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Position Paper

Rethinking tendering procedures for service contracts with the European Commission (DEVCO)

The publication of a new SOEA in December 2010 already had a considerable detrimental impact on the way the companies we represent work with DEVCO. It underlines the problem of the current tendering procedure which gives undue importance to individual expertise against firms/companies knowledge and experience.

This expert-oriented selection procedure has led over the past years to a large development of “bodyshopping companies” which are not equipped to deliver quality control and backstopping services. Additionally, the current procurement system tends to develop and encourage the “subcontracting in cascade” which does not favor the capitalization of expertise and experience.

Our consulting companies/firms bring to their clients their own technical know-how from their specific expertise or the capitalization of the know-how accumulated by the permanent staff throughout the years. Moreover, large investments are made to motivate, train and growth the expertise and knowledge of the permanent staff. Lastly our consulting companies/firms provide substantial social protection and personal development perspectives to their staff.

Conversely the “bodyshopping companies” have little organization costs, no industrial environment (methods, tools, control, quality, etc.), no qualifications (ISO certification, etc.) and no recurrent permanent staff costs (training, inter-contract period, paid leaves etc.).

In FEACO opinion, the time has come for a reassessment of the tendering procedures for service contracts.

ECIC-FEACO is proposing a clear set of seven measures that it would like to bring to the attention of DEVCO and all DGs or institutions that use the PRAG in their daily work.

These immediate and easily implementable measures aim at reflecting an approach that recognizes European companies/firms experience and knowledge and at the same time, eases the work of the contracting authorities so they can focus on technical and quality delivery issues rather than on tendering contractual aspects.

ECIC- FEACO set of seven (7) measures for improving tendering procedures for service contracts with the European Commission (DEVCO)

1. Remove the last sentence of the new SOEA: “the consequence is that the tender, for which this SOEA is submitted, shall be rejected”;
2. Allow company/firm to replace a key expert in the event s/he is not available any longer having a confirmed engagement for another EU/EDF funded project. Indeed, a company/firm cannot be held responsible for a key expert receiving another confirmed engagement from the European Commission;
3. Shorten the period during which key experts are on hold and informing all tenderers as soon as the evaluation committee has completed the technical evaluation so that tenderers below the technical threshold of 80 pts can release their experts;
4. Set the emphasis on firm/company capacity and methodology and not on key experts; it means that methodology should have 70% of the marks and experts 30%; Amongst experts the TL should have the majority (20 %) and the rest should be for other key experts;
5. Limit the number of key experts and limit the use of the SOEA to the key expert 1 (Team leader);
6. Have only Statement of Exclusivity for other key experts;
7. Give a clear weight in the methodology to (i) non key experts and to (ii) company/firm expertise and past experience since they represent the capacity of the company to implement the project.

European Communities Institutions Committee of FEACO
Contact ECIC-FEACO: Eric Tourrès – Chairperson (+32-496-87-58-55) and
Etienne Matton – Vice Chair (+32-475-97-94-85)