

**Employment and Social Affairs Platform-ESAP
Open Call for Consultancy Services**

Reference Number: 043/019

Terms of Reference: An updated review of the performance of Western Balkan economies regarding the European Pillar of Social Rights

Contracting Authority: Regional Cooperation Council Secretariat

Reporting to: RCC Secretariat

Duration: 1 February 2019 – 15 March 2020

Number of Posts: 7 (1 international expert and one national expert from each of: Albania, Bosnia and Herzegovina, Kosovo*, Montenegro, Republic of North Macedonia and Serbia)

Application Deadline: 27 January 2020

Reference Number: 043/019

Eligible: **Respective consulting companies/consortia or individual consultants within bidding consortia**

I BACKGROUND

Purpose

The aim of the assignment is to update the existing reviews of the current situation and trends regarding the performance of the Western Balkan economies in each of the 20 principles of the European Pillar of Social Rights. The updated reviews will include the latest data for the indicators of the Social Scoreboard (including for 2019 where available) and recent policy developments, actions, legislation and implementation with regard to the realisation of the Pillar principles.

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence

Background Information

The *European Pillar of Social Rights* is the major political initiative of the European Commission for building a fair and more social Europe.[†] The European Commission, the European Parliament and the Council of the EU proclaimed in November 2017 the *European Pillar of Social Rights* at the Gothenburg Social Summit for Fair Jobs and Growth. The Pillar lays down 20 principles and rights considered as essential for fair and well-functioning labour markets and welfare systems in 21st century Europe.

The 20 principles are grouped in three areas: (1) *equal opportunities and access to the labour market* with principles and rights on education, training and life-long learning, gender equality, equal opportunities and active support to employment, (2) *fair working conditions* defined by secure and adaptable employment, wages, information about employment conditions and protection in case of dismissals, social dialogue and involvement of workers, work-life balance, healthy, safe and well-adapted work environment and data protection, and (3) *social protection and inclusion* covering childcare and support to children, social protection, unemployment benefits, minimum income, old age income and pensions, health care, inclusion of people with disabilities, long-term care, housing and assistance for the homeless, as well as access to essential services. The Pillar builds on the existing EU social law (EU *acquis*), for example in the area of working conditions and equal opportunities. The Pillar also includes principles and rights that are primarily in the responsibility of the Member States. This is particularly the case in the area of social protection and inclusion.

The implementation of the Pillar is monitored in the context of the European Semester, which provides a framework for the coordination of economic policies across the EU. A *Social Scoreboard* of selected indicators has been agreed by the Member States to support the monitoring.[‡] In 2018, the European Commission used for the first time the new monitoring framework in the annual country reports for the European Semester.

The European Pillar of Social Rights is of very concrete relevance for the Western Balkan economies aspiring to EU membership in their reform efforts for advancing the delivery of social rights. The EU enlargement process covers extensively the employment and social inclusion areas which are part of the Pillar, namely through the economic governance and under chapter 19 (Social Policy and Employment) of the accession negotiations.

In February 2018, the European Commission presented its Communication on *A credible enlargement perspective for and enhanced EU engagement with the Western Balkans*[§]. One of the policy priority areas is the support to socio-economic development with a new reinforced social dimension for the Western Balkans. This will include an increased focus on employment and social reforms through greater monitoring of relevant policies, including in the ERPs. In order to bring the programmes closer in line with the European Semester, the monitoring of the social situation and policies will include the principles of the European Pillar of Social Rights.

[†] https://ec.europa.eu/commission/priorities/deeper-and-fairer-economic-and-monetary-union/european-pillar-social-rights_en

[‡] https://ec.europa.eu/commission/publications/social-scoreboard-and-european-semester-monitoring-eu-countries-performance-under-european-pillar-social-rights_en

[§] COM(2018)65 final of 6.2.2018

In this context, DG Employment, Social Affairs and Inclusion (DG EMPL) of the European Commission is responsible for assessing the economic governance policy areas of "employment and labour market", "social inclusion, poverty reduction and equal opportunities", and "education and skills". Furthermore, DG EMPL is responsible for monitoring the alignment of candidate countries to the EU acquis in Chapter 19 (Social Policy and Employment). Some of the Pillar principles are directly related to the acquis.

In 2019, DG EMPL has produced a first synthetic overview on the current situation and trends regarding the performance of the Western Balkan economies in each of the 20 principles of the European Pillar of Social Rights. The review includes available national data for the indicators of the Social Scoreboard and flags the areas where data are not yet available or limited. Furthermore, the review identifies the main gaps in policy making, legislation and implementation with regard to the realisation of the Pillar principles, in order to inform the prioritisation of topics in the economic governance process and the acquis alignment.

II DESCRIPTION OF RESPONSIBILITIES

Objectives and Scope of the Assignment

The aim of the assignment is to update the 6 existing reviews of the current situation and trends regarding the performance of the Western Balkan economies in each of the 20 principles of the European Pillar of Social Rights. The updated reviews will include the latest data for the indicators of the Social Scoreboard (including for 2019 where available) and recent policy developments, actions, legislation and implementation with regard to the realisation of the Pillar principles.

The structure of the 6 updated reviews should be as follows:

- I. Executive summary (1.5 pages) – update the overall performance of the reviewed economy, the performance in each of the three chapters of the Pillar and the areas with particularly strong challenges for the economy.
- II. Introduction (1.5 pages) – provide an updated introduction to and contextualisation of the review for each economy.
- III. The economy's performance in the 20 principles of the European Pillar of Social Rights (max. 30 pages) – provide an updated assessment of where each economy stands with regard to the realisation, in law and in practice, of the rights and standards enshrined in the principle. It must include the latest available data, in particular focusing on the (headline) indicators included in the social scoreboard. It must also contain up-to-date information in case there is any major policy initiative or change on the economy's agenda affecting the principle.
- IV. Conclusion (1 page) – updated summary assessment of the main strengths and weaknesses/gaps of the economy's performance and a proposal for policy prioritisation in the short-to-medium term.

Methodology

The experts are expected to come up with the best approaches for undertaking this task. However, the following guiding principles should be taken into consideration:

- i. Desk review of primary and secondary information;
- ii. Interviews with relevant officials;

iii. Any other methods applicable.

Lines of Communication

- The experts will report to the RCC.
- The experts will work closely with the officials of relevant national line institutions and the RCC ESAP project team from whom they will seek guidelines to efficiently conduct the work.

Timeframe

The engagement is expected to start in February 2020 and end in March 2020.

Deliverables	Due date
6 updated national reviews of the performance of Western Balkan economies regarding the European Pillar of Social Rights	15 March 2020

III PROFILE AND COMPETENCIES OF THE EXPERTS

The experts should have thorough understanding of labour markets and social policies in the respective Western Balkan economies and a good knowledge of the European Pillar of Social Rights. In addition, experts should be well versed and experienced in labour market and social data collection and analysis and drafting high quality reports.

Criteria related to the experts delivering the service:

Education:	<ul style="list-style-type: none">▪ Post-graduate degree in economics, statistics, social sciences or related field
Experience:	<p>Qualifications and skills required</p> <ul style="list-style-type: none">▪ 10-15 years of relevant experience in the fields of labour market and social policies▪ Good knowledge of labour markets and labour policies in the Western Balkan economies▪ Excellent communication and report writing skills▪ Analytical skills and ability to conceptualise and write concisely and clearly▪ Able to interact with professionals of and representatives from the national administrations in the SEE region
Language requirements:	<ul style="list-style-type: none">▪ Fluency in English, as the official language of the RCC▪ Knowledge of other languages of the region desirable

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

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 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.

Quality Control by the Regional Cooperation Council

The consultant outputs shall undergo external reviews by relevant stakeholders, including the representatives of the ESAP project team and the Regional Cooperation Council.

V. APPLICATION RULES

The application needs to contain the following:

- Technical Offer;
- Financial Offer.

Technical Offer

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;
- Copy of Company's Registration Certificate (in case of consulting companies);
- In case of bidding consortia of individual consultants participating in this Call, they must indicate the members and show how the work is divided between them. Specifically, all members must name the team leader and authorise this member to represent the consortium and receive payments on behalf of the other members. A corresponding written authorisation, power of attorney must be attached to the bid;
- 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 of an expert(s), outlining relevant knowledge and experience as described in the Terms of References, along with contact details of referees;
- Concept note describing the main issues, information, data sources, research and analytical tools to be employed by the author, as well as the timeline and financial offer;
- List of references for relevant activities implemented over the past years demonstrating relevant experience in the subject matter;
- Application Submission Form (Annex I);
- Signed Statements of Exclusivity and Availability (Annex II).

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 applicant should take into account the following:

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

NOTE:

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

- The expert fees should be consistent with those applicable in the region.

Submission of applications:

Applications need to be submitted by 27 January 2020, by 17:00 Central European Time 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.

VI. 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 size comparable with that of the tender; experience with clients comparable to the Contracting Authority.	35
A.2. Quality and professional capacity of the consultant(s): CV(s) satisfy the criteria set forth in the Terms of Reference, education and experience, demonstrate professional capacity and experience required.	35
A.3 Quality of the concept note: Concept note describing the main issues, information, data sources, research and analytical tools to be employed by the author, as well as the timeline.	30
B. Financial Offer/ 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, 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****REF: 043-019 Open Call for Consultancy Services**

Subject: An updated review of the performance of Western Balkan economies regarding the European Pillar of Social Rights

One signed copy of this Application Submission Form must be supplied.

1 SUBMITTED by:

	Name(s) and address(es) of the bidder submitting this tender
Full Company Name or Name of the legal entity/consortia of individual consultants	

2 CONTACT PERSON (for this Call)

Name	
Surname	
Address	
Telephone	
Fax	
e-mail	

3 **DECLARATION**

[Company Name or Name of the Consortia of Individual Consultants] _____ hereby declares that we have examined and accepted without reserve or restriction the entire contents of the Open Call for Consultancy 043-019.

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 open call for consultancy on the basis of supplied documentation subject of this call, which comprise our technical offer and our financial offer.

Name and Surname	
Signature	
Date	

ANNEX II: STATEMENT OF EXCLUSIVITY AND AVAILABILITY

REF: 043-019

By representing the Entity _____ we agree to participate exclusively 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:

Full Name	Available from (Date)	Available until (Date)	Acceptance by signature	Number of man-days associated to each task from the ToR