

## Employment and Social Affairs Platform 2 – ESAP 2

### Open Call for Consultancy Services

<b>Terms of Reference:</b>	Expert on enhancing the Western Balkans alignment with the EU <i>acquis</i> in the Negotiating Chapters 2 and 19 and preparation for future use of the European Social Fund
<b>Contracting Authority:</b>	Regional Cooperation Council Secretariat
<b>Reporting to:</b>	RCC Secretariat
<b>Duration:</b>	22 March 2021 – 31 December 2021
<b>Eligible:</b>	International expert
<b>Application Deadline:</b>	15 March 2021
<b>Reference Number:</b>	<b>015-021</b>

### Objective

This service contract will support the objectives and activities of the Employment and Social Affairs Platform 2 (ESAP 2) to provide guidance and expert support to the Western Balkan Network (to be established) of EU Chapter 2 and Chapter 19 negotiators and civil servants dealing with topics related to these two chapters in economies where negotiation structure still does not exist (Network) in implementation of capacity building and peer learning activities on development and implementation of national action plans for meeting the opening and closing criteria of Chapters 2 and 19 and other relevant topics as agreed by the Network, including but not limiting to European Social Fund.

### Background and context

The Employment and Social Affairs Platform 2 is a regional project, jointly implemented by the Regional Cooperation Council and the International Labour Organisation

over a three-year period, 2019-2022. The objective of ESAP 2 is to assist the 6 Western Balkan economies (Albania, Bosnia and Herzegovina, Kosovo\*, Montenegro, North Macedonia and Serbia) with labour market and social policy reforms in order to improve employment opportunities and working conditions of citizens in the region.

As part of ESAP 2 Project, the Component 3: *Western Balkans engagement in EU employment and social policies*, is focusing on activities to provide peer learning opportunities to enhance Western Balkan alignment with the EU *acquis* in relevant fields (more specifically Negotiation Chapters 2 and 19), European Pillar of Social Rights and preparation for the future use of European Social Fund.

The main aim of the activities is to support Western Balkan Ministries of Labour in their endeavours on the EU accession path through establishment of Regional Network<sup>1</sup> of EU Chapter 19 and Chapter 2 (Network) negotiators and civil servants dealing with topics related to these chapters in economies where negotiation structure still does not exist and to provide peer learning activities on topics that will be proposed by the Network, including on the European Social Fund.

## **Description of Responsibilities**

### **Objectives and Scope of the Assignment**

The objective of this assignment is to provide guidance and expert support to ESAP 2 in the implementation of its activities on Western Balkans Engagement in EU employment and social policies.

### **Tasks and Responsibilities**

The tasks under this service contract require high-quality input by the expert in several domains and include provision of guidance to members of the Regional Network of EU Chapter 2 and Chapter 19 negotiators and civil servants dealing with topics related to these two chapters in economies where negotiation structure still does not exist in identifying priority topics and areas of work for the Network, providing support in mutual learning, facilitating information exchange, implementing learning results and analytical work and contributing to strengthening capacities of Network members for development and implementation of national action plans to meet the opening and closing criteria of Chapters 2 and 19 and other relevant topics as agreed by the Network, including future use of the European Social Fund.

The ESAP 2 team will closely monitor the situation in all Western Balkan economies with regard to the COVID-19 pandemic and in close coordination with the selected expert will

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\* *This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo declaration of independence*

<sup>1</sup> Note that this Network is currently in the process of establishment.

allow for flexibility in order to be able to adjust activities to the situation on the ground, while aiming to deliver on the objectives of this consultancy.

**Task 1: Guidance and technical support to the WB Network of EU Chapter 2 and Chapter 19 negotiators and civil servants dealing with topics related to these two chapters in economies where negotiation structure still does not exist**

Under this Task the consultant will:

- 1.1: Conduct the skills training needs assessment for members of the Network which will serve as a basis for designing the capacity development plan;
- 1.2: Develop capacity development plan for the members of the Network, taking into consideration different stages/contexts of Western Balkan economies with regards to Negotiation Chapters 2 and 19;
- 1.3: Provide guidance and thematic inputs for preparation of Network Action Plan which will include proposal on capacity development activities and actions to cover topics relevant for the process of development and implementation of national action plans for meeting the opening and closing criteria of Chapters 2 and 19, European Social Fund and other topics relevant for the functioning of the Network;

**Task 2: Expert contribution to information exchange, mutual learning and capacity building**

Under this Task the consultant will:

- 2.1. Provide expert support to the organisation of Network meetings, training sessions and events that will contribute to capacity development of the Network members (in total 4 events are planned to take place over the period of this consultancy).
- 2.2. Provide support in designing and moderating capacity building events on European Social Fund (in total 2 events are planned to take place over the period of this consultancy).

**Lines of Communication**

The consultant will submit all reports and timesheets to the ESAP 2 Project Team Leader and RCC for review and approval of deliverables. The expert will work closely with the ESAP 2 Project Team from whom they will seek guidelines to efficiently conduct the work.

## Timeframe

The service contract will be concluded for the period from 22 March 2021 to 31 December 2021.

## Profile and Competencies of the Tenderer

The consultant should have thorough understanding of the negotiation process for Chapters 2 and Chapter 19 with the EU, especially with regards to requirements for development and implementation of national action plans for meeting the opening and closing criteria for these chapters and of the main elements related to the European Social Fund and its use. In addition, the consultant should be well versed and experienced in capacity development, mutual learning, moderating events and drafting high quality reports.

### *Criteria related to the expert delivering the service:*

<b>Education:</b>	Advanced degree in social sciences, economic, statistics or related field
<b>Experience:</b>	<p>Qualifications and Skills Required:</p> <ul style="list-style-type: none"><li>▪ At least 10 years of relevant experience in the field of labour markets, labour and social policies in the EU;</li><li>▪ Direct experience in negotiating Chapter 2 and Chapter 19 with the European Union;</li><li>▪ Excellent knowledge of negotiation processes of the Western Balkans with the EU;</li><li>▪ Excellent knowledge of labour policies in the EU and the WB6 economies;</li><li>▪ Experience in conducting skills training needs assessment and conceptualising capacity building programmes;</li><li>▪ Knowledge about the European Social Fund;</li><li>▪ Excellent communication and report writing skills;</li><li>▪ Analytical skills and ability to conceptualise and write concisely and clearly;</li><li>▪ Able to interact with senior representatives from the Western Balkans administrations.</li></ul>
<b>Language requirements:</b>	<ul style="list-style-type: none"><li>▪ Fluency in English, as the official language of the RCC.</li><li>▪ Knowledge of languages of the region desirable.</li></ul>

### *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.

### **Quality Control**

The consultant 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 expert 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.

### **Quality Control by the Regional Cooperation Council**

The consultant's outputs shall undergo external reviews by all relevant stakeholders, including the representatives of the ESAP Project Team, and the Regional Cooperation Council.

### **Application Rules**

- Qualified candidates are invited to send an application via e-mail to [ProcurementforRCC@rcc.int](mailto:ProcurementforRCC@rcc.int) no later than 15 March 2021 by 12.00 Central European Time;

- The assignment will be awarded to the highest qualified applicant based on the skills, expertise, and the quality of the concept note and the cost-effectiveness of the financial offer;
- The best value for money is established by weighing technical quality against price on a 80/20 basis;
- Only shortlisted candidates will be contacted for the competency based interview.

The application needs to contain the following:

- Letter of interest;
- CV(s) including relevant knowledge and experience, as well as reference list including contact details (e-mail addresses) of referees;
- Concept note outlining the proposal of the methodology, timeline and analytical tools to be used in carrying out the assignment;
- Application Submission Form, Annex 1;

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

- The proposed budget should include daily fee rate for consulting services broken down by tasks as below; the fee rates should be broadly consistent with the EU framework rates for these types of professional services for international consultants.

Task	Maximum number of person days
1.1	
1.2	
1.3	
2.1	
2.2	
Total	

## Evaluation and Selection

The application is evaluated on the basis of the profile and competencies of the candidate and the responsiveness to the Terms of Reference (ToR).

### 1. Profile and Competencies

2. Brief Concept Note
3. Financial evaluation

The best value for money is established by weighing technical quality against price on a 80/20 basis.

### Technical Evaluation

<b>EVALUATION GRID</b>	<b>Maximum score</b>
Education	<b>30</b>
Qualifications and Skills Required	<b>30</b>
Brief Concept Note	<b>30</b>
Language Skills	<b>10</b>
<b>TOTAL SCORE</b>	<b>100</b>

### Financial Evaluation

<b>Financial Proposal/ cheapest price has maximum score</b>	<b>100</b>
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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 application, a competency-based interview may be held with the selected candidates.

### 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](mailto: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](mailto: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:**

**APPLICATION SUBMISSION FORM**

**REF: 015-021**

**Title:**

Expert on enhancing the Western Balkans alignment with the EU acquis in the Negotiating Chapters 2 and 19 and preparation for future use of the European Social Fund

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

1 SUBMITTED by:

Name	
Surname	
Address	
Telephone	
Fax	
e-mail	

3 **DECLARATION**

[Name ] \_\_\_\_\_ hereby declares that we have examined and accepted without reserve or restriction the entire contents of the Call for Consultancy.

And we are not in one of the following situations:

- (a) 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) Have been convicted of an offence concerning their professional conduct by a judgment which has the force of res judicata;
- (c) Have been guilty of grave professional misconduct proven by any means which the Contracting Authority can justify;
- (d) 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;
- (e) 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.
- (f) Are civil servants or other agents of the public administration of the RCC Participants, regardless of the administrative situation, excluding us from being recruited as experts in contracts financed by the RCC Secretariat.

We offer to provide the services requested in the call for experts on the basis of supplied documentation subject of this call, which comprise our technical offer and our financial offer.

Name and Surname of the Consultant	
Signature	
Date	