

SPECIFIC TERMS OF REFERENCE

**Technical Assistance in the Evaluation -
Assessors for the Call for Proposals:
IPA Cross Border Cooperation with Albania 2016-2017,
IPA Civil Society Facility 2019 and
European Instrument for Democracy and Human Rights 2018-2019**

REQUEST FOR SERVICES No: 2018/399 600/1

**FWC SIEA 2018 – LOT N° 3: Human Rights, Democracy and Peace
EuropeAid/138778/DH/SER/Multi**

1. BACKGROUND

1.1. Contracting Authority

The Contracting Authority is the Delegation of the European Union to the former Yugoslav Republic of Macedonia.

1.2. Beneficiary

The Delegation of the European Union to the former Yugoslav Republic of Macedonia.

1.3. Legal Basis

The legal basis for this assignment derives from the Regulation (EU) N°236/2014 of the European Parliament and of the Council of 11 March 2014 establishing the Instrument for Pre-Accession Assistance (IPA II), concerning the European Union Integration Facility (EUIF) - an unallocated envelope for additional programme - related priorities, activities and expenditures which are currently unforeseeable and can arise in the course of the IPA II implementation.

The EU Integration Facility is programmed under the sector Democracy and Governance on annual/bi-annual basis, in agreement with the Beneficiary National IPA Co-ordinator (NIPAC). Currently, the mandate for using the EUIF derives from the adopted 2014 and 2015 IPA Annual Programmes and the respective EU Integration Facility Action Documents.

1.4 Financing

2014 EUIF-BGUE-B2014-22.020101-C1-ELARG DELMKD

1.5 Relevant Background

The accession to the European Union is a key political objective for the Western Balkans and Turkey. The role and cooperation of the governments (both central and local), civil society and media organisations in this process is crucial. Their work contribute for the necessary institutional, political and economic changes within the enlargement countries, reminding about the necessity human rights to be respected, contribute to progress towards democratisation and compliance with international standards, including stronger monitoring and being watchdogs on implementation of policies, decision making and transparency and accountability.

The Cross Border Cooperation Programmes (CBC), the IPA Civil Society Facility (CSF) and the European Instrument for Democracy and Human Rights (EIDHR) are EU funded instruments that have a great impact in this process and provide substantial technical and financial assistance to main stakeholders in the country.

The provisions for the implementation of the **IPA Cross-border Programme (CBC) between the former Yugoslav Republic of Macedonia with the Republic of Albania¹** are based on the Regulation (EU) No 231/2014 of the European Parliament and of the Council on establishing an Instrument for Pre-accession Assistance (IPA II) and the Regulation (EU) No 236/2014 of the European Parliament and of the Council on laying down common rules and procedures for the implementation of the Union's instruments for financing external actions. The programme implementing provisions are based on the principle of both beneficiary countries being equal partners and with both beneficiary countries having an equal role in the cross-border cooperation management structures.

¹ See Programme related web page: <http://ipacbc-mk-al.net/>

The provisions for the implementation of the **European Instrument for Democracy and Human Rights (EIDHR)** are based on the Regulation (EU) No 235/2014 (for the period 2014-2020) of the European Parliament and the Regulation (EU) No 236/2014 of the European Parliament and of the Council on laying down common rules and procedures for the implementation of the Union's instruments for financing external actions. One of the central roles of the European Union is to promote and support democracy and human rights worldwide, in line with Article 21 of the Lisbon Treaty, which defines democracy, rule of law and the universality and indivisibility of human rights and fundamental freedoms as guiding principles of the EU's action. EIDHR is one of the EU's key instruments to fulfil this task.

The **IPA Civil Society Facility (CSF)**, introduced for the first time in 2008², has proven to be a powerful means to strengthen participatory democracies and freedom of media in the Western Balkans and Turkey. Thus, the need for continuous political and financial engagement with civil society and media freedoms in the enlargement countries is identified in the priorities of the IPA 2 Multi-Country Civil Society Facility & Media Programme 2018-2019. These priorities are largely inspired by two sets of Guidelines endorsed by DG Enlargement in early 2014: *DG Enlargement Guidelines for EU support to civil society in enlargement countries 2014-2020*³, and *DG Enlargement Guidelines for EU support to media freedom and media integrity in enlargement countries, 2014-2020*⁴. The guidelines translate the political objectives of the European Commission as indicated in the IPA Multi-Country Indicative Strategy Paper⁵ and in the Enlargement package into a concrete "results' framework" containing the outcomes to be achieved in the next financing period as well as the indicators to monitor them.

2. DESCRIPTION OF THE ASSIGNMENT

In the context of cooperation development and external relations, as well as in the cross-border region development, the European Union co-finances a large number of operations in many different fields, through grants.

Where the proposals received are particularly numerous or highly technical, it may not always be possible for the Evaluation Committees intern to the European Union services to examine each of them in sufficient detail. If necessary, all or part of this detailed examination may be carried out by external highly specialised experts so that the Evaluation Committees may conduct deliberations on the basis of their assessments.

The aim of this ToR is to assist the EU Delegation to the former Yugoslav Republic of Macedonia in the evaluation by providing technical assistance and expertise for evaluation of the concept notes under the following three Calls for Proposals:

- **IPA CBC MK-AL Call for Proposals 2016-2017**

The preparations for the CBC Call for Proposals 2016-2017 are underway and will be launched tentatively in October 2018. A standardised application package is being presently developed by EC which use will be mandatory for all EU Delegations in the enlargement region. This will also mean that a specific evaluation grid will be developed for evaluation of concept notes.

The objective of the Cross-border Programme with Albania is to promote good neighbourly relations, foster economic development, creation of new jobs, social cohesion and environmental development in a sustainable manner, in the mutual interest of both countries, and encourage their harmonious, balanced

² COM (2008) 127 – "Western Balkans: Enhancing the European Perspective".

³ DG ELARG Guidelines for EU support to civil society in enlargement countries 2014-2020
http://ec.europa.eu/enlargement/pdf/civil_society/doc_guidelines_cs_support.pdf

⁴ DG ELARG Guidelines for EU support to media freedom and media integrity in enlargement countries 2014-2020
http://ec.europa.eu/enlargement/pdf/press_corner/elarg-guidelines-for-media-freedom-and-integrity_210214.pdf

⁵ IPA Multi-Country Indicative Strategy Paper http://ec.europa.eu/enlargement/pdf/key_documents/2014/20140919-multi-country-strategy-paper.pdf

and sustainable development. The Programme includes the following CBC thematic priorities: Encouraging tourism, culture and natural heritage; Enhancing competitiveness, business, trade and investment; Protecting environment, promoting climate change adaptation and mitigation, risk prevention and management;

- **IPA CSF Call for Proposals 2019**

The preparations for IPA 2019 Civil Society Facility Call for Proposals are underway and will be launched tentatively in early 2019.

The overall aim of this Programme is to support civil society in the country, in line with EU guidelines for support of civil society, further strengthening their involvement in policy and decision making, including in the EU key sector reforms and start of the accession negotiation. It also supports the CSOs in implementing actions relevant for the enabling environment for civil society involving the business community and public institutions.

- **EIDHR Call for Proposals 2018-2019**

The preparations for the EIDHR Call for Proposals 2018-2019 are underway and will be launched tentatively in 1st half of 2019.

The European Instrument for Democracy and Human Rights (EIDHR) is a European Union programme that aims to promote democracy and human rights worldwide through support to civil society initiatives. This instrument is designed to support civil society to become an effective force for political reform and defence of human rights. The EIDHR offers independence of action, which is a critical feature of cooperation with civil society organisations at national level, especially in the sensitive areas of democracy and human rights. The EIDHR has considerable independence of action since it does not need the consent of the governments of the countries concerned for the financing of activities, are among the features of the new instrument.

2.1 Global objective

The Objective of the contract is assisting the Contracting Authority in selecting the best-quality concept notes for the three above mentioned call for proposals (CfPs).

2.2 Specific objective

The specific objective of this assignment is to provide independent technical expertise during the Step 1 – Evaluation of Concept notes as assessors (non-voting members) in order to increase efficiency in the evaluation of project proposals for the grant scheme evaluation of above CfPs, according to the rules of the "Procurement and Grants for European Union external actions PRAG" ([HTTP://EC.EUROPA.EU/EUROPEAID/PRAG/DOCUMENT.DO?LOCALE=EN](http://ec.europa.eu/europeaid/prag/document.do?locale=en)).

2.3 Requested services, including suggested methodology⁶

The experts must possess the technical and administrative capacities necessary to give an informed opinion on the concept notes and shall perform in a fair and impartial manner, maintaining strict adherence to the relevant EU rules, including those on impartiality, confidentiality and conflict of interests.

Prior to commencement of the evaluation procedure, the experts should have become acquainted with both Guidelines for Applicants. The Guidelines for Applicants will be available via PROSPECT.

⁶ Contractors should describe how the action will contribute to the all cross cutting issues mentioned above and notably to the gender equality and the empowerment of women. This will include the communication action messages, materials and management structures.

The assessors will participate at the introductory meeting (possibly via Skype or video conference or similar) in order to familiarise with the specificities of the CBC MK-AL Call for Proposals. The meeting could serve as clarification session also for the other two Call for Proposals (EIDHR and CSF), if need be.

The experts must sign a "Declaration of Impartiality and Confidentiality" prior to the commencement of the assessments. Any expert who has a potential conflict of interest with the applicants, co-applicants and/or the affiliated entities must declare it immediately. He/she will have to immediately withdraw from the evaluation and will have to be replaced by the Contractor without delay, with another, equally qualified, expert which will have to be approved by the Contracting Authority.

All experts are required to uphold the integrity of the evaluation process. No information about any aspect of the assessment may be disclosed to anybody external to the evaluation committee.

➤ **Step 1- Evaluation of the concept notes for the 3 Call for proposals:**

The concept notes having passed the Opening and Administrative check will undergo an evaluation of the relevance and design of the action. The **estimated number of Concept Notes** expected to be assessed under all three Calls for Proposals is **300**.

During the evaluation of those concept notes the following services are requested:

- Assessment of concept notes on the basis of: relevance of the action and design of the action, impact of the action (for CBC);
- Experts must use the evaluation grid published in the guidelines, where they must fill in comments for each sub-section, including comments on the strengths and weaknesses for each concept note;
- Each expert shall sign the detailed evaluation grid for each concept note evaluated. These grids shall become an integral part of the Evaluation Report;
- Each concept note will be assessed by two different experts, working independently of each other;
- If needed, the experts shall be available to provide to the Evaluation Committee, via a conference call, additional information or clarifications on the substance of the grant applications evaluated;
- Any other administrative support where requested.

2.4 Required Outputs

- The **experts** shall contribute to the successful completion of the evaluation process:
 - Two signed evaluation grids for each concept note, with each grid providing a scored assessment and textual comments. Experts must ensure that their comments are coherent with the scores given;
 - A list of issues per concept note requiring clarification, if needed.

Assessments that are not accepted by the Evaluation Committee (for example: due to poor quality, incomplete grids or arithmetical errors) will be sent back for re-assessment with an explanation of the reasons for non-acceptance. **Such re-assessment will be at the Contractor's expense.**

- The **Contractor** shall prepare, for each of the Concept Note evaluations, an Independent Assessor's Report on the work performed, describing the outputs provided to the Evaluation Committees. These Reports shall not disclose information on the applications assessed.

2.5 Language of the Specific Contract

The language of the specific contract is English.

3. EXPERT'S PROFILE OR EXPERTISE REQUIRED

➤ **Number of requested experts⁷ per category and number of man-days per expert or per category**

These assessments will require **six (6) experts** for grants – assessors (Category II) of whom one will be designated as team leader. The assignment will be organised over a total of **135 working days**.

➤ **Profile per expert or expertise required**

Category and duration

- Experts for Grants - Assessors / Category II
- 22 working days per each assessor, except the Team leader who will have 25 working days

Education

Master Degree Academic level⁸ in the field of law, political studies, social sciences, regional development, economic/financial management studies, humanities, public administration or equivalent experience of three (3) years above the minimum general professional experience requested below.

General professional experience

At least six (6) years of relevant working experience, in any of the following areas: civil society, EU policies, good governance, cross boarder cooperation, development studies, rule of law and human rights.

Specific professional experience

- At least 3 evaluations of EU funded Call for proposals/ Grants, as evaluator and/or assessor.
- Experience in at least one grant scheme evaluation supporting civil society organisations (CSOs).
- Experience of working in pre-accession countries will be considered as an asset.

Language skills

- Excellent command of written and spoken English is required.

4. LOCATION AND DURATION

➤ **Starting period**

The tentative starting date of the assignment is **November 2018**. An administrative order will be issued by the Project Manager on the exact commencement date of the assignment. The experts will be given minimum 1 day advance notice on the time when their services will be needed.

➤ **Foreseen finishing period or duration**

The overall duration of the assignment should not exceed **15 months**.

➤ **Planning**

The assignment will be organised over **a total of 135 working days**, tentatively distributed as follows:

⁷ The European Union pursues an equal opportunities policy. Gender balance in the proposed team, at both administrative/secretarial and decision-making levels, is highly recommended.

⁸ For reference on equivalent qualification see: EPSO website-Annex 1 (http://europa.eu/epso/doc/diplomes-fortheweb_en.pdf)

DATES (INDICATIVE)	ACTIVITY/ASSIGNMENT	INDICATIVE WORKING DAYS FOR EXPERTS
November 2018, January 2019, April 2019	Introductory meeting to familiarise with the specificities of the Calls	3

IPA CBC MK-AL Call for Proposals 2016-2017

DATES (INDICATIVE)	ACTIVITY/ASSIGNMENT	INDICATIVE WORKING DAYS FOR EXPERTS
November 2018	Familiarisation with the Guidelines for applicants	3
December 2018	Concept Notes Evaluation	42
March 2019	Independent Assessors' report for Concept Notes	Only TL 1
Total working days		46

IPA Civil Society Facility Call for Proposals 2019

DATES (INDICATIVE)	ACTIVITY/ASSIGNMENT	INDICATIVE WORKING DAYS FOR EXPERTS
January 2019	Familiarisation with the Guidelines for applicants	3
March 2019	Concept Notes Evaluation	42
May 2019	Independent Assessors' report for Concept Notes	Only TL 1
Total working days		46

EIDHR Call for Proposals 2016-2017

DATES (INDICATIVE)	ACTIVITY/ASSIGNMENT	INDICATIVE WORKING DAYS FOR EXPERTS
April 2019	Familiarisation with the Guidelines for applicants	3
June 2019	Concept Notes Evaluation	36
September 2019	Independent Assessors' report for Concept Notes	Only TL 1
Total working days		40

The indicative working days include time for:

- Introductory meeting (0.5 day per expert);
- Familiarisation with the three Guidelines for applicants (0.5 working days per expert per call);
- Evaluation of 5 Concept Notes per expert, per day;
- Preparation of 3 Independent Assessors' reports by the Team Leader (1 working day for each of the Concept Notes' report).

The experts are expected to be able **to work during the weekend (one weekend per assessment)**, upon request from the Contracting Authority, due to urgency to finalize the evaluation of the Call for Proposals.

The assignment planning is envisioned as following:

- The assessment will take place at experts' home base;
- For practical facility, the communication between the Contracting Authority and the experts will be based on e-mails and phone calls;
- The Chairperson/Secretary of the Evaluation Committee for the Call for Proposals provides the Contractor with a list/table of proposals which includes the following information: name of the applicant, co-applicants and affiliated entities (if any);
- Experts must sign the Declaration of Confidentiality and Impartiality and return the original of this to the Contractor. The Contractor shall transmit the signed Declarations of Confidentiality and Impartiality to the Chairperson/Secretary of the Evaluation Committee, first via e-mail, and immediately after by courier. Transmission should be done before the start of the assessment process. Any expert who has a potential conflict of interest due to a link with any applicant must declare it and immediately withdraw from the evaluation;
- Chairperson/Secretary will give access in PROSPECT to the Team leader/Resource manager to assign the concept notes to be evaluated by the assessors and will inform accordingly by e-mail the Contractor, stating the specific timelines by which evaluations must be submitted. The Chairperson/Secretary will be available to answer questions from the Contractor during the period of the evaluation;
- The Contractor will provide the overall co-ordination in liaison with the Contracting Authority (Chairperson/Secretary of the Evaluation Committee and/or Project Manager). S/he will also ensure a quality control of the experts' outputs and ensure that the objectives are met in time;
- The Contractor will be responsible for maintaining efficient and adequate communication and report on a regular basis to the Contracting Authority or on specific request from the Contracting Authority;
- Experts must send to the Contractor a signed hard copy of the evaluation grid for each assessment undertaken for concept notes once they have finished their assessments. The Contractor will verify that evaluations and contributions being produced by the experts are clearly formulated, of a high technical standard and well substantiated (qualitatively and quantitatively) with appropriate supporting comments;
- The concept notes are available to the Evaluation Committee in PROSPECT. Once they are accepted by the Evaluation Committee, the signed evaluation grids will be sent by courier.

➤ **Planning, including the period for notification for placement of the staff as per Article 16.4 a) of the General Conditions**

Output	Team Leader & Contractor	All six experts	Indicative Timing
Independent Assessors' report (3)	X		March, May and September 2019
Activities on evaluation: - All submitted concept notes per Call for Proposals assessed by two assessors and two signed copies of evaluation grids provided - The team leader and the Contractor provides checks of the assessments and provided grids and verify that evaluations and contributions being produced by the experts are clearly formulated, of a high technical standard and well substantiated (qualitatively and quantitatively) with appropriate supporting comments.	X	X	December 2018, March 2019 and September 2019

➤ **Location of assignment**

The work will be carried out by the experts' home base. The experts will liaise directly and regularly with the Chairperson/Secretary of the Evaluation Committee for the Call for proposals.

5. REPORTING

➤ **Content**

The Framework Contractor shall produce concise and clear reports, as well as project documents as requested by this contract. The following reports shall be prepared by the Framework Contractor:

- **The Independent Assessor's Reports** (see item 2, second bullet – "Required Outputs") shall be prepared and will also include:
 - a complete overview of all activities implemented during the contract;
 - all outputs produced within contract implementation, and critical analyses for any major problems that may have arisen during the performance of the Contract, with recommendations regarding resolving similar problems in the future and proposals for future actions.

The Contracting Authority may ask for additional reports/briefing notes during the time of the assignment. All reports to be prepared under this Contract shall take into account the procedures laid down in the Visibility and Communication Manual for EU external actions, which can be downloaded at: http://ec.europa.eu/europeaid/funding/communication-and-visibility-manual-eu-external-actions_en

➤ **Language**

The Reports and any other documents shall be written in English.

➤ **Submission/comments timing**

Each of the Independent Assessor's Report shall be submitted to the Contracting Authority not later than 7 days after the completion of the grant concept notes evaluation.

The Contracting Authority shall, within 30 days of the receipt, notify the Contractor of its decision concerning the Independent Assessor's Report, giving reasons in case it rejects the report or requests amendments, and prescribing the period for making the amendments requested. If the Contracting Authority does not give any comments on the Independent Assessor's Reports within the above-mentioned 30-days' time limit, the Contractor may request written acceptance of that Report. The Reports shall be deemed to have been approved by the Contracting Authority, if the latter does not inform the Contractor of any comments within 30 days of the receipt of this written request.

➤ **Number of report(s) copies**

The reports should be issued and submitted to the Contracting Authority in three (3) hard copies plus one (1) electronic version. All signed evaluation grids (two per Concept note) should be issued and submitted in one (1) hard copy.

6. INCIDENTAL EXPENDITURE

➤ **Other exhaustively identified reimbursable costs, with their details – N/A**

Cost for telecommunications, mail, courier, secretarial assistance, backstopping from the HQ etc., are considered to be included within the fee rates of the experts. No costs of this nature may be charged in addition.

The budget breakdown may not be used for the purchase of equipment.

➤ **Details regarding the tax-exoneration agreement and the administrative formalities for the FWC Contractor to obtain such exoneration**

The European Commission and the Beneficiary Country have agreed in the Framework Agreement between the Government of the Beneficiary Country and the European Communities on the rules for

cooperation concerning EC financial Assistance to the Beneficiary Country in the Framework of the Implementation of the Assistance under the Instrument for Pre-Accession Assistance (IPA) that taxes, customs and import duties or other charges having equivalent effect are not eligible under IPA.

All EU-funded projects are VAT-exempted. Under no circumstances can VAT be paid by a Community programme.

The Framework Contractor is encouraged to register the project within the Central Donor Data Base in the Secretariat for European Affairs, which is necessary for exemption from payment of customs and other duties as well as for the reimbursement of VAT for the project needs. In addition to this, each project financed by the European Commission should be registered also in the Central Register at the Protocol Department of the Ministry of Foreign Affairs (MFA) and in the Public Revenue Office.

The registration of the project is the sole responsibility of the Framework Contractor.

Details on the tax exemption procedure can be found on the following link: <http://www.sep.gov.mk/en/content/?id=97#.UkQX9H9LgdU>.

7. MONITORING AND EVALUATION

➤ Definition of indicators

The following indicators must be met to confirm the successful achievement of the project results:

- **Delivered three (3) Inception Reports** for the conducted assessment of the concept notes for all three Calls;
- **Delivered evaluation grids** being signed, filled in with comments, strengths and weaknesses and being consistent regarding the comments and the scores given.