



EUROPEAN COMMISSION

Employment, Social Affairs and Equal Opportunities DG

Social Protection and Integration

Inclusion, Social Policy Aspects of Migration, Streamlining of Social Policies

CALL FOR TENDER NO VT/2010/026

SPECIFICATIONS

ANALYSIS AND FOLLOW-UP OF MUTUAL LEARNING IN THE CONTEXT OF PEER REVIEW IN THE SOCIAL PROTECTION AND SOCIAL INCLUSION PROGRAMME

1. TITLE OF THE CONTRACT

Analysis and follow-up of mutual learning in the context of Peer Review in the Social Protection and Social Inclusion Programme- Financed under the Progress Programme
- Reference n° VT/2010/026

2. BACKGROUND

2.1 Background to the Progress Programme

PROGRESS¹ is the EU's employment and social solidarity programme, set up to provide financial support for the attainment of the European Union's objectives in employment, social affairs and equal opportunities as set out in the Social Agenda². The realisation of the Social Agenda relies on a combination of instruments comprising EU legislation, the implementation of open methods of coordination in various policy fields and financial incentives such as the European Social Fund.

¹ Decision No 1672/2006/EC of the European Parliament and of the Council of 24 October 2006 establishing a Community Programme for Employment and Social Solidarity — Progress, JO L 315 of 15.11.2006

² Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - Renewed social agenda: Opportunities, access and solidarity in 21st century Europe COM/2008/0412 final of 02.07.2008.

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

- Providing analysis and policy advice on PROGRESS policy areas;
- Monitoring and reporting on the implementation of EU legislation and policies in PROGRESS policy areas;
- Promoting policy transfer, learning and support among Member States on EU objectives and priorities; and
- Relaying the views of the stakeholders and society at large.

More specifically, PROGRESS supports:

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

The present call for tenders is issued in the context of the implementation of the 2010 annual work plan which can be consulted at <http://ec.europa.eu/social/main.jsp?catId=658&langId=fr>

2.2 Background to the Peer Review in Social Protection and Social Inclusion Programme

In 2004 a Peer Review in Social Inclusion Programme was established under the Social Exclusion Programme (SEP). It was later broadened to also include social protection issues (pensions, health and long term care). From 2007, the Programme has been funded under Progress. Since 2004, every year between seven and ten peer review seminars have been organized. The programme is open to EU Member States and other countries participating in the Progress programme (accession and EFTA countries).

The annual operational guide provides an overview of the peer review methodology³. Peer review seminars are organized in a host country. The aim of the exercise can be to assess a good practice in the host country or to help the host country in preparing a reform of a policy that has proved to be less than effective. Some of the seminars have not focused on a specific policy in the host country but have rather been organized to discuss a policy issue that is relevant at EU level.

³ <http://www.peer-review-social-inclusion.eu/network-of-independent-experts>

Each year the preparation of the programme starts with a paper produced by the Commission that indicates the key priority issues that are being discussed in the context of the OMC on Social Inclusion and Social Protection (Social OMC)⁴. Participating countries are invited to comment on the priorities put forward in the paper, to propose additional themes for review and to indicate whether they are interested in hosting a peer review on a specific subject. On this basis a list of peer review proposals is put together. Participating countries are then invited to express preferences for participation. The final list of peer reviews is decided on this basis.

Peer review seminars bring together between five and ten peer countries and two EU stakeholder networks. The review is supported by a thematic expert and Commission representatives. Typically a peer review will take two days. On the first day the morning session will consist of an ex cathedra presentation and first discussion of the policy under review. The afternoon session will be devoted to a site visit that allows participants to get an idea of how the policy is implemented on the ground. The second day will be devoted to an in depth discussion of lessons learned and transferability of the policy under review.

The Peer Review Programme is exceptionally well documented. The following documents are as a rule available on the peer review website:

- the agenda of the meeting;
- a host country paper (produced by a host country expert that describes the policy, project or programme that will be examined);
- a discussion paper (written by an independent thematic expert that puts the policy in a comparative European context). The discussion paper sets the stage for the peer review and normally contains the key issues for debate;
- peer country and EU stakeholder networks comment papers. These describe the initial reaction of the peer review participants to the policy under review, contain initial ideas about transferability and key issues for discussion suggested by participants;
- a short report published within a couple of weeks after the peer review meeting (main lessons learned);
- a more elaborate synthesis report produced by the thematic expert several months after the end of the peer review(a more substantial presentation of the results of the peer review);
- minutes of the meeting.

⁴For more information on the Social OMC, see: <http://ec.europa.eu/social/main.jsp?catId=753&langId=en> .

3. SUBJECT OF THE CONTRACT

The Peer Review in Social Protection and Social Inclusion Programme contributes to the mutual learning objective that is at the heart of the Social Open Method of Coordination. After six years of activities (2004-2009), enough material has been produced to allow for an in depth analysis of the results of the programme.

The documents that are available on the peer review website (<http://www.peer-review-social-inclusion.eu/peer-reviews>) constitute an exceptionally rich source of information that can be used for secondary analysis.

The purpose of this study is four-fold:

- to provide an overview and mapping (different criteria) of the peer reviews that have been organized so far;
- to examine the contribution of the peer reviews to ‘consensus framing’ within the Social OMC through an in depth analysis of the messages that have come out of the peer review process;
- to follow up a selection of peer reviews on a particular policy or project in the host country and examine factors of success and failure; and
- to examine to what extent, under which circumstances, from whom and by whom learning has taken place and in that process identifying elements conducive to such mutual learning.

The study should contribute to a better understanding of the role the peer review programme has played/could play in stimulating innovation in social inclusion and social protection policies across the EU. The aim of the study is not to evaluate the peer review methodology, but on the basis of the findings lessons could be drawn on how to improve the process in the future.

4. PARTICIPATION

Please note that:

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

5. TASKS TO BE CARRIED OUT BY THE CONTRACTOR

There are 4 tasks to be carried out by the contractor.

5.1. Task 1-Deliverable 1: Mapping of the peer reviews

To prepare for the subsequent analysis the study should start with a systematic mapping of the 49 peer reviews that have taken place since the start of the programme in 2004 (programmes 2004-2009) (list in annex).

The mapping will be done on the basis of a limited set of criteria: the policy area⁵, the issues discussed whether they were about a host country policy or about a general policy problem, which host countries have hosted which peer reviews, which peer review participants have attended which seminars and other relevant criteria. The list of criteria will be proposed by the contractor in the inception report and will have to be agreed with the Commission.

Documents available on the peer review website will form the basis for this mapping exercise (literature study).

The output of task 1 (**deliverable 1**) is a document containing a systematic analysis/overview of subjects that were analyzed, which host countries have hosted which peer reviews, which peer review participants have attended which seminars and a mapping on the basis of other criteria to be determined in the inception phase of the study (agreement between contractor and Commission).

5.2. Task 2-Deliverable 2: Study of the contribution of the peer reviews to 'consensus framing' through a systematic analysis of the messages coming out of the reviews.

In the context of the Social OMC the peer reviews are used as a way of checking whether a consensus can be found on the nature of the challenges on key issues relating to social inclusion and social protection and adequate policies to tackle them.

The peer review short and synthesis reports document the messages coming out of the peer reviews. These messages can be more or less clear. The peer reviews are intended as a 'soft' assessment, in line with the nature of the Social Open Method of Coordination that is based on voluntary intergovernmental cooperation.

Messages emerging from peer reviews can contribute directly or indirectly to OMC conclusions (lessons learned) in the annual Joint reports on Social Protection and Social Inclusion or in Commission Working Staff Documents, Commission Communications and Recommendations.

⁵ The key issues identified on the peer review website are: integration of ethnic minorities and immigrants, quality and accessibility of social services, homelessness and housing exclusion, children and families, promoting active inclusion, over-indebtedness and financial exclusion, ageing and providing adequate and sustainable pensions, health and long-term care, interaction of social, economic and employment policies, governance issues.

After six years it will be useful to revisit all peer reviews and to systematically analyze which messages have come out of the process.

It will be important to cluster all messages per key theme and to explore how messages have developed over time, identifying factors of consensus but also of disagreement.

Key results of peer reviews should be systematically analyzed and summarized.

It will also be important to compare these messages with the messages contained in the successive joint reports on social protection and social inclusion on the same themes.

This task will be mostly based on an analysis of the documents available (literature study).

The result of this stage of the research (**deliverable 2**) will be a document that systematically describes which key messages have come out of the programme, demonstrating how peer reviews have made it possible to explore different aspects and how results fit together.

5.3. Task 3-Deliverable 3: Follow up of peer reviews on a particular policy or project in the host country

Most of the peer reviews have focused on the assessment of a particular policy or project in the host country. Often these reviews have been about new policies or pilot projects. So, at the time of the seminar little or no monitoring and evaluation data were available. In these circumstances the judgment on whether a policy initiative or project is a good practice or whether it has learning value can only be very preliminary and partial.

There is an interest in examining how policies or projects that were examined during peer reviews have developed over time, after the peer review seminar, taking into account monitoring and evaluation data that have become available since the meeting. This follow up exercise can provide interesting information on how the policy or project was adapted, responding to changes in circumstances, obstacles encountered. Maybe projects or policies were rolled out or reinforced after convincing evaluation results became available or on the contrary they were stopped or reoriented because results were disappointing, because key sponsors left, because of problems in implementing the policy, because resources were no longer available, etc...

From the list of peer reviews on a specific policy or project in the host country ten cases will be selected in agreement between the Commission and the contractor.

For each of these peer reviews the study should first provide a descriptive account (narrative) of how the policy or project under review originated and developed over time. This description should include adequate background information, necessary to understand the context within which developments occurred.

Secondly, a more explanatory analysis should be performed that should systematically examine factors of success and failure. It will be important to examine how success or failure has been measured by the host country (based on existing monitoring and evaluation data and comparing outcomes with the original objectives of the program). If such information is available it is important to compare evaluation methodologies used by the host country with methodologies proposed by peer countries or stakeholder organizations. This will allow a more complete and more sophisticated assessment of the policies under examination.

In May-June 2007 a debate took place in the Social Protection Committee on how to enhance mutual learning in the Social OMC. Member States emphasized the importance of a context and process oriented presentation of good practices. Delegates felt that adequate country specific background information and information on implementation and policymaking processes is needed if one wants to truly understand why certain practices work and others don't. They also pointed out that information on obstacles and policies that do not work are at least as useful as good practices in terms of mutual learning (SPC-Secretariat note 27 June 2007).

In order to do the follow up of this subset of peer reviews the study team should contact the host country officials that were responsible for the organization of the peer review and the thematic expert or people responsible for the policy project. The analysis should partly be done through interviews with people involved in the policy/project (decision makers, people involved in policy implementation, stakeholders, users), partly through literature study (relevant documents, reports).

5.4. Task 4-Deliverable 4: Study of the extent to which, under what circumstances, from whom and by whom learning has taken place

The peer reviews are a platform for mutual learning. Mutual learning can take place in different ways. There can be positive mutual learning policies or programs fully or partly serve as inspiration in concrete terms to other countries (policy transfer). On the other hand negative mutual learning can take place when a peer review demonstrates that a certain policy that may be successful in one country could not be transferred to another country because the necessary preconditions are not fulfilled (challenges, circumstances, resource levels are too different, cultural background, institutions are too different (path dependency). In the latter case the peer review has contributed to avoiding policy experiments that would have been a waste of resources because they would have been doomed from the start.

Peer reviews can have an immediate or a delayed impact. The seminars provide an opportunity to meet experts, officials, stakeholders working on the same issues. Informal networks are created that can be used later on, when a policy reform is put on the agenda.

Peer reviews allow peer countries to learn from the host country but they also allow the host country to learn from peer countries.

Whether mutual learning has actually taken place will always be difficult to determine but it is important to explore the question because on the basis of a better

understanding of mutual learning processes initiatives could be taken to strengthen them.

At the start of the Peer Review in Social Protection and Social Inclusion Programme there has been an effort to try and identify what were called 'success stories': cases of policy transfer that could be readily identified. These success stories were identified on the basis of a questionnaire sent to peer review participants and telephone interviews.

Evidence was found of an impact of the 2004 Irish peer review on Money advice and budgeting service in Germany, Hungary and Denmark, of the 2004 UK peer review on the Rough sleepers unit in Denmark, of the 2004 German peer review on local alliances for the family in Austria, of the 2004 Finnish peer review on Citizens' social support networks in Latvia, of the 2004 French peer review on the reception platforms to promote the integration of immigrants in France, of the 2005 Danish peer review on preventing and tackling homelessness in the Netherlands.

This exercise has not been repeated since but all peer reviews are routinely assessed in two ways:

- 1) Immediate evaluation through feedback questionnaires completed by participants at the end of each Peer Review meeting;
- 2) Impact evaluation, through surveying of participants in peer reviews after a period of 6-12 months has elapsed since the seminar, in order to identify any broader impacts of the peer review, or subsequent activities within Member States as a result of participation in the seminar.

The results of these evaluations will be made available to the study team.

The study should explore to what extent peer reviews have had an impact, have contributed to mutual learning.

Research questions to be answered are:

- Who has been learning what, from whom?
- What can we learn about features in the process which are conducive to mutual learning?
- What can we learn about transferability conditions (conditions under which policy transfer can occur)?

This task will consist of two parts:

- First, a general analysis covering all peer reviews should be made of what can be learned from the peer review documents and evaluations (literature survey).
- Secondly, on the basis of this general analysis and in agreement with the

Commission ten cases will be selected for in depth analysis. For these cases additional information should be gathered through interviews.

There is some academic literature on mutual learning through peer reviews that focuses on the employment strategy peer reviews: the mutual learning programme. This could be a source of inspiration for developing the methodology for the study⁶.

This part of the study will partly be done on the basis of a literature survey of peer review documents, partly on the basis of interviews with peer review participants, thematic and country experts.

6. REQUIREMENTS ON HOW THE TASKS SHALL BE CARRIED OUT

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

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

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

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

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

⁶ Research on mutual learning in the Employment strategy's mutual learning programme:
- Bernard H CASEY and Michael GOLD Peer Review of Labour Market Policies in the European Union: what can countries really learn from one another? In: Journal of European Public Policy 2005, 1.
- Ramon BALLESTER and Theo PAPADOPOULOS The Peer Review Process in the European Employment Strategy: a comprehensive analysis of operational outputs. The European Research Institute Working paper Series. March, 2009.
- Peter NEDERGAARD Which Countries Learn from Which? A Comparative Analysis of the Direction of Mutual Learning Processes within the Open Method of Coordination Committees of the European Union and among the Nordic Countries. Cooperation and Conflict 2006; 41; 422.

7. PROFESSIONAL QUALIFICATIONS REQUIRED

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

8. TIME SCHEDULE AND REPORTING

8.1. Time schedule

See Article I.2. of the draft contract.

The period of execution of the contract is 15 months. The contract will actually start after both parties have signed the contract.

8.2. Reporting

A succinct **inception report** must be submitted in English within 15 working days of the date of signature of the contract by the last of the two parties. It should detail the methodology proposed by the Contractor, the work plan and the proposed time schedule. It will contain the list of criteria to be used for task 1: the mapping exercise. A kick off meeting with the Commission will be held within 15 working days after receipt of the inception report.

The **first interim report** must be submitted in English within five months of the date of the signature of the contract by the last of the two parties. This report will contain a first draft version of the results of task 1 and task 2: mapping and key messages (lessons learned).

The **second interim report** must be submitted in English in 3 hard copies (1 original and 2 copies) plus an electronic version within nine months of the date of the signature of the contract by the last of the two parties. This interim report will contain a first draft of the results of task 3 i.e. follow up of a set of peer reviews.

When approved, this interim report will open the right to interim payment.

The **third interim report** must be submitted in English within thirteen months of the date of the signature of the contract by the last of the two parties. This report will contain a first draft version of the results of task 4 'extent and of modalities of mutual learning'. This report will be discussed at a fourth meeting with the Commission.

The **draft final report in English**, containing:

- the results of task 1 to 4,
- a draft executive summary of no more than 5 pages in English, French and German

must be submitted within fourteen months of the date of signature of the contract by the last of the two parties. This document must provide the conclusions of the Contractor in respect of the questions raised within the terms of reference and must be

clearly based on evidence generated through the study. It is essential that the report be clear, unambiguous and comprehensible for the non-specialist.

The final report, the executive summary and the final activity report must be submitted in English in 3 hard copies (1 original and 2 copies) plus an electronic version within the fifteenth month of the date of the signature of the contract.

The report as well as the executive summary must be provided in English. It must take into account the results of the assessment of the draft final report and discussions with the contracting authority on the draft final report.

9. PROGRESS REPORTING REQUIREMENTS

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

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

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

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

10. PUBLICITY AND INFORMATION REQUIREMENTS

In accordance with the General conditions, all contractors are under the obligation to acknowledge that the present service has received funding from the Union in all documents and media produced, in particular final delivered outputs, related reports,

brochures, press releases, videos, software, etc, including at conferences or seminars. In the context of the European Union's Programme for Employment and Social Solidarity – PROGRESS, the following formulation shall be used:

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

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

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

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

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

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

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

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

11. PAYMENTS AND STANDARD CONTRACT

See Articles I.4 and I.10 of the draft contract

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

11.1. Pre-financing

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

11.2. Interim payment

Requests for the **interim payment** may be made by the contractor at the same time as the submission of the second interim report (see point 8.2, paragraph 3).

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

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

Within 30 days of the date on which the report is approved by the Commission, an interim payment corresponding to the relevant invoices, up to maximum 40% of the total amount referred to in Article I.3.1 of the contract shall be made.

11.3. Payment of the balance

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

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

provided all reports has been approved by the Commission.

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

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

In drawing up the bid, the bidder should take into account the provisions of the standard contract comprising the "General terms and conditions applicable to service contracts".

12. PRICES

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

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

The **maximum** amount available for this contract is **€ 250.000**.

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

Professional fees and direct costs

- Fees, expressed as the number of person-days multiplied by the unit price per working day for each expert proposed
- Direct costs include
 - Costs for access and use of statistical data, if any;
 - Travel expenses;
- Other direct costs
 - Reporting expenses;
 - Translation expenses;

Any unavoidable expenses necessary for the purposes of the contract.

13. COMPOSITION OF A PARTNERSHIP OR CONSORTIUM

Tenders can be submitted by groupings of service providers/suppliers who will not be required to adopt a particular legal form prior to the contract being awarded, but the consortium selected may be required to assume a given legal form when it has been awarded the contract if this change is necessary for proper performance of the contract⁷. However, a grouping of economic operators must nominate one party to be responsible for the receipt and processing of payments for members of the grouping, for managing the service administration, and for coordination. The documents required and listed in the following points 11 and 12 must be supplied by every member of the grouping.

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

⁷ These entities can take the form of an entity with or without legal personality but offering sufficient protection of the Commission's contractual interests (depending on the Member State concerned, this may be, for example, a consortium or a temporary association). The contract has to be signed by all members of the group, or by one of the members, which has been duly authorised by the other members of the grouping (a power of attorney or sufficient authorisation is to be attached to the contract), when the tenderers have not formed a legal entity.

14. EXCLUSION CRITERIA AND SUPPORTING DOCUMENTS

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

Those articles are as follows:

"Article 93:

Applicants or bidders shall be excluded if:

- a) they are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
- b) they have been convicted of an offence concerning their professional conduct by a judgement which has the force of res judicata;
- c) they have been guilty of grave professional misconduct proven by any means which the contracting authority can justify;
- d) they have not fulfilled their obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established or with those of the country of the contracting authority or those of the country where the contract is to be performed;
- e) they have been the subject of a judgement which has the force of res judicata for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the Union's financial interests;
- f) they are currently subject to an administrative penalty referred to in Article 96(1)⁸.
(...)

Article 94:

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

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

2) The tenderer to whom the contract is to be awarded shall provide, within a time

⁸ "Article 96(1): The contracting authority may impose administrative or financial penalties on the following:
(a) candidates or bidders in the cases referred to in point (b) of Article 94;
(b) contractors who have been declared to be in serious breach of their obligations under contracts covered by the budget. (...)"

limit defined by the contracting authority and preceding the signature of the contract, the evidence referred to in Article 134 of the implementing Rules, confirming the declaration referred to in point 1 above.

Article 134 of the Implementing Rules – Evidence

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

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

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

See Annex I (which may be used as a checklist) for the supporting documents accepted by the European Commission to be provided by applicants, tenderers or tenderers to whom the contract will be awarded.

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

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

15. SELECTION CRITERIA

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

15.1. Economic and financial capacity

- A full set of audited financial statements and accounts - balance sheet and profit-and-loss account for the past two years;
- a statement of total turnover min 250 000 € for the past two financial years.

All these documents must be provided by each member of the consortium.

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

15.2. Professional and technical capacity

Minimum experience of Coordinator: 5 years' proven experience in both coordination, steering and guiding of transnational comparative research and research on poverty and social exclusion. The coordinator will have a proven track record in conducting comparative empirical analysis, particularly in relation to poverty and social exclusion, as well as an in depth knowledge of social protection and social inclusion policy within the EU.

The research team should consist of experts covering the key themes of the conducted peer reviews, as indicated on the website (<http://www.peer-review-social-inclusion.eu/key-themes>). Minimum experience of thematic experts: 5 years of research on poverty and social exclusion.

Means of proof required:

- Details of educational and professional qualifications (CVs) of the coordinator, including relevant publications and/or studies carried out in the field of poverty and social exclusion.
- Details of educational and professional qualifications (CVs) of the other proposed experts, including relevant publications and/or studies carried out in the field of poverty and social inclusion.
- A list of the works carried out by the tenderer in the last 3 years in relation to poverty and social exclusion . The list of the most important works should be accompanied by certificates of satisfactory execution, specifying whether they have been carried out in a professional manner and have been fully completed.

N.B. CVs should not exceed 3 pages.

16. AWARD CRITERIA

The contract will be awarded on the basis of the best value for money, taking into account the following criteria:

1. The degree of understanding of the nature of the assignment, its context and results to be achieved (30%)
2. The adequacy of the proposed methodology (50%)
3. The work plan: actions proposed to supplement the sources of information available, the use of detailed timetable including the allocation of the human resources at the different stages of the work (20%)

Price

It should be noted that the contract will not be awarded to a bidder who receives less than 70 % in the Award Criteria. The total points will then be divided by the price, with the highest scoring bid being awarded the contract.

17. CONTENT AND PRESENTATION OF THE BID

17.1. Content of bids

Bids should contain:

- all information and documents necessary to enable the Commission to appraise the bid on the basis of the exclusion, selection and award criteria (see points 14, 15, and 16 above);
- a bank ID form duly completed and signed by the bank;
- a "legal entity" form duly completed;
- the price;
- the detailed CVs of the research team;
- the name and function of the contractor's legal representative (i.e. the person authorised to act on behalf of the contractor in any legal dealings with third parties); and
- proof of eligibility: bidders must indicate the State in which they have their registered office or are established, providing the necessary supporting documents in accordance with their national law.

17.2. Presentation of bids

- Bids must be submitted in triplicate (i.e. one original and two copies).
- They must include all the information required by the Commission (see points 12, 13, 14 and 15 above).
- They must be clear and concise.
- They must be signed by the legal representative.
- They must be submitted in accordance with the specific requirements of the invitation to tender, within the set deadlines.

OVERVIEW OF PROGRESS PERFORMANCE MEASUREMENT FRAMEWORK

PROGRESS Ultimate Outcome

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

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

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

Legal Regime Outcome:	Shared Understanding Outcome:	Strong Partnerships Outcome:
<p><i>Compliance in Member States with EU law related to PROGRESS areas.</i></p> <p>Performance Indicators</p> <ol style="list-style-type: none"> 1. Transposition rate of EU law on matters related to PROGRESS policy areas. 2. Effectiveness of application in Member States of EU law on matters related to PROGRESS policy areas. 3. EU policies and legislation are grounded in thorough analysis of situation and responsive to conditions, needs and expectations in Member States in PROGRESS areas. 4. Extent to which PROGRESS-supported policy advice feeds into the development and implementation of EU legislation and policies. 5. Cross-cutting issues are addressed in PROGRESS policy sections 6. EU policies and legislation display a common underlying logic of intervention in relation to PROGRESS issues. 7. Gender mainstreaming is systematically promoted in PROGRESS. 	<p><i>Shared understanding and ownership among policy/decision-makers and stakeholders in Member States, and the Commission, of objectives related to PROGRESS policy areas.</i></p> <p>Performance Indicators</p> <ol style="list-style-type: none"> 1. Attitudes of decision-makers, key stakeholders and general public regarding EU objectives in PROGRESS policy areas. 2. Extent to which national policy discourses or priorities reflect EU objectives. 3. Extent to which principles of good governance (including minimum standards on consultation) are respected in policy debate. 4. Extent to which the outcomes of policy debates feed into the development of EU law and policy. 5. Greater awareness of policy-and decision-makers, social partners, NGOs, networks regarding their rights/obligations in relation to PROGRESS policy areas. 6. Greater awareness of policy-and decision-makers, social partners, NGOs, networks regarding EU objectives and policies in relation to PROGRESS policy areas. 	<p><i>Effective partnerships with national and pan-European stakeholders in support of outcomes related to PROGRESS policy areas.</i></p> <p>Performance Indicators</p> <ol style="list-style-type: none"> 1. Existence of common ground/consensus among policy and decision-makers and stakeholders on EU objectives and policies. 2. Identification and involvement by the EU of key actors in a position to exert influence or change at EU and national levels. 3. Effectiveness of partnerships in relation to outcomes related to PROGRESS policy areas. 4. Number of individuals served or reached by networks supported by PROGRESS. 5. Extent to which advocacy skills of PROGRESS-supported networks have improved. 6. Satisfaction of EU and national authorities with the contribution of networks. 7. Extent to which PROGRESS-supported networks take a cross-cutting approach

Declaration of honour with respect to the Exclusion Criteria and absence of conflict of interest

The undersigned [*name of the signatory of this form, to be completed*]:

- in his/her own name (*if the economic operator is a natural person or in case of own declaration of a director or person with powers of representation, decision making or control over the economic operator*)

or

- representing (*if the economic operator is a legal person*)

official name in full (*only for legal person*):

official legal form (*only for legal person*):

official address in full:

VAT registration number:

declares that the company or organisation that he/she represents / he/she:

- a) is not bankrupt or being wound up, is not having its affairs administered by the courts, has not entered into an arrangement with creditors, has not suspended business activities, is not the subject of proceedings concerning those matters, and is not in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
- b) has not been convicted of an offence concerning professional conduct by a judgment which has the force of *res judicata*;
- c) has not been guilty of grave professional misconduct proven by any means which the contracting authorities can justify;
- d) has fulfilled all its obligations relating to the payment of social security contributions and the payment of taxes in accordance with the legal provisions of the country in which it is established, with those of the country of the contracting authority and those of the country where the contract is to be carried out;
- e) has not 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 Union's financial interests;
- f) is not a subject of the administrative penalty for being guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participation in the procurement procedure or failing to supply an information, or being declared to be in serious breach of his obligation under contract covered by the budget.

In addition, the undersigned declares on their honour:

- g) they have no conflict of interest in connection with the contract; a conflict of interest could arise in particular as a result of economic interests, political or national affinities, family or emotional ties or any other relevant connection or shared interest;
- h) they will inform the contracting authority, without delay, of any situation considered a conflict of interest or which could give rise to a conflict of interest;
- i) they have not made and will not make any offer of any type whatsoever from which an advantage can be derived under the contract;
- j) 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 award of the contract.
- k) that the information provided to the Commission within the context of this invitation to tender is accurate, sincere and complete.
- l) that in case of award of contract, they shall provide the evidence that they are not in any of the situations described in points a, b, d, e above⁹.

For situations described in (a), (b) and (e), production of a recent extract from the judicial record is required or, failing that, a recent equivalent document issued by a judicial or administrative authority in the country of origin or provenance showing that those requirements are satisfied. Where the Tenderer is a legal person and the national legislation of the country in which the Tenderer is established does not allow the provision of such documents for legal persons, the documents should be provided for natural persons, such as the company directors or any person with powers of representation, decision making or control in relation to the Tenderer.

For the situation described in point (d) above, recent certificates or letters issued by the competent authorities of the State concerned are required. These documents must provide evidence covering all taxes and social security contributions for which the Tenderer is liable, including for example, VAT, income tax (natural persons only), company tax (legal persons only) and social security contributions.

For any of the situations (a), (b), (d) or (e), where any document described in two paragraphs above is not issued in the country concerned, it may be replaced by a sworn or, failing that, a solemn statement made by the interested party before a judicial or administrative authority, a notary or a qualified professional body in his country of origin or provenance.]

By signing this form, the undersigned acknowledges that they have been acquainted with the administrative and financial penalties described under art 133 and 134 b of the Implementing Rules (Commission Regulation 2342/2002 of 23/12/02), which may be applied if any of the declarations or information provided prove to be false.

Full name

Date

Signature
