

ANNEX I: TERMS OF REFERENCE

External Support for payments

REFERENCE: ATA/AL/2012/04

1. BACKGROUND INFORMATION

1.1. Contractor/beneficiary country

Albania

1.2. Contracting Authority

European Community represented by the European Commission.

1.3. Relevant background

Albania has signed the Stabilisation and Association Agreement (SAA) with the EU in June 2006. Support to the accession process is provided through the "Instruments for Pre-accession Assistance" (IPA).

The instruments to finance assistance in Albania are IPA and EIDHR. Under IPA, the implementation of national programmes and CBC programmes is foreseen. In order to assure the regularity of operations in accordance with recommendations recently given by the European Court of Auditors on internal audits, particular attention needs to be given to payments and supporting documents for expenditure carried out during the implementation of contracts.

The present Terms of Reference refer to the tasks linked to such controls.

2. CONTRACT PURPOSE & EXPECTED RESULTS

2.1. Overall objective

The overall objective of this contract is to assist the EU Delegation to Albania to secure sound financial management during the implementation of the above mentioned contracts as well as of other grant contracts originating from global calls or from other financial instruments.

2.2. Purpose

The purpose of this project is to have control procedures concerning the regularity of payments implemented as recommended by the European Court of Auditors.

2.3. Results to be achieved by the Consultant

- Payment files prepared for encoding relevant payment in the IT system CRIS;
- Verification of beneficiaries' financial reports effected;
- Checks on detailed lists of expenditure carried out;
- Verification executed on the consistency among the sets of financial data mentioned above;

- Verification carried out of supporting documents respecting EU financial rules;
- Clarifications prepared to be sent out to beneficiaries on pending financial issues;
- Tables established on final eligible costs per payment;
- Occasional spot visits carried out together with Delegation staff to control beneficiaries' financial documents.
- during visits on the spot, financial documents are reviewed and verified that they are in line with relevant eligibility criteria.

Required Outputs

The projects outputs include:

- a) an indicative number of ten review reports per month of payment files,

These outputs are considered as indicative, as they depend also on the pace of advancement of the work of external actors, such as the reaction time of beneficiaries in case of clarifications.

The reports will be submitted in English in accordance with a calendar which will be defined in detail at the beginning of the assignment, based on the actual pace of the reporting flow from beneficiaries.

- b) at least five financial monitoring visits to contractors/beneficiaries.

3. ASSUMPTIONS & RISKS

3.1. Assumptions underlying the project intervention

The underlying assumption to the performance of the foreseen activities is that the information which will be required by the expert to compile and produce the requested reports will be made available by the various beneficiaries within useful time to achieve the objectives of the contract within the set deadline.

3.2. Risks

No specific risks are foreseen to be encountered in the accomplishment of the activities as the beneficiaries will have an interest to provide the most accurate information in order to allow the EU Delegation to gather the most adequate and updated picture of the activities performed.

4. SCOPE OF THE WORK

4.1. General

4.1.1. Project description

The current assignment concerns the provision of support to the EU Delegation to Albania to apply sound financial management rules concerning payments implemented under EU financing.

4.1.2. Geographical area to be covered

Albania

4.1.3. Target group

About 300 EU Delegation's contractors/beneficiaries.

4.2. Specific activities

In order to achieve the foreseen results the expert is expected to liaise regularly with the Contract, Finance and Audit section of the EU Delegation as well as with Task Managers of the EU Delegation in charge for Civil Society, Human Rights and CBC within the Horizontal Sub-Unit in the OPS Unit.

The expert will be required not to disclose outside the EU Delegation any information s/he might have learned in the frame of the activities implemented under this assignment and will sign a Declaration of confidentiality in this regard.

- Review the documentation submitted by beneficiaries in support of interim and final reports

The expert will receive from the EU Delegation the documentation (Studies, research reports, manuals, agendas, presentations and attendance lists from project events, press review, video and other products and visibility items) submitted by the Contractors in support of interim and final financial reports in order to analyze them.

S/he will have access to the Project Documents and previous reports if any and will study them in order to gain familiarity with the overall scope of work and state of advancement of the project concerned.

The expert will prepare a separate report for every set of documents related to a single payment from the contractor/beneficiary as for the format in Annex 2.

- Visits on the spot

The expert will receive in advance the reference documentation about the project and will be electronically introduced to the contractor/beneficiary as External Financial Expert of the EU Delegation.

S/he will have access to supporting documents and reports, and will study them in order to gain familiarity with the overall scope of work and state of advancement of the project as justified in the supporting documents. Following the field visits, the expert will provide a report as for the specific reporting format provided by the European Union Delegation to Albania.

4.3. Project management

4.3.1. Responsible body

The European Commission Delegation to Albania will be responsible for managing this contract.

4.3.2. Management structure

The Consultant will be responsible for the implementation of the contract under the overall direction of the Financial Officer for Civil Society & Human Rights at the European Commission Delegation to Albania, Mrs Odile Chavaneau (Odile.Chavaneau@eeas.europa.eu)

4.3.3. Facilities to be provided by the Contracting Authority and/or other parties

No facilities or equipment will be provided by the Contracting Authority.

5. LOGISTICS AND TIMING

5.1. Location

Albania

5.2. Commencement date & Period of execution

The intended commencement date is 01 September 2012 and the period of execution of the contract will be until 31 December 2013.

6. REQUIREMENTS

6.1. Personnel

The expert should have a

1. a university degree in finance or accounting or economics,
2. at least three years of professional experience in finance, accounting or audits.

Good knowledge in the following areas would be an advantage:

- mission, structure and functioning of the European Commission and more specifically of DG Enlargement and EU Delegation;
- EU Financial Regulation and Implementing Rules;
- financial instruments of the Commission covering Albania and namely IPA Component 1 and 2 and EIDHR;
- PRAG and other procurement regulation specific to the CBC sector;

The Expert must possess very good knowledge of English and Albanian.

6.2. Office accommodation

Not applicable

6.3. Facilities to be provided by the Consultant

Not applicable

6.4. Equipment

No equipment is to be purchased on behalf of the Contracting Authority as part of this service contract or transferred to the Contracting Authority at the end of this contract.

6.5. Incidental expenditure

Not applicable

6.6. Expenditure verification

Not applicable

7. REPORTS

7.1. Reporting requirements

The expert will submit quarterly reports summarizing the advancements done in terms of products produced, as defined under the Section 2.3 of these Terms of Reference.

7.2. Submission & approval of progress reports

The reports shall be submitted in English to the Contracting Authority (Attn. Mr Jochen Schult).

Conflict of interest: if the consultant estimate a potential conflict of interest related to one or several contracts, s/he must inform immediately the Contracting Authority.

8. AWARD OF THE TENDER

1) Technical (maximum score 80 points):

20 points	Motivation letter
40 points	CV including education and professional experience
EU related experience:	
10 points	Knowledge of the EU Financial Regulation ¹ and its Implementing Rules ²
10 points	Knowledge of financial management concerning EIDHR and/or CBC programmes.

Only offers with score of at least 65 points from technical evaluation will qualify for financial evaluation.

2) Financial (maximum score 20 points):

20 points	Financial offer (the lowest offer receiving the highest score)
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The maximum contract amount will be 25,000 EUR.

¹ COUNCIL REGULATION (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities (OJ L 248, 16.9.2002, p. 1)

² COMMISSION REGULATION (EC, EURATOM) No 2342/2002 of 23 December 2002 laying down detailed rules for the implementation of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities (OJ L 357, 31.12.2002, p. 1)

Costs incurred in preparing and submitting tenders are borne by the tenderers and cannot be reimbursed.