draft contract are attached.
6. Tenders must be:
 - signed by the tenderer or his duly authorised representative;
 - perfectly legible so that there can be no doubt as to words and figures.
7. Period of validity of the tender, during which the tenderer may not modify the terms of his tender in any respect: 6 months from the date it was submitted.
8. Submission of a tender implies acceptance of all the terms and conditions set out in this invitation to tender, in the specification and in the draft contract and, where appropriate, waiver of the tenderer's own general or specific terms and conditions. It is binding on the tenderer to whom the contract is awarded for the duration of the contract.
9. Contacts between the contracting department and tenderers are prohibited throughout the procedure save in exceptional circumstances and under the following conditions only:

Before the final date for submission of tenders:

At the request of the tenderer, the contracting department may provide additional information solely for the purpose of clarifying the nature of the contract.

Any requests for additional information must be made in writing only to the attention of the Evaluation Unit, Regio-Directeur-C@ec.europa.eu .

Requests for additional information received less than five working days before the closing date for submission of tenders will not be processed.

The Commission may, on its own initiative, inform interested parties of any error, inaccuracy, omission or any other clerical error in the text of the call for tenders.

Any additional information including that referred to above will be sent simultaneously to all tenderers who have requested the specification and will be published at the internet address below.

Tendering documents are available on the website of Directorate General for Regional Policy at the following address:

http://ec.europa.eu/regional_policy/tender/tender_en.cfm.

Potential tenderers are requested to regularly verify the internet website.

After the opening of tenders

If clarification is required or if obvious clerical errors in the tender need to be corrected, the contracting department may contact the tenderer provided the terms of the tender are not modified as a result.

10. This invitation to tender is in no way binding the Commission. The Commission's contractual obligation commences only upon signature of the contract with the successful tenderer.

Up to the point of signature, the contracting authority may either abandon the procurement or cancel the award procedure, without the candidates or tenderers being entitled to claim any compensation. This decision must be substantiated and the candidates or tenderers notified.


11. You will be informed whether or not your tender has been accepted.
12. If your offer includes subcontracting, it is recommended that contractual arrangements with subcontractors include mediation as a method of dispute resolution.
13. If processing your reply to the invitation to tender involves the recording and processing of personal data (such as your name, address and CV), such data will be processed pursuant to Regulation (EC) No 45/2001 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data. Unless indicated otherwise, your replies to the questions and any personal data requested are required to evaluate your tender in accordance with the specifications of the invitation to tender and will be processed solely for that purpose by Ms Veronica Gaffey, Head of Evaluation Unit, Directorate General for Regional Policy, e-mail: regio-eval@ec.europa.eu.

Details concerning processing of your personal data are available on the privacy statement at the page:

http://ec.europa.eu/dataprotectionOfficer/privacystatement_publicprocurement_en.pdf.

14. You are informed that for the purposes of safeguarding the financial interest of the Union, your personal data may be transferred to internal audit services, to the Court of Auditors, to the Financial Irregularities Panel and/or to the European Anti-Fraud Office (OLAF).

Data of economic operators which are in one of the situations referred to in Articles 93, 94, 96(1)(b) and 96(2)(a) of the Financial Regulation¹ may be included in a central database and communicated to the designated persons of the Commission, other institutions, agencies, authorities and bodies mentioned in Article 95(1) and (2) of the Financial Regulation. This refers as well to the persons with powers of representation, decision making or control over the said economic operators. Any party entered into the database has the right to be informed of the data concerning it, up on request to the accounting officer of the Commission.



Veronica Gaffey

¹ Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 (OJ L 248 of 16.09.2002), as amended by Council Regulation (EC, Euratom) No 1995/2006 of 13 December 2006 (OJ L 390 of 30.12.2006)

SPECIFICATIONS

1. TITLE OF THE CONTRACT

Evaluation of the Joint Assistance to Support Projects in European Regions initiative (JASPERS) from its inception until the present.

2. OVERALL PURPOSE AND CONTEXT OF THIS EVALUATION

2.1 The European Commission, Directorate General for Regional Policy, wishes to undertake an evaluation of the JASPERS initiative. The purpose of the evaluation is to establish the impact of JASPERS, from 2005 until the end of June 2011, on the quality and timeliness of the preparation, submission, approval and implementation of major projects² in the countries which joined the European Union in 2004 and 2007.³

As the end of the current programming period comes closer, it is appropriate to undertake an evaluation of JASPERS before key decisions are made concerning the role of joint initiatives in the next Structural Funds programming period after 2013. There will be an increased focus on performance and results in the post 2007-2013 programming period and this is reflected in the current policy climate of greater scrutiny of Cohesion Policy Programmes. An evaluation of JASPERS will provide timely information on its effects to date and will provide an important input to planning for the future.

The origin of JASPERS can be traced back to the previous programming period, 2000-2006, during which time European Union enlargement was taking place and the Instrument for Structural policies for pre-accession (ISPA) was in operation. ISPA provided support to major environment and transport infrastructure projects in the candidate countries of Central and Eastern Europe,⁴ on a co-financing basis, in preparation for those countries joining the EU. After EU enlargement in 2004, ISPA beneficiary countries became eligible for Structural and Cohesion Funds, and in late 2005 JASPERS was established.

JASPERS was created to increase the capacity of beneficiary countries to make the best use of EU funding. By providing technical assistance to improve the quantity and quality of major projects submitted for approval, it was expected that there would be significant benefits in the regions concerned and in the European Union as a whole. At the time of joining the EU, there was a relative lack of experience and capacity in the new Member States to handle very large investment projects. In addition, there was an increase in the amount of resources for major infrastructure projects and an increase in the scope of projects which could be supported under Cohesion funding.

² A major project is defined as costing more than €50million. JASPERS uses this definition for infrastructure projects, and uses a cost of €25million or more for defining major environmental projects. See articles 39-40 of Council Regulation (EC) No 1083/2006 laying down the general provisions on the Structural and Cohesion Funds.

³ The EU 12 countries - beneficiary Member States of the JASPERS initiative - are Bulgaria, the Czech Republic, Cyprus, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Romania, Slovakia and Slovenia.

⁴ The ISPA beneficiary countries were Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia.

JASPERS is now in its 6th year of operation. At the end of 2010, JASPERS had undertaken 399 assignments related to 80% of projects submitted to the European Commission and 90% of projects approved by the European Commission, from the EU 12 countries. Major projects accounted for 77% of JASPERS assignments while small projects and horizontal assignments accounted for 23%. The total investment volume for projects supported by JASPERS assignments between 2006-2010 was over €40 billion.

2.2 Specific context of this contract

JASPERS, a partnership between the EC, the EIB, the EBRD and KfW⁵ was launched at the end of 2005, becoming operational in 2006 with an annual budget of about €25 million which had risen to €35 million by the end of 2010. It has regional offices located in Luxembourg, Vienna, Bucharest and Warsaw - which opened in 2006 and continue to increase their staff numbers - serving all beneficiary Member States. JASPERS staff at the end of 2010 comprised 75 professional staff and 13 support staff, funded by the 4 JASPERS partners (EC, EIB, EBRD, KfW) and employed by the EIB.⁶

The objective of JASPERS is to improve the quality of major projects submitted by the EU 12 countries for grant financing from the Structural and Cohesion funds, in the following sectors: ports, airports and railways, roads, urban infrastructure and services, energy and solid waste, water supply and wastewater, and the knowledge economy. The main activities of JASPERS are to provide targeted, specialist expertise in the preparation of major projects, focussing on the stages between project conception and final application for EU funding. In selected cases, JASPERS may provide support to projects during the implementation phase between the decision to grant assistance from EU funds and the start of construction.

The concept paper agreed between the European Commission and the European Investment Bank in September 2005 is the founding document which sets out the principles on which JASPERS is based⁷. It states that:

"The main characteristics of JASPERS are as follows:

- **JASPERS is a technical assistance facility which the DG for Regional Policy and the EIB will place at the disposal of the beneficiary Member States. The objective of JASPERS is to assist the Member States to prepare projects of high quality which can be approved more quickly by the services of the Commission.**
- The technical assistance offered will begin at the early stages of project development and will offer a comprehensive sectoral and geographical coverage. JASPERS will provide assistance for all stages of the project cycle from the initial identification of a project through to the Commission decision to grant assistance."

⁵ The European Commission (EC), the European Investment Bank (EIB), the European Bank for Reconstruction and Development (EBRD) and, from 2008, Kreditanstalt für Wiederaufbau (KfW).

⁶ For further details on JASPERS staffing composition and funding, see the JASPERS 2010 Annual Report

⁷ JASPERS was formally announced at the Brussels conference 'Financing growth and cohesion in the enlarged EU', in November 2005. The background paper on the launch of JASPERS and other conference material can be found at http://ec.europa.eu/regional_policy/events/ifi/documentation.cfm?deploy=0

JASPERS 'assignments' and the DG for Regional Policy's 'major projects'

Many - but not all - JASPERS assignments result in a major project (i.e., a project with a total cost of over €25 million⁸ or €50 million respectively for environment and transport projects) being submitted to the DG for Regional Policy. JASPERS assignments may be directly related to major projects, may be related to non-major projects, or to cross-cutting themes ('horizontal assignments'). More than one JASPERS assignment may relate to the same major project. Each beneficiary Member State draws up an annual Action Plan of proposed assignments, most of which are projects. The draft action plan is reviewed by the relevant geographical unit in the DG for Regional Policy to ensure that the proposals correspond to EU priorities.

For each assignment, the scope and particular issues on which technical assistance is required are set out. Technical assistance can cover a wide range of issues such as: reviewing cost-benefit analysis, reviewing feasibility studies, reviewing tender documentation, support in preparing application forms, support in carrying out Environmental Impact Assessments, review of project development, assessment of strategies or development of guidelines. These technical issues form the basis of the JASPERS 'assignment'.

At the start of each assignment a project fiche is drawn up by JASPERS, setting out key tasks and topics on which assistance will be given. Upon completion of the assignment a Completion Note is issued, detailing the topics on which JASPERS provided technical input, the documentation reviewed and the recommendations to the Managing Authority and project beneficiary regarding next steps in the project's preparation. There is often a time lag between the issuing of the Completion Note to the Member State and the submission by the Member State of the major project to the DG for Regional Policy. In some Member States, projects will be reviewed by an intermediary body following the issuing of the JASPERS completion note and prior to submission to the DG for Regional Policy. In others, the timing of project submission may be influenced by political or financial considerations.

Once the major project is submitted to the DG for Regional Policy, it will be handled by the relevant country unit and go through the European Commission's standard assessment process. During this process, issues may come to light which require further clarification or additional information and these are normally set out in an 'interruption letter', which the DG for Regional Policy will send to the applicant. Approval for the project is not given until all outstanding issues are clarified and in the case of complex major projects, this can take many months.

The beneficiaries of JASPERS assistance and the DG for Regional Policy's desk officers give written feedback on every assignment completed by JASPERS. This feedback will be made available to the successful tenderer.⁹

⁸ Regulation (EU) No 539/2010 of 16th June 2010 amended the definition of major projects such that a Commission decision is required for all projects with a total cost over €50 million, thus raising the threshold from €25 million to €50 million for environmental projects.

⁹ For a full list of information to be made available to the successful tenderer, see the Annexes to this document.

3. SUBJECT OF CONTRACT

3.1 SUBJECT

To evaluate the impact of JASPERS on the timing and quality of the preparation and submission of projects to the DG for Regional Policy, and ultimately on the more effective implementation of Cohesion Policy.

3.2 SCOPE

The JASPERS initiative from its inception at the end of 2005 until the end of June 2011, covering the 12 Member States: Bulgaria, Czech Republic, Cyprus, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Romania, Slovakia and Slovenia.

3.3 TASKS

Task 1.1: Construction of timelines for JASPERS assignments and approval by the DG for Regional Policy's projects. Four sets of timelines are required, as set out below. The basic data required to construct the timelines will be supplied by the DG for Regional Policy to the successful tenderer after signature of the contract.

Timeline 1 - JASPERS assignments relating to major projects, which were subsequently submitted as major projects to the DG for Regional Policy (there are over 270 JASPERS assignments related to major projects, but only 210 major projects which have received JASPERS support as of June 2011).

This timeline comprises:

- The date the assignment (s) was submitted to JASPERS
- The date of the JASPERS assignment Completion Note (s)
- The date of submission of the major project to the DG for Regional Policy
- The date of the final decision by the DG for Regional Policy.

Timeline 2 – JASPERS supported assignments relating to non-major projects (over 60 assignments), subsequently taken forward by a Member State.

This timeline comprises:

- The date the assignment was submitted to JASPERS
- The date of the JASPERS assignment Completion Note(s)
- The date of approval by the Member State (data to be obtained by the contractor from the Member State).

Timeline 3 - JASPERS assignments which were not related to specific projects and did not result directly in a project being submitted to the DG for Regional Policy - 'horizontal assignments' (over 80 assignments).

This timeline comprises:

- The date the assignment was submitted to JASPERS
- The date of the JASPERS assignment Completion Note (s)

Timeline 4 – major projects submitted by the 12 JASPERS countries, which have not had any JASPERS support (66 projects as of June 2011).

This timeline comprises:

- The date of submission to the DG for Regional Policy
- The date of the DG for Regional Policy's decision.

Task 1.2 – Statistical analysis of Timelines.

Provide a descriptive statistical analysis of timelines 1-4, including:

1. Breakdown by JASPERS assignment start date to the date of the DG for Regional Policy's approval (how do timelines vary by the year in which they were submitted to JASPERS?)
2. Breakdown by project size (how do timelines vary by project size?)
3. Breakdown by Member State (how do timelines vary by Member State?)
4. Breakdown by sector and sub-sector (how do timelines vary by sector and subsector?)
5. Breakdown by JASPERS country office (how do timelines vary by country office?)
6. Cross analysis of the above if it reveals any interesting features and any other relevant statistical analysis. Tenders should make a proposal showing how this analysis will be done.

Task 2 – Links between specific areas of JASPERS advice and the DG for Regional Policy's project assessment process. As at the end of June 2011, there were a total of 210 major projects submitted to the DG for Regional Policy which have had JASPERS support. For each of these major projects, the contractor will review and compare the specific topics on which JASPERS provided support with the specific queries raised by the DG for Regional Policy (via 'interruption letters'). The following questions will be answered:

- What are the most common topics on which JASPERS has provided technical input, over time? (Give a year-on-year breakdown of common topics where technical assistance was requested e.g. EIA, CBA, State aid, review of procurement documentation, operational structure, feasibility studies, and any other common issues)
- What are the most common issues raised by the European Commission, on projects which have had JASPERS support, over time? (Give a breakdown of common queries raised, year-on-year)?
- Did major projects applications appear to have taken on board JASPERS advice given through relevant assignments?
- Did the DG for Regional Policy highlight new issues during the appraisal process which had not been addressed when the project was a JASPERS assignment? What were they?

This information to be presented with supporting graphics (e.g. bar or pie charts) and analysed.

Task 3 – Case studies

As at the end of June 2011, there were 30 approved major projects from JASPERS beneficiary countries which did not receive JASPERS support. The 30 projects come from the following 6 countries:

Czech Republic -	2 major projects
Estonia -	4 major projects
Hungary -	1 major project
Poland -	16 major projects
Romania -	6 major projects
Slovenia -	1 major project

Using a suitable methodology, set out how meaningful comparisons could be made between JASPERS supported and non-JASPERS supported major projects. In these case studies (minimum 10), the objective is to provide an analysis of the effect of JASPERS technical assistance on the timing, quality, project development and preparation for submission to the DG for Regional Policy. In the case studies, compare the length of time comparable projects took to be approved by the DG for Regional Policy, identify the key issues which arose during the process (refer back to Tasks 1 and 2 above), and set out how those issues were resolved, as well as any other factors which had a significant influence on project development.

In-country interviews will be required, which in all cases should be combined with the fieldwork to be undertaken in Task 4.2, to keep costs to a minimum. The tender documentation should outline the methodology and selection criteria for the projects to be included in each case study, the number of case studies proposed and the rationale for this, and make a proposal for their design.

Suggested maximum - 10 pages per case study.

The methodology and selection criteria for case studies will be one of the evaluation criteria for tenders.

Task 4 – Analysis of feedback from Member States and project beneficiaries

Task 4.1 – Desk research

All the JASPERS beneficiaries' Action Plans are available from 2006 to the present. Feedback forms from beneficiary Member States and project beneficiaries are also available. Under this task, the contractor will review the information and comments in the Action Plans and feedback forms¹⁰. A country by country picture of the 'state of maturity' of projects coming forward in Action Plans will be drawn up and the following questions will be answered:

- What evidence is there of improved technical capacity on the most common issues (i.e. are projects seeking the same advice, on the same topics, year after year)?
- What evidence is there of beneficiary Member States' learning from participation in the JASPERS initiative (i.e. what do Member States perceive as their greatest learning from JASPERS)?
- What evidence is there of project beneficiaries' learning from participation in the JASPERS initiative (i.e. what do beneficiaries perceive as their greatest learning from JASPERS)?
- Interviews with the DG for Regional Policy's desk officers will be an important input for this task.

¹⁰ The DG for Regional Policy will make Action Plans and feedback forms available to the successful tenderer.

Task 4.2 Analysis of the impact of JASPERS on Member States' administrative capacities

Building on the desk research carried out in task 4.1, the contractor will organise in country face-to-face interviews and workshops with key JASPERS stakeholders in the following countries: Bulgaria, Czech Republic, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia. It may be more practical to hold joint workshops where the number of JASPERS supported major projects is relatively small (e.g. less than 10 major projects).

The workshops and interviews should focus on the following:

- What are the key lessons learned in each country from participation in the JASPERS initiative?
- What mechanisms are in place to transfer technical knowledge from JASPERS staff to project applicants and Member States?
- Within Member States, are projects encouraged to learn from each other?
- What factors affect or limit knowledge transfer between JASPERS and project applicants?
- What factors affect or limit knowledge transfer within Member States?
- Test preliminary findings from Tasks 2, 3 and 4.1 with beneficiary Member State representatives.
- Explore the reputation and value added of JASPERS in the Member States through the workshops.
- Discuss the future direction of the JASPERS initiative with regard to preparation of projects for the 2014-2020 programming period, strategic and horizontal support (for example preparation of sector strategies), capacity building (including institutional support) and project implementation support.

Tenders should identify the number of interviews per country and propose any other relevant issues for analysis, including the use of surveys. The European Commission may participate in workshops, at its own cost.

Task 5 – Final report

The findings from each task, together with analysis and conclusions will be clearly presented in the Final Report. Overall conclusions and recommendations for improvements to the effectiveness and efficiency of JASPERS should also be included.

One workshop will be organised with the DG for Regional Policy (desk officers, other staff as appropriate) as the final report is being drafted, to test findings and deepen analysis.

Tenderers are asked to set out in detail how they would present the findings from each Task in the Final Report. This will be one of the evaluation criteria for the award of tenders.

The report to include a synthesis and then an Annex on each country. The report structure and headings to be agreed not more than 3 months from the award date of the contract.

A set of Annexes showing the data used, including workshop write-ups, to be attached to the final report.

3.4 METHODOLOGY

A combination of methods will be used in this evaluation, which have been set out in the task description above. They include:

- Desk research – including JASPERS assignment information, major project information, review of Action Plans, feedback forms and other documentation to be made available by the European Commission DG for Regional Policy,
- Statistical analysis
- Interviews with desk officers in the DG for Regional Policy, Member States, JASPERS staff, project beneficiaries and others as necessary,
- Workshops to be held in Member States and one in Brussels,
- Other methodological approaches as appropriate, to be specified in the tender documentation.

3.5 WORK ORGANISATION

As part of the tender documentation, the team to be involved in this evaluation should be identified, describing their skills and qualifications, quantifying the input of each member of the team in terms of days and explaining the distribution of tasks between the different team members involved. The tenderer must demonstrate that the teams have the capacity to work in the different fields and languages, where needed.

3.6 TIME SCHEDULE

The duration of the tasks is twelve months starting from the signature of the contract. The deliverables and their timing are specified below.

Reports and meetings required by the Terms of Reference

End Month	Output	Meeting
0		Kick-Off Meeting with DG REGIO
Within 1 month	Inception Report	Meeting with Steering Group
Within 4 months	First Intermediate Report	Meeting with Steering Group
Within 8 months	Second Intermediate Report	Meeting with Steering Group
Within 10 months	Draft Final report	Meeting with Steering Group
Within 12 months	Final report	

3.7 DELIVERABLES

The deliverables of this study will be:

- **Deliverable 1:** one methodological inception report covering all Tasks.
Deadline: within one month after the signature of the contract.

- **Deliverable 2:** the first intermediate report presenting the results of Tasks 1+ 2.
Deadline: within four months after the signature of the contract.
- **Deliverable 3:** the second intermediate report presenting the results of Tasks 3+4.
Deadline: within eight months after the signature of the contract.
- **Deliverable 4:** the draft final report responding to Tasks 1-5 of these specifications and containing draft conclusions and recommendations.
Deadline: within ten months after the signature of the contract.
- **Deliverable 5:** one final report. The Final Report should contain a synthesis report with chapters corresponding to each of the tasks and an annex with a short report for each country. It will be written in such a way that the information provided is easily understood. Specific conclusions as to the effectiveness of JASPERS as a whole and in each country, based on evidence presented in the evaluation, should be presented. Comparisons between the effectiveness of JASPERS in different countries should be drawn. General conclusions and recommendations for changes/improvements should also be made.
Deadline: within twelve months after the signature of the contract.

Beside the above mentioned deliverables, the contractor will have to submit a progress report of 2 pages maximum every month.

A hard copy and an electronic version of each report are required. For final reports three hard copies and an electronic version (three CD, Word format and PDF format or equivalent application compatible with MS Office) are required. The Commission will provide details for the layout of the reports.

The contractor will provide presentation material for each of the reports in English (PowerPoint or equivalent application compatible with MS Office) for the use of Commission services.

All reports will be delivered in English. **Tenderers should note that a high standard of written English and capacity for clear and concise expression of complex ideas is required in all deliverables.** An executive summary of the final report specified above will be delivered in English, French and German.

The contractor may be invited to present the results of the evaluation to the Member States and the Commission services (three meetings in Brussels). The travel costs for these presentations will be paid separately.

The quality of the evaluation will be assessed by the Commission services using the quality criteria from the Guide to the Evaluation of Socio-Economic Development. These can be found in Part 2 of that Guide at

http://ec.europa.eu/regional_policy/impact/evaluation/index_en.cfm

The assessment of the quality will be published by the Commission.

3.8 ORGANISATION OF THE STUDY

There will be a single contract with the Directorate General for Regional Policy for this evaluation.

As part of the **tender documentation**, the tenderer should identify the members of the core team (responsible for compilation and statistical analysis of the timelines, major project analysis, desk research and report editing) and experts responsible for the case studies and in-country interviews and workshops. Effective planning of the fieldwork, including allowance for language requirements in some countries, is essential and this should be reflected in the days allocated to the core team as well as the case studies and workshops. The person responsible for the quality of the content of each deliverable (including proper editing of the draft final report in terms of its content) should be identified. In addition the tender documentation should describe for each member of the team his/her skills and qualifications and quantify the input in terms of days and explain the distribution of tasks between the different team members involved. The tenderer should prove that their team has the capacity and knowledge to work in the fields of expertise required and in the languages which may be needed for the in-country interviews and workshops.

The Directorate General for Regional Policy will establish a steering group representative of the relevant Directorates of the Directorate General as well as other interested Directorates General. The contractor will provide documentation for and attend four meetings of the steering group. It is anticipated that the meetings will take place in order to discuss the inception report, the intermediate reports and the draft final report.

The contractor will be expected to attend a kick-off meeting plus three progress meetings with the Evaluation Unit of DG REGIO in Brussels reviewing the progress of the study and resolving any problems arising. These meetings will be arranged according to needs arising.

4. PARTICIPATION IN THE TENDERING PROCEDURE

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 European Union a specific agreement in the area of public contracts, under the conditions provided for in that agreement.

The Plurilateral Agreement on Government Procurement concluded within the WTO applies and the contract is also open to nationals of the countries that have ratified this Agreement, on the conditions it lays down.

As a rule subcontracting is allowed.

Consortia of economic operators are authorised to tender or be candidates.

5. DOCUMENTATION FOR TENDERERS

None.

6. VISITS TO PREMISES OR BRIEFING

Not applicable.

7. VARIANTS

Not authorised.

8. VOLUME OF CONTRACT

€500,000 maximum (lump sum, including fees, travel expenses and other costs).

9. PRICE

The attention of the tenderer is drawn to the following points in relation to the price:

- The price quoted must be fixed and not subject to revision.
- Under Articles 3 and 4 of the Protocol on the Privileges and Immunities of the European Union, the Union is exempt from all charges, taxes and dues, including value added tax; such charges may not therefore be included in the calculation of the price quoted; the VAT amount must be indicated separately.
- The price tendered must be all inclusive and expressed in euros, including for countries which are not part of the euro zone. For tenderers in countries which do not belong to the euro zone, the price quoted may not be revised in line with exchange rate movements. It is for the tenderer to select an exchange rate and assume the risks or the benefits deriving from any variation.
- The price quoted must include a separate estimate for travel and subsistence expenses. This estimate must be based on the standard Commission rules (published in Inforegio). It must include any travel necessary to meet the contracting authority, and represents, at all events, the maximum amount of travel and subsistence expenses payable for all services under the contract. These expenses must be included in the price quoted.
- The same principle applies to any specific expenditure incurred in the performance of the contract, such as the cost of translating reports into the languages indicated in the specification. These expenses must be included in the price quoted.
- Costs incurred in preparing and submitting tenders are borne by the tenderers and cannot be reimbursed.

10. TERMS OF PAYMENT

The Contractor shall submit requests for all payment, expressed in euros, to the Commission.

Payments under the contract shall be made as follows:

A first interim payment equal to 25 % of the total amount within 30 days of the date on which a valid request for payment is registered following approval by the Commission of the inception report.

A second interim payment equal to 25 % of the total amount within 30 days of the date on which a valid request for payment is registered following approval by the Commission of the first intermediate report.

A third interim payment equal to 25 % of the total amount within 30 days of the date on which a valid request for payment is registered following approval by the Commission of the second intermediate report.

Payment of the balance equal to 25 % of the total amount within 30 days of the date on which a valid request for payment is registered following approval by the Commission of the final report and the previous deliverables, and the organisation of the report's presentations.

11. CONTRACTUAL TERMS AND GUARANTEES

For the contractual terms, see the draft contract published on Inforegio.

Guarantee: Not applicable

12. CRITERIA

Exclusion criteria

A. Exclusion from participation in the procedure:

Tenderers are excluded from participating in a 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 professional conduct by a judgment which has the force of res judicata;
- (c) they have been guilty of grave professional misconduct proven by any means which the contracting authorities 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 carried out;
- (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 European Union's financial interests;

- (f) they have, following another procurement procedure or grant award procedure financed by the European Union's budget, been declared to be in serious breach of contract for failure to comply with their contractual obligations.

Evidence:

1. Tenderers shall provide *a declaration* on their honour*, duly signed and dated, stating that they are not in one of the situations described above.
2. The tenderer to whom the contract is to be awarded shall provide, within 10 days preceding the signature of the contract, the evidence referred to in the following paragraph, confirming the declaration referred to in the previous paragraph.
3. The contracting authority will accept, as satisfactory evidence that the tenderer to whom the contract is to be awarded is not in one of the situations described in points a), b) or e), an extract from the judicial record or, failing that, an equivalent document issued by a judicial or administrative authority in the country of origin or provenance, showing that those requirements are satisfied.

The contracting authority will accept, as satisfactory evidence that the tenderer is not in one of the situations described in point d), a certificate issued by the competent authority of the Member State concerned.

Where no such document or certificate is issued by the country concerned and for other cases of exclusion referred to in cases c) and f) above, 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 or her country of origin or provenance.

These documents or certificates must be valid on the closing date for receipt of tenders, and in any case, they must have been delivered less than 12 months before this closing date.

Depending on the national legislation of the country in which the tenderer is established, the documents referred to in points 1 and 3 above must relate to legal persons and 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 tenderer.

B. Exclusion from award of the contract:

No contract will be awarded to tenderers who, at the time when contracts are being awarded under this procedure:

- a have a conflict of interest. The Commission must ensure that the tenderer does not, at the time of submitting a tender, have any conflict of interest in connection with this call for tenders, a conflict of interest possibly arising in particular as a result of economic interests, political or national affinities, family or emotional ties, or any

* The model declaration on honour published with this call covers all exclusion criteria.

other relevant connection or shared interest. The Commission reserves the right to assess whether a conflict of interest exists.

To that end tenderers are asked to state whether their payroll, staff or shareholders include:

- any former European officials, contract staff, temporary staff or auxiliary staff who have worked for the European Union in the last three years preceding this call for tenders;
- any European officials on leave;
- any former agents on secondment within the European institutions having worked to the European Union during three years preceding this call for tender;
- any former trainees who have completed a placement at the EC during the year preceding this call for tenders.

Tenderers are also asked to declare:

- that they have not made and will not make any offer of any type whatsoever from which an advantage can be derived under the contract;
 - that they have not granted and will not grant, have not sought and will not seek, have not attempted and will not attempt to obtain, and have not accepted and will not accept, any advantage, financial or in kind, to or from any party whatsoever, constituting an illegal practice or involving corruption, either directly or indirectly, as an incentive or reward relating to the award of the contract;
 - that they will inform the contracting authority, without delay, of any situation constituting a conflict of interest or which could give rise to a conflict of interest.
- b have been guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participation in the contract procedure or have failed to supply that information.

Evidence:

The contracting authority will accept, as satisfactory evidence that the tenderer is not in one of the situations described in points B. a) and b), **a declaration* on their honour** signed by the tenderer. However, the Commission reserves the right to verify the information.

C. Tenders submitted by consortia or groups of service providers – tenders involving subcontracting

Where the tender is submitted by a consortium or by a contractor intending to subcontract part of the work or have it performed by another economic operator, the exclusion criteria defined above have to be fulfilled by each economic operator involved in the tender.

Evidence:

In the case of tenders submitted by consortia or groups of service providers, every economic operator in the tender, must provide a **declaration* on honour** to prove that none of the exclusion criteria for participation or award of contracts applies to it.

The tenderer to whom the contract is to be awarded shall provide, within 10 days preceding the signature of the contract, the evidence referred to above, confirming the declaration on honour for every economic operator part of the consortia or groups of service providers.

In the case of tenders involving subcontracting, the tenderer to whom the contract is to be awarded shall provide, within 10 days preceding the signature of the contract, the evidence referred to above for the exclusion criteria for participation or award of contracts, confirming the declaration on honour for every subcontractor for which the Commission will request it.

Selection criteria

Legal position – means of proof required

- a) Where the tenderer needs a specific authorisation or must be a member of a specific organisation in order to provide the services concerned in his country of origin, he must prove that he holds this authorisation or that he belongs to this organisation.
- b) The tenderer is required to furnish proof of his enrolment on the professional or trade register, or a sworn statement or certificate in accordance with the conditions laid down in the Member state in which he is established.

Economic and financial capacity – means of proof required

The tenderers must prove that they have the economic and financial capacity to carry out the tasks set out in the Tender Specifications throughout the duration of the contract.

Proof of financial and economic standing must be provided by one or more of the following:

- bank declarations;
- balance sheets or summarised balance sheets;
- a statement of general turnover or turnover relating to the services in question, covering the last three financial years.

Technical capacity – means of proof required

Technical capacity will be assessed on the basis of expertise, knowledge, efficiency, experience and reliability in the following areas:

* The model declaration on honour published with this call covers all exclusion criteria.

- The theory and practice of socio-economic analysis and evaluation;
- Knowledge of fundamental features of cohesion policy, particularly large infrastructure projects;
- The drafting and presentation of analytical reports;
- The manipulation and analysis of data;
- Capacity to deliver texts of good quality in English.

Proof of the above may be furnished by means of:

- i) The educational and professional qualifications of the service provider or contractor and/or those of the firm's managerial staff and, in particular, those of the person or persons responsible for providing the services;
- ii) Main services provided over the past three years, together with details of values, dates and public or private recipients involve;
- iii) Tenderer's average annual manpower and number of managerial staff over the past three years;
- iv) Technical plant and equipment, office-automation and computer equipment available to the tenderer for performing the services;
- v) Company's study and research facilities;
- vi) Proportion of the contract which the tenderer may intend to subcontract.

Award criteria

The contract will be awarded to the tender that is **most economically advantageous**. This will be determined in the light of the price and the quality of the tender. The successful tender will be the one providing a high level of quality (for which it will be given a mark) with the lowest ratio of total cost to the quality mark achieved. Tenders with a mark below 50% of available quality points will not be considered. The quality of the tender will be assessed as a function of the following criteria:

- Understanding of the Terms of Reference and appropriately expanding it to the required analysis and research for the tasks and each subtask. (20%)
- Appropriateness of the methodology of the whole evaluation, of the case studies and of the specific methodology for each task including the final report (data collection, major project analysis, proposed methodology for the case studies, workshops and presentation of findings in the Final Report). (50 %)
- Quality of planning of human resources and work organisation, including co-ordination, quality assurance and team member responsible for each deliverable). (30 %)

13. TENDERS

General comments

Tenderers must include in their replies

- all the information and documentation needed to enable the contracting authority to appraise tenderers/tenders on the basis of the exclusion, selection and award criteria; these documents must be indicated, e.g. in a list;
- the price;
- any other information and documentation required in the tendering documents.

Tenders may be written in any of the official EU languages.

Tenders from the consortia of companies or groups of service providers must specify the role, qualifications and experience of each member or group, and submit all the applicable documents required in the tendering documents.

The previous provisions also apply to any subcontractors that may be involved in the tender.

In case of tenders involving subcontractors, a letter of intent must be supplied by each subcontractor stating its unambiguous undertaking to collaborate with the tenderer if he wins the contract and the extent of the resources that it will put at the tenderer disposal for the performance of the contract.

14. OPENING OF TENDERS

Tenders will be opened on 26/09/2011 at 09.30 at CSM1 09/22, DG Regional Policy, rue Père de Deken, 23, 1040 Brussels. Tenderers may be present at the opening of tenders. Each tenderer may take part or send a representative.

Annexes to the specifications:

1. Bibliography
2. Approved major projects from JASPERS countries
3. Information for the successful tenderer

Annex 1 - Bibliography

- JASPERS annual reports, to be found at:

<http://www.jaspers-europa-info.org/index.php/broch.html>

- JASPERS background papers, to be found at:

http://ec.europa.eu/regional_policy/events/ifi/documentation.cfm?deploy=0

Annex 2 – List of major projects approved by the DG for Regional Policy, end June 2011

(see Excel spreadsheet)

Annex 3- Information to be made available to the successful tenderer

- Selected major project information from the DG for Regional Policy's database
- Selected reports from the JASPERS database
- Selected information on the DG for Regional Policy's approval process for major projects
- Member State Action Plans since 2006
- Member State feedback forms
- Project beneficiary feedback forms
- DG for Regional Policy desk officer feedback forms