

Request for services in the framework of the Multiple Framework Contract
"Provision of evaluation and evaluation related services to DG EMPL,
including support for Impact Assessment Activities"

Lot N° 2

VT/2012/014

Identification N° 051

1. Title of the request for services

Peer Review Mechanism with Member States on their CSR Activities

1. Background to PROGRESS

See : <http://portal.empl.cec/Units/01/Pages/PROGRESS.aspx>

The PROGRESS programme (2007-2013) was established by the Decision of Parliament and the Council No 672/2006/EC "to support financially the implementation of the objectives of the European Union in the fields of employment and social affairs, as set out in the Commission Communication on the Social Agenda, and thereby contribute to the achievement of the Lisbon Strategy goals in those fields"¹.

Working alongside the European Social Fund, PROGRESS² supports the development and implementation of policies and legislation (when applicable) in five different, yet closely interrelated policy areas, namely:

1. Employment (supports the implementation of the European Employment Strategy).
2. Social protection and social inclusion (supports the implementation of the Open Method of Coordination in the field of social protection and inclusion).
3. Working conditions, including restructuring (supports the improvement of the working environment and working conditions, including health and safety at work and reconciling work and family life).
4. Anti-discrimination and diversity (supports the effective implementation of the principle of non-discrimination and promotes its mainstreaming in all EU policies).
5. Gender equality (supports the effective implementation of the principle of gender equality and promotes gender mainstreaming in all EU policies).

In each policy area, the programme finances three main types of activities:

1. Analytical activities (ex. studies, analyses and surveys; impact assessments and evaluations; collection, development and dissemination of data and statistics, and development of indicators).
2. Mutual learning, awareness and dissemination activities (ex. exchanges of good practices, innovative approaches, organisation of seminars and information campaigns).
3. Support to main actors (eg funding of experts' networks, support to key European NGOs, and collaboration with international organisations).

1 OJ L 315, 15.11.2006.

2 More information on the programme is available on the following website:

<http://ec.europa.eu/social/main.jsp?langId=en&catId=327>

2. Background to this project

The Commission has approved a new Communication on CSR (COM(2011) 681 final) in October 2011. The Communication aims to progress the European Commission's CSR policies in a number of areas, which include enhancing the visibility of CSR and disseminating good practices; improving and tracking levels of trust in business; improving self- and co-regulation processes; enhancing market reward for CSR; improving company disclosure of social and environmental information; further integrating CSR into education, training and research; emphasising the importance of national and sub-national CSR policies; and better aligning European and global approaches to CSR.

In the new CSR Communication the Commission proposes to create a peer review mechanism with Member States (MS) on their CSR policies. The Communication also urges MS to develop or update their own plans or national lists of priority actions to promote CSR in support of the Europe 2020 strategy, with reference to internationally-recognised CSR principles and guidelines and in cooperation with enterprises and other stakeholders, taking account of the issues raised in the Communication. Finally, the Communication invites Member States by the end of 2012 to develop national plans for the implementation of the UN Guiding Principles on business and human rights.

These terms of reference outline a request for a peer review/peer learning mechanism for the MS at EU level in the context of the operation of the Commission-hosted CSR High-Level Group of Member States representatives (HLG), which meets three times a year.

The peer reviewing process should take account of the actions proposed in the Commission's new CSR Communication. The focus should be on government activities and not the activities of individual companies.

3. Purpose of the request for services

The purpose of this request for services is to establish a peer review mechanism for reviewing EU Member States' CSR policies in 2012-2014.

Peer review/peer learning is about identifying/exchanging potential difficulties and good practices for sharing with others, and to recognise the distance travelled towards CSR principles and guidelines.

It has the following advantages:

- In-depth learning about others' ideas and activities in a particular policy area,
- Critical assessment of what works and what does not work,
- Networking and cooperation as Member States become subject to questioning by their peers,
- Developing ideas of what could be appropriate for one's own context,
- Visions of what can be achieved collectively.

The contractor is requested to support and facilitate a peer review process with the Member States on CSR, as described below. He/she is requested to ensure that the above elements are adhered to. He/she will be expected to work in a way that will encourage mutual trust.

The mechanism can be seen as contributing to a process whereby progress of all Member States together is more important than comparisons between Member States. The mechanism should not create heavy extra administrative burdens, building as much as possible on existing structures.

4. Scope of the request for services

The project covers the whole of the EU. CSR stakeholders (companies, trade unions, NGOs, investors, academics) will be consulted at regular points during implementation, associated with the meetings of the European CSR Multi-stakeholder Forum Coordinating Committee.

5. Methods

The project will be carried out as laid down in the tasks below.

6. Tasks to be carried out by the contractor

Task 1: Pilot action

The contractor should:

- Draw up key questions that should be asked in a peer review, in agreement with the Commission.
- In agreement with the relevant Member States and the Commission, help 3 pilot groups of 4 Member States to establish preparatory documents summarising national CSR policies (one document for each Member State), where such a document does not already

exist. This should correlate with the update of Member States' CSR activities by mid-2012 and the human rights national action plans that the CSR Communication refers to.

- Organise and facilitate the 4 Member States' review of each others' policies within each group, using the key questions and information on national policies. Discuss recommendations with them.
- After each pilot group's peer review, write a report of the discussions, which would be submitted to the countries involved for comments.
- Help to facilitate focussed discussion of the individual country reports and the report of discussions, within a HLG meeting in May-June 2013.
- Provide back-up to the Commission in consulting the Multi-Stakeholder Forum Coordinating Committee on the pilot action.

Task 2: Mainstreaming

- In agreement with the relevant Member States and the Commission, help 4 other groups of 3 or 4 Member States to establish a preparatory document summarising national CSR policies (one document for each Member State), where such a document does not already exist. This should draw on the update of Member States' CSR activities by mid-2012 and the human rights national actions plans that the CSR Communication refers to.
- Organise and facilitate the groups of Member States' review of each others' policies, using the key questions and information on national policies. Discuss recommendations with them.
- After each group peer review, write a report of the discussions, which would be submitted to the countries involved for comments.
- Help to facilitate focussed discussion of the individual country reports and the report of discussions, within a HLG meeting in October-November 2013, and at the beginning of 2014.
- Provide back-up to the Commission in consulting the Multi-Stakeholder Forum Coordinating Committee on these activities.

Task 3: Consolidation of the information collected

- Once all MS that wish to participate have been peer-reviewed, the Commission's contractor should consolidate the information at EU level in the form of an update of the 2010 compendium of Member State policies on CSR. This update should take account of the preparatory documents mentioned above, national action plans on CSR, and an assessment of how Member States have progressed since the 2010 Compendium was written in the fields that are covered by the CSR Communication. The production of the compendium should coincide with the foreseen review process proposed in the new Communication for 2014 at EU level.
- The contractor should ascertain under what circumstances, from whom, and by whom learning occurs during and after the peer review.

- The contractor should use the outcome to identify any further or new action areas if appropriate, which could then be subject to further review at a later stage.

Further points to take account of

- The Commission will, together with Member States, establish which Member States will be peer-reviewed and in which groupings. The groupings will bring together Member States with more-developed CSR policies with those Member States that are less-developed in CSR.
- Account should be taken of existing Member States and international CSR measurement and monitoring systems, such as those used by the Commission-hosted Employment Committee (EMCO), the OECD Guidelines for Multinational Enterprises, and the UN Human Rights Council.
- The main point of reference should be the Commission's new communication on CSR. Other points of reference could be the following: the 2010 Compendium of Member States policies on CSR, and the Commission co-funded project with UNDP on "Enhancing Transparency and Credibility of CSR Practices through Establishment of CSR Performance Assessment and Monitoring Systems in New EU Member States".
- The project should be completed by the end of April 2014, therefore the contractor will need to propose a plan and timetable for its implementation.

7. Expertise required

As part of the tender documentation, the team to be involved should be identified (fill out Annex 2 for each member, and 3), describing their skills and qualifications, qualifying the inputs of each member of the team in terms of days and explaining the distribution of tasks between the

<http://ec.europa.eu/yourvoice/>

7 The template is available on the following website:

<http://www.cc.cec/home/dgserv/sg/stakeholder/index.cfm?lang=en>

different consultants involved. The tenderer should demonstrate that the team has the capacity to work in the CSR areas described in the tasks above. The working language will be English. All staff related issues will be clarified during the kick-off meeting.

The core team of experts should be of Category I and Category II. The overall team should also have a sufficient number of experts of Category III and Category IV.

8. Reporting

The contractor shall deliver the following reports and other deliverables:

- A short inception report, confirming the contractor's approach and the timetabling of the work.
- A short document containing the questions that should be asked in a peer review.

- A report of discussions of each pilot action.
- A report of discussions of each mainstreamed exercise.
- An update of the 2010 compendium of Member States policies on CSR.
- A short report identifying, towards the end of the exercise, any further possible action areas.
- Interim technical report (summary of actions undertaken) in advance of the interim payment.
- Final technical report (summary of actions undertaken) in advance of the final payment.

The quality of the final report will be assessed using the grid in annex 1 below. The Contracting Authority retains the sole rights with respect to all distribution, dissemination and publication of the deliverables. The layout, printing and distribution of the reports are not covered by this call for tender.

9. Time schedule

The following outline timetable should be adhered to:

Kick-off meeting with Commission services: 2 weeks after the signing of the service order.

Inception report: after 3 weeks.

Key peer review questions: after 4 weeks.

Help pilot Member States with preparatory documents/national action plans: after 24 weeks.

Meetings with pilot groups: after 24 weeks.

Reports of pilot groups discussions: after 26 weeks.

Interim report: after 36 weeks.

Help 2 mainstream groups of Member States with preparatory documents/action plans: after 44 weeks.

Meetings with the 2 mainstream groups: after 44 weeks.

Reports of meetings with mainstream groups: after 46 weeks.

Help final 2 mainstream groups of Member States with preparatory documents/action plans: after 56 weeks.

Meetings with final 2 mainstream groups: after 56 weeks.

Reports of meetings with final 2 mainstream groups: after 58 weeks.

Update of the compendium of Member States policies on CSR: after 68 weeks.

Further action areas and recommendations on a benchmarking exercise: after 72 weeks.

Meeting with the Commission services: after 72 weeks.

Final Report: after 72 weeks.

10. Additional requirements

10.1. Equality issues

The PROGRESS Programme aims to promote gender mainstreaming in all its five policy sections and commissioned activities. Consequently, the Contractor shall take the necessary steps to ensure that:

- Gender equality issues are taken into account when relevant for the drafting of the technical offer by paying attention to the situation and needs of women and men;
- Implementation of the requested tasks includes a gender perspective by considering systematically the women and men dimension;
- Performance monitoring includes the collection and gathering of data disaggregated by sex when needed;
- Its proposed team and/or staff respects the gender balance at all levels.

Equally, needs of disabled people shall be duly acknowledged and met while executing the requested service. This will ensure in particular that where the Contractor organises training sessions and conferences, issues publications or develops dedicated websites, people with disabilities will have equal access to the facilities or the services provided.

Finally, the Contracting Authority encourages the Contractor to promote equal employment opportunities for all its staff and team. This entails that the Contractor is encouraged to foster an appropriate mix of people, whatever their ethnic origin, religion, age and ability.

In accordance with the General conditions, all contractors are under the obligation to acknowledge that the present service has received funding from the Union in all documents and media produced, in particular final delivered outputs, related reports, brochures, press releases, videos, software, etc, including at conferences or seminars.

In the context of the European Union Programme for Employment and Social Solidarity – PROGRESS, the following formulation shall be used:

This (publication, conference, training session etc) is commissioned by the European Union Programme for Employment and Social Solidarity -PROGRESS (2007-2013).

This programme is managed by the Directorate-General for Employment, social affairs and equal opportunities of the European Commission. It was established to financially support the implementation of the objectives of the European Union in the employment and social affairs

area, as set out in the Social Agenda, and thereby contribute to the achievement of the Lisbon Strategy goals in these fields.

The seven-year Programme targets all stakeholders who can help shape the development of appropriate and effective employment and social legislation and policies, across the EU-27, EFTA-EEA and EU candidate and pre-candidate countries.

PROGRESS' mission is to strengthen the EU contribution in support of Member States' commitment. PROGRESS is instrumental in:

- providing analysis and policy advice on PROGRESS policy areas;*
- monitoring and reporting on the implementation of EU legislation and policies in PROGRESS policy areas;*
- promoting policy transfer, learning and support among Member States on EU objectives and priorities; and*
- relaying the views of the stakeholders and society at large.*

For more information see: <http://ec.europa.eu/progress>

For publications it is also necessary to include the following reference: "The information contained in this publication does not necessarily reflect the position or opinion of the European Commission".

With regard to publication and any communication plan linked to the present activity, the Contractor will insert the European Union logo and mention the European Commission as the Contracting Authority in every publication or related material developed under the present contract.

10.2. Other reporting requirements

PROGRESS is implemented through a results-based management - RBM. Managing for outcomes and results is about working to maximise results for European citizens. This includes:

- Identifying the most important results for European citizens;
- Managing these results, including setting out clearly the desired results, implementing plans based upon these results and learning about 'what works' in the process;
- Seizing opportunities to work together whenever this helps achieve the results.

The Strategic Framework, developed in collaboration with Member States and civil society organisations, sets out the intervention logic for Progress-related expenditure and defines PROGRESS' mandate and its long-term and immediate outcomes. It is supplemented by performance measures which serve to determine the extent to which PROGRESS has delivered the expected results. See in Annex the overview of PROGRESS performance

measurement framework. For more information on the strategic framework, please visit PROGRESS website <http://ec.europa.eu/social/main.jsp?catId=659&langId=en> .

The Commission regularly monitors the effect of PROGRESS-supported or commissioned initiatives and considers how they contribute to PROGRESS outcomes as defined in the Strategic Framework. In this context, the Contractor will be asked to dedicatedly work in close cooperation with the Commission and/or persons authorised by it to define the expected contribution and the set of performance measures which this contribution will be assessed against. The Contractor will be asked to collect and report on its own performance to the Commission and/or persons authorised by it against a template which will be annexed to the service order. In addition, the Contractor will make available to the Commission and/or persons authorised by it all documents or information that will allow PROGRESS performance measurement to be successfully completed and to give them the necessary rights of access.

11. Organization

The Service order will be managed by Directorate General Employment, Social Affairs & Inclusion (DG EMPL) Unit C.2.

It will be launched by a kick-off meeting between the contractor and DG EMPL in the Commission's premises in Brussels.

The contractor will be asked to attend the relevant meetings of the High-Level Group of Member States representatives on CSR (these occur 3 times per year, usually in Brussels).

The Commission will attend some of the meetings in Member States with the contractor when possible.

Travel costs of Member State officials associated with the meetings of 3 or 4 Member States will be borne by the Member States.

12. Payments

Payments under the contract shall be made in accordance with Article II.4 of the contract.

Payments shall be executed only if the contractor has fulfilled all his contractual obligations by the date on which the invoice is submitted. Payment requests may not be made if payments for previous periods have not been executed as a result of default or negligence on the part of the contractor.

The payment will be made in two instalments:

12.1. Interim payment

Requests for interim payment by the contractor shall be admissible if accompanied by:

– the interim report, as described under Point 8;

– the relevant invoices, indicating the reference number of the contract and of the order to which they refer, provided the report has been approved by the Commission.

The Commission shall have 60 days from receipt to approve or reject the report, and the Contractor shall have 30 days in which to submit additional information or a new report. Within 30 days of the date on which the report is approved by the Commission, an interim payment equal to 50% of the subtotal fees and direct costs referred to in the relevant Order shall be made.

12.2. Payment of the balance

The request for payment of the balance by the Contractor shall be admissible if accompanied by:

- the final technical report, as described under Point 8;
- the relevant invoices indicating the reference number of the Contract and of the Order to which they refer, provided the report has been approved by the Commission.

The Commission shall have 60 days from receipt to approve or reject the report, and the Contractor shall have 30 days in which to submit additional information or a new report. Within 30 days of the date on which the report is approved by the Commission, payment of the balance corresponding to the relevant invoice shall be made.

13. Price

The total amount of the contract will not exceed the amount of 100 000 Euros. Any bid exceeding this limit will not be considered.

Under the terms of article 3 and 4 of the Protocol on the Privileges and Immunities of the European Communities, the latter are exempt from all charges, taxes and duties, including value added tax; such charges may not therefore be included in the calculation of the price quoted. The amount of VAT is to be indicated separately.

The price must be stated in EUR (€), net of VAT (using, where appropriate, the conversion rates published in the C series of the Official Journal of the European Union on the day when the invitation to tender was issued) on the basis of the established unit costs in the Framework Contract and broken down by categories of experts and travel and mission costs in order to include:

13.1. Professional fees and direct costs

- Fees, expressed as the number of person-days multiplied by the unit price per working day for each expert proposed,
- Travel and subsistence expenses,
- Translation costs.

No separate reimbursable expenses will be accepted.

14. Award criteria

The contract will be awarded to the bid representing the best price/quality ratio, taking into account the following criteria:

14.1. Quality criteria

Award criterion 1: Understanding of the services and general approach to the work to be performed (max 25 points)

- Understanding of CSR and its European context (max. 10 points);
- Understanding of the assignment and the work to be performed (max. 15 points).

Award criterion 2: Proposed methodology and tools (max 50 points)

- Clarity of the proposed methodology (max 25);
- Feasibility of the proposed methodology within the time-span given (max.25 points).

Award criterion 3: Approach proposed for the management of the work (max 25 points)

- General management approach, including organisation of work and work plan (max. 12 points);
- Resources allocation – broken down by category of experts – for the different task to be performed (max. 10 points);
- The approach for quality assurance (max. 3 points).

Please note that the tenderers which do not obtain at least 50% of the maximum score for each award criterion and at least 60 % of the overall score criteria, will not be admitted to the next the next stage of the evaluation of the offers.

14.2. Financial criteria

Each offer will be assessed in terms of the total price for the proposal on the basis of the specific unit prices set in the Framework contract, broken down by categories of experts and travel and mission expenses. The service order will be awarded to the most economically advantageous tender. This will be determined on the basis of the price and the quality of the tender.

15. Content and presentation of bids

15.1. Content

Tenders must include:

- all information and document necessary to enable Commission to appraise the bid on the basis of the award criteria (the proposal)
- the CVs of the proposed experts and list of experts assigned (annex 2 and 3);
- the financial offer (annex 4);
- the name and function of the contractor's legal representative (i.e. the person authorized to act on behalf of the contractor in any legal dealings with third parties);

15.2. Presentation

- Bids must be submitted by post to the Contracting service address in triplet (i.e. one original and 2 copies).
- They must be clear and concise.
- They must be signed by the legal representative.
- They must be submitted in accordance with the specific requirements of the request for services within the deadlines laid down.

ANNEX 1 - QUALITY ASSESSMENT OF THE EVALUATION REPORT

	Poor	Satisfactory	Good	Very good	Excellent
<p>1) Relevance</p> <p>Does the evaluation respond to the information needs, in particular as expressed in the terms of reference?</p>					
<p>2) Appropriate design</p> <p>Is the design of the evaluation adequate for obtaining the results needed to answer the evaluation questions?</p>					
<p>3) Reliable data</p> <p>Are the data collected adequate for their intended use and has their reliability been ascertained?</p>					
<p>4) Sound analysis</p> <p>Are data systematically analysed to answer the evaluation questions and to cover other information needs in a valid manner?</p>					
<p>5) Credible findings</p> <p>Do findings follow logically from and are justified by, the data/information analysis and interpretations based on pre-established criteria and rational?</p>					
<p>6) Valid conclusions</p> <p>Are conclusions non-biased and fully based on findings?</p>					
<p>7) Helpful recommendations</p> <p>Are the areas which need improvements identified in coherence with the conclusions? Are the suggested options realistic and impartial?</p>					
<p>8) Clarity</p> <p>Is the report well structured, balanced and written in an understandable manner?</p>					

ANNEX 2 - MODEL CV FOR THE PRESENTATION OF EXPERTS

Personal information

Surname(s) / First name(s)

Surname(s) First name(s)

Nationality

(remove if not relevant)

Date of birth

(remove if not relevant)

Gender

(remove if not relevant)

Relevant professional experience

Add separate entries for each relevant professional experience (specify dates, number of months spent in the project of professional activity, description of tasks and employer/commissioner, starting by the most recent)

Education and training

Dates

Add separate entries for each relevant training you have completed, starting from the most recent. (remove if not relevant)

Title of qualification awarded

Principal subjects/occupational skills covered

Name and type of organisation providing education and training

Personal skills and competences

Mother tongue

Specify mother tongue (if relevant add other mother tongue(s))

Other language(s)

Self-assessment

Understanding		Speaking	
Listening	Reading	Spoken interaction	Spoken production

Language

Language

Other relevant skills and competences

Replace this text by a description of these competences and indicate where they were acquired. (Remove if not relevant)

Additional information

| Include here any other information that may be relevant. (Remove heading if not relevant)

ANNEX 3 – SUMMARY TABLE FOR THE PRESENTATION OF THE TEAM

Name of expert	Category of expert	Organisation	Work Task	No. days	Languages
X	II	Y	(indicate exactly which tasks the expert will be involved in and <u>how exactly</u>)	(on each task)	SI, SK,CZ

ANNEX 4 – FINANCIAL OFFER

Expert Fees	Persons	Days	Unit Price	Total
Category I				
Category II				
Category III				
Category IV				
Subtotal				
Other direct cost (if required)				
Missions	Travel Expenses	Days	Daily subsistence allowance	Total
Country 1				
Country 2				
Subtotal				
	Number	Unit price	Total	
Seminar				
Translations				
Total				

OVERVIEW OF PROGRESS PERFORMANCE MEASUREMENT FRAMEWORK

PROGRESS Ultimate Outcome
Member States implement laws, policies and practices in a manner that contributes to the desired outcomes of the Social Agenda

PROGRESS works towards its ultimate outcome by helping strengthen the EU's support for Member States' efforts to create more and better jobs and to build a more cohesive society. PROGRESS seeks to contribute to (i) an **effective legal regime** in the EU in relation to the Social Agenda; (ii) **shared understanding** across the EU with regard to Social Agenda objectives; and (iii) **strong partnerships** working towards Social Agenda objectives.

In operational terms, support provided by PROGRESS facilitates (i) provision of analysis and policy advice; (ii) monitoring and reporting on the implementation of EU legislation and policies; (iii) policy transfer, learning and support among Member States; and (iv) relaying to decision-makers the views of the stakeholders and society at large.

Legal Regime

Outcome:

Compliance in Member States with EU law related to PROGRESS areas.

Performance Indicators

1. Transposition rate of EU law on matters related to PROGRESS policy areas
2. Effectiveness of application in Member States of EU law on matters related to PROGRESS policy areas.
3. EU policies and legislation are grounded in thorough analysis of situation and responsive to conditions, needs and expectations in Member States in PROGRESS areas
4. Extent to which PROGRESS-supported policy advice feeds into the development and implementation of EU legislation and policies
5. Cross-cutting issues are addressed in PROGRESS policy sections
6. EU policies and legislation display a common underlying logic of intervention in relation to PROGRESS issues
7. Gender mainstreaming is systematically promoted in PROGRESS

Shared Understanding

Outcome:

Shared understanding and ownership among policy/decision-makers and stakeholders in Member States, and the Commission, of objectives related to PROGRESS policy areas.

Performance Indicators

1. Attitudes of decision-makers, key stakeholders and general public regarding EU objectives in PROGRESS policy areas
2. Extent to which national policy discourses or priorities reflect EU objectives
3. Extent to which principles of good governance (including minimum standards on consultation) are respected in policy debate
4. Extent to which the outcomes of policy debates feed into the development of EU law and policy.
5. Greater awareness of policy-and decision-makers, social partners, NGOs, networks regarding their rights/obligations in relation to PROGRESS policy areas
6. Greater awareness of policy-and decision-makers, social partners, NGOs, networks regarding EU objectives and policies in relation to PROGRESS policy areas

Strong Partnerships

Outcome:

Effective partnerships with national and pan-European stakeholders in support of outcomes related to PROGRESS policy areas.

Performance Indicators

1. Existence of common ground/consensus among policy and decision-makers and stakeholders on EU objectives and policies
2. Identification and involvement by the EU of key actors in a position to exert influence or change at EU and national levels
3. Effectiveness of partnerships in relation to outcomes related to PROGRESS policy areas.
4. Number of individuals served or reached by networks supported by PROGRESS.
5. Extent to which advocacy skills of PROGRESS-supported networks have improved
6. Satisfaction of EU and national authorities with the contribution of networks
7. Extent to which PROGRESS-supported networks take a cross-cutting approach