



### Terms of Reference for

## MONITORING EXPERT - TECHNICAL EXPERT

### 1. Background

Transparency International (TI) is the global civil society organisation leading the fight against corruption. Through more than 90 chapters worldwide and an international secretariat in Berlin, Germany, TI raises awareness of the damaging effects of corruption and works with partners in government, business and civil society to develop and implement effective measures to tackle it.

In 2016 - 2019, TI is running a project which entails the planning, implementation and monitoring of Integrity Pacts (IPs) for public sector projects co-financed by the EU Structural and Cohesion Funds across 11 Member States (BG, CZ, EL, HU, LT, LV, SI, PT, RO, IT, PL). This project, financed by the European Commission, is being implemented by the TI National Chapters and other CSOs as project partners in these countries, and coordinated by the Transparency International Secretariat (TI-S).

IPs aim to reduce corruption by creating public demand for accountability in the allocation of public funds. IPs will achieve this by establishing a CSO-led monitoring mechanism and by ensuring transparency of the monitored public procurement procedures, thus creating opportunities for citizens to hold both public authorities and private companies to account. At the same time, public officials and business entities will become more aware of the main corruption risks in public procurement and have a greater understanding of how to apply best practice promoted by the IP approach.

The IP in Bulgaria involves the public procurement procedure for engineering design and construction of the road tunnel Zheleznitza within the Struma motorway. The monitoring component of the project entails all phases of the bidding and contracting process, as well as the contract execution phase. Thus in addition to legal expertise, supplementary capabilities in public procurement, civil engineering, road/motorway construction, and geology areas are needed. The monitoring experts will work closely with TI - Bulgaria, being the national chapter, which coordinates the project in Bulgaria, validates the assessment findings and advises the expert monitoring team on presenting appropriate recommendations.

The monitoring will be guided by a Methodology for monitoring of public procurement procedures at national level developed by TI - Bulgaria, which is designed in accordance with the current legislation. The monitoring will be qualitative in nature based largely on desk research and complemented by in-depth interviews with key stakeholders and on-spot observations. The monitoring experts will be responsible for delivery of the key components of the project – interim reports and the final monitoring report on the above-mentioned tender.

## 2. Objectives

The project's **goal** is to explore and promote the use of Integrity Pacts for safeguarding EU funds against fraud and corruption, and as a tool to increase transparency and accountability, enhance the integrity of the public contracting process, bring cost savings and improve competition through better procurement.

In order to foster public demand for accountability in public spending the project will aim at achieving the following **specific objectives**:

- To ensure integrity and accountability in the above-mentioned project co-financed by Cohesion Fund;
- To ensure transparency and access to information in the public procurement procedure;
- To draw lessons for future replication and mainstreaming of Integrity Pacts in Bulgaria and the EU.

The purpose of the present call is to secure highly professional experts to take part in the IP monitoring team and to help achieving the above-mentioned project objectives.

**Please be aware that as Independent Observer under the Integrity Pact to the public procurement procedure "Design and build of Struma motorway Lot 3.1 Zheleznitsa tunnel", Transparency International - Bulgaria applies the Conflict of Interest policy to all internal and external staff involved in the project activities. TI-Bulgaria Ethics Code, which generally applies, can be accessed [here](#). Specific Ethics and Conflict of Interest policies related to the project can be provided upon request.**

## 3. Scope of Services

The primary **tasks** of the monitoring experts are to:

- Perform the monitoring of IP implementation being a member of the monitoring team by following the Methodology for monitoring of major infrastructure projects including:
  - Participate in meetings with Contracting Authority, the Bidders and the Contractor;
  - Conduct interviews with the Contracting Authority, the Bidders and the Contractor where appropriate;
  - Conduct research and assess the compliance of monitored procedure with the national legislation, applicable building codes, design standards, and other applicable regulation;
  - Evaluate cost estimates for accuracy and compliance with funding requirements;
  - Conduct on-site visits in order to assess the accordance of the work progresses to the schedule, the construction performance for accordance with plans and specifications, and to evaluate the overall quality of the field construction;
- Participate in monitoring team meetings and discussions in regard with the monitoring activities;
- Write and deliver draft reports within the agreed timetable;

- Revise reports' draft based on feedback from TI - Bulgaria;
- Contribute to promotional events surrounding the launches of the reports;
- Contribute towards the elaboration of advocacy-related materials on the topic;
- Contribute to promotion of civil engagement and training of civil society representatives for implementation of basic monitoring activities.

All the above-described services are detailed in TI - Bulgaria's Monitoring Methodology. Targeted training in IPs and monitoring methodology will be provided to all contracted experts. Nonetheless experts, interested in applying within the present call, are highly advised to get familiar with the methodology (available [here](#)) and the monitored tender (details [here](#), [here](#) and [here](#)), prior to application.

#### 4. Outputs

Based on the scope of services, the technical expert will submit final draft of the monitoring report/s considering the accordance of the particular public procurement phase to applicable building codes and quality standards as the ultimate output under his/hers contract.

#### 5. Timeline & Reporting

The technical expert will complete the tasks according to the following tentative timeline<sup>1</sup>. In conducting his/her work, the technical expert will report to TI - Bulgaria.

Tasks	Role of Researcher	Timeline
<b>Initial report, monitoring of new tender preparation phase</b>		
Signing of contract	Sign	May 2017
Desk research, key informant interviews	Conduct	May - June 2017
Full first draft report	Draft	July 2017
Updated draft report	Draft	August 2017
Finalization of report	Draft	September 2017
Launch of report	Present & Participate	September 2017
<b>First interim report, monitoring of bidding and contracting phase</b>		

<sup>1</sup> Due to the high complexity of the tender, the timeline for delivery of monitoring reports is subject to further confirmation in accordance with the schedule of the Contract Authority and the Contractor for public procurement implementation. Also, having in mind all risk encountered so far, the scope of work might need restructuring in accordance with the actual tender phases.

Tasks	Role of Researcher	Timeline
Desk research, key informant interviews	Conduct	August - December 2017
Full first draft report	Draft	December 2017
Updated draft report	Draft	January 2018
Finalization of report	Draft	January 2018
Launch of report	Present & Participate	January 2018
<b>Second interim report, monitoring of execution phase</b>		
Desk research, key informant interviews	Conduct	January 2018 – September 2018
Full first draft report	Draft	August 2018
Updated draft report	Draft	September 2018
Finalization of report	Draft	November 2018
Launch of report	Present & Participate	November 2018
<b>Final report</b>		
Desk research, key informant interviews	Conduct	November 2018 – May 2019
On site checks	Conduct	November 2018 – May 2019
Full first draft report	Draft	June 2019
Updated draft report	Draft	August 2019
Finalization of report	Draft	August 2019
Launch of report	Present & Participate	September 2019

## 6. Minimum requirements:

- University degree (MA) in engineering, design, civil construction, earth sciences or similar applied to the construction of underground/road facilities;
- Experience of working in research-based projects;
- Substantial experience (minimum 5 years) of conducting research related to road construction, underground/tunnel construction, siting of facilities, environmental impact assessment, geoenvironmental sciences and other relevant projects;

- Good knowledge of building and designing codes and requirements and legal regulations concerning civil construction and public procurement;
- Awareness of the legal, administrative and political background of Bulgaria;
- Awareness of the transparency principles and legal instruments to counter corruption in public procurement;
- Excellent command of Bulgarian language;
- Good command of English.

## 7. Selection Criteria and Weighting

In order to ensure best value for money, the applications received will be assessed as follows:

Criteria	Points
<b>Knowledge of codes, regulations, and standards in the field of construction, engineering, design of infrastructure projects, geology and relevant fields</b>	
Demonstrated excellent knowledge of codes, regulations, and standards, as well as extended experience on their application in the CV	<b>40</b>
Demonstrated good knowledge of codes, regulations, and standards, as well as experience on their application in the CV	<b>20</b>
Demonstrated fair knowledge of codes, regulations, and standards, as well as limited experience on their application in the CV	<b>10</b>
No demonstrated knowledge and experience of codes, regulations, and standards in the field of construction, engineering, design of infrastructure projects, and/or geology	<b>0</b>
<b>Experience in implementation of projects related to road/underground construction and/or research-based projects in the field</b>	
Over 5 implemented projects	<b>20</b>
2-5 implemented projects	<b>10</b>
1 implemented project	<b>5</b>
No proof of implemented projects	<b>0</b>
<b>Knowledge of legal framework in the public procurement field, transparency principles and anti-corruption instruments</b>	
Demonstrated excellent knowledge of legal framework in the public procurement field, transparency principles and anti-corruption instruments, as well as extended	<b>10</b>

Criteria	Points
experience on their application in the CV	
Demonstrated good knowledge of legal framework in the public procurement field, transparency principles and anti-corruption instruments, as well as experience on their application in the CV	<b>8</b>
Demonstrated fair knowledge of legal framework in the public procurement field, transparency principles and anti-corruption instruments, as well as limited experience on their application in the CV	<b>4</b>
No demonstrated knowledge and experience of legal framework in the public procurement field, transparency principles and anti-corruption instruments	<b>0</b>
<b>Experience in drafting of research-based papers (analyses, reports, articles, etc.)</b>	
Over 5 publications (including as co-author), at least two of which are extended analyses or reports	<b>10</b>
2-5 publications (including as co-author), at least one of which is extended analysis or report	<b>8</b>
1 publication (including as co-author)	<b>4</b>
No publications	<b>0</b>
<b>Fee</b>	
20 % discount (of the maximum budget available) or more	<b>20</b>
Between 5 and 20 % discount (of the maximum budget available)	<b>5 - 20</b>
Equal to maximum budget available or proposed discount up to 5%	<b>5</b>
<b>Total maximum points:</b>	<b>100</b>

**Please note, that receiving 0 points for any of the evaluation criteria will exclude the application from further consideration!**

Applicants will be ranked according to total points received and selected short-listed candidates will be invited for interview. Final decision would be reached after interviews. Contract might be offered to more than one candidate.

## 8. Submission of Applications

Applications in English must be sent by the applicant by email to [ecaterina@transparency.bg](mailto:ecaterina@transparency.bg) no later than May 2, 2017. Please include "Integrity Pacts Project Technical Expert Application" in the subject line.

Applications should contain:

### 1. Curriculum Vitae with:

- Full description of the applicant's profile and professional experience;
- Description of applicant's experience in dealing with public procurement issues;
- List of implemented research-based projects (if any) with outlining the exact role in the project;
- List of relevant publications, incl. books, analyses, articles, etc. if any.

Please use the Euro pass CV template available at:

<https://europass.cedefop.europa.eu/en/documents/curriculum-vitae/templates-instructions>.

**2. Cover letter**, stating daily fee requested by the applicant. Please note that the requested daily fee may not exceed 220 BGN. The maximum man days for the implementation of each activity under the contract would be fixed by TI Bulgaria, in agreement with the expert, depending on the respective activities complexity and the expert's involvement.

Additional questions and requests for clarifications should be addressed to:

Ms Ecaterina Camenscic

E: [ecaterina@transparency.bg](mailto:ecaterina@transparency.bg)

Please include "Clarifications Integrity Pacts Project Technical Expert Application" in the subject line.