

Western Balkans Youth Policy Lab (WBYPL) Project of the Regional Cooperation Council (RCC) Secretariat

Open Call for Consulting Services

Terms of Reference:	Organisation of Amendment Co-Creation Retreat for Government of the Republic of North Macedonia / National Youth Council of Macedonia
Eligibility:	Respective consulting companies / individual consultants or individual consultants within bidding consortia
Contracting Authority:	Regional Cooperation Council (RCC) Secretariat
Starting Date:	27 October 2021
Deadline for application:	25 October 2021
Reporting to:	Government of Republic of North Macedonia, National Youth Council of Macedonia, and Western Balkans Youth Lab Project Team
Duration:	October 2021 – January 2022
Reference:	102-021

I BACKGROUND

Purpose

The purpose of this assignment is to support the Government of the Republic of North Macedonia and National Youth Council of Macedonia to co-create amendments to the Law on Employment and Insurance in Case of Unemployment with relevant stakeholders and submit them to the National Assembly. The amendments will consist of alternative ways to complete the registration and confirmation with the Employment Service Agency of the Republic of North Macedonia

(ESARNM) through online registration, using the portal uslugi.gov.mk, via authorised representative or mobile teams.

This activity is in line with the [National Youth Council of Macedonia's strategic plan \(goals 4.2. and 4.3\)](#) and the policy paper on [Fair access to opportunities for all unemployed persons](#). In addition, it is in line with the strategic priorities of the Government's Programme, specifically the subarea for a [modern and efficient administration](#) (digitalisation), and [subarea for investing in the citizens](#), in particular regarding the efforts to minimise unemployment, and create a legal solution for the Youth Guarantee.

Background information

This is a joint Technical Assistance application by the Government of Republic of North Macedonia and National Youth Council of Macedonia as a result of cooperation between the members of the Working Group in the Youth Policy Lab process.

The aim of this assignment is to organise a three-day in-person Amendment Co-Creation Retreat. This retreat will gather the Members of Parliament that are part of the National Assembly's Club on Youth Affairs and Policies, representatives of the Ministry of Youth and Sports, Ministry of Labour and Social Policies and the Employment Service Agency of North Macedonia, as well representatives of youth sector and the North Macedonia Youth Lab Working Group members.

Together with a legal expert, **the group will seek legal solutions to remove the barriers in the Law that hinder youth access to employment policies**. The 3-day retreat will give youth access to decision-makers, the opportunity to discuss employment policies and to co-create the legal solution. Following the completion of the retreat, **the legal expert will develop finalised amendments that will be delivered to the MPs that are part of the Assembly's Club on Youth Affairs and Policies so they have a final product to submit to the National Assembly**.

Based on the experience in the implementation of the Youth Guarantee, and with regard to ensuring equal access of all young people in the economy to government-supported internships, traineeships, apprenticeships, and volunteering, an obstacle has been identified in the provisions of the Law on Employment and Insurance in Case of Unemployment. Currently, the unemployed person is obligated to report in person to the Employment Service Agency every 30 days and prove that they have been actively looking for a job in the course of the previous month. This is a problem because it exposes them to significant costs of time and funds, and additionally, in times of pandemic, it represents a health risk to both the unemployed and the ESA. Furthermore, if they fail to do so, they are penalised with deletion from the registry and barred access to all measures offered by the ESARNM. Therefore, the Working Group proposes co-creation of amendments with relevant stakeholders and submitting them to the National Assembly. The amendments will consist of alternative ways to complete the registration and confirmation with the ESARNM through online registration, using the portal uslugi.gov.mk, via authorised representative or mobile teams.

This will significantly simplify and make the registration process for youth from marginalised and socially excluded communities, youth with fewer opportunities and of low-income families, more economic and will reduce the administrative burden for the employment centres' staff. In order to reduce the chances of cheating the system, for those who apply electronically, it is possible to introduce monitoring of the time spent logged in their profile on the Employment Agency electronic system, updating their CV, monitoring active listings and communication with advertisers. If this online time is below the determined minimum, the person can be deleted from the unemployment records.

.II DESCRIPTION OF RESPONSIBILITIES

Scope of Work/Main Activities

The services under this assignment include the following key duties:

- Engagement of Legal Expert:

The expert should be engaged for 15 working days, and is expected to:

- Facilitate a 3-day event on developing amendments to the Law on Employment and Insurance in Case of Unemployment;
- Prepare a document consisting of legal amendments based on the stakeholders discussions and conclusions;
- Conduct desk research on relevant laws, international and national documents;
- Conduct interviews with relevant stakeholders (at least 3 interviews), with emphasis on the Ministry of Labour and Social Policy, the Employment Agency and representatives of civil society organisations;
- Prepare a summary analysis of the 3-day event and presentation of the results from the focus group;
- Prepare the agenda for Retreat that would be attended by North Macedonia Youth Lab Working Group members, representatives of the National Assembly's Club on Youth Affairs and Policies (consisting of 13 MPs); representatives of Ministry of Youth and Sports, Ministry of Labour and Social Policies and the Employment Service Agency of North Macedonia.

Expected results

The implementation of the Amendment Co-Creation Retreat will contribute to the following results:

- (1) Strengthened cooperation between youth and policymakers, specifically in the area of co-creation of amendments for addressing youth unemployment;
- (2) Created set of amendments to the Members of Parliament that are part of the National Assembly's Club on Youth Affairs and Policies in order to be submitted to the National Assembly;
- (3) Removal of barriers in the Law on Employment and Insurance in Case of Unemployment that hinder youth access to employment policies;
- (4) Increased access of NEET (Not in Education, Employment, or Training) youth to employment policies and measures, especially the Youth Guarantee;
- (5) Decreased financial implications for youth when fulfilling the administrative obligation defined in the Law in order to access employment opportunities.

Lines of Communication

In all its stages the deliverables shall be developed in close consultation with the Government of Republic of North Macedonia, National Youth Council of Macedonia, and Western Balkans Youth Lab Team Leader.

Timeframe

The engagement is expected to start in the second part of October 2021 and end by the end of January 2022.

Budget

Total budget for this activity is 4,000.00€.

Reports and Schedule of Deliverables

The following deliverables will be produced and transferred to the RCC, Government of Republic of North Macedonia and National Youth Council of Macedonia during the course of the assignment, in the following timeline:

Deliverable	Deadline
Introductory activities	October 2021
Research activities and Retreat facilitation	November 2021

Deliverable	Deadline
Development of finalised amendments (in English and Macedonian languages)	January 2022

III PROFILE AND COMPETENCIES OF THE EXPERTS

Education:	<ul style="list-style-type: none"> Bachelor's Degree in Laws, Political Sciences, or other social science. A Master's Degree will be considered an advantage
Experience:	<p>Qualifications and Skills Required</p> <ul style="list-style-type: none"> At least 5 years of work experience in activities related to policy analysis, monitoring and evaluation Extensive knowledge of the North Macedonia's legal system and procedures for submission of amendments in the Assembly Experience in drafting laws, legal amendments and other legal documents Extensive knowledge of labour rights, specifically relations between workers and employers Advanced research and analytical skills Excellent communication and presentation skills
Language requirements:	<ul style="list-style-type: none"> Fluency in local language and English, as the official language of the RCC Knowledge of other RCC languages is an advantage
Other	<ul style="list-style-type: none"> Familiar with MS Office applications

Core Values

- Demonstrates integrity and fairness by modelling RCC values and ethical standards;
- Displays cultural, gender, religion, race, nationality and age sensitivity and adaptability.

Core Competencies

- Demonstrates professional competence to meet responsibilities and post requirements and is conscientious and efficient in meeting commitments, observing deadlines and achieving results;
- Result-oriented; plans and produces quality results to meet the set goals, generates innovative and practical solutions to challenging situations;
- Communication: Excellent communication skills, including the ability to convey complex concepts and recommendations clearly;
- Team work: Ability to interact, establish and maintain effective working relations in a culturally diverse team;
- Ability to establish and maintain productive partnerships with regional and national partners and stakeholders.

IV QUALITY CONTROL

Hired experts should ensure an internal quality control during the implementing and reporting phase of the assignment. The quality control should ensure that the draft reports comply with the above requirements and meet adequate quality standards before sending them to stakeholders for comments. The quality control should ensure consistency and coherence between findings, conclusions and recommendations. It should also ensure that findings reported are duly substantiated and that conclusions are supported by relevant judgment criteria. The views expressed in the report will be those of the contractor and will not necessarily reflect those of the Regional Cooperation Council. Therefore, a standard disclaimer reflecting this will be included in the report. In this regard, the expert may or may not accept comments and/or proposals for changes received during the above consultation process. However, when comments/proposals for changes are not agreed by the expert, he/she should clearly explain the reasons for his/her final decision in a comments table.

IV APPLICATION RULES

The application needs to contain the following:

- Technical Offer;
- Financial Offer.

Technical Offer

For individual consultants:

- Letter of interest;

- CV, outlining relevant knowledge and experience as described in Section III Profile and Competencies of the Terms of References;
- List of reports, papers, and other documents the expert has drafted;
- Brief concept note describing the main issues, information, data sources, and tools to be employed by the expert as well as the approach to the work to be undertaken;
- List of references for relevant activities implemented over the past 5 years demonstrating relevant experience in the subject matter;
- Submission Form (Annex I);
- Financial offer, as per budget breakdown, free format.

For companies and consortia of individual consultants:

- Company profile including a brief description (up to 2 pages) of the company. In case of a bidding consortium, the team leader should submit the profile of the consortium stating the key expert and experts;
- Copy of Company's Registration Certificate (in case of consulting companies). In case of a bidding consortium a corresponding written authorisation, power of attorney is accordingly treated;
- Financial records - company's balance sheet and profit-and-loss statement for the past 2 years (only in case of a bidding of consulting companies);
- CV(s) of expert(s) (stating the key expert and experts, if applicable), outlining relevant knowledge and experience as described in Section III Profile and Competencies of the Terms of References, along with contact details of referees;
- Brief concept note describing the main issues, information, data sources, and tools to be employed by the expert as well as the approach to the work to be undertaken, as described in the Terms of Reference;
- List of references for relevant activities implemented over the past 5 years demonstrating relevant experience in the subject matter;
- Submission Form (Annex I);
- Signed Statements of Availability (Annex II).

The Financial Offer (Free format)

The financial offer should reflect the following:

- All figures should be expressed in EUR;
- VAT amount, if applicable, should be presented.

When preparing the financial offer, the bidder should take into account the following:

- Use a free format for the Budget providing the Global Price for the work to be provided.
- The fee rates should be broadly consistent with those applicable in the region.

Applications need to be submitted by 25 October 2021 to the following address:
ProcurementforRcc@rcc.int

Please make sure that the application is submitted in two separate folders one containing Technical Offer and the other Financial Offer.

The documents should be submitted in a form of copies of the originals.

V EVALUATION RULES

The consultancy will be awarded to the highest qualified bidder based on the relevance of skills and expertise to this assignment.

The applications are evaluated following these criteria:

Evaluation Grid	Maximum Score
A. Technical offer (A.1+A.2+A.3)	100
A.1. Work experience, references list: Relevant work experience; evidence of other contracts of the nature comparable to that of the Call; experience with clients comparable to the Contracting Authority.	30
A.2. Quality and professional capacity of the consultant: CV satisfies the criteria set forth in the Terms of Reference, education and experience demonstrates professional capacity and experience required.	40

A.3 Quality of the concept note: Concept note describing the main issues, information, data sources, and tools to be employed by the expert as well as approach to the work to be undertaken.	30
B. Financial Proposal/ lowest price has maximum score	100

Score for offer X =

A: [Total quality score (out of 100) of offer X / 100] * 80

B: [Lowest price / price of offer X] * 20

In addition to the results of the technical and financial evaluation, a competency-based interview will be held with the selected bidder.

Information on selection of the most favourable bidder

The RCC Secretariat shall inform candidates and bidders of decisions reached concerning the award of the contract as soon as possible, including the grounds for any decision not to award a contract for which there has been competitive tendering or to recommence the procedure. Standard letter of thanks for participation to unsuccessful bidders shall be sent within 15 days after the contract is signed with the awarded bidder. The candidates and bidders wishing to receive a feedback may send a request within 15 days after receipt of the standard letter of thanks.

The request may be sent to the e-mail address ProcurementforRcc@rcc.int or to the address of the RCC Secretariat:

Regional Cooperation Council Secretariat
 Attention to: Administration Department
 Building of the Friendship between Greece and Bosnia and Herzegovina
 Trg Bosne i Hercegovine 1/V
 71000 Sarajevo
 Bosnia and Herzegovina

Appeals procedure

Bidders believing that they have been harmed by an error or irregularity during the award process may petition the RCC Secretariat directly. The RCC Secretariat must reply within 15 days of receipt of the complaint.

The appeal request may be sent to the e-mail address ProcurementforRcc@rcc.int or to the address of the RCC Secretariat:

Regional Cooperation Council Secretariat

Attention to: Administration Department

Building of the Friendship between Greece and Bosnia and Herzegovina

Trg Bosne i Hercegovine 1/V

71000 Sarajevo

Bosnia and Herzegovina

ANNEX I: SUBMISSION FORM

Open Call for Consultancy Services: Organisation of Amendment Co-Creation Retreat for Government of the Republic of North Macedonia / National Youth Council of North Macedonia

REF: 102-021

One signed scanned copy of this Call for Consultancy Submission Form must be supplied.

1 SUBMITTED by:

	Name(s) and address(es) of the Entity submitting this Application
Full name of the entity	

2 CONTACT PERSON

Name	
Address	
Telephone	
Fax	
e-mail	

3 STATEMENT

[Name of the representative of the Entity] _____ hereby declares that we have examined and accepted without reserve or restriction the entire contents of the Open Call for Experts, Grounds for Exclusions and Conflict of Interest as such:

Grounds for exclusion

Candidates or bidders will be excluded from participation in a procurement procedure if it is known that:

- (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 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 judgment which has the force of res judicata;
- (c) They have been guilty of grave professional misconduct proven by any means which the Contracting Officer can justify;
- (d) They have not fulfilled obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established or with those of the country of the Contracting Officer or those of the country where the contract is to be performed;
- (e) 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.

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

- (a) Subject to a conflict of interest;
- (b) Guilty of misrepresentation in supplying the information required by the Contracting Officer as a condition of participation in the contract procedure or fail to supply this information.

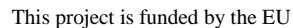
Conflict of Interest

- a) The Contractor shall take all necessary measures to prevent or end any situation that could compromise the impartial and objective performance of the contract. Such conflict of interests could arise in particular as a result of economic interest, political or national affinity, family or emotional ties, or any other relevant connection or shared interest. Any conflict of interests which could arise during performance of the contract must be notified in writing to the Contracting Authority without delay.
- b) The Contracting Authority reserves the right to verify that such measures are adequate and may require additional measures to be taken if necessary. The Consultant shall ensure that its staff, including its management, is not placed in a situation which could give rise to conflict of interests. The Consultant shall replace, immediately and without compensation from the Contracting Authority, any member of its staff exposed to such a situation.
- c) The Contractor shall refrain from any contact which would compromise its independence or that of its personnel. If the Contractor fails to maintain such independence, the Contracting Authority may, without prejudice to compensation for any damage which it may have suffered on this account, terminate the contract forthwith.
- d) The Contractor shall, after the conclusion or termination of the contract, limit its role in connection with the project to the provision of the services. Except with the written permission of the Contracting Authority, the Contractor and any other contractor or supplier with whom the Contractor is associated or affiliated shall be disqualified from the execution of works, supplies or other services for the project in any capacity, including tendering for any part of the project.
- e) Civil servants and other agents of the public administration of the RCC Participants, regardless of their administrative situation, shall not be recruited as experts in contracts financed by the RCC Secretariat.
- f) The Contractor and anyone working under its authority or control in the performance of the contract or on any other activity shall be excluded from access to RCC Secretariat financing available under the same project unless they can prove to the Contracting Authority that the involvement in previous stages of the project does not constitute unfair competition.

We offer to provide the services requested in the Terms of Reference on the basis of supplied documentation subject to this Open Call for Consultancy Services, which comprise our technical offer, and our financial offer.

This Open Call for Consultancy Services is subject to acceptance within the validity period stipulated in the Terms of Reference.

Name	
Address	
Telephone	



ANNEX II: STATEMENT OF AVAILABILITY

REF: 102-021

By representing the Entity_____ we agree to participate in the above-mentioned tender procedure. We further declare that we are able and willing to work for the period(s) foreseen for the position for which our CVs have been included in the event that this tender is successful, namely:

[illegible]