

Open Call for Consulting Services

Subject:	Support Western Balkan economies to further advance in the process of aligning roaming policy with that of the EU
Title:	Technical assistance to the Western Balkans region to further advance in aligning roaming policy with that of the EU
RCC Department:	Programme Department
Number of Consultants:	1 (one) International Expert
Reporting to:	RCC Secretariat
Duration:	9 November 2020 – 25 December 2020
Reference Number:	090-020

I. PURPOSE

The overall objective of the consultancy is to support Western Balkan economies by providing expert inputs towards reducing the cost of roaming between WB region and EU. The consultancy aims to provide expert advice on the list of all necessary preconditions/requirements to be undertaken in each WB economy in this regard, key changes of legal framework in each Western Balkan economy, as well as key technical and operational needs of telecom operators during the process of roaming charges reduction between WB and EU.

II. BACKGROUND

The Multi-annual Action Plan for a Regional Economic Area (MAP REA) puts forward a structured agenda for regional economic integration promoting further trade integration, introducing a dynamic regional investment space, facilitating regional mobility, and creating a digital integration agenda. It stems from the commitments undertaken within the framework of the Central European Free Trade Agreement and South East Europe 2020 (SEE 2020) Strategy and is based on EU rules and principles as reflected in the Stabilisation and Association Agreements.

Digital Integration is one of the components of MAP REA and measures therein aim to integrate the region into the pan-European digital market on the basis of a future-proof digitisation strategy, an updated regulatory environment, improved broadband infrastructure and access as well as digital literacy. Embracing digital transformation, ensuring greater

availability of digital infrastructure, and enabling better regulatory framework and level playing field can help our region grow, increase the convergence rates with the EU, improve the business environment and encourage cross-border services, thus offering a better life for the citizens.

In addition, Digital Agenda for Western Balkans launched on 25-26 June 2018 aims to support the digital transformation, improve service delivery for the citizens and businesses and help Western Balkans in the preparations to integrate better into the EU Digital Single Market.

The Regional Roaming Agreement (RRA), signed at the second Western Balkans Digital Summit in Belgrade on 4 April 2019, is an important achievement of the Digital Agenda for the Western Balkans and an example of the benefits of regional cooperation. RRA brought significant reduction of roaming costs to all WB mobile end-users from 1 July 2019. According to the BEREC Report on Western Balkan Roaming October 2018 – September 2019*, there is marked increase of mobile data usage while in roaming in WB, whilst at the same time there is a slight decrease in traffic for voice and SMS which generally follows the trend of the domestic traffic. The ultimate goal of RRA is introducing Roam Like At Home (RLAH) regime in the region as of 1 July 2021.

III. DESCRIPTION OF RESPONSIBILITIES

Objectives and scope of the assignment

The overall objective of the consultancy is to support Western Balkans to further advance in the process of aligning roaming policies with that of the EU. By signing RRA a harmonised roaming space was established in WB, with the prospects of it becoming a roaming free region by 1 July 2021, and thus the key prerequisites to pursue EU-WB roaming reductions have been met.

An international expert will be engaged for the purpose of this consultancy. This assignment targets all Western Balkan economies.

The scope of services under this assignment includes the following:

- Provide expert advice on the overall methodological framework on how to further advance in aligning roaming policies with the EU and prepare grounds in each economy in this regard;
- Identify key necessary legislative prerequisites related to roaming, including changes at the level of Regulator's decisions if needed, to support prospects for EU-WB roaming charges reduction;
- Identify key challenges and needs of telecom operators as well as obstacles they may face in order to facilitate reducing roaming charges between WB and EU.

Tasks:

* [BEREC Report on Western Balkan Roaming October 2018 – September 2019](#)

1. Provide expert advice on the preconditions/requirements to be met by WB economies, including, but not limited to preparatory actions, steps and milestones required to allow reduction of roaming charges between the WB and EU. This task should inter alia reflect and factor WB state of implementation in the respective EU acquis related to roaming policy, where applicable;
2. Provide expert advice on the key principles/prerequisites to be included in the electronic communications' primary and secondary legislation in Western Balkan economies, to the extent this is relevant, in order to facilitate reducing roaming charges between WB and EU;
3. Provide expert advice on key technical and operational needs of telecom operators as well as obstacles they may face during the process of roaming charges reduction between WB and EU;
4. Provide expert advice on the potential glide-path for roaming charges between WB and EU, building on the information gathered from the first three tasks;
5. Participate as feasible at the meetings of the WB working group on roaming policy to present key findings.

Digital Component Contact Points (Digital CCPs) responsible for coordination of actions under the Digital Agenda for the Western Balkans should be the key contact(s) in each economy. The RCC will provide contact details of Digital CCPs.

To the extent needed, the consultant should liaise with the members of WB working group on roaming policy as well as with RCC and DG CONNECT on specific aspects of roaming charges reduction between WB and EU.

Deliverables

- Draft report proposing concrete preconditions/requirements for reducing roaming charges between WB and EU, and including all aspects defined in these Terms of Reference
- Final report reflecting all aspects defined in these Terms of Reference. The final report should incorporate all relevant comments provided by Western Balkan economies, DG CONNECT and the RCC.

Lines of Communication

The expert will report to the RCC Secretariat. After completion of activities as defined in the timeframe for deliverables under these Terms of Reference, a detailed report will be prepared and sent to the RCC Secretariat for review and approval.

Timeframe

The engagement is expected to start on 9 November 2020 and end on 25 December 2020. The expert is expected to use up to 20 days for this assignment.

Deliverables	Due date
Draft report proposing concrete preconditions/ requirements for reducing roaming charges between WB and EU, and including all aspects defined in these Terms of Reference	4 December
Final report incorporating all relevant comments provided by Western Balkan economies, DG CONNECT and the RCC covering all aspects defined in these Terms of Reference.	25 December

IV COMPETENCIES

Qualifications:

Education:	<ul style="list-style-type: none"> ▪ Degree in engineering, law, economics, business, or other areas directly related to the subject of work
Experience:	<ul style="list-style-type: none"> ▪ Minimum of 10 years of relevant experience in legal and regulatory affairs in the field of electronic communications; ▪ Proven experience in the field of regulating roaming services in the EU; ▪ Experience in working with EU governments and/or EU institutions and/or governments in the WB region is an advantage; ▪ Proven analytical skills and ability to conceptualise and write concisely and clearly; ▪ In-depth knowledge of the economies covered by the assignment is an advantage; ▪ Demonstrable experience in writing and reporting on complex multi-sector or multi-country strategy development and implementation (samples of work to be provided); ▪ Proven communication and presentation skills and ability to work in an environment requiring liaison and collaboration with multiple actors including government representatives, businesses, civil society institutions, donors and other stakeholders.
Language requirements:	<ul style="list-style-type: none"> ▪ Fluency in written and spoken English, as the official language of the RCC.
Other:	<ul style="list-style-type: none"> ▪ N.A.

Core Values

- Demonstrates integrity and fairness by modelling RCC values and ethical standards;
- He/she is independent and free from conflicts of interest in the responsibilities defined by the Terms of Reference;
- 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.

V QUALITY CONTROL

The expert should ensure an internal quality control during the implementing and reporting phase of the assignment. The quality control should ensure that the draft reports and deliverables 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 reports. 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

Technical Offer:

The technical offer needs to contain the following:

- Letter of interest;
- CV, outlining relevant knowledge and experience as described in Section III 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 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:

Use a free format providing the lump sum for the services to be provided.

Note:

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

Applications including technical and financial offer need to be submitted via e-mail to ProcurementforRcc@rcc.int by 4 November 2020.

V. EVALUATION AND SELECTION

The assignments will be awarded to the highest qualified applicant based on the skills, expertise, and the quality of the concept note(s) and the cost-effectiveness of the financial offer.

Applications will be evaluated on the basis of the profile and competencies of the candidate and the responsiveness to the Terms of Reference for Consulting Services.

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

The applications are evaluated following these criteria:

EVALUATION GRID	Maximum Score
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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.	35
A.2. Quality and professional capacity of the consultants: CVs satisfy the criteria set forth in the ToR, education and experience demonstrates professional capacity and experience required.	35
A.3 Quality of the concept note: Quality of main issues, information, data sources to be employed by the expert as well as the 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

In addition to the results of the technical and financial evaluation, 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:

APPLICATION SUBMISSION FORM

Open Call for Consultancy Services: 090-020

REF:

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

1 SUBMITTED by:

Name	
Address	
Telephone	
Fax	
e-mail	

2. STATEMENT

[Name of the Consultant] _____ 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 their staffs, including its management, are 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	
Signature	
Date	