Sarajevo, 20 June 2022

**INVITATION TO EXPRESSION OF INTEREST**

**FOR CANDIDATE ENTITIES TO BE ENTRUSTED WITH THE IMPLEMENTATION OF IPA 2020 support in the sector of EMPLOYMENT:**

**“EU4EMPLOYMENT** in **Bosnia and Herzegovina”**

The European Union (EU) will support the sector of employment in Bosnia and Herzegovina (BiH) through a programme with the overall objective to contribute to improving socio-economic situation and living conditions BiH. In specific terms, it is to increase employment opportunities for youth, rural women and vulnerable groups in Bosnia and Herzegovina.

In that respect, the Delegation of the European Union to BiH, building on the suggestions of BiH’s authorities, is looking into possibilities for indirect management with eligible entities to implement the part of the Instrument for Pre-accession Assistance (IPA II) for year 2020 in a view of potentially entering into formal negotiations leading to the signature of an Indirect Management Contribution Agreement in the course of 2022.

**Legal bases and considerations:**

The financial rules applicable to the Union budget, specifically Articles 62 (1) (c) and 154 of Financial Regulation (EU Euratom) No 2018/1046 from 18 July 2018, Regulation (EU) No 231/2014 from 11/03/2014, establishing an Instrument for Pre-accession Assistance (IPA II), Articles 1 (4) and 5 (4) of the Regulation No 236/2014 from 11/03/2014 laying down common rules and procedures for the implementation of the Union's instruments financing external action, allow for a possibility for the Union's financial assistance to be implemented indirectly by entrusting budget implementing tasks to among others, international organisations as well as their agencies and Member States agencies.

This invitation to expression of interest aims at identifying entities which could be, later on, invited to negotiations on a potential subsequent entrustment of the Union's budget implementation tasks (BIT) in respect to specific action of the Annual Action Programme for Bosnia and Herzegovina for year 2020 in employment sector **“EU4EMPLOYMENT in** **Bosnia and Herzegovina”**. The organisation in expressing an interest to this consultation does not commit itself. At the same time, the European Commission reserves the right to take its final decision on the delegated actions upon its discretion.

*A budget implementation tasks (BIT) means that the entrusted entity is responsible for:*

* *Implementation of grant award and of procurement procedures*
* *Award decisions for grants and procurement – complementary decisions to reject the other applicants and tenderers;*
* *Implementation of contracts: signature of legal commitments, authorisation of payments and recoveries, audits and follow-up*
* *Implementation of financial instruments*
* *Implementation of Technical assistance*
* *Treasury and accounting.*

**IPA II Action context**

IPA II context

**This invitation includes the following annexes:**

**Annex I Brief description of the Action “EU4EMPLOYMENT in Bosnia and Herzegovina”**

**Annex II Eligibility Criteria**

**Annex III Standard template for assessing potential applicants responding to a consultation process for expression of interest**

**Annex IV Evaluation grid**

**ANNEX V Responsibilities of the entrusted bodies under Indirect Management according to Articles 62, 154, 156 and 157 of Financial Regulation (EU Euratom) No 2018/1046 from 18 July 2018**

**IPA II context**

The overall objective of the IPA Annual Action Programme for Bosnia and Herzegovina for year 2020, related to the employment sector “EU4EMPLOYMENT in Bosnia and Herzegovina”[[1]](#footnote-1), is contribute to improving socio-economic situation and living conditions BiH. The specific objective is to increase employment opportunities for youth, rural women and vulnerable groups in Bosnia and Herzegovina.

The foreseen Action could be implemented by the Entrusted entity/Delegated body (with its implementing partner(s) and/or sub-delegate(s), if any) which has the highest competences and specialisation in this given area and has a proven track record in EU Member States, candidate and potential candidate countries.

**Responsibilities of the future entrusted entity:**

The Entrusted entity[[2]](#footnote-2) shall be responsible for implementing the envisaged Action planned under the IPA Annual Action Programme for Bosnia and Herzegovina for year 2020, related to the employment sector “EU4EMPLOYMENT in Bosnia and Herzegovina”, which includes the tasks described in Annex I.

The Entrusted entity shall be responsible for the overall administration of all the tasks required to implement the above *Action,* among others, preparation, implementation and conclusion of procurement contracts, and management of corresponding expenditures, as well as providing for respective technical assistance. The entrusted Entity/Delegated body will also be responsible for lead coordination amongst its implementing partner(s) and/or sub-delegate(s), if any. It will participate in coordination meetings and other jointly organised common activities with the European Union.

In performing the *Action* entrusted to it, the Entrusted entity may not carry out tasks involving a large measure of discretion implying political choices and it may not set nor modify the primary objectives of the activities as described in Annex I, without the consent of the European Union. The entrusted entity (with its implementing partner(s) and/or sub-delegate(s), if any) is envisaged to directly provide technical assistance with its own staff, which should be indicated. In case that the outsourcing would be needed, the entrusted entity (with its implementing partner(s) and/or sub-delegate(s), if any) will recruit local and where relevant, international experts. The financing of the Action shall be done by the European Union as prescribed in the Financing Decision. A flat rate of **up to** a maximum 7% administrative cost is applicable to all Indirect Management Contribution Agreement contracts and will be subject to further discussions and negotiations.

**Selection process:**

**Submission Requirements**: Interested entities are invited to submit their proposals to this Expression of Interest by replying to the questions mentioned under **Annexes II & III.**

The latter should be sent by email to the following e-mail address [DELEGATION-BOSNIA-AND-HERZEGOVINA-EU4Employment@eeas.europa.eu](mailto:DELEGATION-BOSNIA-AND-HERZEGOVINA-EU4Employment@eeas.europa.eu) **by Monday, 1st August 2022, 17:00hrs, CET, at latest.**

**Any questions related to this Expression of Interest** should be addressed to the EU Delegation by email to the e-mail address [DELEGATION-BOSNIA-AND-HERZEGOVINA-EU4Employment@eeas.europa.eu](mailto:DELEGATION-BOSNIA-AND-HERZEGOVINA-EU4Employment@eeas.europa.eu) **not later than Monday, 4th July 2022, 12:00hrs, CET.**

All replies to the questions related to this Expression of Interest received within the deadline specified above, will be published on the website of the Delegation of the European Union to Bosnia and Herzegovina, section "Tenders and funding", sub-section "EU Delegation tenders" under the link to this Expression of Interest.

The organisations that would respond to this Expression of Interest will be assessed along a transparent set of criteria mentioned below. The best-placed entity will be invited to start negotiations, potentially leading to a Contribution Agreement. The selection would be made from responses to this notification.

The selection of the entities under indirect management should not to be compared with, and does not constitute, a full competitive procedure. However, the present Invitation to Expression of Interest with all potentially eligible/interested entities ensures a transparent selection process on objective grounds.

The potential Contribution Agreement signature is expected in the course of 2022, following a negotiation procedure.

More information on the type of arrangements for managing the EU projects (referred to as ‘**management modes’**) is available on the EU website

<https://ec.europa.eu/europeaid/funding/about-funding-and-procedures/how-do-we-offer-funding_en>

**Annex I – Brief description of the Action “EU4EMPLOYMENT in Bosnia and Herzegovina”**

*The overall objective* of the IPA Annual Action Programme for Bosnia and Herzegovina for 2020, related to the employment sector “EU4EMPLOYMENT in Bosnia and Herzegovina”, is to improve the socio-economic situation and living conditions BiH.

*The specific objective* of this Action is to increase employment opportunities for youth, rural women and vulnerable groups in Bosnia and Herzegovina

*The foreseen* Output *is* Support to effective and targeted active labour market measures for youth, rural women and vulnerable categories of unemployed (long-term unemployed, persons with disability and Roma) by all levels of authority.

*Activities* envisaged achieving the Output:

* A 2.1 Implementation of improved programmes of volunteering, internship, training, self-employment (and start-up), employment with a known employer or other youth programmes,
* A 2.2 Assessment and analysis of preconditions for the implementation of youth guarantees with recommendations,
* A 2.3 Analysis of labour needs for retraining and additional training in accordance with labour market requirements (for long-term unemployed and hard-to-employ categories),
* A 2.4 Support to retraining and additional training programmes in accordance with the results of the abovementioned analysis,
* A 2.5 Implementation of programmes of motivation for long-term unemployed and raising their competences for faster inclusion in the labour market,
* A 2.6 Implementation of programmes for the economic empowerment of women in rural areas,
* A 2.7 Improvement of cooperation between public employment services and centres for social work in support of vulnerable categories of unemployed (children/youth without parental care, persons with disabilities, multi-member families whose family members are beneficiaries of financial assistance or allowances for assistance and care of another person, victims of family violence, victims of trafficking in human beings, youth with maladjusted behaviour and socially unacceptable after leaving care, after serving their sentences and hard-to-employ categories), and
* A.2.8 Awareness raising of the Roma population in relation to activation in the labour market, in cooperation with Roma associations.

**Intervention logic**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | **OBJECTIVELY VERIFIABLE INDICATORS** | | | | **SOURCES OF VERIFICATION** |
| **OVERALL OBJECTIVE(S) / (IMPACT(S))** | **INDICATOR's NAME** | **BASELINES** | **MILESTONES** | **TARGETS** |
| To contribute to improving socio-economic situation and living conditions BiH | Employment rate (15-64) total/gender (%) |  |  |  | BHAS |
| **SPECIFIC OBJECTIVE(S) / OUTCOME(S)** | **INDICATOR's NAME** | **BASELINES** | **MILESTONES** | **TARGETS** | **SOURCES OF VERIFICATION** |
| To increase employment opportunities for youth, rural women and vulnerable groups | Percentage of newly employed persons from targeted groups | 2018  (0) | (2024)  7% | (2027)  16% | Reports from Agency for Statistics of BiH (BHAS)  Public Employment Services data |
| **OUTPUT** | **INDICATOR's NAME** | **BASELINES** | **MILESTONES** | **TARGETS** | **SOURCES OF VERIFICATION** |
| Support of effective and targeted active labour market measures for youth, rural women and vulnerable categories of unemployed (long-term unemployed, persons with disability and Roma) | Number of employed youth, rural women and vulnerable categories of unemployed (long term unemployed, persons with disabilities and Roma) | (2019)  0 | (2024)  150 | (2027)  500 | BHAS (youth data)  Public Employment Services data |
| Number of unemployed youth, rural women and vulnerable categories of unemployed (long term unemployed, persons with disabilities and Roma), which benefited from implementation of these methods in respective local employment bureaus | (2019)  0 | (2024)  500 | (2027)  1000 |
| Number of implemented programmes | (2019)  0 | (2024)  3 | (2027)  5 | Public Employment Services data |
| Number of Roma included in awareness raising in the labour market | (2019)  0 | (2024)  500 | (2027)  800 |

**Location:** Bosnia and Herzegovina countrywide

**The Action office:** Due to the complexity of fields of interventions and multi-layered structure of stakeholders, it is expected that the Entrusted entity/Delegated body will ensure Action office(s) (of a reasonable standard and appropriate space for the project teams) in, at least one administrative centre in the country.

**Indicative implementing period:** Q4 2022 – Q4 2025

**Rationale**

In IPA II’s Sector of education, employment and social policy, key problems that need to be addressed are: high unemployment (especially of young people, women, long-term unemployed and Roma), modernisation of the education system in terms of a better response to the demands of the labour market, further development of the social protection system and monitoring of the needs of vulnerable categories.

Labour market institutions and employment services have insufficient capacities for efficient implementation of active labour market measures. This results in inadequate coverage of the unemployed by the same measures (youth, long-term unemployed, hard-to-employ categories of unemployed, rural women, vulnerable categories of women and Roma). Furthermore, the centres for social work and other institutions in the social protection system have limited capacities; non-institutional forms of social protection and integrated social protection model in the local community also face the same obstacles.

The major challenges for the labour market in Bosnia and Herzegovina are: (i) a low level of job creation in the formal labour economy and (ii) a low capacity to attract more people into the formal labour market. In addition, the labour market requires improvement in the quality of education and youth preparedness. Another issue is the existence of “not employable” labour force due to their low level of education, underdeveloped skills and other similar issues. The employment rate is still extremely low, almost half of the level of the EU's. This is mainly due to the low labour force participation in economically active age groups, as well as very high unemployment rates, especially among young people. In addition, strengthening the economic and investment climate will result in new job opportunities, economic development and further job creation.

The capacity of Public Employment Services (PESs) to provide professional and quality services to its clients, firstly to the unemployed and to employers, needs to be further developed. In addition to the 137 public employment services at the local level, Employment institutes also exist in FBiH, RS and BD BiH. PESs have already had several rounds of training on mediation and advisory work with clients, which helped to introduce modern service delivery with a greater focus on clients, and not just on maintaining the evidence register of unemployed. Given the problems, burdening the labour market, further modernization and better service delivery is required, with a focus on work with unemployed persons, employers, local communities, education institutions and others.

In accordance with existing legislation and regulations, active labour market policies are developed by the employment institutes of: the Federation of Bosnia and Herzegovina, Republika Srpska, and Brcko District of Bosnia and Herzegovina, and implemented by the PESs. These institutions recognized that a monitoring of implemented active labour market policies needs improvement in terms of better planning, targeting and lasting impact. So, capacity of labour market institutions in this respect needs to be further strengthened and developed to increase effectiveness and to contribute to the growth of employment.

**Implementation arrangements**

**The Action** will be implemented through a Contribution Agreement for indirect management. The entrusted Entity/Delegated body will be responsible for managing the overall Action (including coordination with its partner(s) and/or sub-delegate(s), if any) which will include the combination of grants support (app. 80% of the EU contribution) and technical assistance.

Relevant institutions competent for labour and employment will be included in the implementation of the proposed activities. Should it be necessary, other institutions relevant to the achievement of the planned activities will be included in the implementation. The role and responsibilities of the institutions that will be involved in the implementation will be in accordance with their respective mandate.

In line with standard practice, in the initial stage of project implementation, the Entrusted entity/Delegated body will establish the Project Steering Committee whose role, amongst other, will be to monitor the progress of Action implementation, provide advice, and include main institutional stakeholders in accordance with common practice under the chair of the EU Delegation to BiH. The capacities of existing sector coordination and working groups may also be considered for use in this regard. The administrative and logistics support to these structures is to be provided by the Action.

Rights and obligations of the Steering Committee members will be prescribed by the Rules of Procedure to be developed at the start of implementation, with the final goal to enable full commitment and ownership of BiH in this Action. Tentative list of the members of Steering Committee for implementing the results should include: Ministry of Civil Affairs of BiH, Ministry of Labour and Social Policy of FBiH, Ministry of Labour and Veterans of RS, Cantonal ministries for labour of FBiH, Responsible department of Government of BD BiH, Labour and Employment Agency of BiH, Federal Employment Institute and Cantonal PES in FBiH, PI Employment Institute of RS, and Employment Institute of BD BiH.

The EU Delegation to Bosnia and Herzegovina will be responsible for the overall management and implementation of the Action under the direct management mode.

*On Customs and VAT exemption under IPA II*: it is expected that the Entrusted entity will also develop this particular aspect, for the grant management component in particular, in its reply to this Expression of Interest. That should include the proposed methodology of work and internal mechanisms for communication and dealing with all relevant parties (grantees, competent institutions in BiH etc.) and procedures on customs and VAT exemption under IPA II (available at the website of the competent authority in BiH i.e. Indirect Taxation Administration of BiH: [www.uino.gov.ba](http://www.uino.gov.ba)). It should cover information and awareness raising on these procedures for potential applicants to the calls for grants, assistance and advice to grantees during implementation of their grants etc. The entrusted Entity/Delegated body should deal with requests for customs and/or VAT exemption, where applicable, including checks and verification before submission to the EU Delegation of BiH for issuance of relevant certificate. The entrusted Entity/Delegated body should be the key/only point of contact for all communication on this aspect with the EU Delegation to BiH.

**Annex II - ELIGIBILITY CRITERIA**

1) The actors:

Eligibility of the potential entities for a Contribution Agreement is conditioned to the new Pillar Assessment, which is requested by the EU under the Financial Regulation (EU Euratom) No 2018/1046 from 18 July 2018. The potential Entrusted entity submitting the expression of interest should be:

1. An International Organisation as defined by Article 62 (c) (ii) within the meaning of Article 156 of the EU Financial Regulation [[3]](#footnote-3) whose pillars have been positively assessed for Budget Implementation Tasks (BIT) by the European Commission; or
2. EU Member State organisations.[[4]](#footnote-4)

The pillar-assessed Entrusted entity (as a coordinator) may work with implementing partner(s) and/or *exceptionally,* pillar assessed sub-delegate(s), to demonstrate the experience in the relevant sectors specified below.

The Action will be implemented through a Contribution Agreement for indirect management, and, thus, all Partners have to be pillar assessed.

2) Technical capacity

1. *The potential Entrusted entity or at least one Implementing partner* have to demonstrate their presence in the country;
2. *The potential Entrusted entity* has to demonstrate capacity for managing large scale interventions, which should combine technical assistance and grants to ensuring transparency of the grant award and management procedures) with at least one project implemented and completed in the past 10 years (06/2012-06/2022), in an EU member state or EU candidate countries or EU potential candidate countries;
3. *The potential Entrusted entity* and *implementing partner(s)* should demonstrate sectoral competences, either individually, or, in partnerships, with at least one similar project (capacity building and/or grants) implemented in the sector of employment, which relate to introduction and implementation of active labour market measures for youth, rural women and vulnerable categories of unemployed (long-term unemployed, persons with disability and Roma), capacity building of the labour market and social work institutions, economic empowerment of women, working with Roma population in relation to activation in the labour market, and completed in the past 10 years (06/2012-06/2022) in an EU member state and/or EU candidate countries and/or EU potential candidates *(please provide a complete list of relevant projects, with title, scope, duration, amount, source of funding and results achieved).*

**The potential applicants, which pass the eligibility criteria, shall be assessed further as per selection criteria specified in Annex III.**

**Annex III – Standard template for assessing potential applicants responding to a consultation process for expression of interest**

**1. CONTEXT**

* **Introductory part:**

1. Country / Project/Programme Title: **Bosnia and Herzegovina/ “EU4EMPLOYMENT in** **Bosnia and Herzegovina”**
2. Sector: **Employment**
3. Short description of the project/programme and its general objectives: **Please refer to Annex I of this Expression of Interest**
4. EU programme amount / other contributions (if any): **EU Programme – allocation of EUR 4 million**

* **For the potential Entrusted entity – To be filled in by the entity replying to the Expression of interest:**

1. Name of potential Entrusted entity and implementing partner(s) and/or sub-delegate(s), if any (in case that any sub-contracting may be foreseen, please indicate possible/envisaged arrangements and for which Action's part accordingly)
2. Presentation of foreseen division of roles within the partnership between potential entrusted Entity, implementing partner(s) and/or sub-delegate(s) if any i.e. who covers which aspect of the Action's implementation and what the coordination chain would be, with the overarching responsibility of the potential Entrusted entity under and for the Action
3. Eligibility – Please provide relevant information to demonstrate eligibility as per criteria defined on page 8 of this Expression of Interest.

**2. SELECTION CRITERIA**

**For the potential Entrusted entity – To be filled in by the entity replying to the expression of interest on max 9 pages, in Times New Roman font 11:**

* Please draft your expression of interest using the following structure which follows the selection criteria:

**1. Methodology (weight 35%)**

*Please describe your methodology for implementation of the tasks indicated in Annex I, with special emphasis on the following issues:*

1. *Please describe how you will define the grants selection criteria, also specifying challenges for each of the target groups* *(youth, rural women and vulnerable categories of unemployed (long-term unemployed, persons with disability and Roma));*
2. *Please describe how you will manage grants component, including monitoring and evaluation and explain how you plan to involve main stakeholders in this process;*
3. *Please explain how you plan to achieve the indicators (provided on pages 4 & 5) and how the implementation of grants will contribute to achieving the programme objective;*
4. *Please describe how you will ensure reaching out less developed areas of Bosnia and Herzegovina within a countrywide approach in the grants component in particular. How do you plan to enable less skilled/capacitated/experienced potential applicants?*
5. *How do you plan to implement and monitor the related technical assistance?*
6. *Please describe what are the key stakeholders and how will you ensure their involvement (in particular in capacity building and awareness raising for better policy planning and implementation);*
7. *What are, in your view, particular opportunities and challenges (including mitigating measures), also in view of achievement of the indicators (provided on pages 4 & 5 of this document)?*
8. *What is your proposal to ensure institutional ownership and/or governmental support for implementation of measures to be implemented under the Action?*
9. *How do you plan to ensure coordination with other programmes and donors in the sector?*

**2. Technical capacity (weight 30%)**

*2.1. Please describe your (i.e. potential Entrusted entity) capacities for managing large-scale interventions, which combine technical assistance and grants as well as your capacity for a transparent implementation of grant award and management procedures. In that respect, a specific reference to mechanisms for prevention and protection from any conflict of interest as well as for due application of the principles of traceability and accountability should be elaborated.*

*Furthermore, please address in particular the following issues:*

1. *Will the potential Entrusted entity manage the funds and the procurement procedures itself and/or does it intend to work with implementing partners, and/or, exceptionally, through a sub-delegation to another entrusted body? In case of sub-delegation, please provide an indicative list of sub-delegate(s) and indicative amounts to be sub-delegated as well as for which aspects.*

*2.2. The potential Entrusted entity should provide indications on its experience in employment sector with a focus on introduction and implementation of active labour market measures for youth, rural women and vulnerable categories of unemployed (long-term unemployed, persons with disability and Roma), capacity building of the labour market and social work institutions, economic empowerment of women, working with Roma population in relation to activation in the labour market.*

1. *In this respect, please summarise the relevant projects/assignments, by also referring to your concrete contribution to achievement of some indicative targets / indicators from pages 4-5 of this document.*

**3. Administrative/professional capacity (weight 15%)**

*3.1.* *Please provide information of the profile of the potential Entrusted entity, namely the organisation and staffing–internationally, in the Region and in the country/Bosnia and Herzegovina, where relevant.*

*In particular, please specify the following:*

1. *The number of staff working in the field related to this Expression of interest;*
2. *Will you implement the Action (both components) with your own staff or will you recruit? If the recruitment will be foreseen, please indicate profiles of experts (including whether local or international) and their positions/for which parts of the Action are envisaged.*
3. *Will you sub-contract any part of the Action? If sub-contracting will be foreseen, please indicate profiles of sub-contractors and for which parts of the Action are envisaged.*

*3.1.1 Please also provide relevant information on above points a), b) and c) (i.e. staffing, recruitment, if any sub-contracting) as related to each of your implementing partner(s).*

*3.2. Please indicate how you will ensure a countrywide coverage of the foreseen intervention.*

**4. Involvement of the potential Entrusted entity/Delegated body in the partner country/Bosnia and Herzegovina (weight 10 %)**

*4.1. Please indicate your past and current involvement in the employment sector in Bosnia and Herzegovina, if any.*

*4.2 Do you have sector related experience in the Western Balkans and if yes, in which countries?*

**5. Other (weight 10%)**

*5.1. Willingness to co-finance and/or complement this Action with your own resources would be an asset. How much do you plan to contribute from your side?*

*5.2. Please describe your specific activities envisaged to guarantee the visibility of the EU funding (including reference to the Communication and Visibility requirements for EU External Action –January 2018* [*https://ec.europa.eu/international-partnerships/comm-visibility-requirements\_en*](https://ec.europa.eu/international-partnerships/comm-visibility-requirements_en)*. In that respect, how do you plan to ensure that the EU is promoted and recognised as the main donor? Please provide an outline of your communication and visibility plan (to be developed in detail[[5]](#footnote-5) in negotiation phase). Please also note that Communication and public relations expert(s) is/are expected to be allocated for managing communication and visibility activities under the Action.*

**3. Contact Sheet**

|  |  |
| --- | --- |
| **Full legal name of Lead Organisation/ Individual:** |  |
| **Name** (if different from above)**:** |  |
| **Country of Registration:** |  |
| **Address of registered office:** |  |
| **Postal address** (if different from above)**:** |  |
| **Telephone number (including country code):** |  |
| **Fax number (including country code):** |  |
| **Main contact person for this assignment:** |  |
| **Main contact person’s position in the Organisation:** |  |
| **Contact person’s email address:** |  |
| **Alternate contact person:** |  |
| **Alternative E-mail:** |  |
| **Website of the Organisation:** |  |

**Further information about Agreements with pillar-assessed organisations, Contribution Agreements etc. can be found at** [**https://ec.europa.eu/international-partnerships/working-partner-organisations\_en**](https://ec.europa.eu/international-partnerships/working-partner-organisations_en)

**ANNEX IV – Evaluation grid**

**EXPRESSION OF INTEREST FOR POTENTIAL ENTRUSTMENT WITH IMPLEMENTATION OF IPA 2020 SUPPORT IN THE SECTOR OF EMPLOYMENT:**

**“EU4EMPLOYMENT in BOSNIA AND HERZEGOVINA”**

**Name of the candidate, partner(s) and sub-delegatee(s), (if any):\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

|  |  |  |  |
| --- | --- | --- | --- |
| **I. ELIGIBILITY CRITERIA** | **Comments** | | **Assessment** |
| The potential entrusted Entity (including implementing partners(s)) submitting the expression of interest should be: |  | |  |
| 1. An International Organisation as defined by Article 62 within the meaning of Article 156 of the EU Financial Regulation [[6]](#footnote-6) whose pillars have been positively assessed for Budget Implementation Tasks (BIT) by the European Commission; or |  | | **Y/N** |
| 1. The EU Member States organisation.[[7]](#footnote-7) |  | | **Y/N** |
| 1. All entities involved are pillar-assessed |  | | **Y/N** |
| **TECHNICAL CAPACITY** |  | |  |
| 1. *The potential Entrusted entity or at least one Implementing partner* have to demonstrate their presence in the country |  | | **Y/N** |
| 1. *The potential Entrusted entity* has to demonstrate capacity for managing large scale interventions, which should combine technical assistance and grants to ensuring transparency of the grant award and management procedures) with at least one project implemented and completed in the past 10 years (06/2012-06/2022), in an EU member state or EU candidate countries or EU potential candidate countries;. |  | | **Y/N** |
| 1. *The potential Entrusted entity* and *implementing partner(s)* should demonstrate sectoral competences, either individually, or, in partnerships, with at least one similar project (capacity building and/or grants) implemented in the sector of employment, which relate to introduction and implementation of active labour market measures for youth, rural women and vulnerable categories of unemployed (long-term unemployed, persons with disability and Roma), capacity building of the labour market and social work institutions, economic empowerment of women, working with Roma population in relation to activation in the labour market, and completed in the past 10 years (06/2012-06/2022) in an EU member state and/or EU candidate countries and/or EU potential candidates *(please provide a complete list of relevant projects, with title, scope, duration, amount, source of funding and results achieved).* |  | |  |
| **Eligibility assessment overall** |  | |  |
| **The potential applicants, which pass the eligibility criteria, will be assessed further as per selection criteria specified on the next page** | | | |
| **II. SELECTION CRITERIA** |  |  | |
| **1. Methodology (weight 35%)** |  | **Max 35 scores** | |
| *Please describe your methodology for implementation of the tasks indicated in Annex I, with special emphasis on the following issues:* |  |  | |
| a) H*ow you will define the grants selection criteria, also specifying challenges for each of the target groups* *(youth, rural women and vulnerable categories of unemployed (long-term unemployed, persons with disability and Roma))?* |  |  | |
| b) *How you will manage grants component, including monitoring and evaluation and explain how you plan to involve main stakeholders in this process* |  |  | |
| c) *Explain how you plan to achieve the indicators (provided on pages 4 & 5) and how the implementation of grants will contribute to achieving the programme objective*. |  |  | |
| d) *How you will ensure reaching out less developed areas of Bosnia and Herzegovina within a countrywide approach in the grants component in particular. How do you plan to enable less skilled/capacitated/experienced potential applicants?* |  |  | |
| e) *How do you plan to implement and monitor the related technical assistance?* |  |  | |
| *f) Please describe what are the key stakeholders and how will you ensure their involvement (in particular in capacity building and awareness raising for better policy planning and implementation);* |  |  | |
| *g) What are, in your view, particular opportunities and challenges (including mitigating measures), also in view of achievement of the indicators (provided on pages 4 & 5 of this document)?* |  |  | |
| *h) What is your proposal to ensure institutional ownership and / or governmental support for implementation of measures to be implemented under the Action?* |  |  | |
| *i) How do you plan to ensure coordination with other programmes and donors in the sector?* |  |  | |
| **2. Technical capacity (weight 30%)** |  | **Max 30 scores** | |
| *2.1. Please describe your (i.e. potential Entrusted entity's) capacities for managing large-scale interventions, which combine technical assistance and grants as well as your capacity for a transparent implementation of grant award and management procedures. In that respect, a specific reference to mechanisms for prevention and protection from any conflict of interest as well as for due application of the principles of traceability and accountability should be elaborated.*  *Furthermore, please address in particular the following issues:*   1. *Will the potential Entrusted entity manage the funds and the procurement procedures itself and/or does it intend to work with implementing partners, and/or, exceptionally, through a sub-delegation to another entrusted body? In case of sub-delegation, please provide an indicative list of sub-delegate(s) and indicative amounts to be sub-delegated as well as for which aspects.* |  |  | |
| *2.2. The potential Entrusted entity should provide indications on its experience in employment sector with a focus on introduction and implementation of active labour market measures for youth, rural women and vulnerable categories of unemployed (long-term unemployed, persons with disability and Roma), capacity building of the labour market and social work institutions, economic empowerment of women, working with Roma population in relation to activation in the labour market.*   1. *In this respect, please summarise the relevant projects/assignments, by also referring to your concrete contribution to achievement of some indicative targets / indicators from pages 4-5 of this document.* |  |  | |
| **3. Admin/professional capacity (weight 15%)** |  | **Max 15 scores** | |
| *3.1.* *Please provide information of the profile of the potential Entrusted entity, namely the organisation and staffing–internationally, in the Region and in the country/Bosnia and Herzegovina, where relevant.*  *In particular, please specify the following:*   1. *The number of staff working in the field related to this Expression of interest;* 2. *Will you implement the Action (both components) with your own staff or will you recruit? If the recruitment will be foreseen, please indicate profiles of experts (including whether local or international) and their positions/for which parts of the Action are envisaged.* 3. *Will you sub-contract any part of the Action? If sub-contracting will be foreseen, please indicate profiles of sub-contractors and for which parts of the Action are envisaged.* |  |  | |
| *3.1.1 Please also provide relevant information on above points a), b) and c) (i.e. staffing, recruitment, if any sub-contracting) as related to each of your implementing partner(s).* |  |  | |
| *3.2. Please indicate how you will ensure a countrywide coverage of the foreseen intervention.* |  |  | |
| **4. Involvement of the potential Entrusted entity in the partner country/Bosnia and Herzegovina (weight 10 %)** |  | **Max 10 scores** | |
| *4.1. Please indicate your past and current involvement in the employment sector in Bosnia and Herzegovina, if any.* |  |  | |
| *4.2 Do you have sector related experience in the Western Balkans and if yes, in which countries?* |  |  | |
| **5. Other (weight 10%)** |  | **Max 10 scores** | |
| *5.1. Willingness to co-finance and/or complement this Action with your own resources would be an asset. How much do you plan to contribute from your side?* |  |  | |
| *5.2. Please describe your specific activities envisaged to guarantee the visibility of the EU funding (including reference to the Communication and Visibility requirements for EU External Action –January 2018* [*https://ec.europa.eu/international-partnerships/comm-visibility-requirements\_en*](https://ec.europa.eu/international-partnerships/comm-visibility-requirements_en)*. In that respect, how do you plan to ensure that the EU is promoted and recognised as the main donor? Please provide an outline of your communication and visibility plan (to be developed in detail in negotiation phase). Please also note that Communication and public relations expert(s) is/are expected to be allocated for managing communication and visibility activities under the Action.* |  |  | |
| ***TOTAL SCORE*** |  |  | |
| *Comments(strong/weak points)* |  |  | |

**ANNEX V – Responsibilities of the entrusted bodies under Indirect Management according to Articles 62, 154, 156 and 157 of Financial Regulation (EU Euratom) No 2018/1046 from 18 July 2018**

***Article 62* -** **Methods of budget implementation**

1. The Commission shall implement the budget in any of the following ways:

(a) directly (‘direct management’) as set out in Articles 125 to 153, by its departments, including its staff in the Union delegations under the authority of their respective Head of delegation, in accordance with Article 60(2), or through executive agencies as referred to in Article 69;

(b) under shared management with Member States (‘shared management’) as set out in Articles 63 and 125 to 129;

(c) indirectly (‘indirect management’) as set out in Articles 125 to 149 and 154 to 159, where this is provided for in the basic act or in the cases referred to in points (a) to (d) of Article 58(2), by entrusting budget implementation tasks to:

(i) third countries or the bodies they have designated;

(ii) international organisations or their agencies, within the meaning of Article 156;

(iii) the European Investment Bank (‘the EIB’) or the European Investment Fund (‘the EIF’) or both of them acting as a group (‘the EIB group’);

(iv) Union bodies referred to in Articles 70 and 71;

(v) public law bodies, including Member State organisations;

(vi) bodies governed by private law with a public service mission, including Member State organisations, to the extent that they are provided with adequate financial guarantees;

(vii) bodies governed by the private law of a Member State that are entrusted with the implementation of a public- private partnership and that are provided with adequate financial guarantees;

(viii) bodies or persons entrusted with the implementation of specific actions in the CFSP pursuant to Title V of the TEU, and identified in the relevant basic act.

With regard to point (c)(vi) of the first subparagraph, the amount of the financial guarantees required may be set out in the relevant basic act and may be limited to the maximum amount of the Union contribution to the body concerned. In the case of multiple guarantors, the repartition of the amount of the total liability to be covered by the guarantees shall be specified in the contribution agreement, which may provide for the liability of each guarantor to be proportionate to the share of their respective contribution to the body.

2. For the purposes of direct management, the Commission may use the instruments referred to in Titles VII, VIII, IX, X and XII.

For the purposes of shared management, the instruments for budget implementation shall be the ones provided for in sector-specific rules.

For the purposes of indirect management, the Commission shall apply Title VI and, in the case of financial instruments and budgetary guarantees, Titles VI and X. The implementing entities shall apply the instruments for budget implementation set out in the contribution agreement concerned.

3. The Commission is responsible for budget implementation in accordance with Article 317 TFEU and shall not delegate those tasks to third parties, where such tasks involve a large measure of discretion implying political choices.

The Commission shall not, through contracts in accordance with Title VII of this Regulation, outsource tasks involving the exercise of public authority and discretionary powers of judgement.

***Article 154 -* Indirect management**

1. The selection of the persons and entities to be entrusted with the implementation of Union funds or budgetary guarantees pursuant to point (c) of the first subparagraph of Article 62(1) shall be transparent, justified by the nature of the action and shall not give rise to a conflict of interests. For entities referred to in points (c)(ii), (v), (vi) and (vii) of the first subparagraph of Article 62(1) the selection shall also take due account of their financial and operational capacity.

Where the person or entity is identified in a basic act, the financial statement provided for in Article 35 shall include a justification for the choice of that particular person or entity.

In cases of implementation by a network, requiring the designation of at least one body or entity per Member State or per country concerned, the body or entity shall be designated by the Member State or the country concerned in accordance with the basic act. In all other cases, the Commission shall designate such bodies or entities in agreement with Member States or countries concerned.

2. Persons and entities entrusted with the implementation of Union funds or budgetary guarantees pursuant to point (c) of the first subparagraph of Article 62(1) shall respect the principles of sound financial management, transparency, non-discrimination and visibility of Union action. Where the Commission establishes financial framework partnership agreements in accordance with Article 130 those principles shall be further described in such agreements.

3. Prior to signing contribution agreements, financing agreements or guarantee agreements, the Commission shall ensure a level of protection of the financial interests of the Union equivalent to the one that is provided for when the Commission implements the budget in accordance with point (a) of the first subparagraph of Article 62(1). The Commission shall do so by carrying out an assessment of the systems, rules and procedures of the persons or entities implementing Union funds, if it intends to rely on such systems, rules and procedures for the implementation of the action, or by taking appropriate supervisory measures in accordance with paragraph 5 of this Article.

4. The Commission shall, in accordance with the principle of proportionality and with due consideration for the nature of the action and the financial risks involved, assess that persons and entities implementing Union funds pursuant to point (c) of the first subparagraph of Article 62(1):

(a) set up and ensure the functioning of an effective and efficient internal control system based on international best practices and allowing in particular to prevent, detect and correct irregularities and fraud;

(b) use an accounting system that provides accurate, complete and reliable information in a timely manner;

(c) are subject to an independent external audit, performed in accordance with internationally accepted auditing standards by an audit service functionally independent of the person or entity concerned;

(d) apply appropriate rules and procedures for providing financing to third parties, including transparent, non-discriminatory, efficient and effective review procedures, rules for recovering funds unduly paid and rules for excluding from access to funding;

(e) make public adequate information on their recipients equivalent to that provided for under Article 38;

(f) ensure protection of personal data equivalent to that referred to in Article 5.

In addition, in agreement with the persons or entities concerned, the Commission may assess other rules and procedures such as the costs of administrating the accounting practices of the persons or entities. On the basis on the results of that assessment, the Commission may decide to rely on those rules and procedures.

Persons or entities which have been assessed in accordance with the first and second subparagraphs shall inform the Commission without undue delay if any substantive changes are made to their systems, rules or procedures which may impact the reliability of the Commission’s assessment.

5. Where the persons or entities concerned comply only in part with paragraph 4, the Commission shall take appropriate supervisory measures ensuring the protection of the financial interests of the Union. Those measures shall be specified in the relevant agreements. Information about any such measures shall be made available to the European Parliament and to the Council at their request.

6. The Commission may decide not to require an *ex ante* assessment as referred to in paragraphs 3 and 4:

(a) for Union bodies referred to in Articles 70 and 71 and for bodies or persons referred to in point (c)(viii) of the first subparagraph of Article 62(1) which have adopted financial rules with prior consent of the Commission;

(b) for third countries or the bodies they designate, in so far as the Commission retains financial management responsibilities that guarantee a sufficient protection of the financial interests of the Union; or

(c) for those procedures specifically required by the Commission, including its own and those specified in basic acts.

7. Where the systems, rules or procedures of the persons or entities referred to in point (c) of the first subparagraph of Article 62(1) are assessed as appropriate, Union contributions to those persons or entities may be implemented in accordance with this Title. Where such persons or entities participate in a call for proposals they shall comply with the rules of the call for proposals contained in Title VIII. In such a case, the authorising officer may decide to sign a contribution agreement or a financing agreement instead of a grant agreement.

***Article 156 -*****Indirect management with international organisations**

1. The Commission may, in accordance with point (c)(ii) of the first subparagraph of Article 62(1), implement the budget indirectly with international public-sector organisations set up by international agreements (‘international organisations’) and with specialised agencies set up by such organisations. Those agreements shall be transmitted to the Commission as part of the assessment carried out by the Commission in accordance with Article 154(3).

2. The following organisations shall be assimilated to international organisations:

(a) the International Committee of the Red Cross;

(b) the International Federation of National Red Cross and Red Crescent Societies.

3. The Commission may adopt a duly justified decision assimilating a non-profit organisation to an international organisation provided that it satisfies the following conditions:

(a) it has legal personality and autonomous governance bodies;

(b) it has been established to perform specific tasks of general international interest;

(c) at least six Member States are members of the non-profit organisation;

(d) it is provided with adequate financial guarantees;

(e) it operates on the basis of a permanent structure and in accordance with systems, rules and procedures which can be assessed in accordance with Article 154(3).

4. Where international organisations implement funds under indirect management, verification agreements concluded with them shall apply.

***Article 157 -* Indirect management with Member State organisations**

1. The Commission may in accordance with points (c)(v) and (vi) of the first subparagraph of Article 62(1) implement the budget indirectly with Member State organisations.

2. Where the Commission implements the budget indirectly with Member States organisations, it shall rely on the systems, rules and procedures of those organisations which have been assessed in accordance with Article 154(3) and (4).

3. Financial framework partnership agreements concluded with Member State organisations in accordance with Article 130 shall further specify the extent and the modalities of the cross-reliance on systems, rules and procedures of Member State organisations and may include specific provisions on the cross-reliance on assessments and audits as referred to in Articles 126 and 127.

1. Further referred to as “Action” [↑](#footnote-ref-1)
2. It is to be the only contracting party to sign the potential Contribution Agreement with the EU. So, if there are any partners and/or sub-delegate(s), the contracting party will sign on their behalf [↑](#footnote-ref-2)
3. Defined as per Articles 62 (c) (ii) and 156 of the EU Financial Regulation [↑](#footnote-ref-3)
4. Defined as per Article 157 of the EU Financial Regulation [↑](#footnote-ref-4)
5. Along the requirements of the *Communication and Visibility requirements for EU External Action –January 2018* [↑](#footnote-ref-5)
6. Defined as per Articles 62 and 156 of the EU Financial Regulation [↑](#footnote-ref-6)
7. Defined as per Article 157 of the EU Financial Regulation [↑](#footnote-ref-7)