



## Terms of Reference

### POSITIONS:

Senior Non-Key Procurement and Training Expert

Junior Non-Key Procurement and Training Expert

### 1. Overall assignment information

**Implementing Consortium:** EPTISA in consortium with Barka Foundation and ECORYS  
**Project Name:** “Support to Social Enterprises”  
**Project:** EuropeAid/140105/DH/SER/MK  
Contract no. 2019/413-967

**Project Duration:** September 2020 – September 2022

### 2. Assignment Background

The aim of the Project is to support long-term and sustainable employment and business opportunities for vulnerable and marginalised groups by establishing support structures for social enterprises that will provide a range of services such as knowledge transfer, capacity-building, education and training, business coaching, organisation of events, sharing of office space or equipment. The Project will identify needs, develop and promote new services, and will offer further support to establishing the eco-system for SE development, by facilitating adjustments to the policy and legal framework. The envisaged target groups are: public institutions such as Ministries, municipalities, ESA, APE, civic society organisations, social enterprises, universities and schools, companies, etc. The project consists of the 4 components, as outlined below:

1. **Component 1** - Creation of favourable and coherent legal, regulatory, financial support and monitoring framework for social enterprises
2. **Component 2** - Establishment, organisation, management and operation of support structure for social enterprises with local contact points
3. **Component 3** - Capacity building
4. **Component 4** – Awareness raising, communication and visibility

### 3. Description of the assignment

This activity will implement trainings for a select group of staff of local self-government, public sector operators and local CSOs on the provisions and application of the new Law on Social Protection and the new Law on Public Procurement. In this activity the Project Team will try to find links with the other EU funded project on deinstitutionalization of social services as social services are the primary concern of CSOs and social enterprises locally.

The trainings will also include a component on best practices in implementing such legislation from EU Member States. Important element of trainings will be facilitation of the process of setting up public-social-private partnerships in the municipalities that seem to be crucial for the future success of the promotion of social entrepreneurship in the regions.

The Law on Social Protection was adopted and entered into force in May 2019. The supervision and regulation of the law is under the responsibility of the MLSP. It is especially relevant here as it provides opportunities for Associations (but not Foundations) to provide certain services if they are registered to provide a service of a social nature (for individuals, families and groups of citizens at risk) and for the development and promotion of volunteering in the community. It includes complete de-institutionalisation, improvement of the services and increasing the effectiveness of the measures to keep people out of poverty.





The new Public Procurement Law (PPL) was updated in 2019 and it provides room for social enterprises despite the fact that there is no specific mention of social enterprises in this legislation, some of the changes are intended to facilitate the participation of small and medium-sized enterprises in public procurement. Services provided by certain types of non-commercial organisations or associations are also covered by the law, depending on the specific public procurement code.

**Desk review** will be carried out by project experts on the provisions and application of the new Law on Social Protection and the new Law on Public Procurement that are relevant for supporting the existing and potential social enterprises/entrepreneurs in North Macedonia. The review will be summarised in a **Report on Using Provisions of the Law on Social Protection and Public Procurement for Supporting Social Enterprise in North Macedonia**. The report will contain a comparative section on the use of these provisions in at least 5 EU member states, in order to reflect a broad spectrum of potential approaches to this matter.

**Trainings for local self-government staff, public sector operators and CSOs** aim to encourage staff of respective institutions and organisations to actively participate in project implementation and increase the outsourcing of relevant services provision to CSOs and social enterprises on the municipal level. The precise content of the training involved will reflect the content of the new Law on Social Protection and the new Law on Public Procurement.

A comprehensive **Training Needs Assessment for Legislative Awareness (TNALA)** will be carried out in order to analyse the needs of local public officials concerning their existing knowledge of how the laws on social protection and public procurement can be used to support existing and potential social enterprises. The TNALA Report will be prepared on the basis of the findings of the needs' analysis. On the basis of the needs assessment, a **Training Plan for Legislative Awareness (TPLA)** will be developed containing a well specified Training Manual with practical examples of how the new legislation can be used by the different target groups.

In regard to the legislation on *public procurement*, trainees will gain a better understanding of the following issues, among others, the detailed content of which will be set out in the TPLA and associated Training Manual. A **Training for Legislative Awareness Delivery and Evaluation Report** will be written up at the end of the Activity for the purpose of monitoring and evaluation and to inform the final project report. The Training Manual from this Activity will be used as an input into the Training for Trainers' Programme developed in Activity 3.6. This activity will be provided with close cooperation with Centre to Support Social Enterprises and its local support points as well as the grantee for the grant from the EU Del.

**Activities that are related to the activity 3.5 is activity 3.6 as follows:**

- Facilitating exchange of experience with other support structures, via the web-portal, workshops, study visits, or other meeting opportunities.

**Activity 3.5 will focus on:**

Implementing trainings for local self-government staff, public sector operators and local CSOs on provisions and application of the new Law on Social Protection and the new Law on Public Procurement including best practices from EU Member States.

The expert will work in close cooperation and collaboration with the SNKEs and JNKE working on other related activities in order to achieve the expected results. The experts' work will be coordinated and supervised from the Team Leader.

**3.1. Description of the implementation of the Activities:**

According to the Activity 3.5 the SNKE and JNKE will:

- prepare Report on Using Provisions of the Law on Social Protection and Public Procurement for Supporting Social Enterprise in North Macedonia
- prepare Training Needs Assessment for Legislative Awareness (TNALA) report, covering all three target groups





- prepare Training Plan for Legislative Awareness (TPLA) covering all three target groups contained a detailed Training Manual
- Deliver 8 trainings to staff of local self-government bodies in each Statistical Region
- Deliver of up to 4 trainings to staff of public sector operators
- Deliver of up to 4 trainings to CSOs
- prepare Training for Legislative Awareness Delivery and Evaluation Report
- Participate in the meetings with the Project Team and in others meeting when it is needed
- Collaborate with other SKNEs, JNKEs and the Social Enterprises Support Team

**Working conditions:**

- The assignment mission is planned to start in February 2022; exact date is subject to availability and negotiation with the candidate. Work base for interviews, meetings and presentations is primarily located in Skopje. Working time may involve some non-routine work hours. Due to the pandemic, it may be necessary to accept partly remote working.
- The Senior Expert will have an estimated input of 40 working days and the Junior Expert will have an estimated input of 25 working days.

**4. Requested services and time-plan of the Senior Non-Key Expert:**

**Senior Non-Key Expert**

Expected Deliverables	Schedule	Working Days
<ul style="list-style-type: none"> <li>• prepare Report on Using Provisions of the Law on Social Protection and Public Procurement for Supporting Social Enterprise in North Macedonia</li> <li>• prepare Training Needs Assessment for Legislative Awareness (TNALA) report, covering all three target groups</li> <li>• prepare Training Plan for Legislative Awareness (TPLA) covering all three target groups contained a detailed Training Manual</li> <li>• Deliver 8 trainings to staff of local self-government bodies in each Statistical Region</li> <li>• Deliver of up to 4 trainings to staff of public sector operators</li> <li>• Deliver of up to 4 trainings to CSOs</li> <li>• prepare Training for Legislative Awareness Delivery and Evaluation Report</li> <li>• Participate in the meetings with the Project Team and in others meeting when it is needed</li> <li>• Collaborate with other SKNEs, JNKEs and the Social Enterprises Support Team</li> </ul>	February 2022 5wd March 2022 5wd April 2022 10 wd May 2021 5 wd June 2022 5 wd July 2022 5 wd August 5 wd	40





**Junior Non-Key Expert**

Expected Deliverables	Schedule	Working Days
<ul style="list-style-type: none"><li>• prepare draft Report on Using Provisions of the Law on Social Protection and Public Procurement for Supporting Social Enterprise in North Macedonia</li><li>• prepare draft Training Needs Assessment for Legislative Awareness (TNALA) report, covering all three target groups</li><li>• prepare Training Plan for Legislative Awareness (TPLA) covering all three target groups contained a detailed Training Manual</li><li>• provide support and assistance in delivery of planned trainings</li><li>• prepare draft Training for Legislative Awareness Delivery and Evaluation Report</li><li>• Participate in the meetings with the Project Team and in others meeting when it is needed</li><li>• Collaborate with other SKNEs, JNKEs and the Social Enterprises Support Team</li></ul>	February 2022; 5wd March 2022; 5wd April 2022; 5wd May 2022; 5wd August 2022; 5wd	25





## 5. Required profile of the Experts:

### Senior NKE

#### Qualifications and skills:

- A University Degree in the area of social sciences, economy, management, law (where a university degree has been awarded on completion of a minimum 3 years of study in a university or equivalent institution), or 5 (five) years of general experience above the minimum relevant experience requested in the field;
- Fluency in written and spoken English language;
- Good communication and reporting skills.

#### General professional experience:

- Minimum 5 years of experience from working on issues related to public services, local authorities and procurement, public /private/social partnerships;
- Knowledge of public procurement legislation and policies (at least within 3 projects);

#### Specific professional experience:

- At least 3 years of experience with public procurement (organised public procurement tenders or submitted proposals or provided training on public procurement).
- At least 3 years of experience with involvement in development of regulations and/or legislation for public procurement, NGOs, social entrepreneurship, including tax regulations, microfinance and/or financing of social enterprises.
- Experience with delivery of training on public procurement (at least 3 assignments) .

### Junior NKE

#### Qualifications and skills:

- A University Degree in the area of social sciences, economy, management, law (where a university degree has been awarded on completion of a minimum 3 years of study in a university or equivalent institution), or 5 (five) years of general experience above the minimum relevant experience requested in the field;
- Fluency in written and spoken English language;
- Good communication and reporting skills.

#### General professional experience:

- Minimum 3 years of experience from working on issues related to public services, local authorities and/or procurement;
- Knowledge of public procurement legislation and policies (at least within 1 project);

#### Specific professional experience:

- At least 1 years of experience with public procurement (organised public procurement tenders or submitted proposals or provided training on public procurement).
- At least 1 years of experience with involvement in development of regulations and/or legislation for social entrepreneurship, including tax regulations, microfinance and/or financing of social enterprises.

### Note:

Civil servants and other staff currently employed by public administrations of the beneficiary country are not eligible to apply as experts.

Experts must be independent and free from conflicts of interest in the responsibilities defined by the Terms of Reference.

The working days of the SNKE/ JNKE could be adapted, based on the project needs, in accordance with the Project Team.

