



AVRUPA BİRLİĞİ BAKANLIĞI

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Support Activities to Strengthen the
European Intergration Process

Guidelines for Drafting Terms of Reference

**REPUBLIC OF TURKEY
MINISTRY FOR EUROPEAN UNION AFFAIRS**

Mustafa Kemal Mahallesi 2082. Cadde No: 4
06800 Bilkent / ANKARA
Phone: 0312 218 13 00 Fax: 0312 218 14 71
www.ab.gov.tr

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Preface



The enhancement of institutional and human resources capacities of public institutions and thereby achieving alignment with EU legislation and standards is one of the priorities of Turkey within the accession process to the European Union. Concomitant to this mission, the Ministry for European Union Affairs, by providing financial and human resources assistance, is engaged in the development of projects that emerge out of the needs and efforts of public institutions and the close cooperation with EU institutions. Support Integration to Strengthen the European Integration Process Project (SEI), is amongst projects explicitly coordinated and co-financed by our Ministry. Within the 2002-2008 programming years, almost 80 million euro financial assistance has been granted to public institutions by SEI being under the umbrella of IPA I Component – Transition Assistance and Institution Building. This study titled “**Guidelines for Drafting Terms of Reference**” is the result of captious work and offers important information for the preparation of terms of reference documents which are the backbone of each contract. The aim of this guidance document is to assist public institutions to prepare full-fledged terms of references and enable them to use SEI funds effectively and timely.

I would like to express my gratitude for our public institutions who have contributed to this study and enabled a good outcome for their support and good cooperation. I hereby want to reiterate that the Ministry for European Union Affairs will always assist our public institutions in the reform process of Turkey.

Egemen BAĞIŞ
Minister for EU Affairs and Chief Negotiator

Introduction

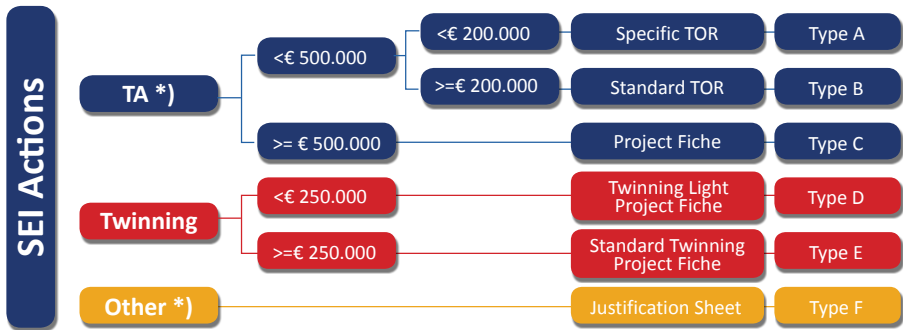
Within the framework of Instrument for Pre-accession Assistance (IPA), the EC and Turkey have agreed on a permanent support facility to strengthen the European integration process. This facility called "Support Activities to Strengthen the European Integration Process" (henceforth SEI) essentially provides technical assistance for IPA I project preparation and capacity building to support the accession process. The SEI has two main components: the "Project Preparation Facility" (henceforth PPF) and the "Unallocated Institution Building Envelope in the Context of the Preparation Process and Accession Negotiations" (henceforth UNIBE). The PPF is a facility mainly focussing on support for the development of project fiches, whilst UNIBE represents a facility primarily aiming at capacity building related to the EU accession process.

Whatever the nature of the technical assistance required by a ministry, institution or organisation applying for SEI support, most contracts concluded under SEI hitherto could be implemented rather quickly through the framework contract procedure, henceforth FWC. The Specific ToRs constitute the core of any framework contract. They are prepared on the basis of a standard model or template which includes a description of the assignment¹ in terms of background, objectives, services and outputs. It moreover defines the profiles of the experts required, the location and duration of the action. The purpose of the present Guidelines is to support applicant institutions in developing Specific ToRs which comply with the quality standard set by the MEUA and CFCU, thereby supporting a quick processing and consequently quick launch of the requested assistance.

With reference to MEUA's special role for the qualitative level of various project proposals yearly submitted to the EC, the Directorate of Project Implementation (DPI) has been tasked with the responsibility for implementing the SEI. In this role, the DPI receives and processes all SEI requests and, after acceptance, gives the green light to the CFCU for the related tendering, contracting and financial implementation. In order to ensure the effective utilisation of SEI funds, the DPI not only approves applications for SEI but also monitors the progress in the implementation of SEI funded actions. During the entire lifetime of each SEI funded action, however, the SEI key beneficiary who applied for the related support, is responsible for supervising and, if required, facilitating its implementation.

Concerning SEI, a ministry, institution or organisation can apply for six types of actions, each requiring a different application procedure (see chart below).

¹The terms "action" and "assignment" refer to the TA support funded by SEI and are used as synonyms throughout this document.



*) As of SEI 2010 there is a minimum threshold for all contracts under SEI of 5,000 euro. Smaller contracts are to be financed nationally, implying that the study visit facility will be phased out as it is not cost effective to operate this under DIS and alternatives exist (TAIEX).

In many cases, a SEI action will be implemented with the involvement of external experts who will fill the gap in the institutional expertise and who usually work jointly with the relevant staff of the beneficiary institution. Normally such support involves management advice, technical advice in specific areas of expertise, and/or training. When technical assistance is required such support is provided by private sector consultants, whilst in the case of twinning the support involves seconding of (semi-)public sector staff from EU member states. In all other cases, such as requests for SEI support for participation in events like workshops, seminars or conferences, or in case of organisation of stand-alone study visits, there is no need for technical assistance or twinning.

In order to decide which type of action matches the need for SEI support, the applicant institution should first of all check whether it needs technical assistance (TA), twinning support for an EU Member State or other support. It then needs to indicate the size of the SEI action in order to identify what type of supporting document it will have to submit.

Application Type A actions

Until recently, virtually all SEI actions requiring technical assistance were of this type. Application Type A actions are SEI actions which require less than 200,000 euro. The objectives of such relatively small-scale actions are in most cases straightforward and therefore do not require elaborate ToRs (as required for larger actions; see Application Type B actions). For Application Type A actions the applicant should prepare Specific ToRs².

² On the basis of the Specific ToRs, the CFCU launches the procedure for the procurement of services from selected framework contractors. For further details, see section 4 of the SEI Guidelines.

Application Type B actions

Application Type B actions are SEI actions with a contract value of 200.000 euro or more but less than 500.000 euro. These medium-scale TA projects require the submission of standard ToRs need to be drafted in accordance with the PRAG. In many cases such actions involve multiple components.

Application Type C actions

Application Type C actions are SEI actions which require 500.000 euro or more but less than 3.000.000 euro. As explained in section 1.2.3, for such actions a full Project Fiche must be developed based on the latest PF template.

Note that the related application procedure can be used for stand-alone (i.e. no related to a specific sector) projects with an institution building character and with a budget below 3 million euro through this procedure. Above this amount, applications for project support should follow the regular multi-annual and sectoral planning procedures.

Application Type D actions

As already mentioned above, this type of SEI action implies the secondment of (semi-)public administration staff from an EU member state to fill a certain gap in expertise of the applicant institution. As the requested support is below 250.000 euro, the application for SEI support should be done on the basis of a Twinning Light Project Fiche.

Application Type E actions

As with Application Type D actions, this type of SEI action implies the secondment of (semi-)public administration staff from an EU member state to fill a certain gap in expertise of the applicant institution. As the requested support is 250.000 euro or more, the application for SEI support should be done on the basis of a Standard Twinning Project Fiche.

Application Type F actions

As explained above, Application Type F actions are all other actions for neither TA nor twinning will be required. Such SEI applications relate mostly to participation in events like workshops, seminars or conferences, or in case of organisation of stand-alone study visits. This type of SEI actions are mostly small-scale. For these SEI application, a Justification Sheet should be filled in.

Framework Contract Procedure and Specific Terms of Reference

In all cases where short-term technical assistance is to be mobilised at short notice and the estimated contract value is below 200.000 euro, the Framework Contracting Procedure (FWC) should be used allowing for fast recruitment of experts. The quality

of this technical assistance is guaranteed by Framework Contractors who have been pre-selected for 12 thematic areas, or lots (see Box 1). The technical assistance will be provided for the exclusive benefit of those receiving the external aid.

Box 1: List of Lots

- Lot 1: Rural Development
- Lot 2: Transport and Infrastructures
- Lot 3: Telecommunications and Information Technologies
- Lot 4: Energy and Nuclear Safety
- Lot 5: Conferences
- Lot 6: Environment
- Lot 7: Governance and Home Affairs
- Lot 8: Health
- Lot 9: Culture, Education, Employment and Social
- Lot 10: Trade, Standards and Private Sector
- Lot 11: Macro Economy, Statistics, Public Finance Management
- Lot 12: Humanitarian Aid, Crisis Management and Post-Crisis Assistance

Framework Contractors may be requested to provide technical assistance at any stage of the programme/project cycle (see Box 2) and for any sector within a given lot³. Each

Framework Contractor disposes of the appropriate internal or external technical expertise and skills required for the lot for which it has been pre-selected.

Box 2: Expertise Common to All Lots⁴

The expertise offered by Framework Contractors cover the entire project cycle:

- a. programme / project identification, preparation / formulation,
- b. programme / project implementation,
- c. preparation of Terms of Reference (services) or technical annexes (works, supplies) or evaluation of offers (Procurement),

³ For more detailed information the CFCU's website (www.cfcu.gov.tr) or EC's website http://ec.europa.eu/europeaid/work/framework-contract/beneficiaries-2009/documents/1_1_guidelines_benef_2009_2_en.pdf.

⁴ With the exception of Lot 5, "Conferences", for which there are no overall expertise requirements.

- d. evaluation of grant proposals
- e. evaluations [ex-ante, interim, ex-post etc.], monitoring as well as a number of horizontal aspects:
- f. (cross-) sectoral policies / reforms,
- g. macroeconomics,
- h. public financial management,
- i. legislation, regulations, law enforcement,
- j. approximation of legislation,
- k. institutional building,
- l. training / research,
- m. awareness-raising, (incl. information / communication).

For the request of services of a Framework Contractor, the institution applying for SEI support should develop a Specific Terms of Reference (ToRs) describing the relevant objectives, the work and provisions for the related assignment.

HINT

In addition to the Specific ToRs, the applying institution should identify the relevant lot. Details of the sectors covered by each lot can be found in Annex 1.

The Specific ToRs must contain all the information necessary for the framework contractor to submit an offer to the user to check that the outputs received and accepted match those requested. The quality and, in particular, the clarity of the specific ToRs is critical for the quality of the offer and for the success of the assignment.

Special attention should be paid inter alia to the following aspects:

- The inputs must be realistic to achieve the required outputs and their cost should not exceed the budget fixed in the Request and the maximum budget allowed for the Framework contract.
- The inputs must be clearly defined (in quantity and quality) to allow the offers to be established and their comparison.
- The timing should be realistic and allow a) the contractor's quality control of the outputs and b) the Contracting Authority/beneficiary to make their comments and the framework contractor to integrate them.
- The outputs must be clearly defined and measurable.
- Requirements for expertise must be realistic and match the expert category. In particular, it is not allowed to ask from a junior expert to have such a level of experience that only a senior expert could satisfy such a requirement. The minimum number of years of experience as set in the global ToR for each by expert's category may not be changed through the specific ToRs.

The most important aspects of the Specific ToRs are:

- the context of the mission, identifying inter alia other key actors who can affect the mission (such as those for example who should be interviewed),
- the experts' profile and/or a description of the expertise required including the categories of expert(s) as well as the minimum required expertise,
- the required outputs;
- the methodology proposed for the assignment, including quantification of inputs;
- the start-up period;
- the date (or deadline) for submitting reports (including draft reports), taking into account the time for comments needed by the beneficiaries and/or the contracting authority;
- the date (or deadline) for submitting the final version;
- provisions regarding taxes and VAT in particular.

HINT

It's important to note that the Specific ToRs do not grant any derogation to the provisions set in the global ToRs. It is therefore advisable that, before drawing up the specific ToRs, to review the global ToRs.

The global ToRs can be downloaded from EC's website

http://ec.europa.eu/europeaid/work/framework-contract/beneficiaries-2009/index_en.htm.

This website also provides further details concerning Framework Contract arrangements.

The Specific ToRs should not exceed 15 pages. The annexes should be kept to a minimum. Indeed these, together with additional information deemed necessary for the execution of the mission, can be provided to the selected experts at the briefing session.

HINT

- The experts' inputs are always expressed in **working days**.
- The contractual periods, e.g. for carrying out the assignment, for submitting the report and comments etc., are expressed in **calendar days**.

NOTE ON TYPES OF SERVICE CONTRACTS

- A service contract may be purchased in two different ways:
- Global price - where specified outputs are defined. The service will be paid on the basis of the delivery of the specified outputs.
- Fee-based - where the output is unpredictable, or where the workload to achieve the specified output is impossible to quantify in advance. Therefore it is economically more advantageous to pay the services on the basis of time actually worked.
- In most cases the whole contract is defined as either a global price contract or a fee-based contract. For further information, please refer to EuropeAid's website .

Guidelines for drafting the ToRs

As explained above, the Specific ToRs are the core of any Specific Framework Contract (FWC). They are prepared on the basis of a standard model or template (see Box). The template includes a description of the assignment⁵ in terms of background, objectives, services and outputs. It moreover defines the profiles of the experts, the location and duration of the reporting.

Before starting to write the Specific ToRs, it is important to realise that there has been a clear reason why the usage of the SEI was contemplated at all. For instance in the case of support to Project Fiche drafting, the need for support from the SEI in many cases has been identified during the programming meetings, either in the identification stage or the Project Fiche development stage. So it may have been identified that there is a need for verifying the PF's coherence with strategic documents, for carrying out a specific type of analysis, for strengthening the planning framework, for checking the feasibility of the implementation arrangements, or for preparing project implementation documents. Whatever the reason, the point is that the identified need will give you a clear idea what the specific objective of the action should be as well as the services to be provided by the framework contractor.

⁵ The terms "action" and "assignment" refer to the TA support funded by SEI and are used as synonyms throughout this document.

Box

SPECIFIC TERMS OF REFERENCE

←action title→

1. BACKGROUND

2. DESCRIPTION OF THE ASSIGNMENT

- Global objective
- Specific objective(s)
- Requested services
- Required outputs

3. EXPERTS PROFILE or EXPERTISE REQUIRED

- Number of requested experts per category and number of man-days per expert or per category
- Profile per expert or expertise required:
 - Category and duration of equivalent experience
 - Education
 - Experience
 - Language skills
 Minimum required skills must be clearly identified.

4. LOCATION AND DURATION

- Starting period
- Foreseen finishing period or duration
- Planning including the period for notification for placement of the staff as per art 16.4 a)
- Location(s) of assignment

5. REPORTING

- Content
- Language
- Submission/comments timing
- Number of report(s) copies

6. ADMINISTRATIVE INFORMATION

- Interviews if necessary indicating for which experts/position
- When in the interest of the project, possible limits to subcontracting
- Language of the specific contract
- Request for a succinct methodology when needed
- Management team member presence required or not for briefing and/or debriefing
- Other authorized items to foresee under 'Reimbursable'
- For riders only : operational conditionality for intermediary payment if foreseen as per article 7.2 b) of the Special conditions
- Others

TIP

In general it is therefore advisable to start the drafting of the Specific ToRs not with the "Background" section (section 1), but with the sub-sections "Specific objective(s)" and "Requested Services" (under section 2).

Drafting Specific ToRs for SEI Actions

This section provides the reader with detailed Guidelines for the drafting of the Specific ToRs based on the official template. These guidelines in principle apply to all types of technical assistance required by Turkish ministries, public institutions and organisations from SEI to support them to fulfil their respective pre-accession roles and functions. Such assistance may for instance relate to PF drafting, needs and gap analysis, action plan drafting, strategy development, legal work, human resource development or institutional reform.

Considering that support for PF drafting is a key element of all support activities to strengthen the European integration process, the next sub-section will provide a number of [concrete examples of how certain items in the Specific ToRs could be completed](#) when institutions apply for this type of technical assistance.

1. Background

The general information must describe the background of the assignment, in particular:

- the stage of the project cycle (identification , formulation, implementation,...),
- beneficiaries involved,
- other project/programmes linked to the mission,
- the role of other donors.

Length: 1 - 2 pages.

2. Description of the Assignment

2.1. Global objective

Remember from the logical framework theory that the main outcome of the action is outlined in the Specific objective whilst the Global objective of the assignment is an objective to which the project only contributes. To put it differently: the Specific Objective is to be fully achieved upon completion of the assignment; the Global objective represents the impact of this achievement together with other actions which are not

part of the present assignment. For virtually all SEI assignments the global objective can be stated that:

The global objective of this assignment is to strengthen the capacities of the [relevant ministry, institution or organisation] in fulfilling its respective pre-accession roles and functions.

2.2. Specific objective(s)

Under this heading preferably only one single objective should be provided. It is important to note that the specific objective should provide an answer to the question: What will be the main outcome of the assignment when the assignment is completed by the Framework Contractor?

For SEI support to Project Fiche drafting the answer will probably be that a certain ministry, institution or organisation has been enabled to submit a Project Fiche that will be acceptable to the relevant Turkish and EU authorities. The specific objective in this case may be formulated as:

The specific objective of this assignment is to provide support to the [relevant ministry, institution or organisation] to develop the

Project Fiche [name of the Project] (henceforth referred to as "the Project Fiche") for inclusion in the National Programme 2013 under IPA Component I, Transition Assistance and Institution Building (TAIB).

This formulation covers in principle all assistance required for Project Fiche drafting ranging from support to the implementation of a single activity (e.g. conducting a base-line survey or a stakeholder analysis), and support to the implementation of a number of activities, to support to all activities required to develop a full-fledged Project Fiche.

Note that under this heading there is no need to be more specific as to the nature of the activities, the timing, etc. It may even

create confusion for the Contracting Authority (the CFCU) and/or the Framework Contractor for instance in case there is a discrepancy between the nature of activities to be carried out and the nature of the services described in the next section. On the other hand, if there is no discrepancy the elaboration is simply a duplication and therefore uncalled for.

Therefore, the exact nature of the assistance should not be given under the heading "Specific objective(s)" but should be detailed in the next section "Requested services".

2.3. Requested services

This sub-section should give clear answers to two questions: what should be done and how will this be done? In other words, the section should first of all clearly outline the services that need to be provided by the Consultant (i.e. the Contractor). But in addition, it is important to mention - and if required outline - the methodology to be used for the implementation of the requested services.

Identification of what the technical assistance should do

For the case of support to Project Fiche drafting, the need for involving external assistance in many cases is being identified during the programming meetings, either in the identification stage or the Project Fiche development stage. During these meetings it is often identified that there is a need for verifying the PF's coherence with strategic documents, for carrying out a specific type of analysis, for strengthening the planning framework, for checking the feasibility of the implementation arrangements, or for preparing project implementation documents. Whatever the reason, the identified need will give you a clear idea what the services you will be requesting from the framework contractor.

The services to be provided by the Consultant (i.e. the Framework Contractor) are in fact the activities to be carried out by the TA team to be fielded and are based on earlier of preparatory work carried by the relevant ministry, institution or organisation. They can be clearly identified if the potential beneficiary of the SEI support⁶ conducts an analysis of what it has already done itself, what it will do by itself, and what it will do with the support

⁶ With the potential beneficiary of the SEI support we mean the ministry, institution or organisation that applies for SEI support.

of earlier assistance. If the potential beneficiary is unsure about the validity of analyses and studies carried out in an earlier stage, it may request the TA team to verify the findings and amend them if necessary. The point is that the above analysis will avoid any undesirable duplication of earlier work and consequently stimulate the potential beneficiary to use its own and SEI resources effectively and efficiently. The analysis will also help the applicant ministry, institution or organisation to make a realistic estimation of the required inputs in terms of type of expertise and number of working days per expert.

As mentioned above, for the case of Project Fiche drafting assistance, the need for SEI support in most cases has already been identified during programming meetings. Besides, the checklist provided in the SEI Guide (see sections 2.1.1 and 2.1.2) will help the applicant for SEI support to inventory what work has already been done by the institution itself and to identify which

weaknesses or gaps yet need to be plugged in order to advance the development of the project and mature the related Project Fiche.

The services should be grouped under main headings each covering similar or related TA activities requiring the same expertise. This will make it easier to describe the expertise required and ensure that indeed all required expertise is identified.

As an example we review the progress that has been made in most cases when a project proposed by a Ministry has provisionally been accepted for inclusion in the next IPA I package (i.e. at the end of the identification stage). For this case, the checklist below provides a clear framework for identifying what type of work has already been done, what support may be carried by the TA and which activities the Ministry intends to do in order to fully conceptualise the project and complete the Project Fiche⁷.

⁷ Note that the indication of what has been done should be carefully reviewed. Also note that the specific choice of who should do what in the above example is fictitious and should therefore be subjected to a careful analysis by the applicant for SEI support.

Sample Checklist for Project Development and PF Drafting

Coherence	Activities (to be) carried out by the:	
	Ministry*)	TA Team
1. Analyse key issues to be addressed by the project	✓	
2. Analyse the proposed project's coherence with strategic documents	✓	
3. Conduct baseline data research – as required	●	
4. Other coherence check, namely		
Analysing	Ministry*)	TA Team
5. Identify key stakeholders and target groups	✓	
6. Assess institutional capacity issues and degree of local ownership	✓	
7. Conduct an initial problem and objectives analysis	✓	
8. Carry out a clear and appropriately structured problem and objectives analysis		●
9. Other analysis, namely		
Planning	Ministry*)	TA Team
10. Develop initial logframe matrix.	✓	
11. Develop detailed Logframe matrix , complete logframe with summary of means, OVIs, SOVs, assumptions/risks.		●
12. Provide detailed description of the objectives and results as well as related sets of activities with related outputs supporting the achievement of the identified results.		●
13. Elaborate detailed Indicative Project Budget by component and by contract (see PF template).		●
14. Elaborate detailed Indicative Implementation Schedule (periods broken down per quarter) in terms of contracts, start date of related tendering, anticipated date signature of contract, anticipated date of contract completion.		●
15. Provide an analysis of assumptions/risks, and a risk management plan.		●
16. Other planning, namely		●
Feasibility of implementation	Ministry*)	TA Team
17. Provide a description of the proposed management/coordination arrangements, which demonstrates how institutional strengthening and local ownership will be effectively supported	✓	
18. Provide an analysis of the project's financial and economic sustainability	✓	
19. Analyse cross-cutting issues – including gender, environment and human rights implications	●	●
20. Analyse relevant lessons learned and ensure that they are incorporated in the project design	●	
21. Analyse the project's coherence with current/ongoing initiatives	✓	
22. Conduct a cost-benefit analysis #)		●
23. Conduct an environmental impact assessment #)		●
24. Analyse the project's sustainability (in terms of finance, ownership)	●	
25. Conduct other feasibility analyses, namely		
Prepare project implementation documents	Ministry*)	TA Team
26. Prepare Terms of Reference for any consultants/TA to be involved in project implementation		●
27. Prepare Technical Specifications for the procurement of supplies under the project		●
28. Prepare Call for Proposals for the implementation of grant schemes		●
29. Other implementation documents, namely		

*) Legend: ✓ done ● yet to be done

#) Specifically for projects with an investment or supply component

In the above example the headings in white may be used to group related services in the Specific ToRs. So in case of planning, the related group of services could be described as follows:

Service 1: Complete the project planning

In the latest draft of the Project Fiche, the technical team identified all key stakeholders and provided an assessment of their institutional capacities. Based on an initial problem and objectives analysis, the technical team subsequently developed an initial logframe matrix.

In this context, the Consultant⁸ will be required to carry out the following tasks:

1.1 Review and complete the problem and objectives analyses.

1.2 Review and complete the development of the logframe.

1.3 Elaborate all identified objectives and results as well as related sets of activities for inclusion in the Project Fiche.

1.4 Propose a detailed indicative project budget by component and by contract.

1.5 Propose a detailed indicative implementation schedule.

1.6 Identify and analyse assumptions/risks.

HINT

It should be emphasized that in case the Ministry, institution or organization decide to outsource activities to a TA team (meaning to include them under "Required services") there is always a need to facilitate and supervise the implementation. Among other things, this implies that the SEI beneficiary in practice will be required to provide feedback to the TA team on intermediate outputs and participate in training or workgroup sessions – as required by the ToRs or agreed during the kick-off meeting (at the start of the assignment).

How should the assignment be implemented?

The specific ToRs may indicate a methodology to follow. It is not binding if, for example, the result to achieve is a study. Indeed it can occur in the course of the assignment that the foreseen methodology does not allow this contractual output to be delivered. In order to avoid addenda and micro-management, a methodology is deemed to be

indicative only.

The methodology may, however, impose some mandatory elements such as methodological tools to be used (requirements for facilitation, SWOT analysis, etc.), stakeholders to be met absolutely (key ministries or other entities), projects to visit etc. To verify this, the feedback of participants

⁸ The Consultant is the contractor who makes these services available through the fielding of experts as defined in section 3.

in the workshop organised by the TA, agenda and outline of workshops, visits, copies of business cards etc. may be required in the final report.

If justified by the complexity of the assignment, a methodology not exceeding 5 pages may be requested from the Consultant in the specific ToRs. It is to be submitted as part of the offer (see also section 6.3 of the Specific ToRs template).

2.4. Required outputs

It is essential that the expected outputs are accurately described (observable and measurable). This description can then be used to determine whether the framework contractor has delivered the requested outputs in conformity with the specific ToRs. It is therefore advisable that the required outputs have a 1-1 relationship with the services and tasks identified in the previous section. Moreover, the description allows you to define in further detail what you exactly expect from the TA. Present the outputs in a logical or sequential order.

In case of our example for Project Fiche drafting support, the following could be included under the heading "Required outputs" :

As regard to Service 1, the following outputs are anticipated:

1.1 Clear and appropriately structured problem and objectives analysis

"Background" section of the Project Fiche reinforced accordingly

1.2 Complete logframe with summary of means, OVIs, SOVs, assumptions/risks (see PF template)

1.3 Detailed description of the objectives and results as well as related sets of activities with related outputs based on standards set by the latest Project Fiche template

1.4 Detailed Indicative Project Budget by component and by contract (see PF template).

1.5 Detailed Indicative Implementation Schedule (periods broken down per quarter) in terms of contracts, start date of related tendering, anticipated date signature of contract, anticipated date of contract completion (conforming the PF template)

1.6 Analysis of assumptions/risks and related risk management plan.

3. Experts Profile or Expertise Required

The experts' categories are limited to three: junior expert, senior expert and administrative expert.

HINT

The minimum years of experience relevant to the lot are:

- 3 years for the Junior expert
- 10 years for the Senior expert

This number of years is set in the Framework contract (Global ToRs) and may not be changed in the specific ToRs. Any request for more years of experience is automatically void and only the contractual minimum of years indicated above applies.

Obviously, the expert proposed by the Framework contractor can have more years of experience.

HINT

An administrative expert may be required only in the context of the evaluation of Calls for proposals. His/her job is typically an administrative support to the team of assessors. The required experience should be limited to language and information technology (Word, Excel, etc.) skills.

3.1. Number of requested experts per category and number of man-days per expert or per category

The description must be clear, accurate and complete. Regardless of the type of Specific contract, the inputs must be indicated in terms of working days (exact amount, never in terms of "minimum" or "approximately") per category of expert.

NOTE

It is not authorised to leave it to the Framework contractor to determine himself in the offer which inputs he considers as necessary to deliver the requested outputs.

3.2. Profile per expert or expertise required:

The Specific ToRs may either:

1. describe the profile of the experts required on the basis of the definition in the global ToRs: (see example 1); or
2. describe the expertise required (see example 2); or
3. use a combination of both options (see example 3).

In the latter two cases, an indication of the anticipated number of experts must be given, in which case the framework contractor is responsible for proposing a team covering all the expertise required. The category or categories of experts required and the related input per category must be indicated in all cases.

Example 1:

- expert A: Senior category, covering areas of expertise a and b.
- expert B: Junior category, covering areas of expertise c and d.
-

Example 2:

A maximum of three Senior category experts, covering expertise w, x, y and z.

Example 3:

A maximum of three Senior category experts covering areas of expertise k, l and m and a Junior category expert covering area of expertise n.

A common expertise to all the experts (e.g. computer skills, linguistic knowledge) may be required.

HINT

- Unless otherwise indicated in the specific ToRs, the framework contractor must designate the expert who will be the Team Leader.
- An expert or part of a team of experts of a specific gender may not be requested (apart from in exceptional cases justified by the particular conditions in a given project).

The ToRs must clearly define and identify the minimum skills required from each expert or from the team. Any offer which does not cover these skills will be declared non eligible for further examination. The description of each expert may be split into four parts:

- (1) Category,
- (2) Qualifications and skills (including minimum level of education),
- (3) General professional experience, and
- (4) Specific professional experience.

Here is an example of a description for a senior expert in the field of indirect taxation:

Key Expert 1: Team Leader

Category: Senior

Qualifications and skills:

- Bachelor degree in public finance or, in the absence of this, 10 years experience in public finance.
- Masters or PhD degree in public finance will be an asset.
- Full computer literacy.
- Good command of spoken and written English.

General Professional Experience:

- Minimum 10 years of working experience in the area of indirect taxation.

Specific Professional Experience:

- At least 3 years of experience in activities and/or projects that involved transposition and/or enforcement of the indirect taxation acquis;
- At least 5 years experience in applying techniques related to project development (specifically LFA, SWOT, project fiche and/or ToR drafting, etc.)
- Good knowledge of EU PRAG rules.

In case of a team of experts, a minimum requirement for the team as whole may be stated, e.g.:

The minimum requirement for the team as a whole are:

- At least one team member should have 3 years experience in project cycle management in pre-accession countries;
- At least one member of the team should have good knowledge of the relevant institutional environment in Turkey.

LOCAL EXPERTISE

It is strictly forbidden to make a distinction/discrimination between local, international, EU experts etc. for instance by requiring that the expert has good knowledge of Turkish. All experts of eligible nationality must be treated equally in terms of access to any function specified in the specific ToRs. If a particular area of expertise related to specific local conditions is necessary for implementation of a given assignment, the specific ToRs may indicate this requirement by means of technical, objective, transparent and non-discriminatory criteria.

E.g. : knowledge of national institutions, of the local context etc.

If any communication, reading or writing will have to be in Turkish, the Specific ToRs should add the possibility of procuring interpretation and/or translation services. These service costs will be added to the fees for the purpose of the financial evaluation.

The respective weights for the different types of expertise required for the assignment will be reflected in the evaluation grid (see the Annex for an example). Note that skills or experience considered an asset provide important information for the Consultant to select the right candidate(s) but may not be included in the evaluation grid.

KEY EXPERTS

There is no distinction between key and non-key experts for the purposes of the framework contract. All the experts must be identified (profile or expertise) in the specific ToRs and must be proposed, evaluated and form part of the initial contract. However, regarding the text of the "Statement of exclusivity and availability", part of the PRAG annexes, all experts contracted through a Specific contract are considered as key experts.

4. Location and Duration

4.1. Starting period

Here it's appropriate to state

The indicative starting date for the assignment is [month, year].

Under normal conditions, the assignment could start around 13 weeks after the Specific ToRs have been submitted to the Min-

istry for European Union Affairs for approval⁹. With the new online application system, it is anticipated that the inauguration of a specific assignment will be facilitated due to a shortening in the evaluation period within the relevant institutions.

4.2. Foreseen finishing period or duration

Remember durations should be stated in calendar days, so for instance:

The duration of the assignment is foreseen as 152 calendar days.

4.3. Planning

The planning to be outlined here by the institution applying for SEI support should be presented in a plain way following the logical sequence for the implementation of the requested services and the related TA activities and outputs. It includes:

- the assignment start-up period: the date when experts are mobilised may be finalised in writing after the specific contract has been signed;
- the stages of the assignment;
- the performance periods specified for each expert, particularly if the performance periods are not continuous;

- the period of the briefing/debriefing meetings;
- the submission and the approval of the final report define the end date of the assignment.

Consider the following example:

The TA team will have an initial briefing meeting with the participation of the representatives [of relevant institutions, sections, etc.] at the beginning of the assignment (the so-called "kick-off meeting"). The first part of the mission should furthermore include initial discussions and analyses, followed by an interactive analysis of problems and objectives, and a review of the related parts in the Project Fiche.

⁹ Please refer to "SEI Guidelines", section 4, for a description of the lifecycle of a typical SEI action based on the FWC procedure.

The second part of the mission should cover the implementation of the remaining services of the technical assistance.

Five days should be reserved at the end of the assignment for finalisation and presentation of final documents during a workshop with the senior management of the beneficiary.

Work-plan, time- and location management, organisation of the team members, allocation of the duties among the experts for the efficiency and success of the assignment and reporting is the responsibility and duty of the Team Leader, on behalf of Consultant. At the beginning of the assignment, the Consultant should prepare and submit a detailed work schedule and sequencing of inputs for successful completion of the assignment.

Note that it should be clearly stated here how many journeys/missions per expert are anticipated, specifically in case the number of per diems is not equal to the number of calendar days indicated under the duration of the assignment. The number of journeys should properly reflected in the budget.

4.4. Location(s) of assignment

The location of the assignment is usually specified as Turkey, and the city (e.g. Ankara).

5. Reporting

For each sub-section under this heading, we provide example texts which may be taken as a starting point, but should be amended to fully meet the specific reporting requirements of the project under consideration.

5.1. Content

The following text may be considered useful here:

The Contractor shall submit the Final Report which should reflect the outcome of all activities prepared by the framework contractor.

The report should also give recommendations for further activities to be carried out in order to secure a long term feasible and sustainable development of the measure.

All relevant technical papers, reports, and other documents prepared from the start to the end of the assignment shall be attached to Final Report.

The Consultant shall submit the report in both hard copies and electronic version readable by a Microsoft Office application.

5.2. Language

All outputs must be in English. In addition, the Consultant may be required to submit the ap-

proved outputs in Turkish. For that purpose, reimbursable funds need to be allocated.

5.3. Submission/comments timing

This includes the timetable for the reports which must indicate the following submission deadlines:

- for the draft report(s);
- for the comments by the beneficiary and/or contracting authority;
- for the amended final report.

For instance:

The Final Report shall be submitted not later than 14 days after the completion of the activities.

Final report must be approved by the

Contracting Authority with the agreement of the [beneficiary]. The Consultant shall consider the comments of and necessary revisions proposed by the Beneficiary and the Contracting Authority. Within 14 days from the receipt of the comments or modification proposal from the Beneficiary and the Contracting Authority, the consultant shall prepare and submit the final versions of the report. If no comments or proposed modifications are received from the related parties within 14 days after the submission, the report will be considered tacitly approved.

5.4. Number of report(s) copies

The following text is fairly standard, but should be amended as required:

The consultant shall submit the final report with 2 copies for the [beneficiary], 1 copy for CFCU, 1 copy for EUD and 1 copy for MEUA.

6. Administrative Information

6.1. Interviews if necessary indicating for which experts/position

In general, the evaluation of experts is conducted on the basis of their CVs if required complemented with information obtained from the references and therefore **Interviews are not foreseen** (rather than n.a. or not applicable) will do. However, if interviews are really needed they can be organised.

6.2. When in the interest of the project, possible limits to subcontracting

A framework contractor normally is a Consortium consisting of various consultancy firms pooling their experience and expertise. In many cases they have developed an elaborate network of experts whose services they can deploy on request. This pool of experts is considered as part of the Consortium. Only in case of specifically specialised expertise, a Consortium may only be able to find the required expertise with the involvement of a firm that is not part of the Consortium which is then considered as "outsourcing" or "subcontracting".

In virtually all cases the expertise available to the Consortium is sufficient, so that Subcontracting is not foreseen will be appropriate. In case of doubt, the CFCU should be consulted.

6.3. Language of the specific contract

The language of the specific contract is **English** is the standard formulation for all framework contracts under SEI.

6.4. Request for a succinct methodology when needed

The evaluation of the proposal of each framework contractor requested by the CFCU to submit a proposal consists in virtually all cases of the evaluation of the ex-

perts followed by an evaluation of the financial offer. In all these cases **No methodology is requested** should be the text here.

However, as mentioned under 2.3, the specific ToRs may indicate a methodology to follow. Yet, if justified by the complexity of the assignment, a methodology not exceeding 5 pages may be requested in the specific ToRs. It is to be submitted as part of the offer. The reader is referred to `SEI Actions in Practice` for examples of methodologies applied in recently implemented SEI actions.

6.5. Management team member presence required or not for briefing and/or debriefing

The Management Team is a team set up by the Consortium to manage the deployment and implementation of the services in line with the provisions in the framework con-

tract. The presence of a Management Team Member is normally not required for the briefing (or kick-off meeting) or the debriefing (meeting at the end of the assignment).

6.6. Other authorized items to foresee under 'Reimbursable'

Considering the nature of the assistance provided through a FWC, the lion's share of the budget relates to remuneration of TA experts. Besides these fees, experts are normally required to travel, stay in hotels, etc. This subsection should clearly describe which costs may be reimbursed. In most cases the following formulation will suffice:

The budget should include (1) fees and (2) reimbursable expenses. Office accommodation for each expert and all necessary equipment including computer facilities

(such as laptop, printer etc.) shall be covered by the Consultant within the fees of the experts.

The reimbursable costs shall include: (1) per-diems, (2) international travel, and (3) translation, interpretation services. The Consultant must include a fixed amount of $[(5)+(6)+(7)+(8)]$ euro in the offer.

For the calculation of the reimbursable budget, the reader is referred to the next section.

6.7. For riders only: operational conditionality for intermediary payment

Generally, not required to be elaborated in Specific ToRs for the SEI.

6.8. Others

Here is an example of an introductory text that has become fairly standard under this heading, which however does not imply that it cannot be changed:

The Consultant shall ensure that the expert is adequately supported and equipped. In particular the Consultant shall ensure that there is sufficient administrative, secretarial and interpreting provision to enable the expert to concentrate on their primary responsibilities. The expert is required to bring his/her own computer/laptop.

The beneficiary of this contract is the MEUA. The CFCU is the Contracting Authority and will be responsible for all procedural aspects of the tendering process, contracting matters and financial management, including payment of contract activities.

Also under this heading information is to be provided concerning Publicity and Visibility. The following text has become the accepted standard :

Publicity and Visibility

The Consultant shall take all necessary measures to publicize the fact that the European Union has financed the Program.

In addition, the Consultant shall take the necessary measures to ensure the visibility of the European Union financing or co financing. These measures must comply with the rules laid down and published by the Commission on the visibility of external operations: http://ec.europa.eu/europeaid/work/visibility/index_en.htm.

All projects /contract implemented under this programme shall comply with the Visibility Guidelines for European Commission Projects in Turkey published by the EU Delegation to Turkey, at http://www.avrupa.info.tr/AB_Mali_Destegi/Gorunurluk,Visi.html .

All communication and visibility activities should be carried out in close co-operation with the CFCU. The CFCU is the main authority in charge of reviewing and approving visibility-related materials and activities. Before initiating any information, communication or visibility material and activity, consultants and implementing partners should seek the approval of the CFCU in writing.

The EU-Turkey cooperation logo should be accompanied by the following text:

“This project is co-financed by the European Union and the Republic of Turkey.”

Whether used in the form of the EU-Turkey cooperation logo for information materials or separately at events, the EU and Turkish flag have to enjoy at least double prominence each, both in terms of size and placement in relation to other displayed logos and should appear on all materials and at all events as per the Communication and Visibility Manual for European Union External Actions. At visibility events, the Turkish and the EU flag have to be displayed prominently and separately from any logos.

Logos of the beneficiary institution and the CFCU should be clearly separated from the EU-Turkey partnership logo and be maximum half the size of each flag. The logos will not be accompanied by any text. The CFCU and beneficiary logo will be on the lower left-hand corner and lower right-hand corner respectively. The consultant logo with the same size will be in the middle of the CFCU and beneficiary logo. If the consultant is a consortium, only the logo of the consortium leader will be displayed.

Any publication by the Consultant, in whatever form and by whatever medium, including the Internet, shall carry the following or a similar text: **“This document has been produced with the financial assistance of the European Union”**. In addition, the back cover of any such publications by the Consultant should also contain the following disclaimer: **“The contents of this publication is the sole responsibility of name of the author/Consultant/implementing partner – and can in no way be taken to reflect the views of the European Union”**.

Calculation of Indicative Budget for a SEI Action

For the calculation of the indicative budget for a SEI action including fees and reimbursables, the following breakdown should be applied:

Indicative budget (in euro)

Item	Unit rate (in euro)	Number of units	Sub-total (in euro)
Fees to Consultant			[1]+[2]+[3]
Senior Expert	(3)	[number of wd]	[1]
Junior Expert	(3)	[number of wd]	[2]
Administrative	(3)	[number of wd]	[3]
Reimbursables			[5]+[6]+[7]+[8]
Per diems ⁽¹⁾	137 [TR;10/2011]	[nr nights in situ]	[5]
International travel	[check prices]	[lumpsum]	[6]
Translation, interpretation services	[check prices]	[lumpsum]	[7]
Other(2)	[specify]	[specify]	[8]
		Total	ΣEuro

1) For Turkey in October 2011. For the latest per diem rates for Turkey or elsewhere, refer to http://ec.europa.eu/europeaid/work/procedures/implementation/per_diems/index_en.htm.

(2) Includes items such as expenses for study tours (if part of the services to be provided, see section 2.3), local travel of TA experts not covered by per diems, etc.

(2) The unit rates to be applied here depend on the lot from which the expertise will be drawn (see table below).

**Average fee per category per lot
Framework contract Beneficiaries 2009**

	Senior	Junior	Administrative expert
Lot	Fee (€)	Fee (€)	Fee (€)
Lot 1	920	633	192
Lot 2	1.033	648	
Lot 3	997	690	
Lot 4	1.146	775	
Lot 5	953	623	226
Lot 6	953	659	177
Lot 7	1.007	703	196
Lot 8	931	613	203
Lot 9	973	655	237
Lot 10	1.062	675	
Lot 11	930	609	
Lot 12	992	662	205
Average over all Lots	992	662	205

Source:

http://ec.europa.eu/europeaid/work/framework-contract/beneficiaries-2009/index_en.htm

Annex

Annex : Evaluation Grid [example]

Evaluation Grid (example)

	Maximum score	Actual score
Expert 1: Team Leader (Max. 40 points)		
• Qualifications and skills	10	
• General Professional Experience	10	
• Specific Professional Experience	20	
Expert 2: Software and Network Specialist (Max. 35 points)		
• Qualifications and skills	10	
• General Professional Experience	10	
• Specific Professional Experience	15	
Expert 3: Hardware Specialist (Max. 25 points)		
• Qualifications and skills	5	
• General Professional Experience	10	
• Specific Professional Experience	10	
TOTAL SCORE	100	



**REPUBLIC OF TURKEY
MINISTRY FOR EUROPEAN UNION AFFAIRS**

Mustafa Kemal Mahallesi 2082. Cadde No: 4
06800 Bilkent / ANKARA
Phone : 0312 218 13 00
Fax : 0312 218 14 71

www.ab.gov.tr