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## *Specifications – Invitation to Tender VT/2006/016*

### QUALITY IN AND EQUALITY OF ACCESS TO HEALTHCARE SERVICES

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#### 1. TITLE OF THE CONTRACT

Quality in and equality of access to healthcare services

VT/2006/0016

#### 2. BACKGROUND

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

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

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

#### 3. SPECIFIC CONTEXT

Access to good quality healthcare services is a prerequisite for the social integration of individuals. Furthermore, improving access to care is acknowledged to be a way of mobilising the potential of the EU's workforce in the context of a shrinking active population. Universal, or near universal, rights to health care can be found in every Member State. However, universal rights do not automatically ensure universal access. In recognition of existing barriers to access in health care systems in many Member States, in particular with respect to the most

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

disadvantaged groups of the population and those with the most severe disabilities, the Nice European Council (December 2000) enumerated access to healthcare among the common objectives for the Member States in the fight against social exclusion and for the eradication of poverty. In particular, under the common objective of "facilitating access to resources, rights, goods and services to all", explicit reference is made to the need "to put in place policies which aim to provide access for all to healthcare appropriate to their situation, including situations of dependency".

The theme of accessibility of health care systems is also one of the three guiding principles in the cooperative exchange in the field of health care and long-term care that was established by the 2003 Spring European Council. Recently, the Commission proposed the achievement of access for all to adequate health care and long-term care and the tackling of inequities in access as a priority objective for the new streamlined EU Open Method of Coordination for social protection and social inclusion (COM(2005)706).

#### **4. PURPOSE OF THE CONTRACT**

The aim of the study is to identify and analyse barriers to access to health care services which are faced by vulnerable groups in society and especially those most exposed to social exclusion. Such barriers may stem both from health service supply –eg service availability and distribution, location, administration - and demand – eg related to users' group characteristics like income, age, gender, preferences and opportunities. The extent to which the organisation of healthcare systems ease or reinforce such barriers, particularly on the demand side, must be examined. The study should then review the various policy initiatives taken by the Member States to realise the objective of access for all, taking account of differences in the way healthcare systems are organised and the varying institutional contexts. The most effective policy measures to ensure access to health care to the most disadvantaged groups must be highlighted and properly described.

Finally, the study should help determine the extent to which increased access to and quality of health care services can make to combating poverty and social exclusion and increasing social inclusion.

The objective that this contract intends to achieve is to assist the development of more coherent and integrated policies in relation to access to health care as part of the further development of Member States' social inclusion strategies.

#### **5. 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 Communities a specific agreement in the area of public contracts, under the conditions provided for in that agreement.

Where the Multilateral Agreement on Public Contracts concluded within the framework of the WTO applies, the contracts are also open to nationals of States that have ratified this Agreement, under the conditions provided for therein. It should be noted that research and development services, which come under

category 8 of Annex II-A of Directive 2004/018/EC, are not covered by this Agreement.

In practice, the participation of applicants from third countries that have concluded a bilateral or multilateral agreement with the Communities in the area of public contracts must be allowed, under the conditions provided for in that agreement. Bids submitted by applicants from third countries that have not concluded such an agreement may be accepted, but may also be rejected.

## **6. TASKS TO BE PERFORMED BY THE CONTRACTOR**

This study will draw on existing research and data and will compare and contrast policy approaches and outcomes in a representative sample of at least eight different countries – chosen from both the Member States, the Acceding Countries and EFTA/EEA countries participating in this sub-strand of the Programme - <sup>2</sup>, taking account of international studies and experience in this area as well as, possibly, the views of those experiencing poverty and social exclusion.

In particular the contracting party will undertake the following tasks:

- I. Discuss the extent to which gaps in access to health care can deepen and intensify poverty and social exclusion.
- II. Identify the different barriers to access to health care which are faced by vulnerable groups in society and especially those most exposed to social exclusion. Such barriers may stem from health service supply, eg the existence of waiting times for treatment, the location of health services (geographical disparities of supply), the existence of administrative difficulties in obtaining access, the cost burden of care, the lack of sufficient or sufficiently clear information on available care. The range of services covered in public/public funded provision of care should also be examined as this can be the origin of gaps in access to care.
- III. Identify barriers to access to health care stemming from health service demand, eg relating to an individual's income, age, gender, knowledge, beliefs, preferences and opportunities. Particular attention should be paid to the situation of the most disadvantaged groups and to the people with the most severe disabilities, namely the mentally ill.
- IV. Examine the extent to which the organisation of healthcare systems ease or reinforce such barriers, particularly on the demand side, and how barriers on the demand side and on the supply side interact with each other.
- V. Review the various policy initiatives taken by the Member States to realise the objective of access for all, including the most disadvantaged, taking account of differences in the way healthcare systems are organised and the varying institutional contexts.
- VI. Examine and discuss the impact of wider reforms and policy measures in the area of health care on access with respect to the most disadvantaged groups.

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Bulgaria, Romania, Liechtenstein, Iceland, Norway

- VII. Highlight and properly describe the most effective policy measures to ensure access to health care for the most disadvantaged groups.
- VIII. Present the conclusions of the study in a draft report to be presented to the Social Protection Committee. The report would then be refined and amended by the consultants in the light of the comments received.

In addition to the above, the contractor will carry out a case study by concentrating on a particular group potentially at risk of social exclusion – e.g., the Roma or drug users – and assess access to health care for them, following points I to VII above. Tenderers' attention is drawn to the existence of a study carried out on behalf of the European Monitoring Centre on Racism and Xenophobia on the access to health care of Roma women in a number of Member States<sup>3</sup>:

### **Documentation**

Further information on the Social Inclusion Process and the cooperative exchange on Health care and Long-term care can be obtained from the Europa Internet site, where all the documents are accessible at the following address:

[http://europa.eu.int/comm/employment\\_social/social\\_inclusion/index\\_en.htm](http://europa.eu.int/comm/employment_social/social_inclusion/index_en.htm)

[http://europa.eu.int/comm/employment\\_social/social\\_protection/health\\_en.htm](http://europa.eu.int/comm/employment_social/social_protection/health_en.htm)

## **7. PROFESSIONAL QUALIFICATIONS REQUIRED**

See Annex IV of the draft contract, experts' CVs

## **8. TIME SCHEDULE AND REPORTING**

### **8.1.1. TIME SCHEDULE**

See Article I.2 of the draft contract

The contract will cover twelve (12) months.

It is envisaged it will begin at the beginning of the last quarter of 2006.

The period of execution of the tasks may be extended only with the express written agreement of the parties before such period elapses

### **8.1.2. REPORTING**

The contracting party will present:

- **6 months** after the beginning of the contract, **an interim activity report** (EN or FR) containing a description of the work undertaken at the date of the report and a presentation of the first results, including a first draft of the detailed outline of the study and in particular the executive summary. This interim report will open the right to the interim payment;

- **10 months** after the beginning of the contract, a draft final study to be presented to the Social Protection Committee.
- **at the end** of the period of performance:
  - **the final study** taking account of the discussions in the Social Protection Committee **in English**
  - **an executive summary** of 8-10 pages **in English, French and German** for wider dissemination;
  - **a final activity report** (EN or FR) containing:
    - a complete description of the work undertaken in the framework of this contract;
    - a presentation of the results obtained for the whole of the contract period in accordance with the present terms of reference;
    - any comments, suggestions or recommendations considered useful or necessary by the contracting party.

All reports should be submitted in paper (3 copies) and electronic versions.

## **9. PAYMENTS AND STANDARD CONTRACT**

According to Article I.4. 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.*

### **I.4.1. 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 30% of the total amount referred to in Article I.3.1 [of the draft contract ] shall be made.*

### **I.4.2. Interim payment**

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

– *the Interim technical report in accordance with the instructions laid down in Annex I [of the contract],*

– *the relevant invoices,*

*provided the report has been approved by the Commission.*

*The Commission shall have 45 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.*

### **I.4.3. 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 the report has been approved by the Commission.*

*The Commission shall have 45 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, payment of the balance of the total amount referred to in Article I.3.1[of the contract] shall be made.*

#### ***I.4.4. Performance guarantee***

*Not applicable."*

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

## **10. PRICES**

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

The **maximum** amount available for this contract is **€300,000**. Tenderers should note that any bids exceeding this limit will not be considered. The total price is Part A+ Part B.

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 Communities 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.

### **Part A: Professional fees and direct costs**

- Fees, expressed as the number of person-days multiplied by the unit price per working day for each expert proposed (including the days of participation in meetings / seminars)*
- Direct costs include*

- Travel expenses (A minimum of 3 meetings with the Commission services in Brussels should be included)
- Reporting expenses;
- Translation expenses;
- Documentation;
- Any unavoidable expenses necessary to the achievement of the Contract

**Part B: Reimbursable expenses**

- Contingencies, if any (maximum 3 % of part A)

Total price= Part A + Part B

**11. COMPOSITION OF A PARTNERSHIP OR CONSORTIUM**

If a partnership or consortium is envisaged, its composition should be specified, and the criteria listed under point 13 should be detailed for each individual member of the partnership. In addition, one of the consortium or partnership members must be designated lead contractor and will assume full responsibility towards the Commission as regards both this bid and the future contract, if awarded.

**12. EXCLUSION CRITERIA AND SUPPORTING DOCUMENTS**

**Governed by Article 93 of the Financial Regulation**

Applicants or tenderers shall be excluded if:

- a. they are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
- b. they have been convicted of an offence concerning their professional conduct by a judgement which has the force of res judicata;
- c. they have been guilty of grave professional misconduct proven by any means which the contracting authority can justify;
- d. they have not fulfilled their obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established or with those of the country of the contracting authority or those of the country where the contract is to be performed;
- e. they have been the subject of a judgement which has the force of res judicata for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the Communities' financial interests;
- f. Following another procurement procedure or grant award procedure financed by the Community budget, they have been declared to be in serious breach of contract for failure to comply with their contractual obligations.

Applicants or tenderers must certify that they are not in any of the situations listed above.

**Article 134 of the Implementation Arrangements – Supporting documents:**

1. The contracting authority shall accept, as satisfactory evidence that the candidate or tenderer is not in one of the situations described in points (a), (b) or (e) of Article 93 of the Financial Regulations, production of a recent extract from the judicial record or, failing that, a recent equivalent document issued by a judicial or administrative authority in the country of origin or provenance showing that these requirements are met.
2. The contracting authority shall accept, as satisfactory evidence that the candidate or tenderer is not in the situation described in point (d) of Article 93 of the Financial Regulations, a recent certificate issued by the competent authority of the State concerned (with a certified translation into English or French)

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

3. Depending on the national legislation of the country in which the tenderer or applicant is established, the documents referred to in paragraphs 1 and 2 above shall relate to legal entities and/or physical persons, including, where considered necessary by the awarding authority, company directors or any person with powers of representation, decision-making or control in relation to the tendered.

**Article 94 of the Financial Regulation:**

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

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

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

Any bid not including the supporting documents provided for in this Annex will be excluded.

A written self-declaration by the candidate that he is not in the situation described by article 93 § 1. a), b), d) and e) (see above) will not be accepted by DG Employment.

**13. SELECTION CRITERIA**

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



13.1. **Economic and financial capacity** to carry tasks set out in the tender specification must be demonstrated as follows:

- Full set of audited financial statements and accounts -balance sheet and profit and loss account for the past two years. This certificate must be provided by each member of the consortium;
- the tenderer (or consortium) must provide proof of turnover in the last financial year at least equivalent to 100% of the proposed price of the contract.

13.2. **Professional and technical capacity.**

- Minimum experience of Coordinator: 10 years of proven experience and expertise in, as well as in-depth knowledge of, healthcare systems in the EU and the social dimension of health. Solid knowledge and expertise of EU social policies in general and, particularly, of their impact on social inclusion is also essential.
- Minimum experience of every other core expert: 5 years of research in the area of health care systems, social policies and their impact on social inclusion.
- Proven track record in the field of trans-national policy analysis, particularly in the areas mentioned above.

Means of proof required:

- Details of educational and professional qualifications of the Coordinator (CVs), including relevant publications and/or studies carried out in the field of health care systems, social policies and their impact on social inclusion.
- Details of educational and professional qualifications of the proposed experts (CVs) including relevant publications and/or studies carried out in the field specified above. Firm commitments of involvement in the project signed and dated from external persons to the firm shall be attached.
- A list of the works carried out by the organisation in the last five years. The list of the most important works shall be accompanied by certificates of satisfactory execution, specifying whether they have been carried out in a professional manner and have been fully completed

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

#### **14. AWARD CRITERIA**

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

- a) Quality and consistency of the tender (30%)
  - The degree of understanding of the nature of the assignment, its context and results to be achieved (15%);

- The quality and appropriateness of the strategy proposed for the implementation of the expertise (15%).

b) Technical value of the bid and the proposed methodological approach (70%).

- The work programme: the knowledge and use of existing research in the fields covered by the expertise as well as available data to complement background information, actions proposed to supplement the sources of information available (25%);

- Type of methodology and analysis provided: interpretation of quantitative and qualitative information collected according to the proposed strategy (25%);

- Timetable including human resources mobilised to carry out the different stages of the work and the capacity to complete the work well in the time available (20%).

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

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

## **15. CONTENT AND PRESENTATION OF THE BID**

### **15.1. Content of the bid**

#### **The bid must include:**

- all information and documents necessary to enable the Commission to appraise the bid on the basis of the exclusion, selection and award criteria (see points 12, 13 and 14 above);
- a bank ID form duly completed and signed by the bank;
- a "legal entity" form duly completed;
- the price (the financial offer must be signed);
- the detailed CVs of the proposed experts;
- the name and function of the contractor's legal representative (i.e. the person authorised to act on behalf of the contractor in any legal dealings with third parties);
- proof of eligibility: tenderers must indicate the State in which they have their registered office or are established, providing the necessary supporting documents in accordance with their national law

### **15.2. Presentation of the bid**

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 10, 11, 12, 13 and 14 above).

They must be clear and concise.

They must be signed by the legal representative. Unsigned bids will be rejected.

They must be submitted in accordance with the specific requirements of the invitation to tender, within the deadlines laid down.

## **16. VALIDITY OF THE TENDER**

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

Annex 1

## Annex I

Exclusion criteria (Article 93(1) FR)	Supporting documents to be provided by applicants, tenderers or bidders (Article 134 IR)	
<p><b>1. Exclusion from a procurement procedure, Article 93(1) FR :</b></p> <p><i>« Candidates or tenderers shall be excluded from participation in a procurement procedure if:</i></p>		
<p><b>1.1. (subparagraph a)</b></p> <ul style="list-style-type: none"> <li>▪ <i>they are bankrupt or being wound up,</i></li> <li>▪ <i>are having their affairs administered by the courts,</i></li> <li>▪ <i>have entered into an arrangement with creditors have suspended business activities, are the subject of proceedings concerning those matters,</i></li> <li>▪ <i>or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations<sup>4</sup>;</i></li> </ul>	<p>Recent extract from the judicial record</p> <p style="text-align: center;"><b>or</b></p> <p>recent equivalent document issued by a judicial or administrative authority in the country of origin or provenance</p> <p style="text-align: center;"><b>or</b></p> <p>Where no such certificate is issued in the country concerned : sworn or, failing that, a solemn statement made by the interested party before a judicial or administrative authority, a notary or a qualified professional body in his country of origin or provenance</p>	
<p><b>1.2. (subparagraph b)</b></p> <p><i>they have been convicted of an offence concerning their professional conduct by a judgment which has the force of res judicata<sup>5</sup>;</i></p>	<p>Cf. supporting documents for Article 93(1)(a) FR above</p>	

<sup>4</sup> See also Article 134(3) IR : Depending on the national legislation of the country in which the tenderer or candidate is established, the documents referred to in paragraphs 1 and 2 shall relate to legal persons and/or natural persons including, where considered necessary by the contracting authority, company directors or any person with powers of representation, decision-making or control in relation to the candidate or tenderer.

<sup>5</sup> Cf. footnote n° 1.

<b>Exclusion criteria (Article 93(1) FR)</b>	<b>Supporting documents to be provided by applicants, tenderers or bidders (Article 134 IR)</b>	
<b>1.3. (subparagraph c)</b> <i>they have been guilty of grave professional misconduct proven by any means which the contracting authority can justify;</i>	Declaration by the candidate or tenderer that he is not in the situation described	
<b>1.4. (subparagraph d)</b> <i>they have not fulfilled obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established or with those of the country of the contracting authority or those of the country where the contract is to be performed<sup>6</sup>;</i>	Recent certificate issued by the competent authority of the State concerned confirming that the candidate is not in the situation described  <p style="text-align: center;"><b>or</b></p> Where no such certificate is issued in the country concerned : sworn or, failing that, a solemn statement made by the interested party before a judicial or administrative authority, a notary or a qualified professional body in his country of origin or provenance	
<b>1.5. (subparagraph e)</b> <i>they have been the subject of a judgment which has the force of res judicata for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the Communities' financial interests<sup>7</sup>;</i>	Cf. supporting documents for Article 93(1)(a) FR above	
<b>1.6. (subparagraph f)</b> <i>following another procurement procedure or grant award procedure financed by the Community budget, they have been declared to be in serious breach of contract for failure to comply with their contractual obligations. »</i>	Declaration by the candidate or tenderer that he is not in the situation described	

<sup>6</sup> Cf. footnote n°1.

<sup>7</sup> Cf. footnote n° 1.

Exclusion criteria (Article 94 FR)	Supporting documents to be provided by applicants, tenderers or bidders (Article 134 IR)	
<p><b>2. Exclusion from a procurement or grant award procedure Article 94 FR :</b> « <i>Contracts may not be awarded to candidates or tenderers who, during the procurement procedure:</i></p>		
<p><b>2.1. (subparagraph a)</b></p> <p><i>are subject to a conflict of interest;</i></p>	<p>Statement by the applicant, tenderer or bidder confirming the absence of conflict of interests, to be submitted with the application, bid or proposal</p>	<p>–</p>
<p><b>2.2. (subparagraph b)</b></p> <p><i>are guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participation in the contract procedure or fail to supply this information»<sup>8</sup>.</i></p>	<ul style="list-style-type: none"> <li>– No specific supporting documents to be supplied by the applicant, tenderer or bidder</li> <li>– It is the responsibility of the authorising officer, represented by the evaluation committee, to check that the information submitted is complete<sup>9</sup> and to identify any misrepresentation</li> </ul>	<p>–</p>

<sup>8</sup> Cf. Article 146(3) of the FR Implementing Rules: « ...the evaluation committee may ask candidates or tenderers to supply additional material or to clarify the supporting documents submitted in connection with the exclusion and selection criteria, within a specified time-limit. » and Article 178(2) of the FR Implementing Rules: « The evaluation committee may ask an applicant to provide additional proof or to clarify the supporting documents establishing financial and operational capacity, within a specified time-limit. »

<sup>9</sup> Cf. footnote n°1