

Procurement Notice

Assignment name:

e-Signature and e-Services in Albania

Reference Numbers: 17070 - Legal Expert for the assignment in Albania in domain of e-Signature and e-Services

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*¹ is a beneficiary. 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). 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.

1.2 ReSPA now seeks to engage one Legal expert to provide support in domain of e-Signature and e-Services.

1.3 Expected deliverables of the assignment are: as per Terms of Reference.

¹ 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

1.4 Tentative timeframe: the assignment is expected to be performed from June 2018 and will be finished in September 2018.

1.5 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 in providing expert's assistance in the subject area (analysis of legal and regulatory framework of eGovernment with the emphasis on eServices).

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

Section 3. Submission of CVs and supporting documentation

3.1 The interested candidates are invited to submit a proposal consisting of the following documentation:

- Proposal: explaining their experience related to the analysis 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 two 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: procurement@respaweb.eu by **28 May 2018** before Midnight. Late submissions will not be considered for evaluation. **The application should contain in the e-mail title the following reference number 17070 - Legal Expert for the assignment in Albania in domain of e-Signature and e-Services.**

Public servants from 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 can ReSPA 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. Goran Pastrovic, Programme Manager via e-mail: g.pastrovic@respaweb.eu, by **17 May 2018 (midnight)**, the latest. ReSPA will post the response, including an explanation of the query without identifying the source of inquiry, at its website (www.respaweb.eu) by **21 May 2018**. Any request for clarification must be sent by standard electronic communication to the above e-mail address.



Terms of Reference

Request for Services

Background

Regional School of Public Administration (ReSPA) is an international organisation set-up as a joint initiative of the European Union (EU) and the Western Balkan (WB) countries working towards fostering and strengthening regional cooperation in public administration, human resources management and civil service reform among its members. It seeks to offer excellent innovative and creative training events, networking activities, comparative applied research, capacity building and expert services to ensure that the shared values of respect, tolerance, collaboration and integration are reaffirmed and implemented throughout the public administrations in the Western Balkan region (further on: region). ReSPA is located in Danilovgrad, Montenegro, and its work is focused on Albania, Bosnia and Herzegovina, Kosovo^{2*}, Macedonia, Montenegro and Serbia.

- ReSPA is acting as a regional hub for relevant public administration reform (PAR) training and networking activities, ensuring full integration of regional lessons and specific national actions;
- ReSPA is contributing to identification and promotion of relevant good practices in public governance on PAR and European integration, and its accommodation into national administrations;
- ReSPA is becoming an effective regional dimension coordinator of the Governance for Growth pillar within the framework of the Southeast Europe (SEE) 2020 Strategy.

Urgent needs mechanism is ReSPA activity that enables ReSPA members and Kosovo* to apply for related expertise support. In the framework of the latter mentioned type of activity ReSPA is looking for one legal expert who would need to prepare and design a guideline for the usage of e-signature and e-service in the public and private sector (*legal perspective*) in Albania and all other activities as foreseen in the Description of the assignment.

^{2*} 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

Description of the Assignment

Public administration reform is essential to Albania's integration process into the European Union. A professional public administration, based on meritocracy and able to provide quality services to the public, is a prerequisite for transparent and democratic governance.

Development of public administration, which provides high quality services for citizens and businesses in a transparent, effective, and efficient way through the use of modern technologies and innovative services, is one of the main priorities of the Albanian Government. The modernization of the public administration is connected not only in using ICT systems, but also using modern document exchange methods, through electronic signature to make the processes secure and fast. E-Signatures provide a applicable solution for creating legally enforceable electronic records, closing the gap in going fully paperless by completely eliminating the need for signed documents to print. E-signatures enable the replacement of slow and expensive paper-based approval processes with fast, low-cost, and fully electronic ones. The e-signature has the same legal value as that of a handwritten signature. The utilization of e-signature in the Government of Albania is now a reality and is increasing every year, creating more efficiency in the daily work, reducing the time for the services offered for the citizens and fighting the corruption. In the current state there are several IT systems, operated by the institutions of the Albanian Government that use fully or partially the electronic signature where the most used are the E-Construction permits delivered through access of e-Albania portal and E-Prescription health system, used by all the actors of the public health sector. In the most cases the utilization of the electronic signature is understood as a mechanical action by the end user or system administrators and there is no a clear view what electronic signature presents and what re the technical description and functionalities.

In this situation is needed a guideline for the usage of electronic signature in the e-Gov systems. The target audience of this document will be the State/ Line Ministry officials, Implementation Agencies, businesses and citizens who would have to understand e-Signatures and how they can be used in various e-Gov systems and applications. In the virtual world, it's easy to use online applications, e-payments, and other services that are directly related to our identity. Many of us do not know the risk of losing data that we exchange during electronic communications until privacy is compromised, or other damages such as: identity theft, financial damage, or misuse of data. For these reasons, securing electronic transactions, securing our virtual identity, and our personal data is of critical importance for which citizens need to be aware of.

Communication through information technology means requires high legal and technical standards in the transmission of data between users, the security of which is guaranteed only by trusted services. Also with the use of trusted services; we can increase the transparency of online services, reduce financial costs, decrease send and receive time, shorten the cycle of an agreement and avoid delays and obstacles by reduce internal/external circulation time. The use of secure electronic means (identification and e-signature) enables the public and private sector to rely on electronic identification on public services, to make it easier for businesses and citizens to access online services. In addition to the part of the awareness, to use electronic services, there is also a lack of orientation of citizens or public administration itself for using of qualified certificates that generate identification, e-signature and e-seal. Also, an important place is the e-

documents accompanying import goods, discussions and difficulties whether in perception or in the legal validity of these documents.

The integrated e-document with e-signature takes the lead in the use of e-signatures. Many relationships are performed online, for example: concluding contracts, online procurements, online taxes, online registrations, banking transactions, online purchases, administrative actions etc. At present, in the public administration correspondence within and outside institutions is carried out by letter of signature signed by the head of the institution. On average annually, a ministry processes about 30,000 paperwork, consumes about 3500 paperweights (1 million and 750 thousand sheets) and about 750 ink cartridges (printers, faxes, photocopies, etc.). Each of these documents within the institution requires several hours of processing and outside the institution for an average of 5 days. The use of electronic document administration will necessarily require the provision of all employees (about 130,000) by e-signature. As a consequence, will be minimized financial and time costs, increase effectiveness, flexibility, security, accountability and transparency of the administration, and consequently lead to better quality services for the citizens.

Tasks and Responsibilities

The expert would need to realize the following activities:

- Draw a clear picture of the current situation of the usage of Electronic Signature in public and private sector.
Number of days for 1): 2 working days
- Overview of Electronic Signature.
Number of days for 2): 2 working days
- Description of case studies for successful Electronic Signature Implementation
Number of days for 3): 2 working days
- Analyze about benefits of using electronic signature
Number of days for 4): 2 working days
- General recommendation for the use of methodology in the region (replicability aspect) and guidelines for public administration and business how they can improve public services for citizens in the right and secure way.
Number of days for 5): 2 working days
- Design of report
Number of days for 6): 1 working day

All of the activities foreseen to be implemented by the expert will be supported by the National Authority for Electronic Certification and Cyber Security in order to assist the expert with any needs required to successfully completing the project.

Liaise directly with the ReSPA and take into consideration the instructions received before hand as well as with the engaged IT expert.

Necessary Qualifications

ReSPA is looking to engage one expert who shall possess the following qualifications:

Educational Background

- At least MA in Legal Studies, Economy, Social Science or Political Science or equivalent;

General professional experience:

- Minimum of 3 years working in projects financed by international organizations.
- Minimum of 5 years' Experience working with drafting legislation

Specific professional experience:

- The experts must have experience in trusted services and be familiar with eIDAS regulation and Albanian legislation on electronic signature and trusted services
- Ability to write detailed documentation (use cases, configuration instructions, and models)
- Excellent analytical skills as well as written and oral communication skills in English;
- Ability to work with people of different nationalities, religions and cultural backgrounds.

Timing and Location

The assignment will start in June 2018 and will be finished in September 2018.

Remuneration

The assignment foresees up to 11 working days.

Payment will be done in one installment, following the submission of the final report and its annexes.

Note: No additional payments are to be covered during the assignment (i.e. Per Diem, etc.).

Reporting and Final Documentation

The Expert will be requested to deliver the following documents:

- Single report (legal perspective of the assignment) of minimum 15 pages;
- All-inclusive consolidated report (IT and Legal expert consolidated inputs) consisting of minimum 30 pages which would serve as a guideline for the usage of e-signature and e-service in the public and private sector;
- *Timesheets* (original and signed);
- *Invoices* (original and signed).