



**ASSESSMENT OF DEMAND AND SUPPLY IN
ADMINISTRATIVE CAPACITY TO MANAGE EUROPEAN
STRUCTURAL AND INVESTMENT (ESI) FUNDS AND
EXPLORE INTEREST IN A NEW STAFF EXCHANGE
INSTRUMENT CALLED "COMMON EXPERT EXCHANGE
SYSTEM" (CEES)**

FWC 30-CE0467851/0065 - Final Report

EUROPEAN COMMISSION

Directorate-General for Regional and Urban Policy
DG REGIO
Unit Communication

E-mail: regio-publications@ec.europa.eu

*European Commission
B-1049 Brussels*

ASSESSMENT OF DEMAND AND SUPPLY IN
ADMINISTRATIVE CAPACITY TO MANAGE EUROPEAN
STRUCTURAL AND INVESTMENT (ESI) FUNDS AND
EXPLORE INTEREST IN A NEW STAFF EXCHANGE
INSTRUMENT CALLED "COMMON EXPERT EXCHANGE
SYSTEM" (CEES)

FWC 30-CE0467851/0065 - Final Report

***Europe Direct is a service to help you find answers
to your questions about the European Union.***

Freephone number (*):

00 800 6 7 8 9 10 11

(*) The information given is free, as are most calls (though some operators, phone boxes or hotels may charge you).

LEGAL NOTICE

This document has been prepared for the European Commission however it reflects the views only of the authors, and the Commission cannot be held responsible for any use which may be made of the information contained therein.

More information on the European Union is available on the Internet (<http://www.europa.eu>).

Luxembourg: Publications Office of the European Union, 2014

ISBN 978-92-79-43371-9
doi: 10.2776/31790

© European Union, 2014

Table of contents

| | |
|--|-----------|
| Introduction..... | 4 |
| A) Description of activities..... | 5 |
| <i>A.1 Web-based survey among main stakeholders in the Member States.....</i> | <i>5</i> |
| <i>A.2 Face-to-face interviews with selected stakeholders from eight Member States.....</i> | <i>6</i> |
| B) Executive Summary..... | 7 |
| <i>B.1 Main findings from the on-line survey and the face-to-face interviews.....</i> | <i>7</i> |
| <i>B.2 Main concerns expressed among potential providers/beneficiaries.....</i> | <i>8</i> |
| <i>B.3 Needs assessment.....</i> | <i>9</i> |
| <i>B.4 Proposed options.....</i> | <i>10</i> |
| <i>B.4.1 Basic parameters of the CEES.....</i> | <i>10</i> |
| <i>B.4.2 Proposed design of the mechanism.....</i> | <i>11</i> |
| C) Analytical overview of findings from the online survey..... | 14 |
| <i>C.1 Key findings of the online survey:.....</i> | <i>15</i> |
| D) Analytical overview of findings from the face-to-face interviews..... | 24 |
| <i>D.1 Possible obstacles identified during the face-to-face interviews:.....</i> | <i>31</i> |
| E) Detailed proposals and recommendations for the design of a CEES mechanism..... | 33 |
| <i>E.1. Basic parameters of the CEES.....</i> | <i>33</i> |
| <i>E.2. Options for the detailed design of the CEES.....</i> | <i>34</i> |
| <i>Option 1: Expert Exchange System managed centrally by the Commission.....</i> | <i>36</i> |
| <i>Option 2: Expert Exchange System managed by the Commission and involving a Network of National Contact Points.....</i> | <i>38</i> |
| <i>Option 3: Expert Exchange System managed centrally through an independent service provider mandated by the Commission.....</i> | <i>41</i> |
| <i>Option 4: Expert Exchange System managed by an external service provider and involving a Network of National Contact Points.....</i> | <i>43</i> |
| <i>E.3. Preparatory Measures.....</i> | <i>45</i> |
| <i>Preparatory measure I: Stakeholder mapping and Outreach campaign.....</i> | <i>45</i> |
| <i>Preparatory measure II: (service contract): Analysis of the compatibility of the CEES with EU and national Public Procurement provisions.....</i> | <i>48</i> |
| <i>E. 4. Accompanying measure: Setting up and running an IT Platform for exchange of information and experience.....</i> | <i>50</i> |

LIST OF ANNEXES

| | |
|--|-----|
| Annex I Survey..... | 1 |
| Annex II Survey results..... | 19 |
| Annex III Agenda..... | 44 |
| Annex IV Write – up meetings..... | 74 |
| Annex V Oversight table about main findings..... | 162 |
| Annex VI List of existing networks..... | 164 |
| Annex VII Draft online request form..... | 175 |

Introduction

The general objective of this contract concluded between DG REGIO and EIPA is to contribute to the European Commission's intention to provide targeted support under the Common Expert Exchange System (CEES) to Member States/regions with known weaknesses in administrative capacity and managing the ESI Funds, in order to trigger improvements that will lead to better overall Funds performance for the next programming phase 2014-2020.

The specific objectives of this project are:

1. Establish whether there is an interest in the CEES instrument in Member States/regions and highlight features of such an instrument that Member States/regions would find most useful/relevant;
2. Identify the main institutional capacity gaps in relation to the management of ESI Funds across the authorities responsible for managing the Funds;
3. Identify what expertise could be provided by Member States and regions to help address the identified weaknesses and gaps in implementing the ESI Funds.

These objectives are to be achieved through 1) a web-based survey among the Managing and Certifying Authorities as well as Intermediate Bodies and Audit Authorities of the Member States; and 2) face-to-face interviews with selected authorities from eight Member States.

A) Description of activities

A.1 Web-based survey among main stakeholders in the Member States

(Managing, Certifying and Audit Authorities, Intermediate and Coordination Bodies, key Final Beneficiaries)

During the first phase of the contract, EIPA had designed, in close cooperation with the Competence Centre on Administrative Capacity Building (REGIO E.1), a questionnaire for an online survey, addressed to a panel of representatives from Member State bodies involved into preparation and management of ESI Funds (Managing, Certifying and Audit Authorities; Intermediate and Coordinating bodies; key Final Beneficiaries addresses provided by REGIO E.1). The purpose of this online survey was to define the level of interest from respondents in a new peer-to-peer capacity building instrument, as well as some indication about the most appropriate design of such an instrument.

This online survey was launched on 13 February and sent to a panel of 408 respondents. In order for the replies to be registered and analysed automatically, the survey was launched from the platform of the IT tool that was used (qualtrics.com). In addition, respondents were given a dedicated mailbox (dgregiosurvey@eipa.eu) for questions, comments and technical assistance.

A total of 103 responses were received by the deadline of 14 March. This number still increased to 131 by the end of the reporting period, as the database was continuously updated. The final return rate was thus of 32%.

An analytical overview of the results of the online survey can be found under section C.1.

The text of the survey is reproduced under annex I.

The full results of the survey are reproduced under annex II.

A.2 Face-to-face interviews with selected stakeholders from eight Member States

After having collected and analysed the first results of the online survey (as described in the Interim Report of 14 March), EIPA and DG REGIO conducted a number of face-to-face interviews with selected Managing, Certifying and Audit Authorities, Intermediate Bodies, Coordinating Bodies and key Final Beneficiaries from a total of eight Member States. The list of Member States to be visited was drawn up jointly by EIPA and REGIO E1, targeting a sample of countries that would reflect geographical balance, a balance between old and new/ bigger and smaller Member States, as well as between countries that were deemed to be rather more on the demand side or on the supply side. A list of relevant authorities to be met in these countries was submitted to EIPA by REGIO E1.

The interviews were organised by EIPA and conducted by two staff members of EIPA and one (occasionally two) representative(s) of DG REGIO. The schedules of the visits were as follows:

| COUNTRIES | INSTITUTIONS MET* |
|----------------------------|-------------------------------------|
| Romania (25 March) | 1 MA + 2 KFB + 1 CB |
| United Kingdom (2-3 April) | 2 MA + 1 CB |
| Netherlands (4 April) | 1 CB and 1 MA |
| Croatia (7-8 April) | 1 AA + 1 CA + 1 MA/CB |
| Bulgaria (10 April) | 2 MA + 1 AA + 1 CA + 1 CB |
| Lithuania (16-17 April) | 3 MA + 1 AA + 1 CA |
| Italy (14-15 May) | 2 MA + 2 AA + 2 CA |
| Poland (20-21 May) | 1 AA + 1 CB (different departments) |

* Key:

MA = Managing Authorities and Intermediate Bodies

AA = Audit Authorities

CA = Certifying Authorities

KFB = Key Final Beneficiaries

CB = Coordinating Bodies

An analytical overview of the results of the face-to-face interviews can be found under section D

The agendas for the meetings are reproduced in annex III.

The verbatim transcriptions of the interviews are reproduced in annex IV.

B) Executive Summary

B.1 Main findings from the on-line survey and the face-to-face interviews

1. There is broad support among Member State authorities for a peer-to-peer capacity building mechanism, set up and facilitated by the European Commission.
2. There is a clear preference among potential providers and beneficiaries for short-term and un-bureaucratic exchanges of experts, including study visits, as there are limited capacities on both sides to provide or absorb comprehensive long-term assistance.
3. The thematic fields of interest most often mentioned in the survey were: public procurement, state aid, institutional capacity, financial instruments, simplified cost options, smart specialisation and anti-fraud measures. These are also the areas in which a potential gap of supply and demand becomes apparent.
4. Unlike the pre-accession period, where the main challenge consisted of assisting beneficiaries to transpose parts of the *acquis* into their national systems, the current challenges are rather to implement rules that are new for *all* the Member States. The degree of experience in implementing these new rules does not, in principle, differ between Member States.
5. In light of the above, a majority of Member States considers that looking at capacity building from a perspective of provider/beneficiary of assistance is often no longer appropriate. Therefore, it was suggested by a number of respondents that there was less need for a classical transfer of skills and knowledge from one side to the other, but rather for mutual consultations, peer-to-peer review and exchanges of good practices.
6. There are differences among institutions of the same Member State in access to expertise (and thus in interest in such a mechanism). Whereas central coordination bodies in general have no difficulties accessing the expertise they need, and whereas more specific bodies (like Certifying and Audit Authorities) cover much of their needs through existing networks, the needs become more pronounced for sectoral or regional Managing Authorities and Intermediate Bodies which find it more challenging to be involved in networks and cover their needs for assistance.
7. Although key Final Beneficiaries were not among the original target group of this study, there is some evidence that there is particularly strong demand for peer-to-peer assistance among these bodies (i.e. road and railway authorities).

8. In particular, Managing Authorities, Intermediate Bodies and key Final Beneficiaries expressed the need for a web-based platform for exchange and discussions between bodies involved in the management of ESI funds. However, this platform should be complementary to a peer-to-peer exchange instrument (and not a substitute for it).
9. Many Member States expressed the wish to have a mechanism in place to get quick and operational answers from Commission Services on questions regarding the application of the new rules.

B.2 Main concerns expressed among potential providers/beneficiaries

1. There were some concerns voiced among potential providers of assistance about the ability to detach experts, especially during critical periods (i.e. ahead of common deadlines), when potential demand is likely to be the highest. This concerns in particular the sectors and activities with a potential imbalance between supply and demand (see point B.3).
2. A number of potential beneficiaries were concerned about the possibility to finance peer-to-peer assistance through their own means (including through Technical Assistance budget), given that they would have to comply with national procurement rules. This would greatly reduce the attractiveness of the CEES.

A table summarising the main positions of the institutions that were interviewed is attached (annex V).

B.3 Needs assessment

From the findings above it becomes clear that there is an overall need expressed among the Member States for three different, but complementary types of measures:

1. A non-bureaucratic and user-friendly instrument for short-term exchange of public sector experts (civil servants from Managing/Certifying/Audit Authorities, Intermediate Bodies and key Final Beneficiaries).
2. A low-threshold and user-friendly IT platform with social network functions where staff of Member State bodies involved in ESIF management can exchange experience and information.
3. Specific advice and targeted trainings on specific operational subjects delivered ideally by DG REGIO officials or officials from other EC services. The initiative for the development of a strategic training programme run by REGIO/EC has already started with a first training programme on the challenges of the new programming period.

B.4 Proposed options

B.4.1 Basic parameters of the CEES

In light of the findings of the online survey and the face-to-face interviews, we propose to set up a light, flexible and operational mechanism for peer-to-peer exchange, which would allow civil servants involved in the programming, management, control and implementation of ESI funds to enter into contact with each other and exchange experiences.

The CEES mechanism should meet the following basic parameters

- Be demand-driven instrument for expert exchange with DG REGIO* as a hub.
- Be available for civil servants at all levels involved into programme organisation and management of ESI funds.
- Focus on short time and tailor made assignments (but with the possibility of extension by mutual agreement).
- Offer flexibility of measures ranging from short expert assignments to study visits and peer reviews.
- Be highly operational: short communication lines, specific expertise to meet specific requests, empower people to decision making,
- Be quick and offer non bureaucratic requests for expertise via Internet.
- Not differentiate between “providers” and “beneficiaries”, just peer-to-peer exchange of expertise.
- Based on reimbursement of real costs (e.g. travel, accommodation to be paid by requesting side), but no complementary costs (e.g. advisory costs, management fees).
- Allow reimbursement of expert salaries (real costs) for the supply side (as far as possible – to be mutually agreed).
- Allow costs to be eligible under Technical Assistance budget.
- Not require public procurement (as far as in line with national rules).
- Include clear formulation of specific objectives to be achieved.
- Offer DG REGIO as “matchmaker”.
- Offer quality control of experts through DG REGIO* (ex post / ex-ante).
- Peer to peer support should be complementary to the support delivered by the private sector
- Offer the option of an IT based platform with social media features for direct exchange between experts.

* Or mandated body under the control of DG REGIO.

B.4.2 Proposed design of the mechanism

For the exact design of the main part of the CEES mechanism, we have proposed four different options for the setup of the exchange instrument, with different degrees of involvement of the Commission, the Member States and external service providers. Each of these options has its own advantages and disadvantages that are also outlined.

In addition, and according to the option chosen, one or two preparatory measures (also described below) are proposed.

For each of the four options, a preliminary budget (preparation and three years running costs) is given in section E.2. The IT platform has also been budgeted.

Option 1: CEES centrally managed by the Commission:

In this model, specific requests for assistance or partners would be submitted electronically (using a web-based standard template) to DG REGIO, which would then identify a suitable expert within its database of national experts. DG REGIO would check the availability of the expert and put the two sides into contact. All further steps would be dealt with by the two sides directly, using a standard model agreement provided by the EC, without any further involvement from the Commission.

DG REGIO would exert a quality control function, both ex ante (screening of expert CV; interviews) and ex post (analysis of evaluation submitted by beneficiary).

Option 2: CEES managed jointly by Commission and Member States:

In this model, DG REGIO would have to promote the setting up of a system of 28 National Contact Points (NCPs) and promote the CEES with the NCPs. Once the NCPs are set up, they would receive all requests from national and regional bodies in their respective countries and forward them to a designated desk within DG REGIO. DG REGIO then identifies one or more Member States deemed to have the capacity and expertise required, and forwards the request to the NCP of that country which would forward it to its relevant bodies. In case a Member State identifies a suitable expert, it would transmit his/her CV to the DG REGIO desk who will, after an initial quality check, transmit it to the beneficiary's NCP. Further arrangements would be made directly between the two sides. After the mission, the National Contact Point and the Commission would receive a short standardised evaluation of the expert.

Option 3: CEES centrally managed by an external service provider:

In this model, the Commission would mandate an external body to fulfil the functions described under option 1.

Option 4: CEES managed jointly by the Member States and an external service provider:

In this model, an external provider would fulfil the functions otherwise fulfilled by the Commission as described under option 2.

Preparatory measures:

1. Service contract for the preparation of the CEES in a centralised mode (comprehensive mapping of all ESIF bodies, preparing and implementing an information campaign, setting up an expert database (including translation of expert CVs).

A detailed description of this contract can be found on p. 44

2. (Pending on the outcome of an internal compliance assessment of the CEES with EU public procurement provisions): Service contract for the assessment of the relevant national public procurement provisions in 28 Member States and assessment of options/formulating proposals on ways to exclude salary compensations for Member States from public procurement provisions.

A detailed description of this contract can be found on p. 47

Complementary measure:

IT Platform (complementary to options 1-4)

This tool would be a virtual social platform, where staff from all ESIF bodies can log in, create an own profile and discuss/exchange information with their peers. On this user-friendly and low-barrier platform (with a graphic interface similar to Facebook), special fora for discussing particular topics or topics that are relevant for certain categories of users can be created or questions can be asked online to peers. The Commission and ESIF bodies can post documents on this platform. Occasionally, e-learning courses/webinars focusing on specific topics can be organised on this platform by the Commission or an external service provider.

A detailed description of this contract can be found on p. 49

C) Analytical overview of findings from the online survey (13 February - 27 May 2014)

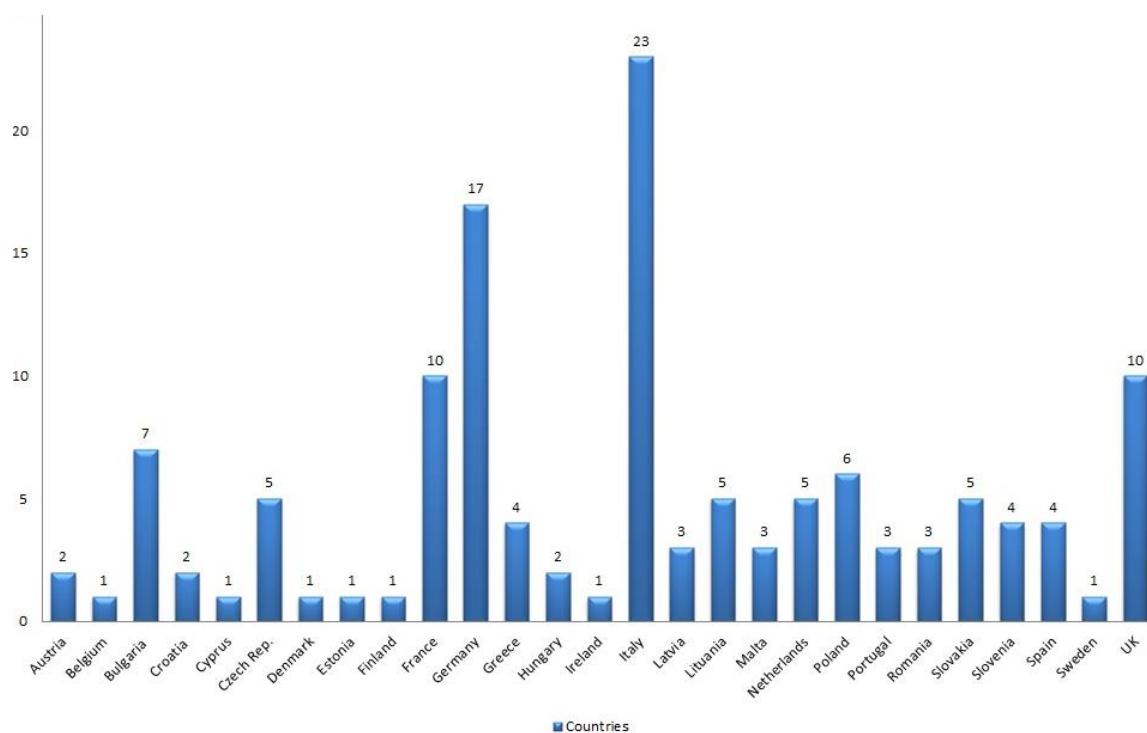
Number of addressees (persons):¹ 408

Number of replies submitted: 131

Percentage submitted replies: 32%

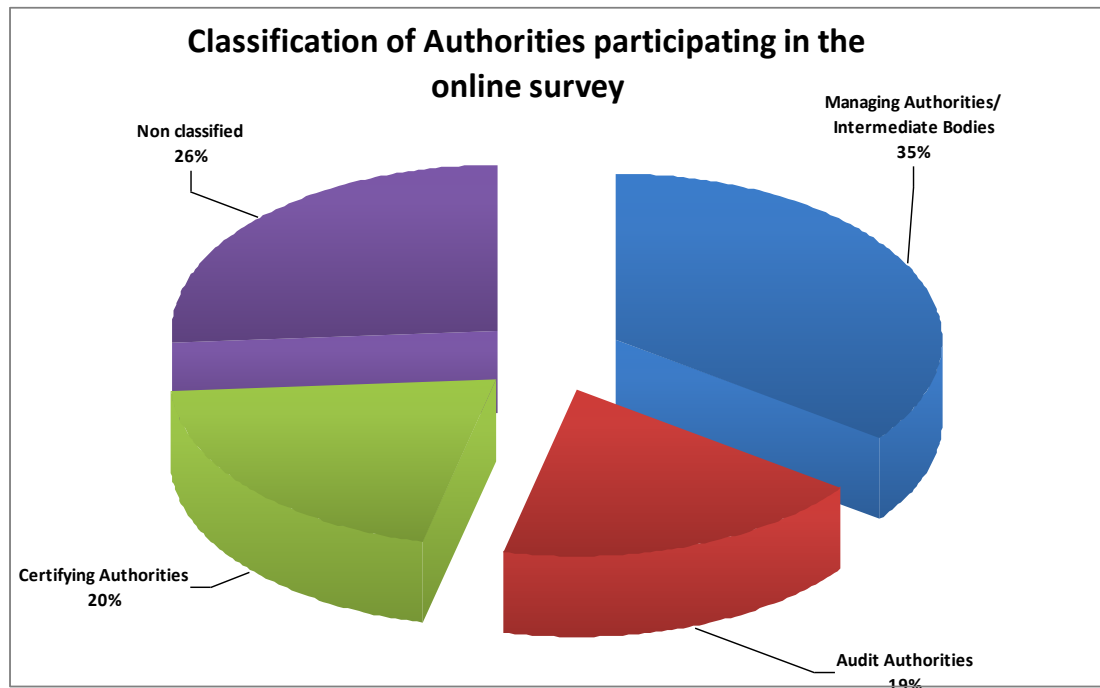
Number of Member States represented: 27 (no replies received from Luxembourg)

Geographical distribution of the replies received:



¹ In some cases, several e-mail addresses were known for the same person. In order to increase the possibility of reaching the addressees, all of them were addressed. However, for statistical purposes, these duplicate addresses are not taken into account.

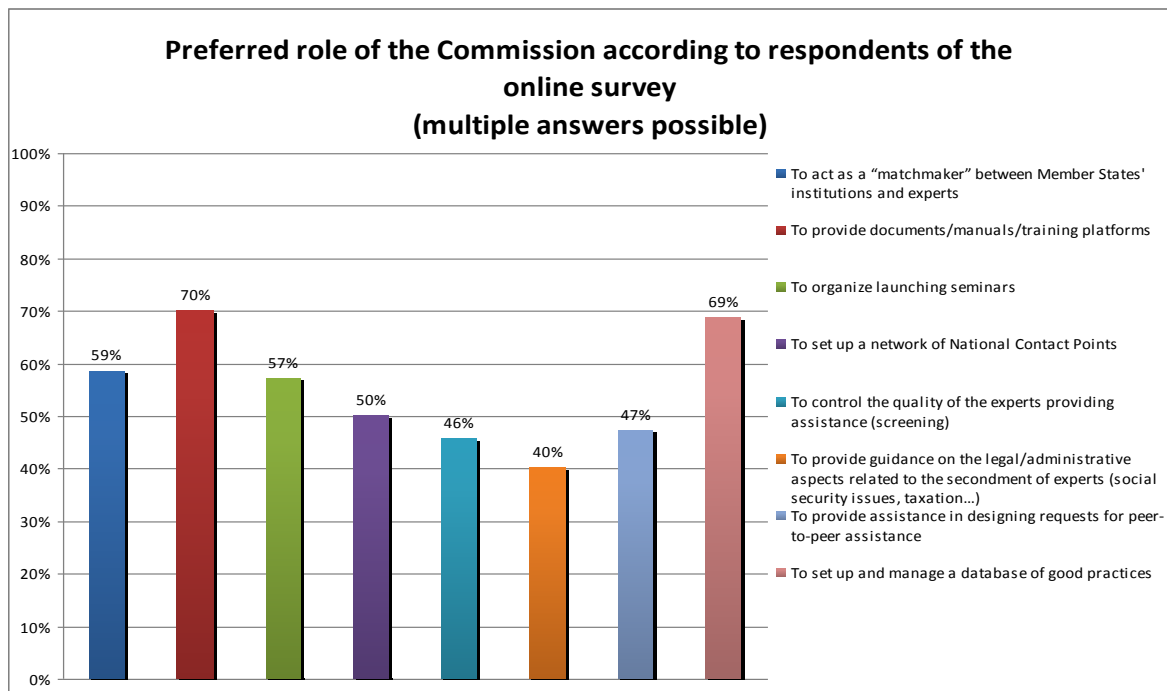
Identity of respondents according to institution



C.1 Key findings of the online survey:

- Around half of all respondents indicated that their institution did not have the required skills and competences needed to respond to the increasing demands of ESI Funds management.
- A big majority (90%) was positive about the suggestion to set up the CEES.
- Whereas a quarter of respondents indicated that they were likely to highly likely to make a request for assistance under the CEES, only 30% of respondents said they were ready to pilot such an instrument (14% as potential beneficiaries and 16% as potential providers). Furthermore, just half of all respondents was prepared to pay for such services out of their TA budget.

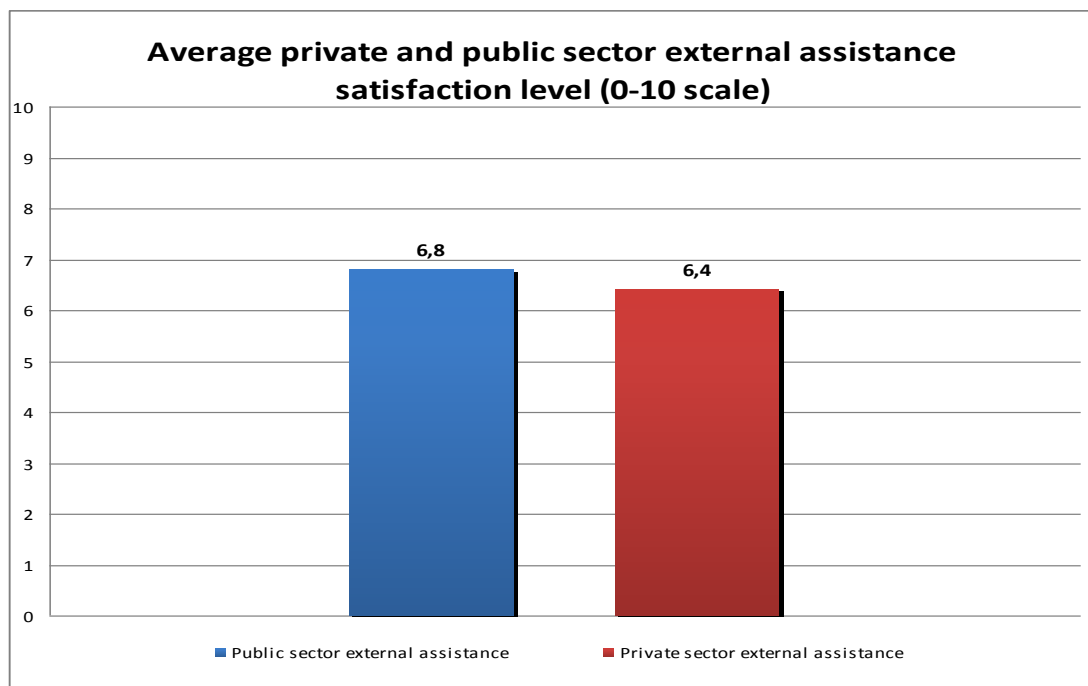
- Regarding the role of the Commission, the most widely expressed opinions was that it should provide documents, manuals and training platforms, set up a database of good practices and assume the role of a matchmaker.



- Regarding the **form of CEES assistance**, a majority of respondents (45%) expressed a preference for a mix of both long-term and short-term support. A total of 35% had a clear preference for short-term support, and 12% for long-term support.
- On the **supply side**, it appears that just 8% of respondents considered themselves exclusively as suppliers of services, whereas a majority of respondents considered themselves as both potential beneficiaries and suppliers. Out of all respondents who considered themselves as exclusive suppliers of services, only one indicated a readiness to provide assistance under a comprehensive and long-term capacity building project.

Previous experience with external assistance

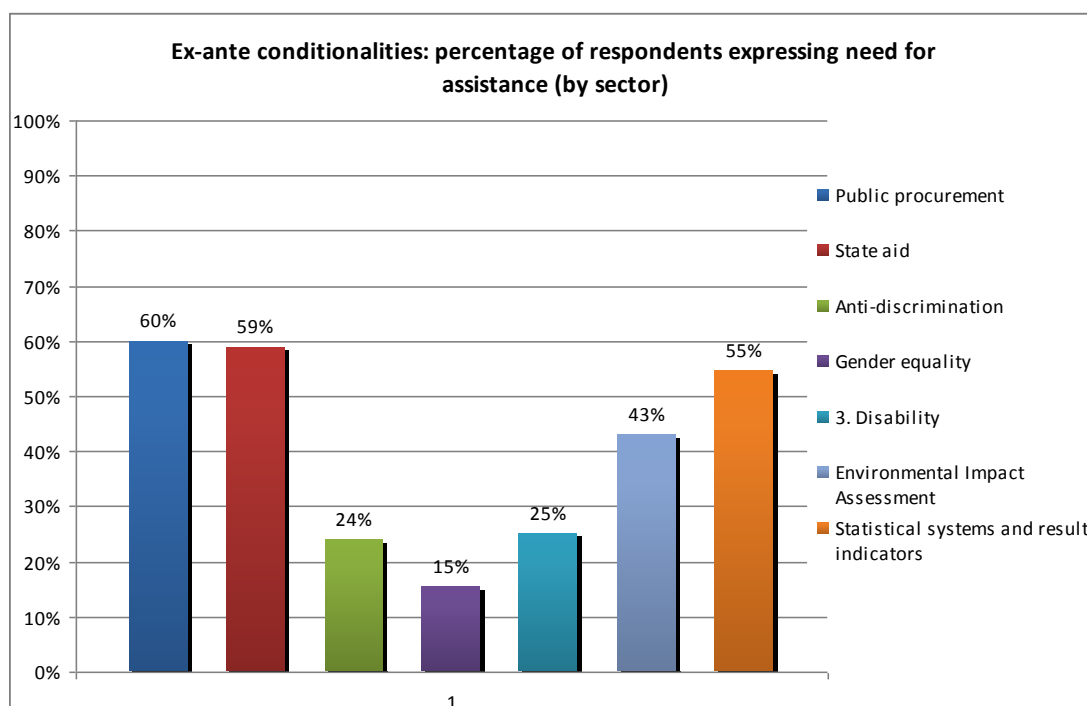
It can be noted that, when asked about their previous experiences with both private (consultants) and public sector (peer-to-peer) assistance, no significant difference in the satisfaction rates of the beneficiary institutions could be detected (6.4% for private sector assistance and 6.8% for public sector assistance). Respondents' comments suggest that private sector assistance can be complementary to public sector assistance, but could not cover all the specific needs of the beneficiary.



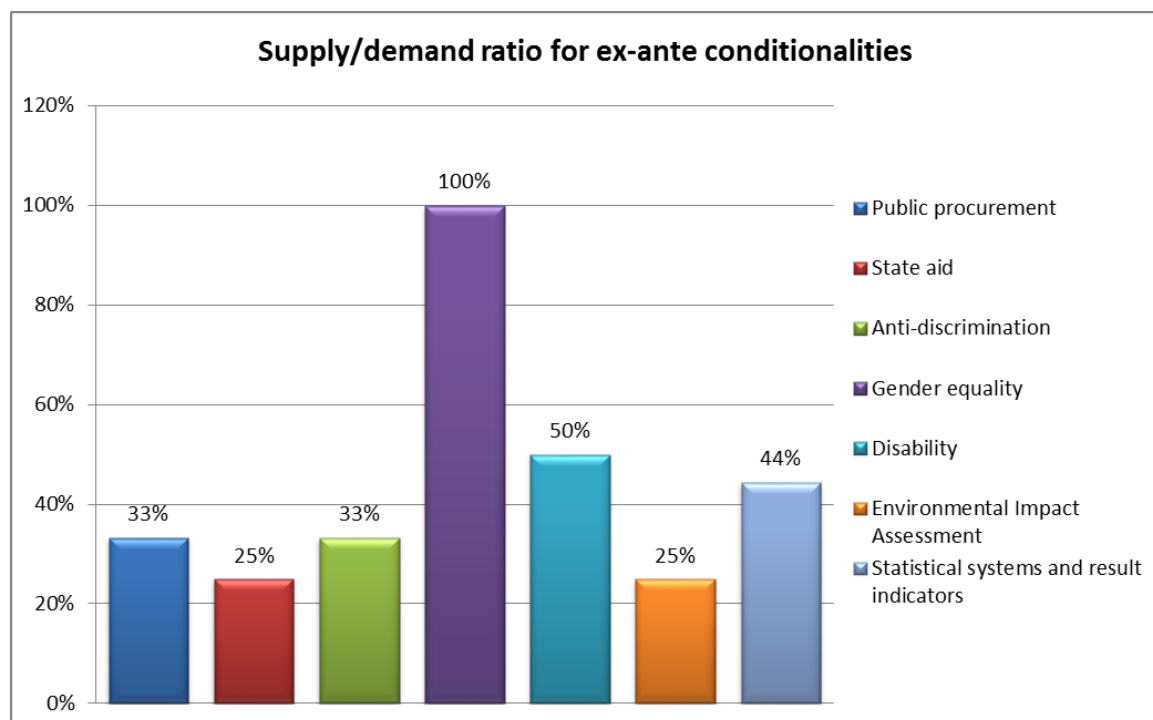
Main capacity gaps identified.

With a few exceptions, the number of requests made for peer-to-peer assistance is bigger than the offer of such assistance. This is true for ex-ante conditionalities, the Thematic Objectives and for most specific activities related to the preparation and management of ESI funds.

With regard to the **ex ante conditionalities**, the main need for assistance was expressed for the area of public procurement and state aid (approx. 60 % of all respondents for each) and statistical systems and results indicators (55%). The lowest need for assistance was expressed for gender equality (15%).

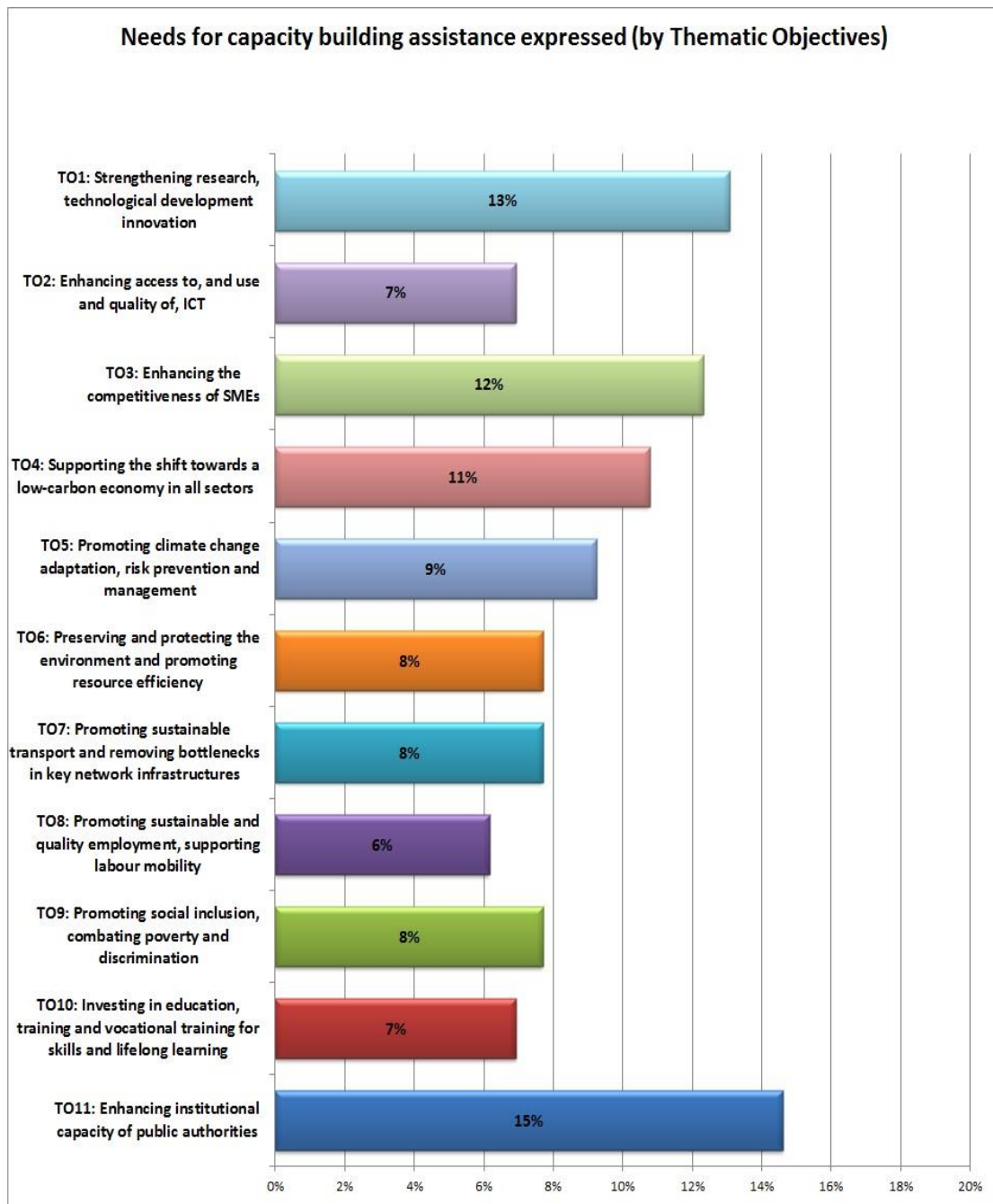


With regard to the ex ante conditionalities, the average ratio of respondents willing to offer assistance to those expressing need for assistance was 37%: for every 100 requests for assistance made, there would be only 37 proposals to provide assistance. Whereas for state aid the demand for assistance is 4 times higher than the offer (25%), supply and demand are perfectly balanced for gender equality (100%).

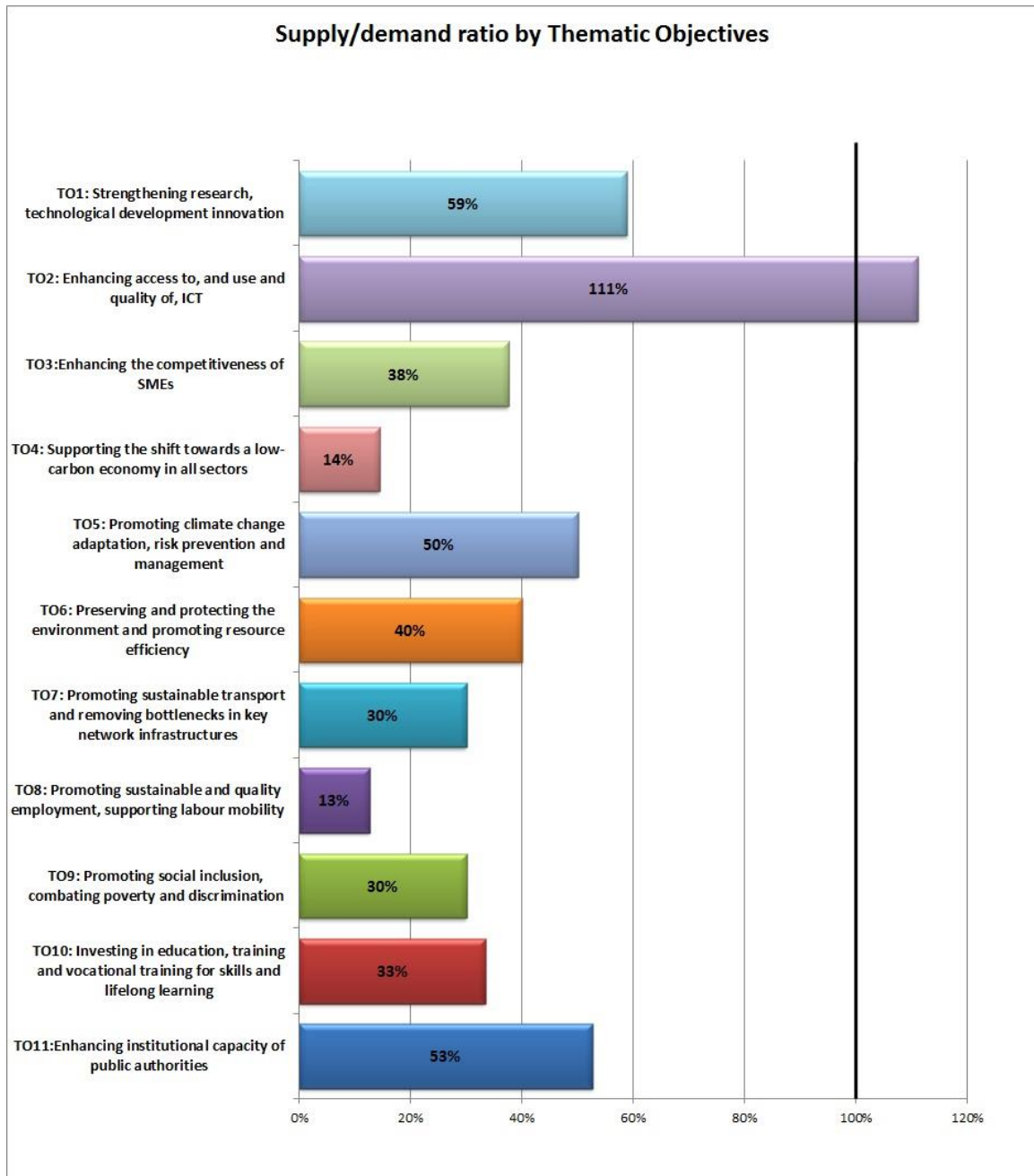


100 = equilibrium between supply and demand

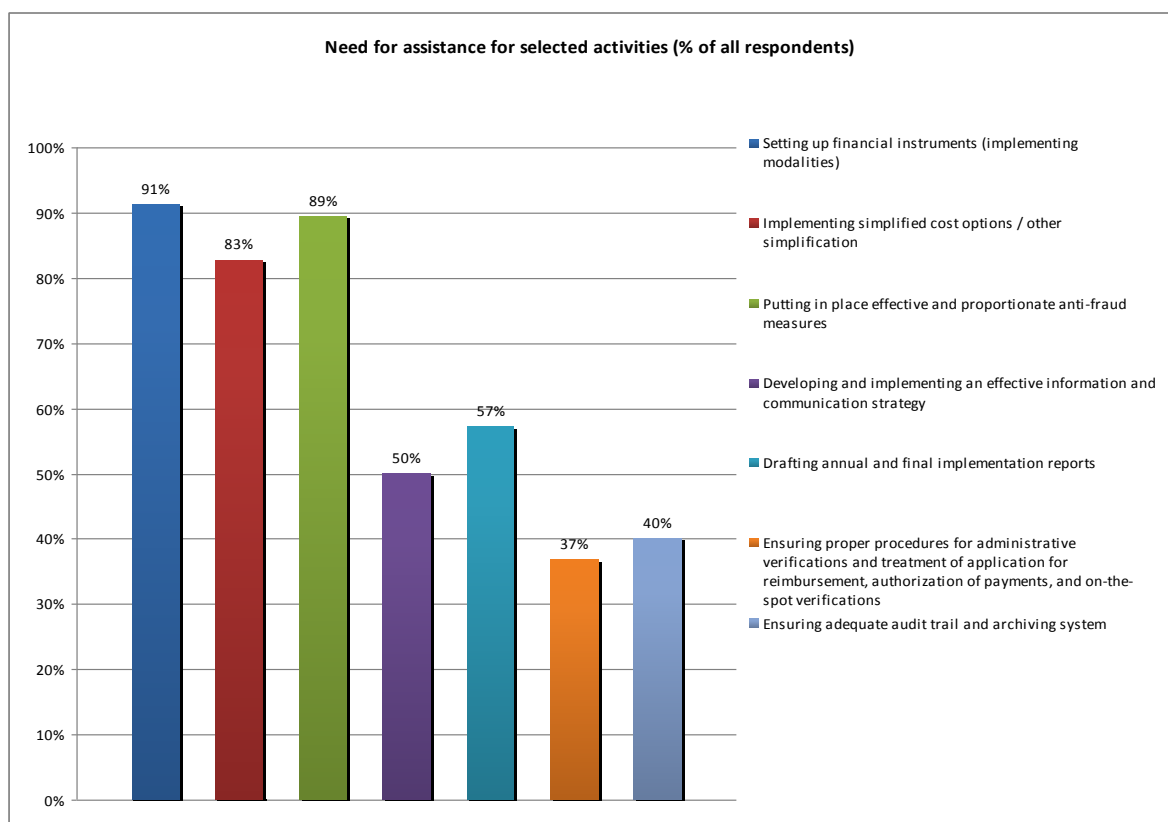
For the **Thematic Objectives (TO)**, the most often expressed need was for TO 1 (strengthening research, technical development and innovation) and 11 (enhancing institutional capacity). However, due to the limited number of answers provided, it is difficult to discern a clear trend.



With regard to the Thematic Objectives, the average ratio of respondents willing to offer assistance to those expressing a need was 57%. (57 offers for assistance for every 100 requests for assistance). Whereas for Thematic Objective 8, only 13% out of 100% requests for assistance could be matched, the offer largely exceeded demand (111%) for Thematic Objective 2

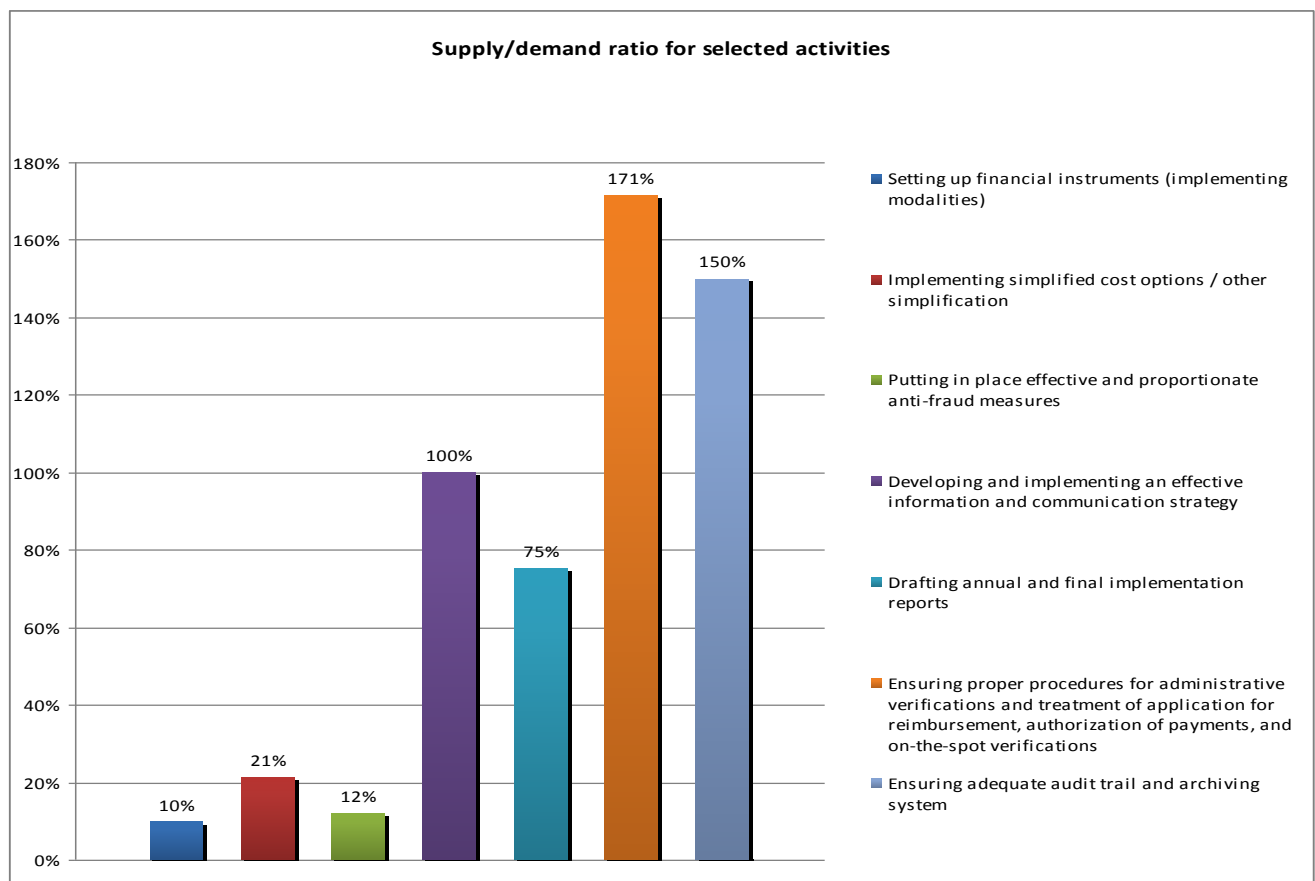


As for the **management of ESI funds**, the highest percentage of need expressed was in the field of setting up financial instruments; effective anti-fraud measures, implementation - simplified cost options. . Among the activities for which a low percentage of needs was expressed were activities relating to the project's control and audit trail of ESI funds.



Whereas there is only one offer to meet 10 requests for assistance for the activity “setting up of financial instruments”, there is an exact match of supply and demand for “developing and implementing a communication strategy”. On the other side, for activities relating to the verification and auditing of funds, the supply largely exceeds demand.

As the imbalance between supply and demand is one of the potentially limiting factors for the CEES, coordination with other capacity building instruments (like the Technical Assistance Platform for Financial Instruments and JASPERS Networking Platform) could be considered.



All responses received in the online survey is attached to this report (annex II).

D) Analytical overview of findings from the face-to-face interviews 2

As a result of the interviews conducted in eight Member States, the following conclusions can be drawn:

1. The face-to-face interviews confirmed the findings of the online survey, but also highlighted some additional elements that were not included in the online survey (i.e. strict national public procurement rules as an obstacle).
2. The vast majority of interviewees are positive about a peer-to-peer exchange instrument set up and facilitated by the Commission.
3. A frequently expressed wish of interview partners was to have a mechanism in place to get quick and operational answers from Commission Services on questions regarding the application of the regulations.

“We really prefer to have direct contact with the Commission instead of contact with only Member States; the system should combine the two things because being in contact with other MS is useful, but not effective in solving common concrete problems and specific issues.” (Certifying Authority, BG)

4. Unlike the pre-accession period, where the main challenge consisted of assisting beneficiaries to transpose parts of the acquis into their national system, the current challenges are rather to implement rules that are new for all the Member States. Therefore, a majority of interviewees suggested that it would be more appropriate to speak about a mutual exchange of experience rather than unilateral transfer of skills and knowledge from a provider to a beneficiary.

“All relevant legislation is already in place; in addition, the new rules are new to everyone, everyone has difficulties, even the old Member States could not help us.” (Coordinating Body, BG)

² Answers provided during interviews were quantified based on score system developed by EIPA (attached in annex V).

5. Whereas some respondents spontaneously identify themselves as either potential providers or potential beneficiaries, a majority of respondents could see themselves in both roles, depending on the topic.

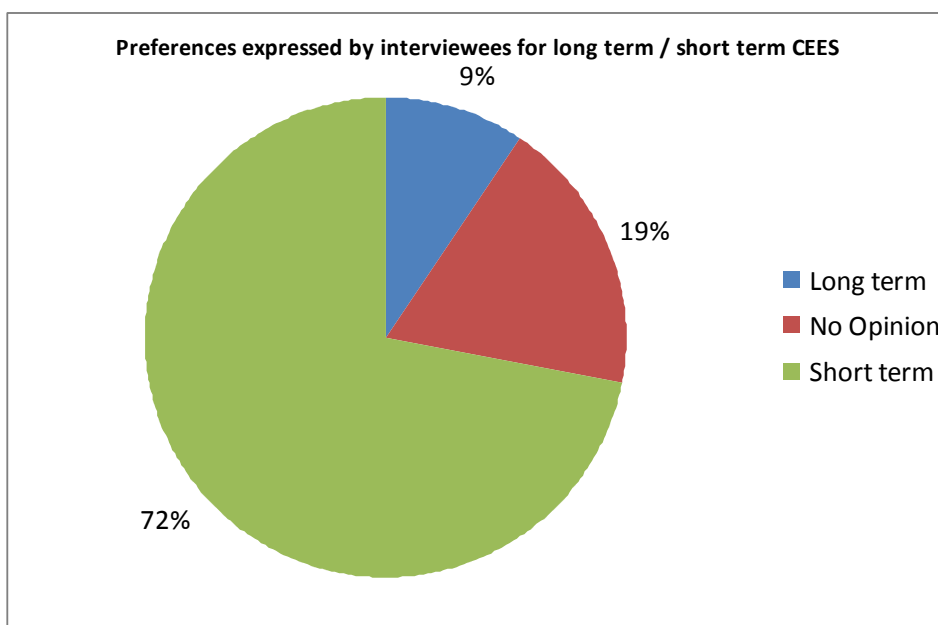
“In general we would like to be providers, but in the field of financial instruments we could be also be a beneficiary.” (Managing Authority, NL)

6. The level of enthusiasm for participating in such an instrument differed according to the role of the institution (Managing/Certifying/Audit Authorities, Intermediate Bodies and key Final Beneficiaries). For instance, due to their smaller number, Certifying and Audit Authorities seem to cover much of their needs through existing networks. On the other side, Managing Authorities and Intermediate Bodies often have, due to their sheer numbers, no existing networks upon which they can build. If exchanges exist between such bodies, they are usually built upon occasional or ad hoc private contacts. These bodies have generally expressed a higher need for such an instrument.

“We need someone to advise us before we start a project, rather than someone to tell us afterwards that we have done a very bad job.” (Key Beneficiary, RO)

7. Although key Final Beneficiaries were not among the original target group of this study, there is some evidence that there is particularly strong demand for peer-to-peer assistance among these bodies (i.e. road and railway authorities), as they often have no direct access to technical assistance funds.
8. Coordination Bodies at the central level showed a relatively low degree of interest in peer-to-peer assistance, as they generally do not deal with operational questions. Also, as these bodies generally find it easier to have access to both information and funds, most of them managed to cover most of their needs already.

9. A majority of interviewees - both on the supply and on the demand side – preferred short-term assistance (between 1 and 3 weeks) over long-term assistance, given the lack of resources and absorption capacities.



“We had a good experience with twinning projects – learning by doing, producing documents together with experts. However, sending away our good experts for a longer period is not really an option.” (Managing Authority, LT)

“We would appreciate a TAIEX formula (quick and flexible deployment), but with more influence in the process of selecting experts.” (Audit Authority, HR)

10. Many interviewed institutions mentioned bilateral study visits as an adequate instrument for capacity building. However, the organisation of such study visits was described by some interviewees as burdensome and time consuming: ideally the organisational and logistical issues should be handled by an external service provider.

“It was a good experience: we were teaching and learning at the same time.” (Certifying Authority, LT)

11. Language could be another obstacle for **long-term comprehensive assistance**: as beneficiaries operate according to their own internal procedures and using their own national language, the added value of a civil servant from another Member State not able to read or speak the language of the host country would be greatly reduced. This is different from the pre-accession Twinning, where the reference language was mostly English.

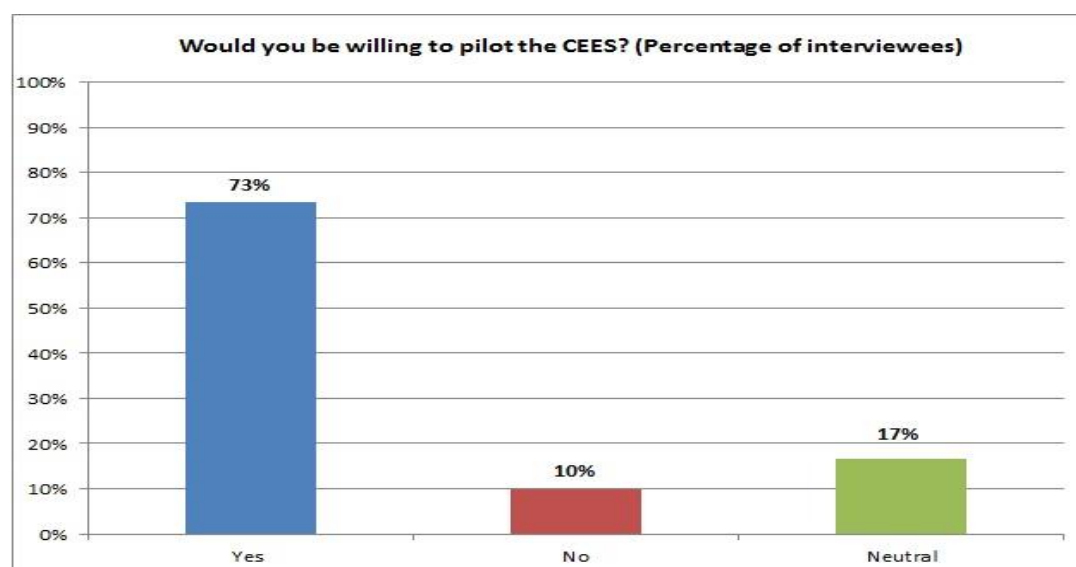
“In case there will be a need to work on documents, language could represent a problem.” (Certifying Authority, BG)

12. Language was generally not seen as an obstacle **for short-term expert exchange**, as people involved generally have a sufficient level of English (at least at the national level).

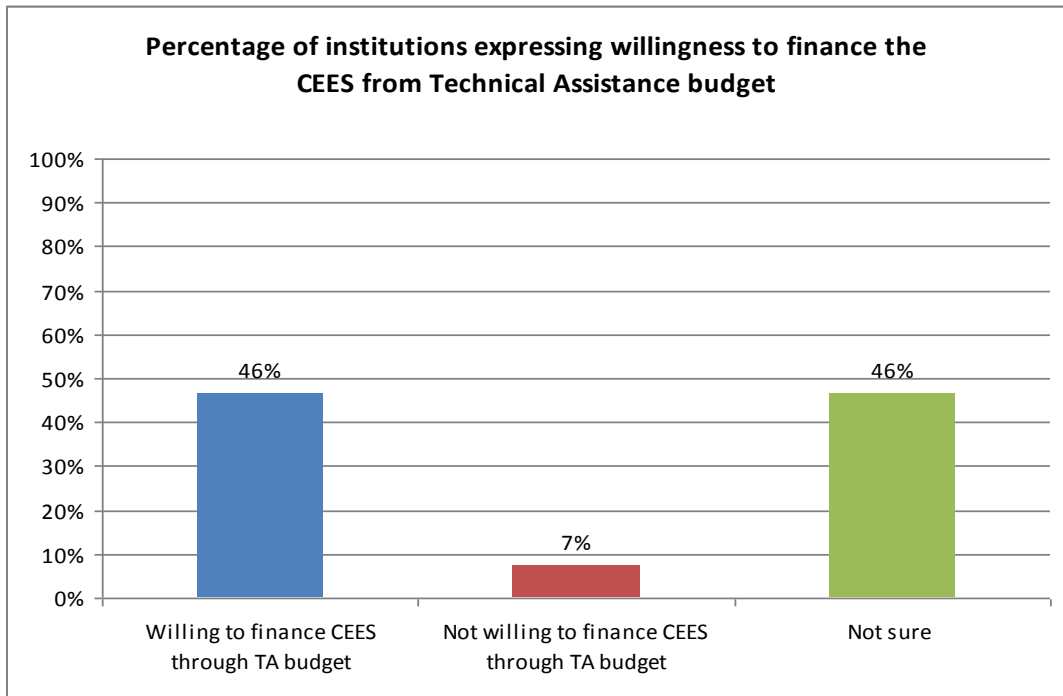
“For oral communication, there is no problem with using English. However, if people coming here need to read documents, it becomes more challenging; we would need time to translate them. Also, it might be a challenge to integrate the external person into our daily work routine.” (Managing Authority, LT)

13. Peer-to-peer assistance and private sector assistance are seen as complementary by most interviewees. Private sector assistance can cover more general topics, but for more specific operational questions, public sector experts are preferred.

14. Unlike the online survey, where 67% of respondents indicated that they would not be ready to pilot this instrument, 74% (= 22 persons) of the institutions interviewed expressed their readiness to pilot the CEES. A list of institutions that have declared themselves to be ready for piloting the CEES is reproduced in annex V.



15. Contrary to the results of the online survey, where 50% of respondents were not willing to pay for the CEES, objections to financing the CEES through the technical assistance budget were not strongly voiced, although almost half of the respondents were uncertain about this possibility.



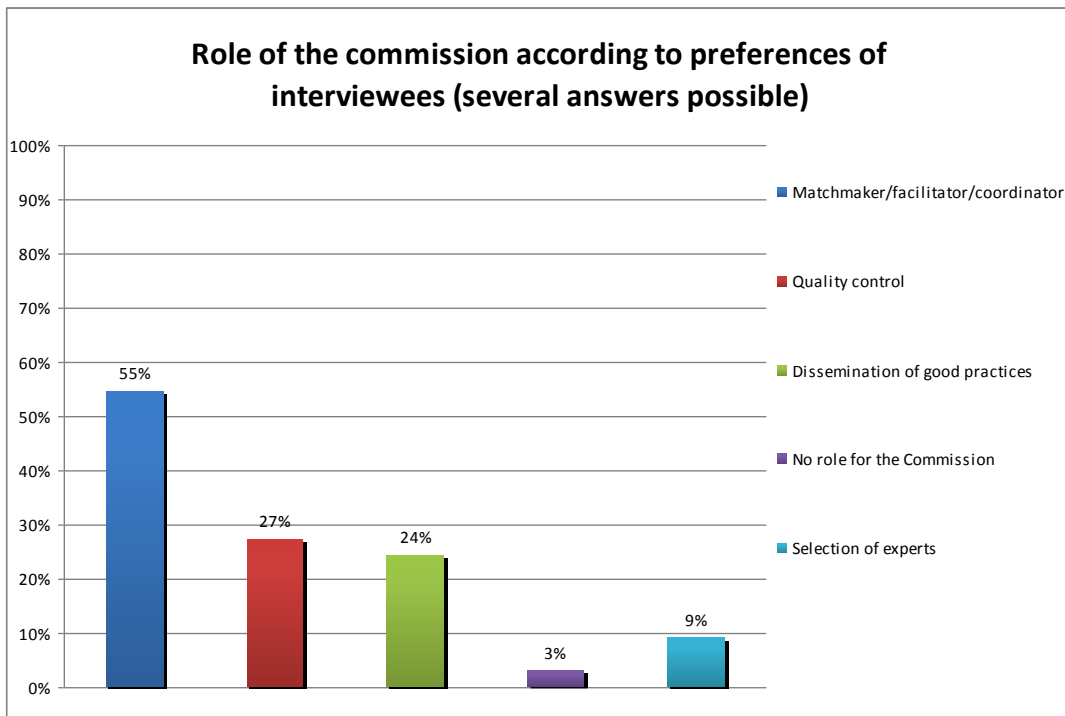
16. Some participants expressed the opinion that conferences were less adapted to capacity building.

“You have to prepare a presentation, present it, and to listen to 27 other presentations, with no operational impact.” (Managing Authority, LT)

17. A majority of interviewees have expressed the opinion that if an exchange instrument was to be set up, it would have to be easy to use, operational and non-bureaucratic (i.e. limited paperwork; avoiding dealing with public procurement rules).

“It should be something like a “Twinning extra light”, without the bureaucracy of a Twinning” (Coordinating Authority HR)

18. Most interviewees expressed the opinion that the Commission in such an instrument should above all play the role of a matchmaker, quality controller and disseminating good practices..



19. Some interviewees also want the Commission to be involved in more in-depth quality control of experts (beyond the screening of CVs), given that selection based solely on written information contained in CVs is often not satisfactory.

“The Commission should verify and control the knowledge of the experts.” (Audit Authority, PL)

“The Commission should indicate in which area a MS performs well; and support states in choosing from which country to select the expert. The Commission should also avoid long bureaucracy.” (Coordinating Body, BG)

“The reading of a CV is not enough; it must be supported by interviews, good references and feedback.” (Coordinating Body, HR)

20. Whereas a number of countries mentioned that they would not expect their salary costs to be reimbursed while providing short-term assistance in every case, many conceded that this would nonetheless make it easier for them to agree to deliver such assistance (in particular vis-à-vis their own hierarchy and possible auditors).

“In general, the trips of bureaucrats to other countries are not well seen by the Parliament.” (Managing Authority, LT)

21. Most interviewees expressed the desire to have an electronic platform/social network established to facilitate the exchange of information. For most interviewees such a platform would be complementary to an exchange instrument, but would not be a substitute for it.
22. While designing exchange instrument one has to take into account that experiences in one country (i.e. small/large or new/old Member States, with a centralised/decentralised system) could not necessarily be reproduced in other countries. On the other hand, cooperation with countries of similar structures and backgrounds was indicated as having high added value.³
- “With some other countries (e.g. Germany, France) and other types of institutions we don’t have a lot in common or to share.” (Certifying Authority)*

³ Some Member States indicated they felt more at ease dealing with their peers in neighbouring countries who came from a similar tradition and shared a similar setup for the management of ESI funds.

D.1 Possible obstacles identified during the face-to-face interviews:

23. Most interviewees mentioned time constraints as a possible obstacle that could prevent them from engaging in peer-to-peer assistance. This opinion was mostly expressed by interviewees that considered themselves rather as providers of peer-to-peer assistance.

“Financial incentives, such as compensation of salaries, would be nice, but for us the compatibility with the workload is the key. Also, the exchange system has to be light, not too bureaucratic. For example, it should not require some artificial competition among experts once you need to hire one to assist you.”
(Audit Authority, LT)

24. As many deadlines or bottleneck periods are shared by the Member States (the overlap between the closing of the 2007-2013 and start of the 2014-2020 periods was sometimes mentioned in this context), the availability of expertise might be most scarce at the moment when the need is the greatest.

“In general, it is an intensive period – start of the new programming period, closing projects of the old period – so, it is difficult to find time for exchange of experiences” (Managing Authority, LT)

25. Many interviewees expressed the concern that national procurement rules were not adapted to such an instrument, as these rules would normally have to be applied for the purchase of services (especially if all training activities of the institutions would have to be procured under a single lot as is the case in some countries). In most cases, there are no clauses that exempt beneficiaries from applying public procurement procedures if the provider is a public body (and not a market player). Applying public procurement rules would be burdensome and might prevent beneficiaries from requesting such assistance.

“Our main problem is connected to the procurement system, even if we want to cooperate with experts from other MS we have to apply the procurement procedures.” (Coordinating Body, BG)

“For us one of the main problems has been and could be the procurement procedure.” (Certifying Authority, BG)

“The public procurement rules could represent a problem.” (Certifying Authority, LT)

26. Some of the interviewees voiced concerns over having to pass through a National Contact Point when submitting requests, which would complicate the system and cause frictional losses (this point was particularly raised in countries with a partially decentralised system like Poland or a fully decentralised system like in Italy).
- “An NCP would increase the overall level of bureaucracy, and our role will not be recognised by the regional Managing Authorities. So it would be much better if an external organisation or the Commission will do it.”*
(Managing Authority, IT)

“I think that the person supposed to act as a NCP will always have other priorities related to daily work. This will create significant delays in the system.” (Coordinating Body, PL)

“There is a big problem of coordination between the national administration and the local one.” (Coordinating Body)

27. As many interview partners expressed the need for a mechanism to receive quick and operational answers from Commission Services on questions regarding the application of the new rules, there might be frustration among the potential users if the CEES does not include such an option.
28. One interviewee indicated the absence of a legal basis (Memorandum of Understanding) for expert exchange as a potential problem.
- “We need a legal base, for example an agreement, to justify the use of our TA resources to cover travel/accommodation for the experts.”* (Managing Authority, LT)

E) Detailed proposals and recommendations for the design of a CEES mechanism

E.1. Basic parameters of the CEES

In light of the findings of the online survey and the face-to-face interviews, we propose to set up a light, flexible and operational mechanism for peer-to-peer exchange which would allow civil servants involved in the preparation and management of ESI funds to enter into contact with each other and exchange experiences.

In case of a persisting imbalance between supply and demand in some sectors or activities covered by the CEES, coordination with other capacity building instruments (like the Technical Assistance Platform for Financial Instruments and for JASPERS Networking Platform) could also be considered.

The CEES mechanism should meet the following basic parameters

- Be demand-driven instrument for expert exchange with DG REGIO* as a hub.
- Be available for civil servants at all levels involved into programme organisation and management of ESI funds.
- Focus on short time and tailor made assignments (but with the possibility of extension by mutual agreement).
- Offer flexibility of measures ranging from short expert assignments to study visits and peer reviews.
- Be highly operational: short communication lines, specific expertise to meet specific requests, empower people to decision making,
- Be quick and offer non bureaucratic requests for expertise via Internet.
- Not differentiate between “providers” and “beneficiaries”, just peer-to-peer exchange of expertise.
- Based on reimbursement of real costs (e.g. travel, accommodation to be paid by requesting side), but no complementary costs (e.g. advisory costs, management fees).
- Allow reimbursement of expert salaries (real costs) for the supply side (as far as possible – to be mutually agreed).
- Allow costs to be eligible under Technical Assistance budget.
- Not require public procurement (as far as in line with national rules).
- Include clear formulation of specific objectives to be achieved.
- Offer DG REGIO as “matchmaker”.
- Offer quality control of experts through DG REGIO* (ex post / ex-ante).
- Peer to peer support should be complementary to the support delivered by the private sector.

* Or mandated body under the control of DG REGIO.

- Offer the option of an IT based platform with social media features for direct exchange between experts.

E.2. Options for the detailed design of the CEES

For the exact design of this mechanism, we have proposed four different options, with different degrees of involvement of the Commission, the Member States and external service providers. Each of these options has its own advantages/disadvantages that are also outlined.

Two accompanying measures that are complementary to the four options (IT platform and specific training/“help desk”) are also mentioned. However, the option “specific training / DG REGIO help desk” was not examined in this study.

Options 1 and 3, which do not involve National Contact Points, would require a preliminary contract to make:

1. A full mapping of all Managing, Audit and Certifying Authorities, Intermediate Bodies and key Final Beneficiaries of the Member States (including information about their respective responsibilities and tasks, staffing, identification of contact persons);
2. Preparation and implementation of an information campaign among the relevant authorities to promote the CEES;
3. Outreach meetings with relevant authorities in 10 selected Member States (potential respondents) in order to promote the CEES;
4. Setting up a database of ESIF experts (including translation of expert CVs).

For options 2 and 4, the tasks described above would fall under the responsibility of a National Contact Point. The contract covering the four tasks mentioned above would not be needed in this case.

Pending an internal conformity assessment of the CEES with EU procurement rules carried out by the Commission, all options require a preliminary study to analyse the public procurement rules of the 28 Member States in order to determine whether there are any obstacles to reimbursing the salaries of civil servants of other Member States who share their expertise with the requesting side (a concern voiced in a number of Member States). Should such obstacles exist, this study should formulate recommendations on how to accommodate these rules in the CEES so that they do not overburden the requesting side.

A description of activities for this contract as well as an initial budget is given on p. 44.

For each of the four options and the IT platform, a preliminary budget (preparation and three years of running costs) has been given.

Option 1: CEES centrally managed by the Commission

Estimated costs: € 1.026.116

Option 2: CEES managed jointly by the Commission and Member States

Estimated costs: € 579.132

Option 3: CEES centrally managed by an external service provider

Estimated costs: € 985.274

Option 4: CEES managed jointly by Member States and an external service provider

Estimated costs: € 565.546

Preparatory/ Accompanying measures:

1. Preparatory measure I: Service contract for setting up the CEES in a centralised mode (Contract for comprehensive mapping of all ESIF bodies (Managing/Certifying/Audit Authorities, Intermediate Bodies and key Final Beneficiaries), preparing and implementing information campaign, personal meetings with potential suppliers of expertise in 10 selected Member States, setting up expert database (including translation of expert CVs).
Estimated costs: € **209.418**
2. Preparatory measure II: (pending on the outcome of an internal compliance assessment with EU public procurement provisions) Service contract for the assessment of the relevant Public Procurement provisions in 28 Member States and assessment of options/formulating proposals on ways to exclude salary compensations for Member States from public procurement provisions.
Estimated costs: € **194.600**
3. Setting up and running an IT Platform for exchange of information and experience.
Estimated costs: € **310.000**
4. Provision of training on new regulations and DG REGIO “Helpdesk”.
(This measure was not further examined under this contract).

Option 1: Expert Exchange System managed centrally by the Commission

In this model, specific requests for assistance or partners would be submitted electronically (using a web-based standard template) to DG REGIO, which would then identify a suitable expert within its database of national experts. DG REGIO would check the availability of the expert and put the two sides into contact. All further steps would be dealt with by the two sides directly, using a standard model agreement provided by the EC, without any further involvement from the Commission.

DG REGIO would exert a quality control function both ex ante and ex post.

Advantages:

- A user-friendly “one-stop-shop” for beneficiaries
- Commission has first-hand knowledge of best practices in Member States
- System not dependent on goodwill/capacities in Member States’ coordination bodies
- Potential providers are more likely to send experts if requested by the Commission

Disadvantages:

- Important upfront investment required
- High additional workload for the Commission
- Less flexibility for the Commission to handle peaks in demand
- Possible language barrier in communication between national authorities and the Commission
- Difficulty of convincing potential providers to invest time to produce their CVs in English

Resources required:

Preparatory phase:

1. 1 Contract for comprehensive mapping of all ESIF bodies (Managing/ Certifying/Audit Authorities, Intermediate Bodies and key Final Beneficiaries), preparing and implementing information campaign, personal meetings with potential suppliers of expertise in 10 selected Member States, setting up expert database (including translation of expert CVs).

An exact description of this contract is described on p. 44 (“preparatory measure I”).

Estimated cost: € 209.418

2. (Pending on the outcome of an internal compliance assessment of the CEES with EU public procurement provisions) 1 contract for the assessment of the relevant Public

Procurement provisions in 28 Member States and assessment of options/formulating proposals on ways to exclude salary compensations for Member States from public procurement provisions.

An exact description of this contract is described on p 47 (“preparatory measure II”).

Estimated cost: € 194.600

Total cost preparatory phase: € 404.018

Implementation phase:

On the assumption of an initial 50 requests for the first year, 100 requests for the second year, and 150 requests for the third year

1st year: 1 additional staff
(1 Focal Point/ Project Officer AD5⁴)

2nd year: 2 additional staff
(1 Focal Point/ Project Officer AD5; 1 Contract Agent Group IV⁵)

3rd year: 3 additional staff
(1 Focal Point/ Project Officer AD5; 2 Contract Agents Group IV)

(maintaining the expert database, screen demands, continuous identification of potential experts (involving personal demarches with potential providers), evaluating CVs and post-mission evaluations).

Total estimated cost implementation 1st year: € 88.583

Total estimated cost implementation 2nd year: € 207.366

Total estimated cost implementation 3rd year: € 326.149

Total cost implementation (3 years): € 622.098

**GRAND TOTAL OPTION 1 (preparation + 3 years implementation):
€ 1.026.116**

⁴ unit cost/year €88.583 including an estimated 50% overheads.

⁵ unit cost/ year €118.784 including an estimated 50% overheads.

Option 2: Expert Exchange System managed by the Commission and involving a Network of National Contact Points

In this model, DG REGIO would have to promote the setting up of a system of 28 National Contact Points and promote the CEES with the NCPs. Once the National Contract Points are set up, they would receive all requests from national and regional bodies in their respective countries, and forward them to DG REGIO. DG REGIO then identifies one or more Member States deemed to have the capacity and expertise required, and forwards the request to the National Contact Point of that country which would forward it to its relevant bodies. In case a Member State identifies a suitable expert, it would transmit his/her CV to the DG REGIO desk who will, after an initial quality check, transmit it to the beneficiary's National Contact Point. Further arrangements would be made directly between the two sides. After the mission, the National Contact Point and the Commission would receive a short standardised evaluation of the expert.

Advantages:

- Limited resources required - no need to create and maintain a central database of Member State authorities.
- National coordination bodies more likely to have an overview about national structures and where to find specific skills and competences.
- National coordination bodies are, in principle, better placed to spot weaknesses and bottlenecks at the national level and can suggest submitting requests for assistance.
- National Contact points are in charge of translating experts' CVs into English.

Disadvantages:

- The Commission needs to initiate the setting up of a system of designated National Contact Points in all Member States.
- The requirement of setting up another structure "imposed" by Brussels risks being perceived as an additional burden to the resources of Member States, many of whom are still struggling to meet the new ESIF requirements.
- Setting up a network of national Contact Points is likely to delay the introduction of the CEES.
- The burden of identifying experts would be concentrated in countries that are less likely to be beneficiaries of assistance themselves; their commitment to and ownership of the CEES might be therefore questioned.
- As it is likely that the designed NCP will cumulate his/her NCP functions with other functions, there is a risk that the NCP-related activities will be superseded by other priorities, which could lead to additional bottlenecks and delays.

- As all Member States might not feel the full ownership of the CEES, the burden of promoting the instrument within these countries might fall back upon the Commission.
- In some Member States, the coordination between the national and regional level is sub-optimal, which could lead to delays and frictional losses.
- More bureaucracy due to the 2-level system.

Resources required:

Preparatory phase:

(Pending on the outcome of an internal compliance assessment of the CEES with EU public procurement provisions) 1 contract for assessment of the relevant Public Procurement provisions in 28 Member States and assessment of options/formulating proposals on ways to exclude salary compensations for Member States from public procurement provisions.

An exact description of this contract is described on p. 47 (“preparatory measure II”).

Estimated cost: € 194.600

Total cost preparatory phase: € 194.600

Implementation phase:

On the assumption of an initial 50 requests for the first year, 100 requests for the second year, and 150 requests for the third year

1st year: 1 additional staff (setting up phase)
(1 Focal Point/ Project Officer AD5)

2nd year: 1 additional staff
(1 Focal Point/ Project Officer AD5)

3rd year: 2 additional staff
(1 Focal Point/ Project Officer AD5 + 1 Contract Agent Group IV)

Overseeing the setting up of a network of National Contact Points; promoting the CEES and managing relations with the National Contact Points; screening CVs and post-mission evaluations.

During the first year there is likely to be an extra workload due to the setting up of the NCP network, as the Commission might need to closely monitor and support this process. During the second year, the workload linked to setting up the network is likely to decrease; however, this should be compensated through the increase of requests. Therefore, the overall workload is estimated to stay the same during the 1st and 2nd year of implementation.

Total estimated cost implementation 1st year: € 88.583
Total estimated cost implementation 2nd year: € 88.583
Total estimated cost implementation 3rd year: € 207.366
Total cost implementation (3 years): € 384.532

GRAND TOTAL OPTION 2 (preparation + 3 years implementation):
€ 579.132

Option 3: Expert Exchange System managed centrally through an independent service provider mandated by the Commission

In this model, the Commission would mandate an external body to fulfil the functions described under option 1)

Advantages:

- A user-friendly “one-stop-shop” for beneficiaries;
- External service providers are more flexible to handle peaks in demands;
- Less burdensome for the Commission;
- Potentially less politically sensitive if proposed Member State experts are rejected by external provider rather than by EC

Disadvantages:

- An external service provider might enjoy less authority with Member State bodies and therefore might have less potential to convince potential suppliers of expertise to send experts abroad;
- An external service provider is likely to have less in-house knowledge about best practices in the Member States than the Commission (which could be mitigated by setting up a advisory board/steering group of MS/EC representatives)

Resources required:

1. 1 Contract for comprehensive mapping of all ESIF bodies (Managing/ Certifying/Audit Authorities, Intermediate Bodies and key Final Beneficiaries), preparing and implementing information campaign, personal meetings with potential suppliers of expertise in 10 selected Member States, setting up expert database (including translation of expert CVs).

An exact description of this contract is described on p. 44 (“preparatory measure I”).

Estimated cost: € 209.418

2. (Pending on the outcome of an internal compliance assessment of the CEES with EU public procurement provisions) 1 contract for the assessment of the relevant Public Procurement provisions in 28 Member States and assessment of options/formulating proposals on ways to exclude salary compensations for Member States from public procurement provisions.

An exact description of this contract is described on p. 47 (“preparatory measure II”).

Estimated cost: € 194.600

Total cost preparatory phase: € 404.018

Implementation phase:

On the assumption of an initial 50 requests for the first year, 100 requests for the second year, and 150 requests for the third year

1st year: 1 additional staff
(Project Leader⁶)

2nd year: 2 additional staff
(Project Leader & Deputy Project Leader⁷)

3rd year: 3 additional staff
(Project Leader, Deputy Project Leader & Project Assistant⁸)

(Maintaining the expert database, screen demands, continuous identification of potential experts (involving personal demarches with potential providers), evaluating CVs and post-mission evaluations).

Total estimated cost implementation 1st year: € 128.128

Total estimated cost implementation 2nd year: € 207.428

Total estimated cost implementation 3rd year: € 245.700

Total cost implementation (3 years): € 581.256

GRAND TOTAL OPTION 3 (preparation + 3 years implementation):

€ 985.274

⁶ Unit price €128.128 (estimate).

⁷ Unit price €79.300 (estimate).

⁸ Unit price €38.272 (estimate).

Option 4: Expert Exchange System managed by an external service provider and involving a Network of National Contact Points

In this model, an external provider would fulfil the functions otherwise fulfilled by the Commission as described under 2).

Advantages:

- External service providers have greater flexibility to handle peaks in demand;
- Potentially less politically sensitive if proposed Member State experts are rejected by external provider rather than by EC.

Disadvantages:

- This option still needs a degree of input from DG REGIO at least during the set-up phase, since, for political reasons, an external service provider is unlikely to have the same clout with the Member State administrations to promote the setting up of the NCP network;
- The requirement of setting up another structure “imposed” by Brussels risks being perceived as an additional burden to the resources of Member States, many of whom are still struggling to meet the new ESIF requirements;
- Setting up a network of national Contact Points is likely to delay the introduction of the CEES
- The burden of identifying experts would be concentrated in countries that are less likely to be beneficiaries of assistance themselves; their commitment to and ownership of the CEES is therefore less obvious;
- In some Member States, the coordination between the national and regional level is sub-optimal, which could lead to delays and frictional losses;
- More bureaucracy due to the 2-level system;
- As it is likely that the designed NCP will cumulate his/her NCP functions with other functions, there is a risk that the NCP-related activities will be superseded by other priorities, which could lead to additional bottlenecks and delays;
- An external service provider might enjoy less authority with Member State National Contact Points than the Commission;
- An external service provider is likely to have less in-house knowledge about best practices in the Member States than the Commission (which could be mitigated by setting up a advisory board/steering group of MS/EC representatives).

Resources required:

Preparatory phase:

1. (Pending on the outcome of an internal compliance assessment of the CEES with EU public procurement provisions) Contract for assessment of the relevant Public Procurement provisions in 28 Member States and assessment of options/formulating proposals on ways to exclude salary compensations for Member States from public procurement provisions.

Estimated cost: € 194.600

An exact description of this contract is described on p. 47 (“preparatory measure II”).

Total cost preparatory phase: € 194.600

Implementation phase:

On the assumption of an initial 50 requests for the first year, 100 requests for the second year, and 150 requests for the third year

1st year: 1 additional staff (Project manager)

2nd year: 1 additional staff (Project manager)

3rd year: 3 additional staff (Project Manager & project assistant)

Overseeing the setting up of a network of National Contact Points; promoting the CEES and managing relations with the National Contact Points; screening CVs and post-mission evaluations.

During the first year there is likely to be an extra workload due to the setting up of the NCP network, as the Commission might need to closely monitor and support this process. During the second year, the workload linked to setting up the network is likely to decrease; however, this should be compensated through the increase of requests. Therefore, the overall workload is estimated to stay the same during the 1st and 2nd year of implementation.

Total estimated cost implementation 1st year: € 102.502

Total estimated cost implementation 2nd year: € 102.502

Total estimated cost implementation 3rd year: € 165.942

Total cost implementation (3 years): € 370.946

GRAND TOTAL OPTION 4 (preparation + 3 years implementation):

€ 565.546

E.3. Preparatory Measures

Preparatory measure I: Stakeholder mapping and Outreach campaign

For options 1&3 which do not involve coordination bodies at national level, it would be necessary for the body managing the CEES (DG REGIO or external provider) to have a full overview about the authorities related to the preparation and management of ERDF/CF funds. Whereas the number of Coordinating Bodies, Certifying and Audit Authorities is generally limited, there is no comprehensive mapping yet of in particular Intermediate Bodies and key Final Beneficiaries (with important differences existing between Member States). Having a full picture of these bodies (which are likely to submit the highest number of requests for the CEES), including some basic data (staffing; project volume) would be a first requirement when setting up the CEES.

Furthermore, it would be necessary to inform all potential participants to the CEES through an outreach and information campaign and to establish a database of experts that would be willing and available to assist their peers under the CEES.

This first contract to prepare the setting up of the CEES would consist of 3 components:

- 1. Comprehensive mapping of ESIF bodies*
- 2. Preparation and implementation of information/outreach campaign*
- 3. Setting up a data base of ESIF experts*

Description of the contract:

1. A full mapping of all Managing, Audit and Certifying Authorities, Intermediate Bodies and key Final Beneficiaries of the Member States (including information about their respective responsibilities and tasks, staffing, identification of contact persons).

Under this component, a comprehensive database (\pm 1000 entries) would be set up, containing all major bodies related to the coordination, programming, management, implementation and supervision of ERDF/CF funds (Managing, Audit and Certifying Authorities, Intermediate Bodies and key Final Beneficiaries⁹) in the 28 Member States. This database would contain a short description per institution of its overall functions and responsibilities, at least one contact person per institution as well as some basic data (information about the number of staff; number of projects; project volumes, specific in-house competences and qualifications).

This activity should ideally be started after the approval of the respective Operational Programmes by the Commission.

⁹ Key Beneficiaries could include, among others, road and railway authorities, municipalities, procurement agencies and national training institutes. The number of key Final Beneficiaries included in the mapping should not exceed 10 per country.

Input required:

30 days Project leader
30 days Project Assistant
1 day Project Administration

Cost component 1: € 43.691

2. Preparation and implementation of an information/outreach campaign among the relevant authorities to promote the CEES

Under this component, a communication / outreach campaign targeting all bodies identified under the previous component would be developed and implemented. This would include the production of publications and information material, the dissemination of information material, as well as outreach meetings with relevant authorities in 10 selected Member States (potential respondents) in order to promote the CEES.

In addition, an official high level event in Brussels to launch the CEES could be planned

Input required:

70 days Project leader (including 20 days for visiting 10 Member States)
70 days Project Assistant (including 20 days for visiting 10 Member States)
5 days Project Administration
5 days set-up webpage

Cost component 2: € 101.527

3. Setting up a data base of ESIF experts (including translation of expert CVs)

In contact with the institutions identified under the first component, the experts would set up a data base of experts that are able and willing to contribute with expertise to the CEES. The data base would be based on expert CVs that are tagged in a way that would allow identifying specific skills and knowledge through a specific query.

As not all expert CVs could be expected to be submitted in English, this component would include a budget for translation of CVs from other languages into English (Assumption: out of 1000 CVs, translation of 250 CVs. 250 words per CV, 0.17€/word).

Input required:

20 days Project Leader
60 days Project Assistant
5 days Project Administration

Translation of 250 CVs (25% of total)

Cost 3rd component € 64.200

Estimated total cost: € 209.418

Preparatory measure II: (service contract): Analysis of the compatibility of the CEES with EU and national Public Procurement provisions.

The CEES should be low-threshold and easy to use. Given that its essence is non-profit cooperation between entities of the public sector, it is expected that the CEES falls outside the scope of both the EU Public Procurement directive and national public procurement provisions. The requirement to follow public procurement procedures (which can be burdensome and time-consuming) would be likely to deter potential users from making use of this tool.

During the interviews, about 50% of all interviewees expressed doubts that they would be able to derogate from national procurement rules for financing activities under the CEES (in particular the reimbursement of salaries of experts from other Member States). Even if, in the end, the CEES would appear not to fall under any public procurement provision, the doubt generated among potential users could be a strong deterrent, which could prevent the use of this instrument.

Whereas the question of compatibility of the CEES with EU public procurement rules will be examined internally by the Commission, it would be of paramount importance to ascertain whether, at national level, there are specific rules that would stand in the way of reimbursing salaries of public officials from other Member States.

In order to have a clear picture and for being able to give guidance to the Member States on this question, we suggest launching a comprehensive study to determine the provisions of the public procurement legislation in the 28 Member States with regards to the CEES¹⁰.

Given that this assignment involves the analysis of national regulations which might exist only in the respective national languages, it is suggested that legal opinions would be requested from local law firms rather than having the provisions analysed by the consultant himself.

Should it turn out, as the result of the study, that there are objective obstacles in some Member States to derogate from public procurement rules when using the CEES, the consultant should propose measures to address this situation in a way that would allow organisations of this country to use the CEES without an excessive administrative burden.

¹⁰ In some Member States (Germany, Italy...), there might be a need, in addition, to look at respective legislation at a sub-national level. However, this would fall outside the scope of this contract.

The experts would:

1. Write Terms of Reference for legal opinions in the 28 Member States on the question whether or not national procurement rules would have to be followed when reimbursing costs under the CEES.
2. Write a report/assessment on the compatibility of the CEES with public procurement legislation in the 28 Member States (1 section/country plus general conclusions/recommendations), indicating possible remedies for those cases where the use of public procurement provisions could not be waved when using the CEES.

Input required:

1. Writing Terms of Reference for legal opinions
(Lawyer/Procurement expert): 6 days
2. Contracts for 28 legal opinions
3. Reviewing of legal opinions and writing of report: Senior expert
(Lawyer/Procurement expert): 30 days

Project Management: 30 days

| | |
|---|-------------------------|
| Total expert costs: | € 39.600 |
| Project management costs: | € 15.000 |
| <u>Project expenditure (legal opinions):</u> | <u>€ 140.000</u> |

Estimated total cost: € 194.600

E. 4. Accompanying measure: Setting up and running an IT Platform for exchange of information and experience

This model would be a virtual social platform, where staff from all ESIF bodies can log in, create an own profile and discuss/exchange information with their peers. The Commission and ESIF bodies can post documents on this platform. Occasionally, e-learning courses/webinars focusing on specific topics can be organised on this platform by the Commission or an external service provider.

Required resources:

1 FWC (lump sum) for setting up the platform: €10.000
1 PTE for constant updating of the platform, moderation of discussions and quality control: €50.000/year
1 PTE for technical maintenance: €50.000/year

Advantages:

- This instrument would answer the often expressed need for exchanging views with peers on rather targeted topics, rather than a classical transfer of skills and knowledge from more experienced to less experienced staff;
- By following the discussions on the platform, the Commission can have an “ear to the ground” by getting direct and unfiltered feedback about possible obstacles encountered by the managing bodies. This could help the Commission to improve the design of future instruments;
- Cost-effective solution;
- No need for database to be updated, as this is done by users directly;
- Could be used in combination with one of the preceding models.

Disadvantages:

- Certain categories of staff are unlikely to use web-based system (i.e. senior staff);
- Similar systems already exist (i.e. for Audit/Certifying Authorities);
- Civil servants might be reluctant to spend time on a platform with social media features during working hours;
- Less efficient than direct people-to-people contact – Members States prefer personal contact to clarify highly technical issues
- Limited possibility of quality control for the Commission;
- As such a platform is more likely to be used by “digital natives” who tend to be rather junior and inexperienced, the added value for capacity building could be reduced;

- Risk of “dying a slow death”, if not properly maintained.

Provisional Budget: €310.000

(setting up and hosting the platform, three years technical maintenance, webmaster service, updating information, moderation of activities).

HOW TO OBTAIN EU PUBLICATIONS

Free publications:

- one copy:
via EU Bookshop (<http://bookshop.europa.eu>);
- more than one copy or posters/maps:
from the European Union's representations (http://ec.europa.eu/represent_en.htm);
from the delegations in non-EU countries
(http://eeas.europa.eu/delegations/index_en.htm);
by contacting the Europe Direct service (http://europa.eu/europedirect/index_en.htm)
or calling 00 800 6 7 8 9 10 11 (freephone number from anywhere in the EU) (*).

(*) The information given is free, as are most calls (though some operators, phone boxes or hotels may charge you).

Priced publications:

- via EU Bookshop (<http://bookshop.europa.eu>).

Priced subscriptions:

- via one of the sales agents of the Publications Office of the European Union
(http://publications.europa.eu/others/agents/index_en.htm).

