

Denmark-Copenhagen: Evaluation consultancy services

OJ S 132/2023 12/07/2023

Contract notice

Services

Legal Basis:

Directive 2014/24/EU

Section I: Contracting authority

I.1. Name and addresses

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

National registration number: 43271911

Postal address: Asiatisk Plads 2

Town: Copenhagen

NUTS code: DK011 Byen København

Postal code: 1448

Country: Denmark

Contact person: Eva Brandt Broegaard

E-mail: evabro@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#/dfd7f413-215d-4a58-b8a0-13a484ab8715/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#/dfd7f413-215d-4a58-b8a0-13a484ab8715/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#/dfd7f413-215d-4a58-b8a0-13a484ab8715/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

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

Evaluation of Management of Danish Development Cooperation 20 years after decentralisation

Reference number: 2023-24403

II.1.2. Main CPV code

79419000 Evaluation consultancy services

II.1.3. Type of contract

Services

II.1.4. Short description

An evaluation which investigates whether and how management principles and practice as it has evolved, supports the aims and ambitions of Danish development cooperation, in light of the changes in Danish development cooperation. In this evaluation, management will be used to describe MFA management of support to development cooperation. This includes the management of both bilateral and multilateral development support at headquarter level in Copenhagen and at embassies/missions. This implies that programmes implemented by other ministries and institutions but managed in Copenhagen will be covered by the evaluation (e.g. Strategic Sector Cooperation (SSC)). Here, focus will be on MFA's role and management in relation to such activities, not on the management by other actors.

II.1.5. Estimated total value

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

NUTS code: DK011 Byen København

NUTS code: ET Ethiopia

NUTS code: NE Niger

NUTS code: UG Uganda

NUTS code: VN Vietnam

NUTS code: US United States

Main site or place of performance: The evaluation includes case studies with visits to up to five partner countries (Ethiopia, Niger, Uganda, Vietnam and one DAPP partner country) and one multilateral mission (UN, New York).

II.2.4. Description of the procurement

The evaluation will be mainly forward looking and focus on learning. The evaluation has three objectives:

(1) To assess whether and how changes in development cooperation since 2009 have been addressed by aid management in a relevant and appropriate manner, in line with the intentions behind the decentralisation.

(2) To assess whether and how the changes since 2018-19 in management are conducive to fostering conditions for achieving the intentions embedded in the DDD and adaptive management approach.

(3) To provide lessons learned regarding strengths and weaknesses in management of Danish development cooperation as well as enabling and hindering factors, and to present issues for consideration, including identification of dilemmas or trade-offs, and recommendations on adjustments as relevant.

In order to achieve these objectives, it will be needed to establish a descriptive overview of the main developments in management of Danish development cooperation since the last evaluation in 2009. The description will comprise both developments in Danish development support, including its size, instruments, and composition, and developments in policies and principles that have guided the management of Danish development cooperation, as well as the broader donor landscape/aid architecture and international development agenda. With regards to time frame, the evaluation will cover the period since the last evaluation in 2009, but due to the learning-oriented perspective of the evaluation, it is envisaged that the evaluation will have a particular focus on the evolvement since app. 2018-19, to ensure that lessons and considerations on adjustments also reflect the current situation. A solid contextual understanding regarding trends, changes and rationales is seen as an important foundation for the in-depth analysis leading to forward-looking lessons and considerations. The lessons and considerations shall be relevant for the current development cooperation.

The evaluation is not limited in geographic scope, but in order to allow for sufficient depth and specificity in the investigation and analysis, it is suggested to work with case-studies. The cases should comprise multilateral, regional and bilateral support and represent different examples of programmes, projects and constellations of management of development cooperation. As a point of departure, the following cases are suggested:

- Multilateral support: Current MFA aid management of multilateral support as exemplified by UN representation in NY, with a focus on UNICEF; possibly with a sectoral focus on support to child protection activities or the interplay with management of support to water/WaSH;
- Regional support managed from Copenhagen: Current MFA management of The Danish-Arabian Partnership;
- Development support to countries with targeted partnerships, where SSC and/or other types of Danish development cooperation activities are implemented, with support to Vietnam as case;
- Development support to countries with expanded partnerships, where both bilateral, decentralised development cooperation and other types of engagements are implemented, with support to Ethiopia and Uganda as cases; and delegated cooperation, with support to Niger as case.

It is expected that comparisons are made with other Nordic countries (e.g. Norway and Sweden). The comparisons should comprise the management at policy and strategic level as well as the management of programming and implementation of development support. The comparisons will not imply additional visits.

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

Value excluding VAT: 4 500 000,00 DKK

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

Start: 05/12/2023 End: 30/11/2024

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 relation to the object of this contract, cf. sections II.1.4) and II.2.4).

In the selection, the contracting authority will specifically emphasise:

- (1) The number of relevant contracts, as defined in section III.1.3);
- (2) The extent to which the performed contracts compare to the description of this procurement, including:
 - (a) the extent to which the performed contracts concern evaluations that address management of development cooperation from a bilateral donor perspective,
 - (b) the extent to which the performed contracts concern evaluations covering a span of 5+ years,
 - (c) the extent to which the performed contracts concern evaluations of different sectors, instruments and modalities,
 - (d) the extent to which the performed contracts concern evaluations in different regions of the world; and
- (3) The extent to which the contracts are performed for clients comparable to the Ministry of Foreign Affairs of Denmark.

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 4,500,000.00 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

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 5 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 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 3 years has been subject to any of the exclusion grounds listed in sections 136(1)(3-4) and 137(1)(2) of the Danish Public Procurement Act.

An economic operator is not required to answer whether it is subject to purely national exclusion grounds, cf. Part III.D of the ESPD.

An economic operator is excluded from the procurement procedure if the economic operator is established in a country which is entered on the EU list of non-cooperative jurisdictions for tax purposes and which has not adopted the Government Procurement Agreement (GPA) or other trade agreements that oblige Denmark to open its market for public contracts for tenderers established in the country in question, cf. section 134 a 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 several 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 several 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 9,000,000.00 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 finalized within the last 3 years.

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).

Each listed contract should include the following information:

- (1) a description of the contract (nature and quantity of services from the economic operator and how they compare to the description of this procurement),
- (2) amount (remuneration received by the economic operator for the performance of the services),
- (3) start date (date of conclusion of the contract),
- (4) end date (date of completion of services), and
- (5) recipient (name and contact information).

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.

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.

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.

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 performed (entered into, ongoing or finalized) minimum 1 contract regarding an independent evaluation of bilateral donor support that also includes issues related to management of development cooperation.

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

A monitoring assignment (i.e. a long-term performance review 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

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: 04/09/2023 Local time: 14:00

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

Date: 15/09/2023

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

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.

In the tender, economic operators must submit a completed and signed statement regarding Article 5k(1) of Council Regulation (EU) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine, as amended by Council Regulation (EU) No 2023/1214 of 23 June 2023. The contract cannot be awarded to a tenderer subject to Article 5k(1) of Council Regulation (EU) No 833/2014 of 31 July 2014, as amended by Council Regulation (EU) No 2023/1214 of 23 June 2023.

The assignment will include evaluation of Danida-funded projects/programmes. Therefore, economic operators must submit declarations of prior and ongoing involvement from the economic operator and each involved Key Staff. 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.

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.

If an economic operator is entered on an official list of approved economic operators or has an equivalent certificate (e.g. under a national (pre)qualification system), the economic operator may refer to the list in question or present a certificate issued by the competent authority instead of 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.

Prior to the signing of the contract, the tenderer, which the contracting authority has awarded the contract to, 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 necessary coordination and 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

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

Telephone: +45 41715000

Internet address: www.kfst.dk

VI.5. Date of dispatch of this notice

07/07/2023