



PROCUREMENT NOTICE

Assignment Name: Trainer for negotiating chapter 11 to participate in design, preparation and delivery of a Training on Legal Alignment - Negotiating Chapters 11 and 12

Ref. no. 17020/1

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. 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.

1.2 ReSPA now seeks to engage one trainer for negotiating chapter 11 to jointly design, prepare and deliver with the other trainer a **Training on Legal Alignment Negotiating Chapters 11 and 12**. ReSPA will also engage the other trainer who would cover the negotiating chapter 12. Interested qualified applicants are invited to apply for this engagement in order to be considered through a competitive procedure for the assignment.

* 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

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

1.3 Tentative timeframe: the training is expected to be performed during March/April 2017.

1.4 **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 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, legal harmonization of the national legislation with the EU acquis or EU accession negotiations;
- Examples of experience in capacity development programmes, especially in the role of trainer, in public administration at national level or in an international level, related to the topic of training.

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 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: procurement@respaweb.eu by 13 March 2017 before 18.00. Late submissions will not be considered for evaluation. The submission should contain the reference number *17020/1* in the email title.

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 and skills 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 .

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

Terms of Reference – Request for Services

Trainer for Negotiating Chapter 11

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. The Regional School of Public Administration (ReSPA) organised a number of trainings and workshops dedicated to the topic of legal alignment. These workshops were general in nature covering the methodology and technics used for transposition of the Acquis into national legal systems and related planning processes. However, following recommendations by its beneficiaries, ReSPA now intends to organise a training which would be related to some concrete chapters of acquis. This training will cover two negotiating chapters – Chapter 11 on agriculture and rural development and Chapter 12 on food safety, veterinary and phytosanitary policy. The training is intended to last three days and its target audience are civil servants from European integration central coordinating institutions and other line ministries and administrative bodies in charge of transposition of the referred chapters. Therefore, ReSPA seeks to engage two trainers, each of them covering topics related to one of the chapters.

Description of the Assignment

The training should cover two negotiating chapters of the EU acquis:

- Chapter 11 – Agriculture and Rural Development and
- Chapter 12 – Food Safety, Veterinary and Phytosanitary.

Each part of training related to one chapter of the Acquis will be covered by one trainer. Therefore, ReSPA seeks to contract a trainer who will be involved in design, preparation and delivery of training related to the Chapter 11 to civil servants of ReSPA Members and beneficiary.

The trainer should prepare and deliver the part of the training related to the Chapter 11. This part of training should mostly focus on common organization of agricultural markets in the EU, institutional set up envisaged by this acquis chapter and present the most important parts of EU legislation.

The trainer should convey clear presentation on the necessary institutional changes that a candidate/potential candidate for EU membership should undertake in the preparatory phase and explain the best practices based on experience of some EU Member States and/or countries in the accession process. The trainer should also explain main legal concepts and principles defined within this negotiating chapter. The trainer should bear in mind the importance of the other chapters, especially of the chapter 12, for the comprehensive alignment of national legal system to the EU Acquis. The trainer will, therefore, make efforts to develop, acting jointly with the other trainer, a comprehensive training agenda and programme which should ensure that the participants obtain clear picture of the main requirements for candidate / potential candidate countries as defined by the two negotiating chapters. It would be useful to demonstrate what approach was adopted by some negotiating countries related to the adjustments required by the negotiating chapters in question.

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, particularly the Chapter 11 and the Common Agricultural Policy 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 training.

In the design and preparation of the assignment and during its delivery, the trainer shall 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 *Legal Alignment Training – Chapters 11 and 12*, covering the part of the training related to the Chapter 11 as described under the description of assignment;
- Work in a team with the other trainer;
- Prepare the power point presentations related to topic;
- Prepare of supporting training 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 beforehand. All the materials should be submitted to the responsible ReSPA staff for approval beforehand and, if necessary, all adjustments will be done in accordance with suggestions by ReSPA Staff.

Necessary Qualifications, Experience and Skills

Educational background:

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

General professional experience:

- Minimum 7 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, legal harmonization of the national legislation with the EU acquis or EU accession negotiations;
- Professional experience in relation to the Negotiating chapter 11;
- Professional experience in similar capacity building activities, especially in the role of trainer, in public administration at national level or in an international level;

Skills:

- Team work;
- Legal drafting skills;
- 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 March/ April 2017, 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 trainer's 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 or organise 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 (original);
- Timesheets (original and signed);
- Invoices (original and signed).

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

Mr. Vladimir Nikolić
Programme Assistant
Regional School of Public Administration - ReSPA
PO BOX 31, 81410 Danilovgrad, Montenegro
v.nikolic@respaweb.eu