



## PROCUREMENT NOTICE

**Assignment Name: *Trainer to design, prepare and deliver Workshop on legal alignment with the Acquis in the pre-accession phase, part of the workshop related to the techniques and methods of the transposition of the Acquis***

### Section 1. Introductory Information

#### 1.1 Background information on the Regional School of Public Administration (ReSPA)

The Regional School of Public Administration (ReSPA) is the inter-governmental organization for enhancing regional cooperation, promoting shared learning and supporting the development of public administration in the Western Balkans. ReSPA Members are Albania, Bosnia and Herzegovina, Macedonia, Montenegro and Serbia, while Kosovo\* is a beneficiary and observer. ReSPA's purpose is to help governments in the region develop better public administration, public services and overall governance systems for their citizens and businesses, and prepare them for membership in the European Union (EU). Since its inception, ReSPA has contributed to the development of human resources and administrative capacities through training programmes and innovative cooperation mechanisms such as the exchange of good practices, peer reviews and development of know-how.

The European Commission (EC) provides directly managed funds for support of ReSPA activities (research, training and networking programmes) in line with the EU accession process. The new EC grant supports the main objective of ReSPA work in 2016-2017: Improving regional cooperation in the field of PAR and EU integration and strengthening administrative capacities in the beneficiaries. This objective will be achieved through the following three pillars of ReSPA Programme of Work for 2016-2017:

- (1) European Integration Pillar: Increased capacity of public administration in the ReSPA Members necessary for successful conducting of the European Integration process;
- (2) Public Administration Reform Pillar: Facilitated and enhanced cooperation and exchange of experience in Public Administration Reform and European Integration activities in ReSPA Members;
- (3) Governance for Growth Pillar: Ensured effective coordination of the implementation of the Governance for Growth pillar of the SEE 2020 Strategy.

ReSPA is implementing its activities through the Secretariat which is consisting of 15 staff members from the Western Balkan region. The Secretariat is located in Danilovgrad, Montenegro. The organisation is currently updating its legal and institutional documents, and is seeking an expert to review and upgrade its Draft Rules on Disciplinary Procedure.

1.2 ReSPA now seeks to engage a trainer to design, prepare and deliver the *Workshop on legal alignment with the Acquis in the pre-accession phase*. Interested qualified applicants are invited to apply for this engagement in order to be considered through a competitive procedure for the assignment.

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\* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and ICJ Advisory opinion on the Kosovo Declaration of independence

1.3 Objective and purpose of the assignment are:

The legal alignment with the EU Acquis has been recognized as one of the key priorities in the area of European integration of candidates and potential candidates for EU Membership, therefore, ReSPA plans to organize a *Workshop on legal alignment with the Acquis in the pre-accession phase*. The workshop is intended to last three days and its target audience are practitioners experienced in the legal alignment who are employed in the public administrations of ReSPA Members. The selected trainer will have the main task to design, prepare and deliver the part of the workshop related to the techniques and methods of the transposition of the Acquis.

1.4 Expected deliverables of the work are: as per Terms of Reference.

1.5 Tentative timeframe: the assignment is expected to be performed during October 2016.

1.6 Budget: The contracted trainer will be remunerated on the basis of a daily fee. The concrete fee for the selected trainer will be determined based on the applicant's experience and within the budgeted maximum for this assignment. Level of effort for the performance of assignment is six expert days structured in the following way: 2 days for preparation, 3 days for delivery and 1 day for reporting. ReSPA will reimburse the international round travel for the trainer to and from Podgorica; ReSPA will organize and cover the transfers of the trainer from Podgorica Airport to Danilovgrad and back. ReSPA will arrange and cover full accommodation at its campus including all meals and refreshments. No additional payments are to be covered during the assignment (i.e. Per Diem, etc.).

1.7 **NOTE:** Any individual employed by a company or institution who would like to submit an offer in response to this Procurement Notice must do so in their individual capacity, even if they expect their employers to sign a contract with ReSPA. In such case the applicant shall notify ReSPA in the application which institution is his/her employer.

## **Section 2. Preparation of CVs and supporting documentation**

2.1 Language of application: The CVs and supporting documentation shall be prepared in English.

2.2 The CVs should provide information on the qualifications and competencies of the applicant, her/his general track record and previous specific experience in similar assignments, as required by the Terms of Reference. The applicants should particularly state in their CVs:

- Length of professional experience public administration, international organisations, universities or research institutes;
- Length of professional experience in the field of legislative drafting, legal revision, transposition of EU legislation into national legal system or legal harmonization of the national legislation with the EU acquis;
- Experience in capacity development programmes related to the topic of workshop;
- Experience in accession negotiations with the EU, if any.

2.3 The required qualifications, experience and skills: as per Terms of Reference

## **Section 3. Submission of CVs and supporting documentation**

3.1 The candidates are invited to submit the following documentation:

- **Proposal:**
  - Explaining their experience related to the workshop subject and how they intend to respond to the assignment;

- **Personal CV** including past experience in similar activities and particularly issues referred to under point 2.2 of this Procurement Notice.
- At least three contacts for references (name and position of referee, email address and phone number) which may be contacted by ReSPA. (**NOTE:** There is no need to submit reference letters; ReSPA will directly contact the referees)

**3.2 The required documentation should be submitted in electronic format by e-mail to the following address: [d.glodic@respaweb.eu](mailto:d.glodic@respaweb.eu) by 13 September 2016 before 12H00. Late submissions will not be considered for evaluation.**

**Public servants of ReSPA Members and Kosovo\* are not eligible to apply.**

#### **Section 4. Evaluation of offers**

4.1 The offer will be evaluated against the required qualifications, experience, skills and competencies as defined in the Terms of Reference.

4.2 The applicant securing the highest final ranking will be invited to submit a financial proposal (the financial proposal shall specify a total sum amount **in EURO** for expert's daily fee) and negotiate the contract. If negotiations are successful the selected candidate will be awarded the contract. Should the negotiations fail; the next ranked candidate will be invited to negotiations.

#### **Section 5. Final Considerations**

5.1 The payment will be done in one installment, following the submission and approval of the deliverables.

5.2 The following document is attached to this Procurement Notice:

*Terms of Reference*

**5.3 ReSPA reserves the right to cancel this procurement procedure at any moment without any compensation to the applicants.**

**The cost of preparing a proposal and of negotiating a contract, including any related travel, cannot be reimbursed by ReSPA under any circumstances nor ReSPA can be held liable for it, regardless the outcome of the procurement procedure.**

**5.4 Should you need any further clarifications with respect to this procurement notice, please contact: Mr. Duško Glodić, Programme Manager (Legal) via email: [d.glodic@respaweb.eu](mailto:d.glodic@respaweb.eu) .**

Any request for clarification must be sent by standard electronic communication to the above email address.

## Terms of Reference

### *Trainer on techniques and methods in the transposition of the Acquis*

#### Purpose

The legal alignment with the EU Acquis has been recognized as one of the key priorities in the area of European integration of candidates and potential candidates for EU Membership, therefore, ReSPA plans to organize a *Workshop on legal alignment with the Acquis in the pre-accession phase*. The workshop is intended to last three days and its target audience are practitioners experienced in the legal alignment who are employed in the public administrations of ReSPA Members.

#### Description of the Assignment

The workshop should cover two aspects of the activities related to the legal alignment:

- use of techniques and methods in the transposition of the Acquis and
- planning and prioritisation in the process of legal alignment through the use of documents such as the National Plan for the Adoption of the Acquis and its importance in the accession negotiations.

ReSPA will engage two trainers, each trainer covering one aspect of the topic. Therefore, ReSPA seeks to contract a trainer who will be involved in design, preparation and delivery of workshop on the above-mentioned topic to civil servants of ReSPA Members and beneficiary.

The trainer should prepare and deliver the part of the training related to the use of different techniques and methods in the transposition of the Acquis. The trainer should explain techniques and the best practices in transposing certain parts of the EU legislative acts in the pre-accession phase. A particular attention should be paid to the transposition of certain parts of EU legal acts that might be challenging in the pre-accession phase, such as: definitions, final provisions, annexes and institutional provisions.

The workshop should be interactive and based on real or simulated examples of the use of transposition techniques and methods. The workshop is expected to be more practically focused than theory oriented. However, the trainer may explain some theoretical concepts related to the EU Law, the system of the Acquis and its role in the EU accession process to the extent necessary to ensure understanding of the main theme.

The selected trainer will closely cooperate with the other trainer covering the other aspect of the topic and will agree on the content of the workshop.

In the design and preparation of the assignment and during its delivery, the trainer will closely cooperate with the responsible ReSPA Programme Manager and other staff in order to adjust the proposed agenda and programme with the specific requirements for capacity building defined by ReSPA. The trainer shall accept and accommodate the proposed agenda and programme to the comments provided by ReSPA.

#### Tasks and Responsibilities

ReSPA seeks a trainer to conduct the following activities:

- Draft, in cooperation with the other trainer selected by ReSPA, the agenda and programme of the *Workshop on legal alignment with the Acquis in the pre-accession phase*, covering the aspect of the topic related to the use of techniques and methods in the transposition of the Acquis;
- Work in a team with the other trainer;
- Preparation of the power point presentations related to topic;
- Preparation of supporting materials, case studies, examples from practice;
- Moderation and presentation on the event;
- Preparation of the final report from the event, including recommendations for the follow up events in this area;

- Liaise directly with responsible ReSPA Staff and take into consideration the instructions received before hand. All the materials should be submitted to the responsible ReSPA staff for approval before hand and, if necessary, all adjustments will be done in accordance with suggestions by ReSPA Staff.

## **Necessary Qualifications**

### Educational background:

- Bachelor degree in Law, European Integration, Political Science, Social Sciences or related field;

### General professional experience:

- Minimum 8 years of professional experience in public administration, international organisations, universities or research institutes;

### Specific professional experience:

- Minimum 5 years of experience in the field of legislative drafting, legal revision, transposition of EU legislation into national legal system or legal harmonization of the national legislation with the EU acquis;
- Professional experience in similar capacity building activities in public administration at national level or in an international level;
- Experience in EU accession talks will be an asset;

### Skills:

- Team work;
- Training skills and moderation skills;
- Excellent written and oral communication skills in English;
- Ability to work with people of different nationalities, religions and cultural backgrounds.

## **Timing and Location**

The event will take place during October 2016, at ReSPA premises, Montenegro.

## **Remunerations**

The assignment foresees 6 expert days: *2 for preparation, 3 for implementation and 1 for reporting*. The daily fee shall be determined based on the trainers experience within maximum rate allocated for this training activity and following the profiling performed in accordance with ReSPA rules. The payment will be done in one instalment, following the submission of the final report and necessary documents (cf. Reporting and Final Documentation).

*Note:* ReSPA will reimburse the international round travel for the Trainer to and from Podgorica; ReSPA will organize and cover the transfers of the Trainer from Podgorica Airport to Danilovgrad and back. ReSPA will arrange and cover full accommodation at its campus including all meals and refreshments. No additional payments are to be covered during the assignment (i.e. Per Diem, etc.).

## Reporting and Final Documentation

The trainer will be requested to deliver the following documents:

- *Final report* (incl. Annexes) in English for three days seminar, no later than two weeks after the completion of the workshop. The report shall include all remarks, inputs and feedback from the participants, in accordance with the ReSPA Reporting Template and will be subject of approval of the ReSPA as a contracting authority.
- Boarding passes
- Timesheets (original and signed);
- Invoices (original and signed).

The abovementioned documentation shall be delivered to the following contact person and address:

**Mr. Duško Glodić**  
**Programme Manager (Legal)**  
**Regional School of Public Administration - ReSPA**  
**Branelovica, 81410 Danilovgrad, Montenegro**  
[d.glodic@respaweb.eu](mailto:d.glodic@respaweb.eu)