

ANNEX II: TERMS OF REFERENCE*

*Please note that this document is an extract from CONNECTA 2's Terms of Reference

4. SCOPE OF THE WORK

4.1. General

4.1.1. Project description

The aim of the contract is twofold:

Contribute to bring EIP flagship and other relevant projects in the Digital future, Clean energy and Sustainable transport sectors to maturity for investment co-financing under the WBIF and subsequent physical implementation. In the Clean energy sector, projects which are not part of an EIP flagship, but labelled as projects of Energy Community significance, called Projects of Energy Community Interest (PECIs) and Projects of Mutual Interest (PMIs)¹, may as well be supported.

Support the Western Balkans partners and the TCPS in preparing and implementing national and regional connectivity reform measures in the transport sector and related technical standards.

The contract will be executed in the context of the implementation of the EIP, including:

- the Green Agenda for the Western Balkans;
- the Digital Agenda for the Western Balkans and the twin green and digital transition;
- the extension of future-proof electricity and gas networks to the Western Balkans and the transition to clean, renewable energy;
- the indicative extension and implementation of the TEN-T Core and Comprehensive network to the Western Balkans.

Furthermore, the work related to national and regional reform measures in the transport sector will be framed by the relevant EU acquis in the transport sector and the TCPS' five action plans on Transport Facilitation, Rail, Road, Road Safety, and Waterborne Transport and Multimodality.

The number of assignments/sub-projects to be implemented will depend on the requests submitted by the beneficiaries and on their size, complexity and maturity.

4.1.2. Geographical area to be covered

The following Western Balkans partners: Albania, Bosnia and Herzegovina, Kosovo, the Republic of North Macedonia, Montenegro, Serbia.

4.1.3. Target groups

The ultimate target group is the population of the Western Balkans partners, which will benefit from improved infrastructure and infrastructure services.

Specific target groups to benefit from the contract are:

- national authorities/administrations in charge of digital, energy and transport infrastructure;
- public utilities in charge of operating and maintaining the infrastructure;

¹ Regulation (EU) 347/2013

- private companies who may enter into public-private partnerships in the framework of the infrastructure projects to be supported and implemented;
- regional and international organisations;
- Western Balkans inhabitants, with a special focus on minorities and vulnerable groups.

4.2. Specific work

The project shall build on the work undertaken to date by the current CONNECTA contract since December 2016.

As mentioned before, the specific tasks of the contractor can be divided into two main categories:

- I. Activities related to targeted project preparation support in the Digital future, Clean energy and Sustainable transport sectors.
- II. Activities related to national and regional connectivity reform measures in the transport sector and related technical standards.

However, the contractor may be requested by the contracting authority to provide additional services or ad-hoc technical assistance not falling within any of the two above mentioned main categories.

The available funds will not be earmarked, neither per main categories, nor per Western Balkans partners.

I. Project preparation

The WBIF will remain the main vehicle to support the preparation of infrastructure projects that are part of the EIP flagships in the Digital future, Clean energy and Sustainable transport sectors, but as well the other WBIF supported infrastructure projects until they are mature for investment financing and physical implementation.

Regular WBIF technical assistance calls allow the Western Balkans partners to submit applications for technical assistance, which - if endorsed by a participating IFI, successfully screened and assessed and finally approved by the WBIF Operational Board – will be implemented by the WBIF's Infrastructure Preparation Facility (IPF) or through the European Western Balkans Joint Fund.

CONNECTA 2 project preparation activities will be complementary to the work carried out by the IPFs and can by no means be used as a fast track or short cut to circumvent the regular WBIF technical assistance call cycle.

Furthermore, CONNECTA 2 will as well be complementary to other EU-funded technical assistance contracts targeting infrastructure projects - such as project preparation facilities in the Western Balkans partners or JASPERS advisory support.

CONNECTA 2 project preparation activities will focus on revising and updating existing project studies and other project documentation and filling gaps (e.g. preparing missing documentation) in the project preparation cycle to bring the infrastructure projects quicker to maturity for investment co-financing and subsequent physical implementation.

The governance of the project - not bound by the WBIF TA call cycle - will allow for a rapid and flexible mobilisation of the required assistance and contribute to a swifter completion of the project documentation for EIP flagship, PEI/PMI and possibly other key infrastructure projects in the Digital future, Clean energy and Sustainable transport sectors.

CONNECTA 2 can get involved in any project phase, but the focus will clearly be on the last phases of the infrastructure project preparation cycle. The project will therefore mainly address the last preparation stages before implementation, providing missing project documentation and/or revising existing documentation, for example following changes in national legislation. Support will not go beyond the procurement phase and CONNECTA 2 will therefore not act as construction works supervisor/FIDIC Engineer. Furthermore, it will neither support project implementation units during the physical implementation phase of infrastructure projects.

Typical CONNECTA 2 project preparation activities could be: update/improve existing feasibility studies, update existing CBAs, review and update existing designs (conceptual, preliminary, detailed/main), analyse and complement existing ESIA's, carry out specific climate risk and vulnerability assessments, perform gender and human rights assessments, update or prepare tender documents, beneficiary support during the procurement phase, etc.

The current CONNECTA contractor, for instance, has carried out the following type of assignments/sub-projects related to infrastructure project preparation (non-exhaustive):

Sustainable transport:

- project documentation for access road to joint border railway station;
- risk assessment (incl. fire safety) and updating of guidelines of highway tunnel;
- preparatory studies for highways;
- preliminary design for highway bypasses;
- update of design for existing railway lines;
- environmental and social gap analysis, review of existing technical project documentation and preparation of supplementary documentation for existing and new railway lines;
- update of cost-benefit analysis for railway lines;
- update of cost-benefit analysis for highway bypasses.

Clean energy:

- studies on building stock of the public sector in the Western Balkans;
- financial viability analysis and cost-benefit analysis for gas inter-connectors;
- various project documentation for gas inter-connectors.

Digital future:

- None.

II. Reform measures and technical standards in the transport sector

CONNECTA 2 will support the preparatory work and implementation of national and regional connectivity reform measures in the transport sector and related technical standards identified and prioritised by the Western Balkans partners and the TCPS.

These could be related to the following areas: infrastructure safety, infrastructure resilience, deployment of intelligent transport systems, border crossings, transport greening, etc.

The current CONNECTA contractor, for instance, has carried out the following type of assignments/sub-projects related to connectivity reform measures and technical standards (non-exhaustive):

- road safety inspections and audit plans, including pilots;
- detailed designs for improving road safety conditions along high-risk sections;
- technical documentation for modernisation and capacity improvement of infrastructure at road border crossing points;
- studies for deployment of smart and sustainable mobility in the Western Balkans;
- strategic framework for implementation of ITS in the Western Balkans;
- technical assistance for preparation of national ITS strategies;
- studies for deployment of road traffic management centres;
- studies on road border crossing facilitation;
- road maintenance plans;

- studies for establishing electronic queuing management system (e-QMS) on selected road border crossings;
- project documentation for replacement of highway guardrails according to EN standards;
- workshops.

Understanding of the specificities of the contract assignment

In the organisation & methodology (overall limited to 50 pages), the tenderers are requested to share as well their comprehension of key issues as regards Digital future, Clean energy and Sustainable transport infrastructure projects in the Western Balkans. Furthermore, they shall elaborate on how they will deal with streamlining climate change risk assessment and the identification of appropriate mitigation and adaptation measures in the planning and implementation of their future assignments/sub-projects under this contract. (max. 20 pages)

In addition, the tenderers shall elaborate on their knowledge of gender and human rights issues related to Digital future, Clean energy and Sustainable transport projects in the Western Balkans and how this will be dealt by their expert teams under this contract to ensure maximum impact as to the infrastructure projects to be supported. (max. 5 pages)

Inception phase

The inception phase will last 3 months.

The contractor shall carry out a full project review to determine all factors relevant to its implementation, including a thorough analysis of assumptions and risks and an updated log-frame matrix with a suitable set of indicators to measure project progress and performance.

The contractor shall meet all EU Delegations, the TCPS, the EnCS, all line ministries, NIPACs and other institutional stakeholders in the Western Balkans partners and all International Financial Institutions involved in an EIP flagship project in the Digital future, Clean energy and Sustainable transport sectors. The contractor shall ensure that all stakeholders are fully aware of the project and the available CONNECTA 2 support and establish proper lines of communication. The contractor shall as well contact the other technical assistance facilities operating in the Western Balkans (e.g. IPFs, PPFs, IFICO, JASPERS, etc.). Based on all these meetings, the contractor will prepare a first indicative pipeline of assignments/sup-projects in the two main sectors (i.e. Digital future/Clean energy/Sustainable transport projects and transport reform measures/technical standards) and a tentative work plan for the following nine months.

The contractor shall analyse and discuss with the potential beneficiaries the current CONNECTA application and screening process (<https://connecta-info.eu/guidelines-for-applying-for-connecta-assistance>) and may recommend changes, if pertinent. However, it should be kept in mind that fast application screening and approval and rapid mobilisation of CONNECTA 2experts is of utmost importance, namely as regards targeted support for infrastructure projects.

The contractor shall as well carefully review the terms of reference and may propose updates/amendments based on the finding of the full project review and the meetings with the project's key stakeholders.

This is an indicative outline of the activities to be performed during the inception phase and the tenderers are encouraged to include additional activities as they think appropriate in their organisation & methodology.

The contractor will present the inception report during a joint hybrid meeting with DG NEAR D.5, the EU Delegations and the TCPS.

N.B. Urgent applications related to targeted project support may already have to be dealt with shortly after the onset of the contract and if approved the assignment/sub-project may even start during the inception phase.

Communication and Visibility

The contractor will be required to nominate a dedicated communication and visibility expert with relevant infrastructure sector experience and to prepare a communication and visibility action plan fully respecting the EU's communications and visibility requirements mentioned below. The action plan shall be prepared and submitted for approval by DG NEAR together with the inception report. The action plan should be complementary and support the existing communication and visibility activities already promoted within the WBIF and address requirements and guidelines set out for written material, press conferences, presentations, invitations, signs, and all other tools used to highlight EU participation. It should address the needs of establishing a dynamic communication strategy that will highlight the achievements of EU support through CONNECTA 2 and include a dedicated webpage, closely related to the WBIF (www.wbif.eu), with special emphasis on national and regional connectivity reform measures in the transport sector and related technical standards.

Communication activities have to be planned and carried out in close coordination and cooperation with the WBIF communication and visibility team and the EU Delegation communication correspondents. Activities will be based on a concise annual communication and visibility plan to be updated on a regular basis.

As a general rule, the contractor must fully comply with the Communication and Visibility Requirements for European Union External Actions laid down and published by the European Commission. (See https://ec.europa.eu/international-partnerships/comm-visibility-requirements_en). The compliance with this shall be made an output of the contract and the contractor shall include in its reporting what has been accomplished during the reporting period.

4.3. Project management

4.3.1. Responsible body

The DG NEAR Western Balkans Regional Cooperation and Programmes Unit (NEAR D5) will act as contracting authority and appoint a project manager.

The DG NEAR Finance and Contracts Enlargement Unit (R5) will be responsible for the financial aspects, such as payments.

4.3.2. Management structure

The NEAR D5 project manager will be responsible for the contractual management of the contract, in close cooperation with the EU Delegations.

CONNECTA 2 support will continue to be demand-driven and the beneficiaries will be responsible for preparing the application and developing the requested scope of work.

A swift pre-screening involving NEAR D5, the EU Delegations and when applicable the TCPS will ensure that no resources are wasted for preparing fully-fledged applications which may finally be rejected.

The following entities can normally apply for CONNECTA 2 technical assistance:

- I. Targeted project preparation support: → relevant ministries and technical agencies/infrastructure operators → N.B. All applications must be endorsed by the EU Delegation and be submitted through the NIPAC to the CONNECTA 2 team leader.
- II. Reform measures and technical standards in the transport sector: relevant ministries (regional applications covering several Western Balkans partners are possible and will be submitted through the TCPS) → N.B. All applications must be endorsed by the EU Delegation and the TCPS, and be submitted through the NIPAC to the CONNECTA 2 team leader.

The applications will be screened by NEAR D5 with the support of the EU Delegations, if applicable by the TCPS or the EnCS. If necessary, other Commission DGs (e.g. CONNECT, ENER, MOVE) and third parties may be consulted.

The successful applications will be formally approved by NEAR D5 through an administrative order, kick starting the assignment/sub-project.

The contractor will organise quarterly hybrid progress review meetings for NEAR D5, the EU Delegations and the TCPS.

CONNECTA 2 will attend all pertinent coordination meetings organised under the WBIF framework.

DG NEAR will regularly consult the EU Delegations, other Commission DGs, the TCPS, the EnCS and other relevant stakeholders regarding the prioritisation of the CONNECTA 2 pipeline of assignments/sub-projects.

The technical monitoring of the assignments/sub-projects will be performed by NEARD5 and the EU Delegations. The TCPS will support the technical monitoring of the assignments/sub-projects related to national and regional connectivity reform measures in the transport sector.

4.3.3. Facilities to be provided by the contracting authority and/or other parties

None.

5. LOGISTICS AND TIMING

5.1. Location

Project activities will be carried out in Albania, Bosnia and Herzegovina, Kosovo, the Republic of North Macedonia, Montenegro and Serbia. The contractor will establish one main project office in the Western Balkans in agreement with the contracting authority. Additional smaller project offices are at the discretion of the contractor, but shall be duly justified. All costs deriving from the project offices must be included in the fee rates.

5.2. Start date & period of implementation

Please see Articles 19.1 and 19.2 of the special conditions for the actual start date and period of implementation.

The Contracting Authority may, at its own discretion and in accordance with the Financial Regulation, once extend the contract in 50% of its initial value and duration. Any extension of the contract would be subject to availability of funding and the satisfactory performance by the Consultant. This shall be judged, in particular, in terms of the progress towards the achievement of the project purpose, and the delivery of the anticipated results. The intervention of events outside the Contractor's control shall also be taken into account.