

PROJECT SYNOPSIS

Title of the project: Implementation Status of Government Procurement-Related Articles of CEFTA

a. Objective:

The objective is to assist CEFTA Parties to review the status of implementation of CEFTA Agreement provisions on government procurement (GP) of goods, works and services (Articles 34-36 including Articles 26-29 on services) and the progress in the opening of their GP markets.

b. Justification:

The CEFTA Parties' commitment of reviewing, on a regular basis, progress in the opening of their GP markets is embedded in Article 36.1 of CEFTA Agreement, as well as confirmed by the Work Program of Serbian Chairmanship and the Work Programme of the CEFTA Committee of Contact Points for 2017. According to the Work Programme of the Chairmanship, the priorities of CEFTA in 2017 include also sustaining synergy between implementation of CEFTA and the SEE 2020. The main issues of the Dimension B of the Integrated Growth agenda regarding the creation of the competitive economic environment are the trade related aspects of the competition rules, intellectual property rights and GP, i.e. creation of a fully liberalised GP market in the Region.

c. Short description of activities:

It is expected that the Contractor prepares detailed screening of legislation framework, procedures, practices and institutional framework in the area of GP in accordance with the CEFTA Agreement provisions, WTO rules and the main principles of the EU Acquis. In that respect, the consultant will have bilateral meetings with different stakeholders in each CEFTA Party. In addition, recommendations should be produced for strengthening implementation of related GP articles, for resolving any bilateral and/or regional related issues in CEFTA Parties if any, for establishing/intensifying cooperation among regulatory and review bodies in the Region and for necessary technical assistance that CEFTA Parties can benefit from when improving and further opening their GP markets.

d. Estimated implementing period: 8 months

e. Expected outputs:

The Final Report will incorporate the current state of play of government procurement legislation, its implementation and enforcement and relevant institutional framework. Furthermore, the report will contain recommendations with the aim of full implementation of CEFTA related articles on GP and proposals for resolving bilateral and/or regional issues, if any. The Report shall also encompass proposals for the most appropriate forms of cooperation among GP bodies in the Region including the draft text of the possible arrangement. Additionally, proposals of required technical assistance that CEFTA Parties could benefit from when improving and further liberalising GP shall also be covered by this Report.

f. Expected results:

Expected result is to have a review of the status of implementation of the GP related articles of CEFTA containing the recommendations of the measures for the improvement regarding GP

treatment of CEFTA Parties, transparency, effective competition, cooperation among GP bodies and progressively establishing fully liberalised GP in the Region. The validation is to be met by the Committee of Contact Points and final report conclusions and recommendations, produced through this Project, should be presented to the Joint Committee.

g. Estimated budget: EUR 60,000

h. Estimated Source of Funding: CEFTA Project Facility III

i. Selection Criteria required in the contract notice and in the ToRs for experts:

The implementation of this ToR requires the inputs from one senior expert with high level of knowledge and professional experience in GP and a short-term expert.

Key expert 1: Team Leader (Senior Expert)

Qualifications and skills

- University degree in law, economics, public administration and/or equivalent and relevant for the assignment; post graduate is an advantage;
- Knowledge and practical experience of work with the EU and WTO rules in the area of GP;
- Work experience in projects on assessment of GP regulatory and review bodies;
- Proficiency in English; languages spoken in the CEFTA Region will be an advantage.

Specific professional experience

- At least 10 years' experience in a field related to GP policies and actions;
- Knowledge of WTO and EU standards in the field GP and their applicability in CEFTA Parties;
- Proven record of previous work in the CEFTA Region is an advantage;

Key expert 2: Junior expert

Qualifications and skills

- University degree in law, economics, public administration and/or equivalent and relevant for the assignment; post graduate is an advantage;
- Knowledge and practical experience of work with the EU and WTO rules in the area of GP; Proficiency in English; languages spoken in the CEFTA Region will be an advantage;

Specific professional experience

- At least 5 years' experience in a field related to GP policies and actions;
- Knowledge of WTO and EU standards in the field GP and their applicability in CEFTA Parties;
- Proven record of previous work in the CEFTA Region is an advantage.

The short-term expert will assist the Team Leader in the preparation of the reports and wrap up.