

Specifications – Tender No VT/2003/04

Report on Roma in an enlarged EU

1. Background

1.1 Action by the EU to combat discrimination

The European Community acquired new powers in 1999, with the entry into force of the Treaty of Amsterdam, to combat discrimination on grounds of racial or ethnic origin, religion or belief, age, disability and sexual orientation. On the basis of these new powers, the Council adopted two Directives in 2000:

- Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin, which prohibits racial discrimination in the fields of employment, education, social security, health care and access to goods and services, and guarantees that victims of discrimination will be entitled to compensation in all the Member States.
- Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation, aimed at combating discrimination on the labour market on grounds of religion or belief, age, disability and sexual orientation.

The Council also adopted on 27 November 2000 a Decision establishing, for the period from 1 January 2001 to 31 December 2006, a Community action programme to combat discrimination¹, aimed at promoting measures to combat discrimination based on racial or ethnic origin, religion or belief, disability, age or sexual orientation.

The programme has three main objectives:

- a) Fostering a better understanding of the issues relating to discrimination by improving knowledge of this phenomenon and assessing the effectiveness of policies and practices.
- b) Developing the ability to prevent and tackle discrimination effectively, particularly by reinforcing organisations' means of action and supporting the exchange of information and good practices and the creation of European-level networks, taking account of the special features of the various forms of discrimination.
- c) Promoting and disseminating the values and practices underlying the combating of discrimination, including by means of awareness-raising activities.

Further information on the Community action programme to combat discrimination is available at:

http://europa.eu.int/comm/employment_social/fundamri/prog/index_en.htm

This call for tender falls within the first strand of the programme, which is devoted to analysis and evaluation.

1.2 Action by the EU to promote social inclusion

The Lisbon European Council in March 2000 committed the European Union to making "a decisive impact on the eradication of poverty and social exclusion". It concluded that "policies for combating social exclusion should be based on an Open Method of Coordination combining national action plans and a Commission initiative for cooperation in this field".

Pursuant to the Lisbon and Feira European Councils' commitment to make a "decisive impact on the eradication of poverty and social exclusion", the Nice European Council in December 2000 adopted a set of "appropriate objectives" which formed the basis of the first two – yearly National Action Plans on inclusion (NAP's / incl.). The objectives set at the European Council were:

1. to facilitate participation in employment and access by all to the resources, rights, goods and services;
2. to prevent the risks of exclusion;
3. to help the most vulnerable;
4. to mobilise all relevant bodies.

All Member States drew up their first two yearly NAP's / incl. by June 2001 and a new Community Action Programme to encourage cooperation between Member States was agreed and came into operation in January 2002. Strand 1 of the Community action programme provides for the development of thematic studies which will contribute to the understanding of social exclusion, in order to address common issues in connection with policy developments in Member States.

Policies in pursuit of the Nice objectives with regard to the social inclusion of ethnic minorities can vary in nature within and between Member States. Differences in approach result in solutions and priorities reflecting their individual circumstances.

Within the 2002 Joint Report on social inclusion, and in particular with regard to Nice objectives 2 and 3; the Member States have agreed that ethnic minorities are recognised as being at high risk of social exclusion. Several states note the challenge of developing appropriate services and supports to help integrate ethnic minorities into society and build a more multi-cultural and inclusive society. Key issues of an inclusive society which Member States and candidate countries will face are long-term challenges such as immigration, demographic change, and tackling discrimination. There is a clear complementarity between policies to promote the social inclusion of ethnic minorities and measures to combat discrimination on grounds of racial or ethnic origin, particularly Council Directive 2000/43/EC referred to above.

Further information concerning the EU's efforts to promote social inclusion are available at:

¹ Council Decision 2000/750/EC of 27 November 2000, OJEC L 303 of 2.12.2000, p. 23.

2. Purpose of the Contract

The total number of Roma in Europe today is estimated to be at least eight million, with the majority living in central and eastern Europe.

The Roma issue has attracted considerable attention in the context of enlargement of the EU. In 1993, EU Heads of State and government agreed the so-called "Copenhagen criteria" for countries wishing to join the EU. These criteria included "respect for and protection of minorities". The situation of minorities such as the Roma has therefore been taken into account in assessing the capacity of candidate countries to become members of the EU. The EU has also provided significant amounts of funding, mainly through the PHARE programme, to promote the integration of Roma communities in the candidate countries of central and eastern Europe.

Following enlargement, the Roma will become one of the largest ethnic minority groups in the EU. Roma in both candidate countries and the current Member States continue to face difficulties in gaining access to employment, education, social security, health care, housing and public services.

The further development of anti-discrimination and social inclusion policies at the EU level and in Member States will therefore need to take account of the particular needs of this group. At the same time, there is considerable scope for exchanges of experience and good practice between the Member States and candidate countries in terms of combating discrimination and promoting the social inclusion of Roma.

The Commission therefore wishes to support the production of a study concerning the situation of the Roma in an enlarged EU. The report should mainly focus on the implications for the EU's policies to combat racial and ethnic discrimination and to promote social inclusion. It may also take into account the contribution that other EU policy and funding instruments, including the European Social Fund and the EQUAL Community Initiative, may play in promoting the integration of Roma.

The study will serve as the basis for a workshop to be organised by the contractor in mid-2004.

3. Tasks to be performed by the Contractor

The contractor will be responsible for the research, drafting, layout, translation and printing of the study. The Commission foresees that this will involve the following tasks:

- a) Gaining a thorough understanding of the EU's strategy to combat discrimination and to promote social inclusion;
- b) Carrying out a desk and limited field study concerning the situation of the Roma in the countries to be covered by the report;
- c) Meeting with representatives of national authorities, Roma organisations and other interested parties;
- d) Visiting a limited number of projects targeted specifically at Roma;
- e) Making proposals to the Commission for a written presentation of the most interesting material identified;
- f) Making proposals for the layout of the material to ensure both ease of accessibility and visual appeal (including the use of colour and illustrations);
- g) Translating the completed report (no more than 50 pages in length) for publication in English, French, German and Romanes;
- h) Printing the report in the following quantities:

EN	-	1000
FR	-	500
DE	-	500
ROMANES	-	500
- i) Organising a workshop in Brussels to discuss the findings of the report. The Commission will provide a meeting room and interpretation facilities (Community languages) for this meeting. Travel and accommodation costs for up to 30 non-governmental experts should be budgeted into the responses to this call for tender. The Commission will reimburse the costs of governmental experts separately.

4. Guidance and indications on tasks execution and methodology

The study should base its findings on an analysis of the situation in eight or more of the current EU Member States and the candidate countries (at least 4 current Member States and at least 4 candidate countries). Responses to this call for tender should indicate clearly which countries they propose to cover, and justify this choice (relative size and situation of the Roma community, existence of particular policies and programmes that merit further study etc...).

The study should begin by summarising and analysing conditions of access for Roma in the fields of employment, education, social security, health care, housing and public services. The study should provide statistical data, where available, and the analysis should be backed up by case studies. The report should consider the multidimensional nature of the problems facing Roma communities and the range of policies that may be necessary to address these challenges effectively (including legislation, access to justice, awareness-raising, education and training, positive action etc...). The report should also aim to highlight examples of good practice in combating discrimination and promoting the social inclusion of Roma, including projects supported by the EU, national, regional and local authorities. The report should take into account the specific problems faced by Roma women and children.

In executing this contract, the contractor will be expected to work closely with the Commission. Tenderers should foresee the need for at least 4 meetings with the Commission in Brussels during the contract period.

5. Expertise required

See point 11 below (technical capacity) for details of the experience and qualifications required for this contract.

6. Time schedule and reporting

The contract is likely to last for 12 months (from October 2003 to October 2004). The contractor will be expected to meet with the relevant Commission services before launching the research phase. A first draft of the report should be submitted to the Commission for comments by February 2004. The final draft, together with the

proposed layout of the report, should be submitted for approval by April 2004. The report should be translated and printed in all language versions by June 2004. The workshop referred to under point 3.1 should be organised in July 2004.

See also Article 1.2 of the Contract, and Annex IV, Reporting.

7. Payments and standard contract

In drawing up the bid, the tenderer should take account of the provisions of the standard contract which include the "General terms and conditions applicable to contracts". Article 1.4 thereof provides for the modalities of payment. In the case of this contract, the modalities will be an advance payment, an interim payment and a final payment.

- A pre-financing of 30 % of the part A (fees and direct cost) payable after signature by both parties of the contract and upon written request (invoice) by the contractor.
- 40 % after the submission, and approval by the Commission, of the interim performance and activity report and upon written request (invoice) by the contractor.
- A final payment covering the balance due, payable upon written request, submitted along with the final performance and activity report and a final financial statement on the annual budget execution, and after approval of the said final performance and activity report and final financial statement.

8. Price

The total amount available for this contract is €200.000. Tenderers should note that any bids exceeding this limit will not be considered. The total price = Part A + Part B.

The price should be indicated in Euro (€), excluding VAT (using 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 sent out) and should be broken down as per the format given in Annex II of the attached draft contract to include:

■ Part A: Fees and direct costs

- Fees, expressed in number of person/days and unit price per working day for each Expert proposed. The unit price is expected to cover the expert's fees and administrative expenses, but it should not include the reimbursable costs defined below.
- Other direct costs are not allowed.

■ Part B: Reimbursable Costs

- Travel expenses
- Daily subsistence allowances (DSA's): these cover all the subsistence costs of the Experts who are on mission for short term assignments outside their usual place of work
- Translations costs
- Contingencies, if any

9. Composition of partnership or consortium

If a partnership or consortium is envisaged, its composition should be specified and the criteria listed under point 10 should be detailed to individual members of the partnership. In addition, one of the consortium members must be designated as lead Contractor, and must ensure full responsibility towards the Commission as regards both the tender and the future contract – if awarded to them.

10. Exclusion criteria

Any tender not containing the following documents will be eliminated:

- a certificate issued by the competent authority in the Member State concerned confirming that the tenderer has fulfilled all obligations relating to the payment of social security contributions in accordance with the legal provisions of the Member State in which the tenderer is established or of the country where the awarding authority is based; with regard to tenders from consortia, the certificate must be provided by each member of the consortium;
- a certificate issued by the competent authority in the Member State concerned confirming that the tenderer has fulfilled all obligations relating to the payment of taxes in accordance with the legal provisions of the country where the awarding authority is based; with regard to tenders from consortia, the certificate must be provided by each member of the consortium;
- a declaration certifying that they are not in one of the situations listed in Articles 93 and 94 of the new Financial Regulation consultable at http://europa.eu.int/eur-lex/en/archive/2002/l_24820020916en.html (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 the 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 authority 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 authority 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 detrimental to the Communities' financial interests; (f) following another procurement procedure or grant award procedure financed by the Community budget, they have been declared to be in serious breach of contract for failure to comply with their contractual obligations).

11. Selection criteria

Candidates will be selected on the basis of their financial and economic capacity and their technical capacity. They must provide evidence of their technical, economic, financial and professional capacity in accordance with the criteria set out below:

Economic and financial capacity to carry out the tasks set out in the tender specification must be demonstrated as follows:

- the tenderer (or consortium) must provide proof of turnover in the last financial year at least equivalent to 100% of the proposed price of the contract;
- balance sheets from the last three financial years, where publication of the balance sheets is required under company law in the country in which the service provider is established; in the case of tenders from consortia, this certificate must be provided by each member of the consortium;
- a statement of the undertaking's overall turnover and its turnover in respect of the services to which the contract relates for the previous three financial years; in the case of tenders from consortia, this certificate must be provided by each member of the consortium;
- a bank declaration providing evidence of good financial standing; in the case of tenders from consortia, this declaration must be provided by each member of the consortium.

The tenderer's technical capacity in the field covered by the contract will be assessed on the basis of the following:

- At least five years experience of policy analysis in the employment and social field, including relevant experience of anti-discrimination and social inclusion policies (to be assessed on the basis of previous research and published works);
- At least five years experience of policy analysis concerning the situation of Roma communities in the Member States and the candidate countries (to be assessed on the basis of previous research and published works) and in particular of the nature and causes of Roma's discrimination and exclusion in Member States and in the Candidate Countries, as well as the different policy approaches being adopted;
- Experience of laying out and publishing reports for European audiences (to be assessed on the basis of previous publications).
- Sufficient knowledge of Community languages to ensure efficient access to information in the Member States and the candidate countries.

12. Award criteria

The contract will be awarded to the tenderer whose offer represents the best value for money - taking account of the following criteria:

1. Understanding of the nature of the assignment, its context and the results to be achieved (20%)
2. Methodology including: the detailed proposals for the collection, verification and analysis of information; proposals for taking into account the views of national authorities, Roma organisations and other interested parties; the proposed timetable; and the proposals for managing the team involved in the production of the report. (40%)
3. Relevance of proposed case studies and examples of good practice. (20%)
4. Proposals for the presentation of the main findings of the study. (20%)

It should be noted that the contract will **not** be awarded to a tenderer who receives less than 70 % on the basis of the Award Criteria.

The contract will be awarded to the tenderer submitting the economically most advantageous bid, in accordance with the weighting of the criteria indicated above and taking account of the proposed price.

13. Content and presentation of the bids

Content of the bids

The tender must include:

- All information and documents necessary to enable the Commission to conduct an appraisal of the offer on the bases of the selection criteria and the award criteria (see points 11 and 12 above). This will include:
 - balance sheets and profit-and-loss accounts for the last three financial years if their publication is prescribed by the legislation of the country where the tenderer is established;
 - accounts for the quarter preceding the publication of this notice, if the results for the last financial year are not yet available;
 - overall turnover and turnover on the provision of similar services in the last three financial years;
 - legal status of the organisation;
 - date of establishment or registration;
 - certified copies or certificates of the documents to show that there are no grounds for rejection of the bid (see point 10 of these specifications);
 - a list of the previous work carried out during the three preceding years on similar topics

- a "financial identification form" duly completed and signed by the bank;
- the price;
- detailed curriculum vitae of the proposed experts;
- the name and position of the contractor's legal representative (i.e. the person duly authorised to act legally on behalf of the contractor in relation to third parties).

13.1. Presentation of the bids

Bids must be submitted in triplicate (1 original and 2 copies).

Bids must contain all the information required by the Commission.

Bids must be clear and concise.

Bids must be signed by the tenderer's legal representative.

Bids must be delivered according to the requirements set out in the letter of invitation to tender, and before the date and time indicated in this letter.