

**Denmark-Copenhagen: Evaluation consultancy services**

OJ S 129/2021 07/07/2021

**Contract notice****Services****Legal Basis:**

Directive 2014/24/EU

**Section I: Contracting authority**

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**I.1. Name and addresses**

Official name: Danida Evaluation, Learning and Quality (ELK), Ministry of Foreign Affairs of Denmark

National registration number: 43271911

Postal address: Asiatisk Plads 2

Town: Copenhagen

NUTS code: DK011 Byen København

Postal code: 1448

Country: Denmark

Contact person: Marina Buch Kristensen

E-mail: [markrs@um.dk](mailto:markrs@um.dk)

**Internet address(es):**

Main address: <http://um.dk/en/danida-en/>

**I.3. Communication**

The procurement documents are available for unrestricted and full direct access, free of charge, at: <https://www.ethics.dk/ethics/eo#/4aa82a21-d81d-49ae-9c9a-492b5e22f8d2/publicMaterial>

Additional information can be obtained from the abovementioned address

Tenders or requests to participate must be submitted electronically via: <https://www.ethics.dk/ethics/eo#/4aa82a21-d81d-49ae-9c9a-492b5e22f8d2/homepage>

Tenders or requests to participate must be submitted to the abovementioned address

Electronic communication requires the use of tools and devices that are not generally available. Unrestricted and full direct access to these tools and devices is possible, free of charge, at: <https://www.ethics.dk/ethics/eo#/4aa82a21-d81d-49ae-9c9a-492b5e22f8d2/homepage>

**I.4. Type of the contracting authority**

Ministry or any other national or federal authority, including their regional or local subdivisions

**I.5. Main activity**

Other activity: Development assistance

**Section II: Object**

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**II.1. Scope of the procurement****II.1.1. Title**

Evaluation of Danida support to Private Sector Development (PSD)

Reference number: 2021-4282

### **II.1.2. Main CPV code**

79419000 Evaluation consultancy services

### **II.1.3. Type of contract**

Services

### **II.1.4. Short description**

The Evaluation, Learning and Quality (ELK) Department in the Ministry of Foreign Affairs of Denmark (MFA) is commissioning an independent evaluation to evaluate the Danish support for improving the framework conditions for Private Sector Development (PSD) in the Global South.

The objectives of the evaluation are:

- to document and analyse the relevance, coherence, effectiveness (focusing on outcomes /impact), efficiency (including value for money), sustainability of the Danish support for improving the framework conditions for PSD from 2008-2021;
- to prepare recommendations for relevant Danish programmes and initiatives already in place as well as the future Danish support for improving the framework conditions for PSD.

### **II.1.5. Estimated total value**

Value excluding VAT: 3 000 000,00 DKK

### **II.1.6. Information about lots**

This contract is divided into lots: no

## **II.2. Description**

### **II.2.2. Additional CPV code(s)**

75211200 Foreign economic-aid-related services

### **II.2.3. Place of performance**

NUTS code: DKZ Extra-Regio NUTS 1

Main site or place of performance: Denmark and selected PSD case countries (Kenya, Tanzania, Ghana, and Mali).

### **II.2.4. Description of the procurement**

This evaluation will specifically focus on Danish supported programmes and actors that improve the framework conditions for PSD in the Global South. PSD is for the purpose of this evaluation considered a public good that contributes to economic development and poverty reduction in the Global South.

The evaluation should apply the Donor Committee for Enterprise Development (DCED) definition for the 'business environment' and 'business environment reform', as formulated in its 2008 Donor Guidelines for Business Environment Reform. This includes reforms that span the four 'levels' of the business environment (i.e., regional, national, subnational, and sector) as well as the 'functional areas' of business environment reform. However, beyond this somewhat narrow definition and scope, the evaluation should accommodate a set of programming themes that are found across the Danish PSD programming.

In accordance with OECD/DAC Quality Standards for Evaluation (2010) and the Danida Evaluation Guidelines (January 2018), the evaluation must be based on a clearly outlined methodology. Tenderers are expected to present an initial approach and methodology of the evaluation at the tender stage. During the inception phase, the evaluation team will present and justify the proposed portfolio to be included in the evaluation, thoroughly analyse available documents and reports, and propose a detailed evaluation framework and approach for the evaluation including the below case studies.

In four case countries (Kenya, Tanzania, Ghana and Mali), the evaluation will analyse how the bilateral country programmes have contributed to conducive framework conditions for PSD and how synergies may have been created with global/regional initiatives (Aid for Trade, Danida Sustainable Infrastructure Finance (DSIF), Partnering for Green Growth and the Global Goals 2030 (P4G), Sector Strategic Cooperation (SSC) Labour Market Consortia LMC), Danida Market Development Partnerships (DMDP), and Danida Fellowship Centre (DFC)) and interventions by Danish NGOs and multilateral partners (through core support) funded by the MFA. The unit of analysis is thus the country level. Missions are expected to all case countries. These country cases will be an important source of knowledge on what works on the ground in terms of the evaluation themes.

Beyond the four country cases, a thematic case study should be designed to analyse how the Danish portfolio of PSD projects and programmes has contributed to improved framework condition through Business Advocacy Funds. Over the years significant resources have been allocated to establishment of such funds. These funding facilities have provided funding and capacity building support to private sector organizations and academia. Funding has been provided for projects targeting a specific constraint and advocate for an improved business environment. The approach adopted by the individual funds have varied from country to country and evolved over time. All advocacy funds, to varying degrees, have however operated as challenge funds and have provided funding for a variety of actors. Data for the thematic case study will among others be collected during the field missions to Kenya, Tanzania, and Ghana. There will not be a field mission to Mozambique so the FAN Fund in Mozambique will be evaluated as a desk study combined with virtual interviews and the survey. It is expected that the Consultant will use 80 % of its consultancy hours on the case studies and 20 % on analysing data across the case studies.

#### **II.2.5. Award criteria**

Price is not the only award criterion and all criteria are stated only in the procurement documents

#### **II.2.6. Estimated value**

#### **II.2.7. Duration of the contract, framework agreement or dynamic purchasing system**

Duration in months: 12

This contract is subject to renewal: no

#### **II.2.9. Information about the limits on the number of candidates to be invited**

Envisaged number of candidates: 5  
Objective criteria for choosing the limited number of candidates:

Candidates will be selected on the basis of the information concerning technical and professional ability, cf. section III.1.3).

In the selection, the contracting authority will specifically emphasise:

- the number of relevant contracts, as defined in section III.1.3);
- the extent to which the performed contracts concern framework conditions for private sector development;
- the extent to which the performed contracts include experience with multi country evaluations;
- the extent to which the performed contracts concern Sub-Saharan Africa; and
- the extent to which the contracts are performed for clients comparable to Danida (Denmark's development cooperation, which is an area of activity under the Ministry of Foreign Affairs of Denmark), e.g. EU bilateral development partners or The World Bank.

#### **II.2.10.**

### **Information about variants**

Variants will be accepted: no

#### **II.2.11. Information about options**

Options: no

#### **II.2.13. Information about European Union funds**

The procurement is related to a project and/or programme financed by European Union funds:  
no

#### **II.2.14. Additional information**

The contracting authority has a maximum budget of DKK 3 000 000 net of VAT in relation to the procurement. Tenders will be rejected if they exceed the contracting authority's maximum budget.

### **Section III: Legal, economic, financial and technical information**

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#### **III.1. Conditions for participation**

##### **III.1.1. Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers**

List and brief description of conditions:

In Part III.A-C of the ESPD, economic operators must answer whether they are subject to exclusion grounds.

An economic operator is excluded from the procurement procedure if the economic operator itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein has been convicted by final judgement or fined within the last 4 years for any of the exclusion grounds relating to the criminal convictions listed in section 135(1) of the Danish Public Procurement Act.

An economic operator is excluded from the procurement procedure if it has unpaid overdue debt of DKK 100 000 or more to public authorities in relation to payment of taxes and payment of social security, cf. section 135(3) of the Danish Public Procurement Act. An economic operator is, however, not excluded where the economic operator has agreed on a repayment scheme with the collection authority and that scheme is observed, cf. section 135(4), or where the economic operator provides guarantee of payment of the part of the debt which constitutes DKK 100 000.00 or more, cf. section 135(5).

An economic operator is excluded from the procurement procedure if it is subject to any of the exclusion grounds listed in sections 136(1)(1) and 136(1)(2) of the Danish Public Procurement Act.

An economic operator is excluded from the procurement procedure if it within the last 2 years has been subject to any of the exclusion grounds listed in sections 136(1)(3) and 137(1)(2-3) of the Danish Public Procurement Act.

The contracting authority can accept the following documentation in relation to the exclusion grounds in sections 135(1), 135(3) and 137(1)(2) of the Danish Public Procurement Act (in order of priority):

- 1) Extracts from the relevant register or similar documents issued by a competent judicial or administrative authority or certificates issued by the competent authority in the country referred to as documentation that the tenderer is not subject to the grounds for exclusion stipulated in sections 135(1), 135(3) and 137(1)(2);
- 2) A declaration on oath (only if such extracts, certificates or similar documents are not issued in the country where the economic operator is established, or where the documentation does

not cover all the grounds for exclusion stipulated in sections 135(1), 135(3) and 137(1)(2) entirely);

3) A solemn declaration made by the person concerned before a competent judicial or administrative authority, a notary or a competent professional or trade body, in the country of origin or in the country where the economic operator is established (only if there is no provision for declarations on oath in the country where the economic operator is established). Thus, the contracting authority cannot accept e.g. a solemn declaration made before a notary if there can be issued a certificate by the competent authority in the country where the economic operator is established. Moreover, the contracting authority cannot accept self-declarations or similar declarations issued by the economic operator or the person concerned as documentation in relation to the exclusion grounds.

Economic operators can identify the relevant documentation using the online platform e-Certis: <https://ec.europa.eu/tools/ecertis>

Economic operators are encouraged to submit all necessary documentation as early as possible.

### **III.1.2. Economic and financial standing**

List and brief description of selection criteria:

In Part IV.B of the ESPD, the economic operator must fill in its average yearly turnover for the last 2 financial years available (where the economic operator can present annual reports).

If the economic operator consists of a group of economic operators (e.g. a consortia or joint venture) or if the economic operator relies on the capacity of other entities, each involved economic operator or entity must submit a completed ESPD.

When an economic operator is participating in the procurement procedure together with others (e.g. a consortia or joint venture) or if the economic operator relies on the economic and financial standing of other entities, the participating economic operators or the entities referred to are subject to joint and severable liability for the performance of the contract.

The contracting authority can accept annual reports or excerpts hereof or relevant statements from a bank or certified accountant as documentation in relation to the economic and financial standing.

When an economic operator is participating in the procurement procedure together with others or when an economic operator relies on the economic and financial standing of other entities, the economic operator must also provide statements of support or other documentation proving that the economic operator has access to the necessary economic and financial standing. The statements of support must establish a legal obligation for the party concerned and state that the involved economic operators or entities are subject to joint and severable liability for the performance of the contract.

Economic operators are encouraged to submit all necessary documentation as early as possible.

Minimum level(s) of standards possibly required:

The economic operator is required to have an average yearly turnover of minimum DKK 6 000 000 for the last 2 financial years available.

When the economic operator is participating in the procurement procedure together with others (e.g. a consortia or joint venture) or if the economic operator relies on the capacity of other entities, it is required that the participating economic operators or the economic operator and the entities referred to altogether meet the selection criteria.

### **III.1.3. Technical and professional ability**

List and brief description of selection criteria:

In Part IV.C of the ESPD, the economic operator must fill in a list of maximum 5 contracts entered into, ongoing or finalised within the last 3 years stating a description of the contract (nature and quantity of services from the economic operator and how they compare to the description of this procurement), amount (contract fee received by the economic operator), start date, end date and recipient (name and contact information).

The number of performed contracts is determined based on all submitted ESPDs (i.e. from all involved economic operators in a group of economic operators and/or other supporting entities).

If an economic operator has listed more than 5 contracts, the contracting authority will only read and assess the 5 most recent contracts listed (first based on end date, and then based on start date).

If the economic operator consists of a group of economic operators (e.g. a consortia or joint venture) or if the economic operator relies on the capacity of other entities, each involved economic operator or entity must submit a completed ESPD.

When an economic operator is participating in the procurement procedure together with others (e.g. a consortia or joint venture) or if the economic operator relies on the technical and professional abilities of other entities, the specific parts of the contract must be performed by the economic operators or entities with the required technical and professional abilities.

The contracting authority reserves the right to contact the recipients of services or require statements from the recipients, confirming that the economic operator has performed the listed contracts, as documentation in relation to the technical and professional ability.

When an economic operator is formed by a group of economic operators or relies on the technical and professional abilities of other entities, the economic operator must also provide statements of support or other documentation proving that the economic operator has access to the necessary technical and professional abilities. The statements of support must establish a legal obligation for the party concerned and state the parts of the contract to be performed by the party concerned.

Economic operators are encouraged to submit all necessary documentation as early as possible.

Minimum level(s) of standards possibly required:

Within the last 3 years, the economic operator is required to have performed (entered into, ongoing or finalised) minimum one (1) contract regarding an independent evaluation of a private sector development programme in one or more developing countries with a value attributable to the economic operator of more than DKK 500 000.

An 'independent evaluation' is an evaluation carried out for an evaluation unit of a development organisation.

A monitoring and evaluation assignment (i.e. a long-term performance review and evaluation of the implementation and results of a programme) will not be considered as a relevant reference.

An award of a framework agreement will not, in itself, be considered as a relevant reference, but a contract awarded under a framework agreement can be considered as a relevant reference if it fulfils the stipulated requirements.

When the economic operator is participating in the procurement procedure together with others (e.g. a consortia or joint venture) or if the economic operator relies on the capacity of other entities, it is required that the participating economic operators or the economic operator and the entities referred to altogether meet the selection criteria.

## **III.2. Conditions related to the contract**

### **III.2.2. Contract performance conditions**

The winning tenderer is to perform the contract in compliance with the Danida Anti-Corruption Policy and the principles of the UN Global Compact.

Economic operators can find more information on:

<http://um.dk/en/danida-en/about-danida/Danida-transparency/anti-corruption/>  
<https://www.unglobalcompact.org/what-is-gc/mission/principles>

## Section IV: Procedure

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### IV.1. Description

#### IV.1.1. Type of procedure

Restricted procedure

#### IV.1.3. Information about a framework agreement or a dynamic purchasing system

#### IV.1.8. Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: yes

### IV.2. Administrative information

#### IV.2.2. Time limit for receipt of tenders or requests to participate

Date: 10/08/2021 Local time: 14:00

#### IV.2.3. Estimated date of dispatch of invitations to tender or to participate to selected candidates

Date: 17/08/2021

#### IV.2.4. Languages in which tenders or requests to participate may be submitted

English

#### IV.2.6. Minimum time frame during which the tenderer must maintain the tender

Duration in months: 6 (from the date stated for receipt of tender)

## Section VI: Complementary information

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### VI.1. Information about recurrence

This is a recurrent procurement: no

### VI.2. Information about electronic workflows

Electronic invoicing will be accepted

Electronic payment will be used

### VI.3. Additional information

The tender procedure is governed by Danish law and the rules applicable hereunder.

An English translation of the Danish Public Procurement Act is available on: <https://www.kfst.dk/media/54435/the-public-procurement-act.pdf>

Access to the procurement procedure requires online registration.

Guidance (in Danish and English) on the use of the tendering system can be found at:

<https://mercell.atlassian.net/servicedesk/customer/portal/3/article/177996038?src=1869524006>

Local time in section IV is according to Central European Time (CET) in Denmark.

Economic operators may only submit one application or tender.

Economic operators must submit a European Single Procurement Document (ESPD) as preliminary evidence that the economic operator is not subject to exclusion grounds and that

the economic operator fulfils the requirements for economic and financial standing and technical and professional ability.

When the economic operator is participating together with others or if the economic operator relies on the capacity of other entities, each participating economic operator must provide a separate ESPD.

Before the time limit for receipt of tenders, the candidates, which the contracting authority has invited to tender, must present documentation of the information provided in the ESPD.

When an economic operator is participating in the procurement procedure together with others, the economic operator must present a joint statement from all the participating economic operators which identifies the member of the group who can act as an agent on behalf of the group with mandate to establish a legal obligation on behalf of the group in relation to the contracting authority.

The assignment will include evaluation of Danida-funded projects/programmes. Therefore, in the tender, economic operators must submit a declaration of prior and ongoing involvement from the tenderer and each involved Key Staff, and in accordance with the Danida Evaluation Guidelines and the DAC quality standards for development evaluation, the following shall apply. In situations where conflict of interest could occur, key staff are excluded from participation in the tender if their participation puts into doubt the independence and impartiality of the evaluation. Tenderers or key staff, participating in the preparation or implementation of the tendered evaluation assignment, are excluded from participation in the tender if their involvement constitutes unfair competition. Decisions on whether a conflict of interest or unfair competition exists rest with the contracting authority and are made on a case-by-case basis.

Prior to the signing of the contract, the economic operator must present statements of availability from all non-permanent staff (e.g. project specific consultants or freelance consultants).

This contract has not been divided into lots, cf. section II.1.6), due to market and economic considerations.

Economic operators will not receive remuneration for their participation in the procedure.

#### **VI.4. Procedures for review**

##### **VI.4.1. Review body**

Official name: Klagenævnet for Udbud

Postal address: Toldboden 2

Town: Viborg

Postal code: 8800

Country: Denmark

E-mail: [klfu@naevneneshus.dk](mailto:klfu@naevneneshus.dk)

Telephone: +45 72405600

Internet address: <https://naevneneshus.dk/start-din-klage/klagenaevnet-for-udbud/>

##### **VI.4.3. Review procedure**

Precise information on deadline(s) for review procedures:

Actions regarding requests to participate and selection must be submitted within 20 calendar days from the day after the contracting authority has notified the economic operators of the decisions regarding selection.

Other actions regarding the procedure (e.g. decisions regarding award of contract) must be submitted within 45 calendar days from the day after the publication of a contract award notice in the Official Journal of the EU.

Complaint guidelines (in English) can be found at: <https://naevneneshus.dk/media/9802/complaint-guidelines.pdf>

**VI.4.4. Service from which information about the review procedure may be obtained**

Official name: Konkurrence- og Forbrugerstyrelsen

Postal address: Carl Jacobsens Vej 35

Town: Valby

Postal code: 2500

Country: Denmark

E-mail: [kfst@kfst.dk](mailto:kfst@kfst.dk)

Telephone: +45 41715000

Internet address: [www.kfst.dk](http://www.kfst.dk)

**VI.5. Date of dispatch of this notice**

02/07/2021