



Ministry of Foreign Affairs

**Tender document  
Open EU award procedure**

**Evaluation of European Development Cooperation under the  
EDF and the contributions of the Netherlands Government**

FEZ/IM-183/IOB

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## **1. The Ministry of Foreign Affairs**

The Ministry of Foreign Affairs is responsible for coordinating and implementing the Netherlands' foreign policy. The Netherlands is represented in a large number of countries and in many international organisations, and this is reflected in an extensive network of embassies, permanent representations and consulates-general. These missions represent the Kingdom of the Netherlands and therefore all branches of its government.

The Policy and Operations Evaluation Department (IOB) of the Netherlands Ministry of Foreign Affairs meets the need for independent evaluations of policy and implementation for all areas of policy of this Ministry. These evaluations enable the Minister of Foreign Affairs and the Minister for Development Cooperation to account to Parliament for the policy implemented and the spending of funds. During the evaluations, attention is paid to the lessons that can be learned, as well as to accountability. The evaluation reports are used as focused feedback in order to improve both policy intentions and implementation. Armed with the results of earlier efforts, policymakers can better prepare new interventions and make them more effective.

IOB is undertaking a policy evaluation of European development cooperation under the EDF and the contributions of the Netherlands Government. The evaluation will cover the period 2000-2010. A reference group, including representatives from key stakeholders from the Netherlands and the European Commission as well as independent experts, will guide the evaluation. Day-to-day management of the evaluation is undertaken by IOB.

## **2. The contract – general / value / duration / lots**

The overall purpose of the policy evaluation is to account for Netherlands funding and other inputs provided for EU development cooperation in the period 2000-2010 and, based on the findings of this policy evaluation, gain lessons for future policy development and implementation. The specific objectives of this phase of the policy evaluation are:

- to describe EU development cooperation policies and policy cycle (i.e. from identification, formulation, planning, implementation, to monitoring and evaluation) concerning the EDF, as well as policies and policy processes in other areas that concern EU relations with developing countries (trade, agriculture, security, migration and fragile states);
- to describe and analyse the contribution of the NL government to those policies and policy processes; and
- to illustrate and analyse the effectiveness and efficiency of development cooperation policies and policy cycle under EDF and the NL contribution thereto on the basis of a selection of ACP country case studies.

The evaluation will have an important accountability purpose and will produce information on the effects of the EU development cooperation under EDF interventions thus far. The policy evaluation has furthermore a forward looking character in that it will provide inputs for the discussion on the future position of the Netherlands Ministry of Foreign Affairs vis-à-vis possible 'budgetisation' of the EDF under the EU's post-2013 financial framework.

The policy evaluation concerns EU development cooperation through the EDF and the Asian, Pacific and Caribbean (ACP) countries that are covered by this development cooperation instrument. It will also deal with EU policies, instruments and initiatives in other key areas that regulate relationships between the European Union and its members and the ACP countries. These areas are listed in the EU Consensus and refined in the November 2009 Council Conclusions and concern trade, human rights, security, migration and fragile states. The policy evaluation will analyse Netherlands policies, instruments, and initiatives in the fields of development cooperation and the specific areas identified above. It will thus deal not only with the Ministry of Foreign Affairs but also with other key Ministries and other types of organisations that are working in these specific areas.

The analysis of effectiveness and efficiency as well as (net) outcomes will examine the implementation of EU development cooperation on the ground in a selection of ACP countries and selected sectors within these countries. Regional initiatives of the EC covering these countries - and the selected sectors concerned - as well as some of the thematic programmes that come under the Commission's Decentralised Cooperation Instrument (DCI) and, as may be appropriate, the EU Food Facility, will be taken on board as well, however without fully incorporating these initiatives as a whole. The ACP countries covered are Burkina Faso, Ethiopia, Rwanda and Uganda.

The evaluation, which will rely as much as possible on existing evaluation material, will be divided into four phase phases. It will start with a short inception phase. Phase 1 will then concern policies and instruments as well as resources at the level of the EU in Brussels and policies and instruments used by the Netherlands Government to influence EU policy making in the field of development cooperation and the other key areas mentioned above. Phase 1 will be based on a review and analysis of available documentation (European Commission, Council of the European Union, Netherlands, academic, NGO, etc.) and in-depth interviews with key stakeholders (Commission, European Parliament, Netherlands ministries, academia, NGOs, etc.). The results of phase 1 will be used in the analysis at country level in phase 2 which concerns the translation of general policies on the ground in the above-mentioned ACP countries and the results and (net) outcomes achieved. Phase 2 will be based on a review and analysis of available country-level information (EC, Netherlands embassy, World Bank, etc.) and in-depth interviews with key stakeholders. Two approaches are foreseen for these country case studies. For Rwanda and Uganda one mission is foreseen to verify, complement and cross-check existing data. For Burkina Faso and Ethiopia, two missions are envisaged for each country. The first missions will have the same purposes as those referred to above. A follow-up mission, for which terms of reference are to be developed, will be undertaken to conduct further research in situ. This may include additional empirical studies of limited scope to collect supplementary data on selected areas of intervention. Phase 3 concludes the evaluation and concerns the preparation of the overall policy evaluation report.

The evaluation will be conducted between April 2011 and June 2012. The evaluation is led by the Policy and Operations Evaluation Department of the Netherlands Ministry of Foreign Affairs. It will be guided by a reference group.

The estimated value of the contract some is € 425,000 incl. VAT. Further details of the contract (terms of Reference for the evaluation and budget) will be given at chapter 7 of this tender document.

#### **Purpose of the award procedure**

The purpose of the award procedure is to obtain the supply of services for the evaluation of European development cooperation under the EDF and the contributions of the Netherlands Government covering the period 2000-2010.

The contract will have a duration of 14 months (April 2011– June 2012) and may be extended no more than once for three months.

The tender will not be divided in lots; Candidates must bid for the entire contract.

### 3. Joint tenders

If a tenderer is unable or unwilling to provide the requested goods or services independently, it may submit a joint tender with other organisations. There are two ways of doing so:

- 1) By forming a **consortium**, each member of which declares, by signing a Statement of Agreement, that it is jointly and severally liable for fulfilling the obligations arising from the tender and for the performance of the contract. The organisation acting as lead party and the consortium's authorised representative in dealings with the Ministry should be specified in Annexe 1 (1.1.A). The consortium should also specify in Annexe 1 (1.2) which activities will be performed by each consortium member (B, C etc.) listed under 1.2.  
A consortium may not be altered after the closing date of the award procedure. It is not permissible for any of the consortium members to fail to satisfy any of the criteria listed under 'Grounds for exclusion' (see Annexe 1). The conditions apply to all the members.
- 2) By using **subcontractors** (third parties, organisations, legal persons, etc.). If it is awarded the contract, the tenderer (who in this case is the principal contractor and lead party), as a contract party (having signed the Statement of Agreement), is jointly and severally liable for the fulfilment of all obligations arising from the contract, including those parts performed by subcontractors. If a tender is submitted by a principal contractor/subcontractors:
  - a. The principal contractor must demonstrate in Annexe 1, by means of a statement by each subcontractor, that it has access to the subcontractors' resources necessary to perform the contract. It should also make clear to what extent it relies on each subcontractor and in respect of which requirements/criteria and which activities.
  - b. The part of the contract corresponding to particular requirements/criteria must be performed by the designated subcontractor.
  - c. It is not permissible for any of the subcontractors to fail to satisfy any of the criteria listed under 'Grounds for exclusion' in Annexe 1. The conditions apply to both the principal contractor and the subcontractors unless provided otherwise.
  - d. The principal contractor and subcontractors may not be altered after the closing date of the selection procedure, unless prior written permission is obtained from the Ministry.

By signing the Statement of Agreement, each consortium member / the principal contractor (also acting on behalf of each subcontractor) declare(s) that everything described in the tender (in terms of fulfilment of minimum requirements, knock-out criteria or award criteria) will actually be available or will be fully representative of what will be available for the performance of the contract.

By signing the Statement of Agreement, the tenderer (or the consortium's lead party or the principal contractor) declares that all the information requested in Annexe 1 will be supplied by each consortium member and subcontractor (e.g. proof of enrolment in a commercial or professional register and a declaration under article 45 of the Public Procurement Tendering Rules Decree (BAO)).

By signing the Statement of Agreement, the tenderer (or principal contractor or consortium member) declares that when supplying information in this award procedure (relating to minimum requirements, knock-out criteria or award criteria), it will indicate the source of the information (e.g. the applicable principal contractor, subcontractor or consortium member).

Where a tender is being submitted by a consortium or involves subcontractors, Annexe 1 (1.2) must show who will act as the Ministry's contact (tenderer A, the single point of responsibility). The Ministry will correspond exclusively with the contact / principal contractor.

The liaison officer designated by the tenderer (principal contractor, consortium's contact) must have full authority to make decisions and be demonstrably empowered to act on the tenderer's behalf (see Annexe 1, 1.2).

Consortium members or principal contractors/subcontractors are not permitted to submit more than one tender (one bidder, one bid). It is only permissible for several companies belonging to the same group to submit tenders, either independently, as part of a consortium, or as a principal contractor/subcontractor, if they can show – at the Ministry's request – that they have each compiled their tender independently of other tenderers (including those belonging to the same group) and have observed confidentiality. If one of the tenderers is unable to show this, all the tenderers belonging to the same group will be excluded from further participation.

## **4. Contract award procedure**

The Ministry is awarding this contract by means of the open procedure.

All information concerning the organisation, grounds for exclusion, minimum requirements, knock-out criteria and award criteria must be provided in the format set out in Annexe 1. The contract will be awarded solely on the basis of the information submitted.

## **5. Grounds for exclusion and minimum requirements**

The initial selection of tenderers will be based on grounds for exclusion and minimum requirements. A tenderer who fails to satisfy any of the criteria listed under 'Grounds for exclusion' and/or any of the minimum requirements will not be eligible for contract award.

### **5.1 Grounds for exclusion**

Tenderers (or consortium members or principal contractors/subcontractors) who:

- 1) find themselves in one or more of the circumstances referred to in article 45 of the Public Procurement Tendering Rules Decree (BAO);
- 2) do not submit their tender by 12:00 hrs on 28 February 2011;
- 3) submit statements, annexes or other information that is not correct, complete or regular;
- 4) act contrary to the tender instructions and/or conditions;
- 5) have undertaken country programme or other types of evaluation assignments for the European Commission's Joint Evaluation Unit over the last 3 years

will be excluded from further participation in the award procedure.

## 5.2 Minimum requirements

Tenderers who do not meet the following minimum requirements will be excluded from further participation in the award procedure.

- 1) Minimum turnover  
Tenderers must have had an average annual turnover of at least EUR 750.000,= excluding VAT in the field of evaluations or evaluative research over the last three years;
- 2) Minimum technical ability / references  
Tenderers should have carried out at least 3 similar contracts in the area of programme evaluation and/or evaluative research in the area of development cooperation over the last five years. Tenderers should have had the reports of these programme evaluations accepted by the contracting authorities concerned
- 3) Minimum staffing requirements  
Tenderers should have at least 3 full-time staff working in the field of evaluation and/or evaluative research.

## 6. Contract award

The contract will be awarded on the basis of the criterion 'most economically advantageous tender'. This means that both the price and quality of the tender will be taken into account.

The selection process will be based on knock-out criteria (hard requirements) and award criteria.

### 6.1 Knock-out criteria

Tenderers who do not meet the following knock-out criteria (quality requirements) will be excluded from further participation in the award procedure.

Tenderers must submit information relating to the knock-out criteria in the format set out in Annexe 1.

Tenderers must meet the following knock-out criteria:

- 1) Acceptance to work according to the predetermined purpose, working languages, work-procedures, reporting and consultations as set out in the terms of reference for the assignment (see Programme of requirements and wishes, section 7).
- 2) Availability of team members between April 2011 and June 2012 to fulfil the contract.
- 3) The proposed team will include members that are fluent in Dutch, English write French (both speaking and writing).
- 4) Acceptance of the draft public service contract and the General Government Terms and Conditions for Public Service Contracts (ARVODI 2008) and the regulations on reimbursing external advisers travel costs (BZ REA 2010) for working visits to other countries in connection with the contract, included in Annexes 2, 3 and 4. By signing the Statement of Agreement, tenderers indicate their acceptance of the draft contract and conditions. Amendments may be proposed in the question round. It is impossible to alter the contract once the final Information Notice has been issued. Conditions drawn up by the contractor or sector explicitly do not apply. No rights may be derived from the draft contract.
- 5) The proposal should have a minimum score of 7 on the quality award criteria.

## 6.2 Award criteria

Tenderers who are not excluded on the basis of the grounds for exclusion, minimum requirements and knock-out criteria will be assessed on the basis of their score on the award criteria.

A score from 1 (lowest score) to 10 (highest score) will be awarded for each criterion or subcriterion. These scores will be multiplied by the weighting or sub-weighting factor, resulting in a total score for each tenderer. The contract will be awarded to the tenderer with the highest total score.

The following award criteria will be assessed:

### 6.2.1 Quality (weighting factor 90%)

The award criteria are listed below, together with the corresponding weighting factors. Further details can be found in Annexe 1. You should provide all the information requested. Annexe 1 also specifies the aspects that will be assessed and the corresponding weighting factors.

	<b>Award criteria</b>	<b>Weighting factor</b>	<b>Sub-weighting factor</b>
<b>1</b>	<b>Quality CV lead consultant</b>	<b>35%</b>	
	Education (level of education and relevant (management) courses)		15%
	International experience in evaluation of complex international development policies and programmes		30%
	International experience in managing complex evaluations requiring the involvement of multidisciplinary evaluation teams		25%
	Communication and reporting skills		20%
	Command of languages (Dutch, English, and French)		10%
			<b>100%</b>
<b>2</b>	<b>Quality of the proposed evaluation team</b>	<b>35%</b>	
	Team experience in evaluation of EU development cooperation programmes		35%
	Team experience in evaluating NL development policies		30%
	Team experience with qualitative and quantitative evaluation methods		20%
	Administrative and management capacity to support the evaluation team in the case study countries and command of languages (Dutch, English and French)		15%
			<b>100%</b>
<b>3</b>	<b>Quality of the technical proposal</b>	<b>30%</b>	
	Methodology and approach for the policy evaluation		35%
	Methodology and approach for the country case		35%



	studies		
	Realistic planning and identification of constraints and proposed measures to address them		20%
	Involvement of local expertise		10%
			<b>100%</b>
		<b>100%</b>	

### 6.2.2 Price (weighting factor 10%)

You should present your bid price as specified in Annexe 1: in Euros, excluding VAT. The prices bid are fixed; no changes are permitted at any stage.

	<b>Award criteria</b>	<b>Weighting factor</b>
<b>1</b>	<b>Cost estimate</b>	<b>100%</b>
		<b>100%</b>

The lowest price will receive the maximum score of 10 points. The score for other bid prices will be calculated as follows: (lowest price / price in question) multiplied by 10.

The lowest possible score is 1.

No adjustments for inflation may be made for the duration of the contract. Tenderers should therefore take inflation into account when making their bids (indexation).

The Ministry reserves the right to disregard tenders with bid prices (for the entire contract or parts of it) that are not in line with the market (i.e. that are extremely high or extremely low).

## 7. Specifications (Programme of requirements and wishes)

### Introduction

The 2010 evaluation programme of the Netherlands Ministry of Foreign Affairs includes a policy evaluation (i.e. *beleidsdoorlichting*) of European development cooperation. The Ministry's Policy and Operations Evaluation Department (IOB) is responsible for undertaking this policy evaluation.

The design and focus of this evaluation correspond with the Netherlands government-wide regulation for periodical evaluation research and policy information (RPE 20061), which requires periodical policy evaluation to be done for all elements of the government's budget. The objective of such a policy evaluation is to contribute to the reliability of the policy information used by the Netherlands government. A policy evaluation offers policy makers the opportunity to learn from experiences in the past and to account for the policies pursued. Policy evaluations are sent to the Parliament by the responsible minister(s), accompanied by a policy reaction (*beleidsreactie*).

The policy evaluation will consist of different prescribed components, including a synthesis of evidence of effects of EU development cooperation through the European Development Fund (EDF) for a selection of developing countries. For the largest part, this evidence will be built up from evaluation reports of the European Commission. In addition, the findings of evaluations of other parties (other EU member states, European Court of Auditors, etc.) will be used as input.

### Background

#### EU development cooperation

##### General

The first official step towards a European policy on development cooperation was made in the 1957 Treaty of Rome. This Treaty made provision to grant technical and financial assistance, initially to African countries most of which at that time were still colonised and/or were historically linked with some EU member states. The geographic coverage of EU development cooperation programmes increased over time as new member states joined the Union. This is reflected in the series of Lomé agreements and the Cotonou Partnership Agreement. European development programmes today cover all developing regions of the world.

A clear legal basis for European Community development cooperation<sup>2</sup> was provided by the 1992 Treaty establishing the European Community (known as the Maastricht Treaty) which states "(...) *Community policy in the sphere of development cooperation (...) shall foster: the sustainable economic and social development of the developing countries, and more particularly the most disadvantaged among them; the smooth and gradual integration of the developing countries into the world economy; the campaign against poverty in the developing countries.*"

At the level of policy statements, the 2000 EC Development Policy Statement was replaced in December 2005 by the *European Consensus on Development*. Although not legally binding, the

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<sup>1</sup> RPE 2006 can be downloaded from [www.minfin.nl/dsresource?objectid=16175&type=pdf](http://www.minfin.nl/dsresource?objectid=16175&type=pdf)

<sup>2</sup> In these TOR, both the terms 'EU Community development cooperation' and 'EU development cooperation' refer to the development cooperation activities that are managed by the European Commission on behalf of and funded by the EU member states. Whereas the former term was frequently used until the Lisbon Treaty entered into force in December 2009, nowadays the latter term is used more frequently. The TOR uses the latter term unless it is more appropriate (e.g. in a historical context) to speak of EU Community development cooperation.

Consensus is the first document that provides a common vision to guide development cooperation of both the European Commission and the member states. It defines "*the eradication of poverty in the context of sustainable development, including the pursuit of the MDGs*" as the overarching objective of the European development policy.<sup>3</sup>

The same central focus on poverty reduction is legally enshrined in the Treaty on the European Union (known as the Lisbon Treaty) that entered into force on 1 December 2009. Article 208 of this treaty reads: "*Union development cooperation policy shall have as its primary objective the reduction and, in the long term, the eradication of poverty.*" The same Treaty article further states that decisions made in all policy areas at the European level and in individual member states have to take account of this development objective. This is a legal requirement that the European Consensus refers to as Policy Coherence for Development (PCD). Whereas the Consensus identified twelve policy areas that were to be given political priority, the European Council defined five areas in November 2009 in which the EU committed to a more pro-active and result-oriented approach. These were (1) trade and finance, (2) food security, (3) climate change, (4) migration and (5) security and development.<sup>4</sup>

Key actors in EU development cooperation are the European Commission, the European Parliament, the European Council, the Council of the European Union and the member states represented in the Council, as well as EU non-state actors including non-governmental organisations. Non-EU actors in EU development cooperation are representatives of (developing) partner countries (notably through the ACP Secretariat in the case of EDF), including government officials, local authorities, civil society organisations, the private sector, universities and others.

EU development cooperation is financed and managed through a number of instruments, of which the following three are the largest ones in financial terms and geographical coverage:

1. The European Development Fund (EDF) is an inter-governmental fund to which EU member states contribute on a voluntary basis, and which is managed by the European Commission on their behalf. The beneficiaries of the EDF are the 79 African, Caribbean and Pacific (ACP) countries. The EDF is programmed jointly by the EC and ACP-partner country governments, and comprises programmes at the national, regional (six regions) and intra-ACP level. As per its inter-governmental nature the EDF is outside the democratic control of the European Parliament, even though a heading has been reserved for the Fund in the EU budget since 1993.
2. The Development Cooperation Instrument (DCI), launched in 2007, is part of the EU Budget and comprises three main components: assistance to South Africa and 47 developing countries in Latin America, Asia and Central Asia, and the Middle East (countries not covered by the European Neighbourhood and Partnership Instrument and the EDF). DCI also includes a number of thematic programmes that cover (i) all countries except EU and industrialized countries (Environment and sustainable management of natural resources including energy (€ 470 million, 2007-2013); Non-state actors and local authorities in development (€ 1,600 million, 2007-2013); Food Security (€ 925 million, 2007-2010); Migration and asylum (€ 384 million 2007-2013); Investing in People (€ 1,000 million, 2007-2013)) or (ii) 18 ACP countries (Restructuring of sugar production (€ 180 million per year). A separate instrument is furthermore the EU Food Facility, covering

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<sup>3</sup> The commitment of the EU to contribute to poverty eradication is also included in the Lisbon Treaty, which provides the current legal basis for EU development cooperation.

<sup>4</sup> The Council conclusions are available at: <http://register.consilium.europa.eu/pdf/en/07/st14/st14921.en07.pdf>.

50 countries in Africa, Asia, the Caribbean, Latin America and the Middle East (€ 1,000 million, 2008-2010).

3. The European Neighbourhood and Partnership Instrument (ENPI) provides EU assistance to 17 countries in the EU's direct physical vicinity ('neighbourhood'). The policy framework that was adopted in 2004 aims at "avoiding the emergence of new dividing lines between the enlarged EU and our neighbours and instead strengthening the prosperity, stability and security of all." Beneficiary countries include Eastern-European countries, some countries in the Middle-East and African States north of the Sahara..

The following table<sup>5</sup> summarises the financial resources available for the EDF, ENPI and DCI for the period 2007-2013. The available funding indicated in the 4<sup>th</sup> column has all been programmed. There is scope for reprogramming some of these funds in mid-tem reviews halfway through the indicated periods, providing there is unallocated funding left.

**Table 2: EU development cooperation instruments**

<b>Funding Instrument</b>	<b>Geographical zone</b>	<b>States covered</b>	<b>Total funding for 2007-2013</b>
(I) European Development Fund (EDF)	African, Caribbean and Pacific (ACP) countries and the overseas territories of EU member states	79	€ 22,7 billion
(II) European Neighbourhood and Partnership Instrument (ENPI) <sup>6</sup> <i>EU budget</i>	Algeria, Armenia, Azerbaijan, Belarus, Egypt, Georgia, Israel, Jordan, Lebanon, Libya, Moldova, Morocco, the Palestinian Authority, Russia, Syria, Tunisia and Ukraine	17	€ 11,181 billion
(III) Development Cooperation Instrument (DCI) <sup>7</sup> <i>EU budget</i>	Latin America, Asia and Central Asia, and the Middle East and South Africa. (thematic programmes Africa-wide)	47	€ 10,057 billion

Before the adoption of the present Financial Framework for the period 2007-2013, EU development cooperation was more fragmented and delivered through a multitude of financial instruments. Past studies on European development cooperation and the wider external action programmes under the previous Financial Perspectives period (2000-2006) clearly identified common issues such as the high number of legal instruments and the micromanaging tendencies of some EU actors involved in its management.<sup>8</sup>

A constant factor has been the EDF, which also took the largest share of EU development cooperation expenditure in the period 2000-2006, with the 9<sup>th</sup> EDF amounting to €17.9 billion

<sup>5</sup> Adapted from: [http://ec.europa.eu/europeaid/how/finance/index\\_en.htm](http://ec.europa.eu/europeaid/how/finance/index_en.htm)

<sup>6</sup> The ENPI instrument replaced the Mediterranean Economic Development Area (MEDA) and the Technical Assistance to the Commonwealth of Independent States (TACIS) instruments.

<sup>7</sup> The geographic part of this instrument replaces the ALA programme for developing countries in Asia and Latin America, parts of the TACIS programme (Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan) and the Programme for Reconstruction and Development in South Africa (EPRD) valid until 2006.

<sup>8</sup> The 2002 OECD/DAC Peer Review, for instance, was quite clear in its assessment on the EU's external action architecture: "The large number of different budget lines and instruments mentioned above, many of which require their own legal basis and regulations, and the proliferation of the number of procedures all create inefficiencies."

(including so-called 'de-committed funds' that had not been spent under previous EDFs) and the 10<sup>th</sup> EDF to € 22.7 billion as mentioned above.

The following paragraphs mainly describe the situation *before* the Lisbon Treaty as evaluators will be examining the pre-Lisbon period, since some of the institutional changes foreseen in the Treaty were not yet concluded during the finalisation of these ToR. As is detailed in the first Evaluation Question in section 3, the evaluation will take account of relevant EU Treaty and institutional changes and how these have affected EU development cooperation.

To prepare its multi-annual programming, the Commission drafts multi-annual Country and Regional Strategy Papers in close consultation with the partner country governments and/or regional economic communities concerned. Before the Lisbon Treaty, the responsibility was with DG Development (for ACP countries) and DG RELEX (for non-ACP countries and thematic programmes). This set-up is being changed following the Lisbon Treaty.

On the basis of the national and regional strategy papers, 'indicative programmes' are produced. These are basic work plans that identify the focal areas where the resources will be spent over the next five years. They include concrete proposals that are sufficiently prepared to warrant funding in the first two years. Consultations on draft strategy papers and indicative programmes take place at country or regional level.<sup>9</sup> Strategy papers and indicative programmes are subject to a review after 2.5 years and at the end of the five-year period. In this context, the mid-term review allows for revising the country or regional allocation and focus.

Implementation of the Commission's external aid instruments, both those funded by the Union's budget and the EDF, is managed by EuropeAid, a separate DG which operates under the guidance of the EU Commissioner for Development. EuropeAid is responsible for translating policies into practical actions and for developing new ways of delivering aid. It also issues guidelines, manages monitoring and evaluation functions and is responsible for the proper management of funds. EuropeAid is a decentralised organisation with an estimated two out of three Commission staff members working on aid implementation in the field. The EU delegations – i.e. representations in partner countries – are responsible for the management of external aid.<sup>10</sup> Development cooperation with ACP countries follows the principle of co-management and joint-programming in which decisions are taken jointly by the Head of Delegation and the National Authorising Officer (or regional equivalent in case of a regional programme).

The Commission monitors implementation of its development policy through a number of public and internal monitoring mechanisms, all managed by EuropeAid. This includes a Result-Oriented Monitoring (ROM) system that is supported by a pool of external consultants recruited through a framework contract procedure. Key responsibility for evaluation lies with the Joint Evaluation Unit (JEU), a unit common to the DGs for Development, External Relations and EuropeAid. The Unit is in charge of the evaluation of the Commission's cooperation and development programmes in third countries with the exception of both enlargement candidate countries and humanitarian aid. The evaluations are conducted by external consultants recruited through a framework contract procedure.

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<sup>9</sup> In addition to national and regional programmes, the EDF also includes programming processes and interventions managed at the intra-ACP level.

<sup>10</sup> Source: [http://ec.europa.eu/europeaid/who/about/index\\_en.htm](http://ec.europa.eu/europeaid/who/about/index_en.htm) In 2007, the OECD carried out a peer review of the European Union's development co-operation which concluded that: "*The substantive devolution of management responsibility away from Brussels to the Commission's empowered field delegations has been a key component of the reform process.*"

For each of the three instruments described above, a specific committee exists that consists of representatives from the member states and is chaired by the Commission. These committees allow for discussion of measures that the Commission intends to adopt. The number of votes per member state in the DCI and ENPI committees is relative to the size of its population, while the distribution of votes within the EDF Committee is based on the amount of funding provided per member state. The NL has a relatively higher share of votes in the EDF Committee compared to the DCI and ENPI Committees due to the size of its financial contribution to the EDF.

In the EDF Committee member states vote through a qualified majority but can also block these with a minority of the votes.<sup>11</sup> The DCI and ENPI Committees are run under the so-called management procedure, which means that if Member States choose to vote against the measure proposed by the Commission by qualified majority, the Commission must refer the measure to the Council, which may adopt a different decision by the same qualified majority.<sup>12</sup>

The European Parliament has a strong right to supervise the implementation of the ENPI and DCI instruments. It receives the documents to be discussed in ENPI and DCI Committee when the member states do and can identify papers it wishes to discuss with the Commission. At a subsequent meeting the Parliament can make observations, which the Commission should do its utmost to take into account (but is not obliged to do so). To assert political pressure, the Parliament can issue a resolution if it does not agree with the proposed measures. The Parliament also receives measures to be discussed in the EDF Committee but due to the intergovernmental nature of the fund, it cannot call for meetings on the documents and has little political legitimacy to act on them.

### **The Netherlands and EU development cooperation**

The Netherlands (NL) contributes to EU development cooperation in two ways: (i) through the inter-governmental European Development Fund (EDF), in which case the contribution is reflected in the budget of the Ministry of Foreign Affairs, and (ii) as part of its contribution to the EU budget. The government has linked these financial contributions to its general and operational objectives. For some years one of the operational objectives of the Ministry of Foreign Affairs as stated in the Ministry's budget reads as "the EU to engage effectively, efficiently and in a coherent manner towards developing countries and regions" (operational objective 3.3).<sup>13</sup>

In 2008, the European institutions delivered 12% of the total efforts of EU development cooperation, with the remaining 88% being provided by EU member states. In that year, the NL contribution to EU development cooperation equalled 8% of total Dutch ODA budget, with €166 million channelled through the EDF and €270 million through other thematic and geographic

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<sup>11</sup> The financing agreement reads: "*The EDF Committee shall act by a qualified majority of 720 votes out of 999, expressing a vote in favour by at least 13 Member States. The blocking minority shall consist of 280 votes.*" Source: <http://www.official-documents.gov.uk/document/cm70/7082/7082.pdf>

<sup>12</sup> Three conditions must be met simultaneously in qualified majority voting: the proposal must be approved by the vote of 1) the simple majority of the Member States (e.g. at least 14 out of the 27 Member States); 2) at least 62% of the EU population, and 3) states putting together at least 255 votes from the total of 345 votes which are distributed between the Member States. Source: <http://www.eu2009.cz/en/about-the-eu/eu-decision-making/decision-making-procedures-579/>

<sup>13</sup> The respective two operational goals have been formulated in Dutch as "*Een effectief, efficiënt en coherent optreden van de Unie ten opzichte van derde landen en regio's*" and "*Een effectief, efficiënt en coherent optreden van de EU ten opzichte van ontwikkelingslanden of -regio's*".

instruments managed by the European Commission (EC).<sup>14</sup> An overview of the NL contributions channelled through the EU in the period 2001 – 2009 is provided in table 1.<sup>15</sup>

**Table 1: NL ODA channelled through the EU (2001-2009)**

	<b>EDF (€ 000)</b>	<b>EU budget (€ 000)</b>	<b>Total (€ 000)</b>
2001	43,391	173,163	<b>216,554</b>
2002	81,554	213,311	<b>294,865</b>
2003	114,841	205,193	<b>320,034</b>
2004	122,148	185,997	<b>308,145</b>
2005	137,808	209,782	<b>347,590</b>
2006	140,418	204,752	<b>345,170</b>
2007	149,580	265,907	<b>415,487</b>
2008	166,792	270,100	<b>436,892</b>
2009	180,873	234,400	<b>415,273</b>
<b>Total</b>	<b>1,137,405</b>	<b>1,962,605</b>	<b>3,100,010</b>

In addition to this financial contribution, the NL, as an EU member state, contributes to EU policy development and implementation at different levels (EU headquarters, developing countries, etc.) through dialogue and cooperation. Beyond development cooperation, decisions made in the EU institutions in other fields of domestic and external policies also affect developing countries and the effectiveness of European development interventions.

The policy notes that have been published by former Ministers and Secretaries of State for Development Cooperation reflect the Dutch government's official policy on EU development cooperation. In 2003, the Policy Note "*Aan elkaar Verplicht*" ('Mutual interests, mutual responsibilities – Dutch development cooperation en route to 2015') reflected the need to encourage the EC to improve its efficiency, effectiveness, cooperation and complementarity. Based on the Policy Note "*Een zaak van iedereen*" of 2007, which does not cover the EU in detail, the NL government's most recent priorities for its contributions to EU development cooperation are reflected in the Ministry's policy note on multilateral development cooperation "*Samenwerken aan mondiale uitdagingen – Nederland en multilaterale ontwikkelingssamenwerking*" of June 2009. Though adopted under the previous Balkenende IV government, the policy note consolidates key policy positions on EU development cooperation of previous governments (as also reflected in the annual plans of DIE/EX). On EU development cooperation, the policy note argues as follows:

1. Working in an EU setting can help the NL government to 'punch above its weight', which is necessary given today's world in which the relative influence of smaller to middle-sized countries is decreasing. The policy note concludes that the importance of the EU for the NL development policy can especially increase if the EU speaks more with one voice.
2. Since that many important decisions in relation to policy coherence for development are taken in Brussels, the EU is an important forum for the NL government's growth and distribution policies, .
3. The EU is an increasingly important platform for Dutch development cooperation given that the Union's own development policies have been further shaped in recent years, increasingly resembling those of the group of like-minded OECD/DAC members (including the NL). Although the quality of the aid managed by the EC has been much improved, further adjustments and more concentration of activities is needed.

<sup>14</sup> Source: Ministry of Foreign Affairs (2009) 'Samen werken aan mondiale uitdagingen Nederland en multilaterale ontwikkelingssamenwerking' and the Ministry's financial management information system.

<sup>15</sup> Source: Reports of the so-called *Homogene Groep Internationale Samenwerking* (HGIS; homogenic group international cooperation) that provide information on the disbursement of NL ODA resources.

4. While not planning to increase the level of its ODA channelled through Brussels, the NL government does feel that a higher proportion of the post-2013 EU budget should be dedicated to the Union's external policies, and that the EDF should be integrated into the budget provided there is sufficient support for that. Finally, the NL is in the process of exploring the potential and opportunities of further co-financing of activities implemented by the Commission.

The External Affairs Division of the NL Ministry of Foreign Affairs' European Integration Department (DIE/EX) seeks to ensure the consistency of Dutch policy on the European Union (EU).<sup>16</sup> It consults with other ministries at official level to coordinate the Dutch contribution to decision-making in the EU as regards external action policies. Finally, it engages in policy development and influencing of decision making in Brussels. In the latter two areas of its mandate, the division has in the period between 2004 and 2010 specifically focused on the following areas: (1) the effectiveness of the EDF and the capacity of the EC, as well as the possible budgetisation of the EDF; (2) coordination, complementarity and division of labour; (3) high-level policy statements and international agreements such as the first and second revision of the Cotonou Partnership Agreement and the EU Consensus on Development; (4) coherence of trade negotiations towards development objectives; as well as (5) specific issues such as security and development, fragile states, and the use of budget support by the EC. Other departments of the Ministry of Foreign Affairs are also involved in ongoing policy processes in Brussels depending on the topic concerned.<sup>17</sup> The NL has a permanent representation to the EU with its own staff capacity to engage in EU development cooperation, in dialogue and cooperation with DIE/EX and other relevant departments depending on the topics concerned.

### **Objectives of the evaluation**

The *overall purpose* of the policy evaluation is to account for Netherlands funding and other inputs provided for EU development cooperation through the EDF in the period 2000-2010 and, based on the findings of this policy evaluation, gain lessons for future policy development and implementation.

The *specific objectives* of this phase of the policy evaluation are herewith:

1. to describe EU development cooperation policies and policy cycle (i.e. from identification, formulation, planning, implementation, to monitoring and evaluation) concerning the EDF, as well as policies and policy processes in other areas that concern EU relations with developing countries (trade, agriculture, security, migration and fragile states);
2. to describe and analyse the contribution of the NL government to those policies and policy processes; and
3. to illustrate and analyse the effectiveness and efficiency<sup>18</sup> of development cooperation policies and policy cycle under the EDF and the NL contribution thereto on the basis of a selection of ACP country case studies.

The evaluation will have an important accountability purpose and will produce information on the effects of the EU development cooperation interventions thus far. The policy evaluation has furthermore a forward looking character in that it will provide inputs for the discussion on the

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<sup>16</sup> In the area of development cooperation, recent DIE/EX work plans have noted the importance of 'harmonizing' the engagement of different parts of the DGIS on EU development cooperation issues.

<sup>17</sup> E.g. staff members of DEC are involved in several aid effectiveness related policy processes.

<sup>18</sup> The evaluation criterion effectiveness referred to in the objectives is defined as the extent to which the direct results of the implemented activities, i.e. the outputs, contribute to the sustainable realisation of the policy objective(s), i.e. the outcome. Efficiency is assessed at country level and concerns issues such as policy coherence and division of tasks between EU and EU member states, efficiency issues identified by stakeholders (including those related to 'value for money'), measures taken to enhance efficiency and arrangements for m&e and quality assurance of internal processes.



future position of the Netherlands Ministry of Foreign Affairs vis-à-vis possible 'budgetisation' of the EDF under the EU's post-2013 financial framework.

## Evaluation scope

### General

As per the policy evaluation objectives and in accordance with the legal basis provided in the Lisbon Treaty, the *descriptive phase* of this policy evaluation will concern traditional EU development cooperation policies under the EDF *plus* EU policies related to other aspects of the relationships between EU and developing countries.<sup>19</sup>

The *analysis of policy implementation* and of (*net*) *outcomes* will nevertheless focus on EC development cooperation under the EDF at *country level*; where relevant, attention will be paid to the positive or negative influence that the implementation of other policies may have had on the results and (*net*) *outcomes* obtained as indicated in EQ 4.6 above. The evaluation will *not* deal with the use of EDF funds in overseas territories of EU member states.

The policy evaluation will concern EU development cooperation under the EDF in the period 2000-2010. The reasons for taking this period are the following<sup>20</sup>:

- The year 2000 marked an important moment for change in EU development cooperation with the creation of EuropeAid, the adoption of the Commission's development policy statement and the adoption of the Cotonou Partnership agreement.
- The period 2000-2010 allows the policy evaluation to cover important developments in EU policies and operations following changes in EU treaties related to development cooperation, as well as the adoption (2000) and first two revisions of the Cotonou Partnership Agreement (2005 and 2010), and key policy texts such as the EU Consensus on Development (2005) and the EU Code of Conduct on Division of Labour (2007)
- The period 2000-2010 permits the policy evaluation to cover the 9<sup>th</sup> and 10<sup>th</sup> EDF. This would, in principle, allow for assessing (*net*) *outcomes*, which take time to materialise, and to verify whether and to what extent these can be attributed to the implementation of EU development cooperation policies at country level.
- Practical considerations: given the desire to rely as much as possible on existing evaluation evidence on (*net*-)*outcomes*, the choice for a period covering two EU budget periods (i.e. 2000-2006 and 2007-2013) ensures that sufficient evidence would be available.

### Country & sector focus

The analysis of effectiveness and efficiency as well as (*net*) *outcomes* will examine the implementation of EU development cooperation on the ground in a selection of ACP countries (as units of analysis).

The results of regional initiatives of the EC covering these countries – and the selected sectors within these countries – will be taken on board, however without fully incorporating these initiatives as a whole<sup>21</sup>. The same is true for other instruments used by the Commission as mentioned above.

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<sup>19</sup> These are listed in the EU Consensus and refined in the November 2009 Council Conclusions and concern trade, human rights, security, migration and fragile states.

<sup>20</sup> Where relevant for explanatory and/or descriptive purposes, the evaluation will also consider information relating to other periods.

<sup>21</sup> Evaluation reports prepared by the Commission on these regional programmes will be used in this respect: Evaluation of the Commission's support to Southern African Development Community – SADC Regional Level Evaluation, October

The following case study countries are proposed (in between brackets the year of the country programme evaluation reports)<sup>22</sup>:

Burkina Faso (2001 and 2010)  
Ethiopia (2004 and 2011 (forthcoming))  
Rwanda (2006)  
Uganda (2009)

This selection of countries is based on the following considerations:

- Substantive, (relatively) recent evaluations conducted by the EC's Joint Evaluation Unit (JEU) are available on country programme implementation. In addition, for most of the countries, other JEU evaluations (by sector/theme/instrument and/or channel) are available including these countries as case studies<sup>23</sup>. This is in line with the methodological preference for policy evaluations to be based as much as possible on existing (impact) evaluation studies.<sup>24</sup>
- The policy evaluation will include several countries in which the EU and/or the NL have been providing general budget support and, in addition, have used different channels (including NGOs) and a variety of instruments (sector support, projects, etc.). In addition, aid disbursements to the selected countries have been substantial.

In line with statements in the EU Code of Conduct on Division of Labour, the policy evaluation will focus on General Budget Support (GBS) and 2-3 sectors per country, consisting where possible of 2 sectors with both the NL and the EC present and a third in which only the EC is involved.

**Table 3: Selected sectors by country**

Country	Sectors with both the EC and NL	GBS	Other sectors: EC only
<b>Burkina Faso</b>	Economic development, education	x	Environment, energy
<b>Ethiopia</b>	Governance, economic development	x	Agriculture and rural development
<b>Rwanda</b>	Governance, economic development	x	Infrastructure (incl. transport)
<b>Uganda</b>	Governance	x	Infrastructure (incl. transport)

2007; Evaluation de la stratégie régionale de la CE en Afrique de l'Ouest, May 2008; Evaluation of the Commission's support to the regional of Eastern and Southern Africa and the Indian Ocean, Regional level evaluation, December 2008.

<sup>22</sup> Burkina Faso: Evaluation de la coopération de l'Union européenne avec le Burkina Faso- Evaluation de niveau national, Rapport Final, May 2010. Period covered: 1999-2008; Ethiopia: WMH et al (2004) Evaluation of the European Commission's country strategy for Ethiopia. Period covered: 1996-2003 ; the second evaluation is forthcoming early 2011; Rwanda: EGEval II – Euréval (2006), Evaluation de la coopération de la Commission Européenne avec le Rwanda, Evaluation de niveau pays. Period covered : 1995-2005 and Uganda: LeBlanc et al (2009) Country level evaluation Uganda. Brussels: EuropeAid. Period covered: 2001-2007.

<sup>23</sup> I.e. the Evaluation thématique Développement rural et agricole, Rapport Final, July 2007 (Uganda), Thematic Evaluation of the EC support to Good Governance, Final Report, March 2006 (Burkina Faso) and Evaluation of European Commission support to Micro-Project Programmes under the European Development Fund in ACP countries, Final Report, August 2006 (Uganda); ADE (2008), Evaluation of EC support to partner countries in the area of energy (Ethiopia); ADE (2006), Joint Evaluation of Co-ordination of Trade Capacity Building in Partner Countries (Ethiopia); ADE (2008), Evaluation of Commission's aid delivery through development banks and EIB (Ethiopia); International Development Department et al (2007), Evaluation of General Budget Support (with country studies on Burkina Faso, Rwanda, and Uganda).

<sup>24</sup> It is moreover understood that evaluations may have been conducted for the selected sector on behalf of the EU Delegations ('decentralised evaluations'); the related evaluation reports will be collected, as much as possible, during the initial stages of the policy evaluation,

## Evaluation questions

In function of its overall purpose, the policy evaluation follows the structure of a policy evaluation as set out in the RPE 2006 and will be guided by the following evaluation questions (EQs). The term '*EU development cooperation*<sup>+</sup>' used in the evaluation questions below captures the broad interpretation of development cooperation and the term '*EU development cooperation*' refers to the traditional EU development aid under the EDF

The evaluation will apply the common OECD/DAC criteria for evaluating development assistance. It will examine the relevance of the support provided, its effectiveness in terms of outputs, outcomes and impact (including the sustainability of the results) and its efficiency.

Main evaluation questions are formulated for each of the RPE 2006 main headings. These questions are not exhaustive and may be further elaborated and specified by the Evaluation Team in the course of the Evaluation.

### Description and analysis of the problem that informed the policy measure

**EQ 1.1** What were the rationale and purpose for developing and implementing development cooperation policies<sup>+</sup> at the EU level, and are this rationale and intended purpose still valid?<sup>25</sup>

**EQ 1.2** What have been the EU development cooperation<sup>+</sup> policies in the period between 2000 and 2010?

**EQ 1.3** Have EU member states played a role in the design of these policies? If so, what has been this role?

### Description and justification of the role of the NL government

**EQ 2.1** Which ministries and other relevant agencies in the Netherlands have been involved in EU development cooperation policy<sup>+</sup> making and what have been their respective roles?

**EQ 2.2** What has been in this respect the role of the NL Ministry of Foreign Affairs?

**EQ 2.3** How has the Ministry of Foreign Affairs motivated the importance of EU development cooperation? To what extent are the development policies of the Ministry congruent with those of the EC?

**EQ 2.4** What have been the policy objectives and policy choices of the NL with respect to EU development cooperation over the years and what strategies and instruments have been used to contribute to the design of EU development cooperation policies?

**EQ 2.5** What have been the implications of EU expansion and EU institutional change on the NL's ability to influence EU development cooperation policy making?

**EQ 2.6** What has been the relation between the operational objective 3.3. of the Ministry of Foreign Affairs and other relevant operational goals as included in the NL Government budget?

### Description and analysis of the NL policy implementation

**EQ 3.1** What challenges has the Ministry of Foreign Affairs encountered with regard to the realisation of the government's operational targets concerning EU development cooperation?

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<sup>25</sup> This question will take into account the positioning and interaction of EC development with the EU's domestic and external policies as defined [above](#), including the efforts to promote PCD.

**EQ 3.2** Have there been specific cases where the NL have made a specific effort to influence EC country strategies and choice of aid modalities? If so, what have been the results of these efforts?<sup>26</sup>

**Description of the applied instruments and analysis of (net) outcomes in a selection of ACP countries – Burkina Faso, Ethiopia, Rwanda and Uganda<sup>27</sup>**

**General cooperation approach**

**EQ 4.1** What approaches, financial resources and financing modalities<sup>28</sup> and channels have been used to realise EU development cooperation policies in the countries concerned and what has been the rationale for the choices made?

**EQ 4.2** What number and types of activities have been undertaken and was efficient use made of the financial resources available?

**EQ 4.3** How has m&e and quality assurance been undertaken and what have been the results?

**Performance of specific interventions in focal sectors<sup>29</sup>**

**EQ 4.4** What have been the results (main outputs) of the interventions?

**EQ 4.5** To what extent can it be established what have been the (net) outcomes of EC financed interventions in terms of realisation of formulated objectives at final beneficiary level? How can these (net) outcomes be assessed in the light of NL development cooperation policies in general and for the countries concerned?

**EQ 4.6** To what extent can it be established whether EU policies in other areas (i.e. trade, agriculture, security, human rights and migration) and regional EU initiatives have influenced the results and outcomes as observed at country level?

**EQ 4.7** What approaches and measures were used by the EC at country level to ensure coherence and complementarity with EU member states, including the NL, and government, in particular as regards the modalities of sector and general budget support, division of work and ownership? What has been EU member states' responsiveness?

**EQ 4.8** Did these approaches and measures affect the results accomplished by the EC?

**Description of the budgets that have been made available**

**EQ 5.1** What has been the EDF budget by country and region, financing modality and channel for the period 2000-2010?

**EQ 5.2** What has been the contribution of the NL Government to EDF for realisation of operational objective 3.3 in the 2010 budget of the Ministry of Foreign Affairs and for the equivalent objective in the budgets between 2000 and 2010?

**EQ 5.3** In addition to the financial contributions under EQ 5.2, what other costs have been incurred in the same period by the NL Government for the purpose of contributing to the design and implementation of EU development cooperation<sup>+</sup> and implementation?

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<sup>26</sup> Particular attention will be paid to the selection of ACP countries referred to below.

<sup>27</sup> Section 4 details the proposed selection of these countries and the rationale behind this proposal.

<sup>28</sup> The EC distinguishes between three approaches (the project approach, the sector approach, and the macro or global approach) and three financing modalities (EC procurement and grant award procedures, common pool funds, and budget support). Source: 2007 general budget support guidelines

<sup>29</sup> EQ2 4.1 and 4.2 will concern the overall EU portfolio in the countries concerned. EQs 4.3 to 4.8 will concern the development cooperation sectors that will be the focus of the country case studies. For an overview of the focal development cooperation sectors by country, please see table 3 [above](#).

## **Methodology**

The evaluation will apply a theory-based approach and will look into the implicit or explicit theory or model underlying the Commission's policies and interventions aiming to produce the intended outputs, outcomes and impacts. Particularly qualitative research methods will be used.

The evaluation will be divided into four phases as detailed below.

### **Inception phase**

The inception phase will result in an inception report after the first week of the assignment. The inception phase will result in an inception report This inception report will provide, based on the team's technical proposal, a more detailed methodological approach to respond to the above evaluation questions. As a minimum, the inception report will provide details as regards: (i) methodology for review and analysis of (a selection of) key documents; (ii) methodology for quality assessment of EC evaluation reports; (iii) methodology for undertaking, recording, etc. of interviews; and (iv) an updated planning and division of work (within the team and between team and IOB). Based on this inception report, IOB retains the right to decide whether to continue the assignment or not ('go -no go').

### **Phase 1**

Phase 1 will entail:

- a description and analysis of policies pursued and instruments of the European Commission in Brussels as well as the resources made available for implementation. This will provide insight into the objectives and intervention strategies underlying Commission interventions under the EDF and in the other key areas of trade, human rights, etc.
- a description and analysis of policies and instruments used by the Netherlands Government to influence these general policies of the Commission as well as the resources made available. This will provide insight into the objectives and intervention strategies used by the Netherlands and the results accomplished

Phase 1 will be based on a review and analysis of available documentation and in-depth interviews with key stakeholders.

The review will pertain to the following sources of information:

- Key EU treaties, legal instruments and regulations, relevant Commission communications and policy documents, as well as relevant information produced by the European Parliament, the European Council, the Council of the European Union, and the European Court of Auditors. Commission financial reports and relevant ((impact) evaluation) documentation of EU member states will be used as well.
- Netherlands' parliamentary sources, Ministry of Foreign Affairs' policy notes and internal documents including instructions to Embassies and the Permanent Representation to the EU, as well as relevant documentation of other ministries and state organisations

- Academic literature on EU development cooperation+, including external (policy) advisory documents on EU development cooperation related matters provided by NL-based institutions<sup>30</sup>
- EU development cooperation related policy notes, reviews and (independent) (impact) evaluations on the topics addressed in this policy evaluation of other non-EU actors.

IOB will provide the electronic copies of key documents. Additional documentation may be collected during the interviews as needed. The Evaluation Team will maintain an integrated list of all documents collected. To facilitate summaries, comparisons and analysis, the Evaluation Team will categorise documents. To facilitate access to and use, the list should be organised in a database format that can be made available to other users upon the completion of the Evaluation. To share key documents among the members of the team, a Dgroups site dedicated to the evaluation may be established by the team. The Final Report of the Evaluation should contain an overview of all sources used.<sup>31</sup>

The document review will be supplemented by in-depth interviews. These interviews will be done in a semi-structured manner to allow for comparison and cross-checking. Interviews will be conducted with representatives of:

- The European Commission (including staff of the Joint Evaluation Unit, DG DEVCO (EuropeAid Development and Cooperation Directorate General, as per 1/1/1011 replacing EuropeAid Cooperation Office and DG Development)<sup>32</sup>
- The European Parliament (Parliamentary commissions for development cooperation,
- The European Council
- The Council of the European Union
- The European Court of Auditors
- The Netherlands Ministry of Foreign Affairs (DIE/EX, DEC, ...)
- The permanent representation of the Netherlands to the European Commission in Brussels
- The Netherlands Ministries of Finance, Economics, Agriculture and Innovation
- Selected academic institutions like ECPDM, Clingendael, and members of the Advisory Council on International Affairs (involved in advice on EU matters)
- Selected (international and Netherlands) NGOs.
- Institutions and companies that have been involved in policy development and implementation and/or monitoring and evaluation of EU development cooperation.

For practical and financial reasons, these interviews should be combined as much as possible. The Final Report will include an overview of all key interviewees for both phases of the evaluation.

The results of phase 1 will be taken into account when assessing the relevance of interventions as well as their coherence and the ways they are coordinated. These results will be used in the analysis at country level in phase 2 which concerns the translation of general policies on the ground in the above-mentioned ACP countries and the results and (net) outcomes achieved. The results will be

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<sup>30</sup> Examples include the Advisory Council on International Affairs (AIV), the European Centre for Development Policy Management (ECDPM) and Institute Clingendael.

<sup>31</sup> The same applies for the information concerning the case study countries.

<sup>32</sup> including staff dealing with ACP countries, with the horizontal programmes (on Non State Actors , human rights , protection of the environment , food security, Gender , health , migration and asylum and on stability), staff responsible for designing methodological, sectoral and thematic guidelines for the preparation and implementation of programmes in the various EU aid sectors and staff providing support, when requested, to delegations and geographical directorates in relation to the preparation, implementation, monitoring and evaluation of programmes; staff dealing with financial matters at programme and/or instrument level.

once of the building blocks for phase 3: preparation of a (draft) report on the overall policy evaluation.

## **Phase 2**

Phase 2 concerns the translation of general policies on the ground in a number of ACP countries and the results and (net) outcomes accomplished. At country level, the evaluation will use commonly accepted OECD/DAC evaluation criteria as mentioned above. These are also the criteria used in the EC's own evaluations. The extent to which EU support has been able to take into account (follow) the Principles of the Paris Declaration on Development Effectiveness will be addressed as well as per the evaluation questions above.

Phase 2 will be based on a review and analysis of available country-level information and in-depth interviews with key stakeholders. Additional short-term in-depth studies may be programmed in the case of Burkina Faso and Ethiopia; resources for these additional studies need to be set aside within the contract.

Preparation of the country case studies will entail the following steps:

- Collect and analyse country specific documentation<sup>33</sup>. As part of this exercise, IOB will conduct an assessment of the quality of the EU's (impact) evaluations to be able to determine how these evaluations will be used in the policy evaluation.
- Review available and/or develop a series of country and sector specific indicators at output and outcome levels
- Develop a comprehensive methodology to evaluate coherence and complementarity between EU development cooperation and NL bilateral development aid at country level<sup>34</sup>
- Conduct semi-structured interviews with relevant EU officials in Brussels as well as staff of the Ministry of Foreign Affairs in both The Hague and Brussels to shed light on developments taking place at country level and discuss the suggested indicators
- Preparation of brief ToR for the undertaking of a series of country-studies to verify, complement and/or cross-check the information gathered during the desk study and interviews. These ToR will be communicated with the EU Delegations and the Netherlands embassies in the countries concerned.

The following two approaches will be used as regards the undertaking of the country case studies.

## **Country case studies in Rwanda and Uganda**

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<sup>33</sup> Documentation sources will include the following: EU Institutions: CSPs, NIPs, RIPs, interim EPAs and international trade agreements, Treaties, relevant programming documents (e.g. identification fiches, financing agreements containing log frames, annual action programmes), reports on external (results-based) monitoring and (impact) evaluation, reports on annual reviews, other relevant country-level data including reports produced by other EU actors and individual EU member states. Focus will be on (a) the sectors mentioned in table 3 and (b) EU member state – EU Delegation cooperation issues at country level in these sectors. NL government: Embassy-level multi-annual strategic plans, annual reports, evaluation reports related to the sectors mentioned in table 3 and documentation in relation to diplomatic and other non-development interventions, focusing on the interaction between embassy and EU Delegation in these sectors. Academic literature on EU development cooperation at the country level with a focus on the intervention areas identified above and the sectors mentioned in table 3. Other independent reviews and (impact) evaluations of the sectors referred to in table 3 including those commissioned by international financial institutions such as the World Bank and UN agencies as well as NGOs. These reviews and evaluations will complement the EU evaluations and will be used to ensure the necessary triangulation of information sources.

<sup>34</sup> Where relevant, use will be made of the methodology of the Triple C evaluations that were conducted in the period 2004-2007.

For Rwanda and Uganda, one mission is envisaged for each country. Based on the brief ToR referred to above, these missions primarily serve to conduct in-depth interviews with representatives of:

- the EU Delegation,
- the national authorities (National Authorising Officer, ministries and agencies involved in the above mentioned sectors)
- the Netherlands embassy
- other stakeholders, including technical assistance teams contracted by the EU in the above mentioned focal sectors, as appropriate.

In addition they will serve to obtain and review any other relevant evaluation and background materials on the areas of intervention mentioned in table 3. The visits aim to verify, complement and cross-check existing data concerning EQs 4.1 to 4.5, EQ 4.7 and 4.8 . No additional in-depth research is foreseen in these cases.

### **Country case studies in Burkina Faso and Ethiopia**

For Burkina Faso and Mozambique, two missions are envisaged for each country. The first missions will have the same purposes as those referred to above. In addition they will serve to prepare more elaborate country-specific ToR, to be approved by the Director of IOB, that will include both country specific EQs and evaluation approach and methodology.<sup>35</sup> These country-specific EQs aim to answer EQs 4.1 to 4.8 and will be communicated with the EU Delegation and NL embassies. These ToR will form the basis for a follow-up mission to conduct further research in situ. This may include additional empirical studies of limited scope to collect supplementary data on selected areas of intervention. A maximum amount of € 30,000.00 including VAT has been allocated for these additional studies.

### **Phase 3**

In phase 3, the results of the phases 1 and 2 will be incorporated into an overall (draft) report on the policy evaluation.

### **Management of the evaluation**

IOB will be responsible for the management of the contract and the final contents of the policy evolution reports (see under deliverables). IOB will provide the team leader for the evaluation and will also play an active role in its implementation.

Throughout the implementation of the contract, close cooperation will be ensured with the European Commission and the NL permanent representative to the EU in Brussels. For the country studies, close cooperation will be ensured with the EU Delegations, national governments (both relevant sector ministries and offices of the National Authorising Officer, Netherlands embassies and other development partners (in particular EU member states) that are active in the sectors referred to in table 3. The draft country-level reports will be shared for comments with the EU Delegations, National Authorising Officers and NL embassies as well as the 'Sounding Board' referred to below.

A reference group will be established for the overall policy evaluation. This reference group will be chaired by the Deputy Director of IOB and have as its members: (i) a representative of the External

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35 These terms of reference will follow a standard format to be developed in consultation with IOB at the start of the policy evaluation.



Affairs Division of the NL Ministry of Foreign Affairs' European Integration Department (DIE/EX); (ii) a representative of the Department for Coherence and Effectiveness (DEC); (iii) a representative of the NL Permanent Representation to the EU in Brussels; (iv) a representative of the European Commission and (v) two independent experts (to be identified). The reference group will review the draft final report of the policy evaluation, and/or parts thereof, in terms of quality, credibility, clarity and consistency by means written and/or verbal comments. The consultant is expected to attend reference group meetings and will take account of reference group comments in finalising reports.

In addition to this reference group, an informal 'Sounding Board' (*klankbordgroep*) will be set up comprising representatives from the evaluation services of DFID, SIDA and DANIDA. The members of the Board will be consulted by IOB at key moments during the evaluation and will discuss *inter alia* the results of the analysis of EU development cooperation policies and practices, the results of the country case studies and the overall policy evaluation report. Informal written reports of meetings and phone conferences will be drafted by the IOB and shared with the evaluation team for their information to provide guidance in the evaluation process and finalisation of reports. As part of IOB's internal quality control procedures, two other IOB evaluators will also comment and advise on (draft) terms of reference and reports.

### Input requirements

Tenderers are expected to propose a team of senior, junior as well as national consultants (i.e. from the four ACP countries mentioned above) that meets with the quality criteria mentioned above (section 6.2.1). Indicative inputs expected from the team during the various phases of the evaluation are provided in the overview below.

<b>General</b>	
Prepare inception report Support the description and analysis of (a) EU development cooperation <sup>+</sup> (EQs 1.1 to 1.3) and (b) EU funding for development cooperation <sup>+</sup> (EQ 5.1) and (c) related report writing Support the description and analysis of (a) the role of the NL Government with respect to EU development cooperation, (b) the initiatives taken to implement NL policy with respect to EU development cooperation (EQs 2.1 to 3.2) as well as (c) NL funding for development cooperation through the EU and other costs incurred in NL policy implementation (EQs 5.2 and 5.3) and (d) related report writing.	Senior consultant (70 working days)
Support the assessment of EU (impact) evaluation reports	Senior consultant (20 working days)
Support the drafting of the overall policy evaluation report	Senior consultant (40 working days)
	Junior consultant (75 working days (for all above components))
<b>Country case studies</b>	
<b><i>Rwanda and Uganda</i></b>	

<b>General</b>	
Support the review and analysis of country-level (evaluation) reports Undertake country-level missions for interviews and further document review and analysis Contract and monitor performance of national consultants and ensure quality control of their inputs Support country-level report writing (EQs 4.1 to 4.5, EQ 4.7 and 4.8)	Senior consultants (50 working days) Junior consultant (30 working days) National consultants (40 working days)
<b><i>Burkina Faso and Ethiopia</i></b>	
Support the review and analysis of country-level (evaluation) reports Undertake a first country-level mission for (i) interviews; (ii) further document review and analysis; (iii) preparation of country specific terms of reference Support the design of appropriate evaluation instruments for the second country visits on the basis of approved country specific ToR Undertake a second country-level mission for (i) additional interviews and (ii) the implementation of additional empirical studies Contract and monitor performance of national consultants during both missions and ensure quality control of their inputs Support country-level report writing (EQs 4.1 to 4.8)	Senior consultants (75 working days) Junior consultant (40 working days) National consultants (60 working days)

### **Deliverables**

The Evaluation Team will prepare and submit several deliverables on the dates specified in the projected time schedule presented below and will periodically report on progress and findings to IOB, including:

1. An inception report after the first week of the assignment as detailed above. (in consultation with IOB). Based on this inception report, IOB retains the right to decide whether to continue the assignment or not ('go -no go'). The inception report will provide, based on the team's technical proposal, a more detailed methodological approach to respond to the above evaluation questions. As a minimum, the inception report will provide details as regards: (i) methodology for review and analysis of (a selection of) key documents; (ii) methodology for quality assessment of EC evaluation reports; (iii) methodology for undertaking, recording, etc. of interviews; and (iv) an updated planning and division of work (within the team and between team and IOB).
2. Report with a comprehensive description and analysis of (a) EU development cooperation+, including both general policies and with a particular reference to EDF and (b) EU funding for development cooperation through EDF
3. Report with a comprehensive description and analysis of (a) the role of the NL Government with respect to EU development cooperation, (b) the initiatives taken to implement NL policy with respect to EU development cooperation as well as (c) NL funding for development cooperation through the EU and other costs incurred in NL policy implementation

4. A summary report on the assessment of (impact) evaluations conducted by the EU Joint Evaluation Unit (and decentralised evaluations undertaken by EU Delegations as may be appropriate)
5. Simplified terms of reference for the four country case studies and more elaborate terms of reference for the country case studies envisaged for Burkina Faso and Ethiopia
6. An evaluation matrix for each country case study
7. Comprehensive reports on the country case studies as well as summaries of these studies for incorporation into the Final Report
8. A detailed overview of persons and documents consulted throughout the policy evaluation
9. A draft overall policy evaluation report incorporating the reports referred to under 2,3 and 7 above
10. Presentation of the policy evaluation results at a seminar in Brussels

### Planning

It is anticipated that the policy evaluation will start in April 2011 and will be completed by April-May 2012, as indicated in the tentative time schedule below.

	2011									2012								
	January	February	March	April	May	June	July	August	September	October	November	December	January	February	March	April	May	June
<b>Activities/milestones</b>																		
Preparation of tender dossier; implementation tender procedures; contracting service provider																		
Collect, classify documentation (IOB)																		
Document review on EU development+ cooperation policies																		
Document review on NL policies on EU development cooperation+																		
Interviews on EU development cooperation+ policies																		
Report writing (EQs 1.1- 1.3, 5.1).																		
Interviews on NL policies on EU development cooperation																		
Report writing (EQs 2.1-3.2)																		
<b>Country case studies</b>																		
<b>Rwanda and Uganda</b>																		
Prepare for country visits (document review, interviews, simple ToR)																		
Country visits																		
Prepare draft country reports (EQs 4.1 to 4.5, 4.7 and 4.8)																		
Review reports by EU Delegations, NAOs and NL embassies, Sounding Board, IOB																		
Finalise country reports																		
<b>Burkina Faso and Ethiopia</b>																		
Prepare for 1 <sup>st</sup> first country visits (document review, interviews)																		

Activities/milestones	2011									2012								
	January	February	March	April	May	June	July	August	September	October	November	December	January	February	March	April	May	June
First country visits						■	■											
Prepare for 2 <sup>nd</sup> country visits (incl. design evaluation instruments)							■											
2 <sup>nd</sup> country visits								■	■	■								
Prepare draft country reports (EQs 4.1 to 4.8)								■	■	■								
Review reports by EU Delegations, NAOs, NL embassies, reference group, Sounding Board, IOB										■	■							
Finalise country reports										■	■	■						
Write draft overall report										■	■	■	■	■				
Presentation of report at reference group, Sounding Board, IOB														■				
Finalise report														■	■			
Final editing															■			
Printing of the report																■		
Dissemination																	■	

## 8. Questions, timetable and submission

- You can ask questions about the tender document until **12:00 hrs on 15 February 2011**.
- You should E-mail the questions to: Mrs. E. Post Uiterweer, Ministry of Foreign Affairs, Ministry of Foreign Affairs, Financial and Economic Department, Procurement Division, [fez-tender@minbuza.nl](mailto:fez-tender@minbuza.nl);
- Each question should include the number of the section in the tender document to which it relates, and quote the relevant passage.
- All questions will be answered, rendered anonymous and combined into an Information Notice. The Notice will be published at [www.aanbestedingskalender.nl](http://www.aanbestedingskalender.nl). It forms part of the tender documents.
- The closing date and time for submitting tenders are **12:00 hrs on 28 February 2011**. Tenders received after this deadline will not be taken into consideration.
- The envelope / package should bear the following words:  
Ministry of Foreign Affairs  
Financial and Economic Department, Procurement Division,  
attn Mrs. E. Post Uiterweer  
Room 9A65  
Postbus 20061  
2500 EB Den Haag  
The Netherlands
- Tender FEZ/IM-183/IOB Evaluation of European development cooperation – CONFIDENTIAL: DO NOT OPEN before 14:00 hrs on 28 February 2011 -**
- The opening of the tenders will take place in public at 14:00 hrs on 28 February 2011 at the Ministry of Foreign Affairs, Bezuidenhoutseweg 67, The Hague. If you plan to attend, you are

requested to notify the Ministry by sending an E-mail not later than **15 February 2011** to: fez-tender@minbuza.nl. One representative per tenderer may attend. Representatives must bring a valid identity document with them.

- If you wish to deliver the tender in person, you can do so on working days between 09:00 and 17:00 at the Ministry's central mail room, Prinses Irenestraat 6 (side entrance). The Ministry will provide a receipt on request.
- Three copies of the tender must be submitted: one complete, original set, one easy-to-copy set (no tabs, plastic sleeves, foldouts, annual reports, staples, etc.), and one set in MS Word/Excel on CD-ROM. The files should have the same names and be supplied in the same order as requested in Annexe 1.
- The Ministry will seek to award the contract by March 2011. The contract will be awarded to a tenderer provisionally. Tenderers who are not awarded the contract will be notified at the same time in writing and by E-mail.
- Tenders must be organised using the tabs described in Annexe 1.
- The Ministry is not obliged to consider any documents that do not comply with the prescribed format or are incomplete and will not return them.
- Tenders submitted by email, fax or similar means will not be accepted. If the documents show inconsistencies, the text of the complete, original set of documents will take precedence.
- Risks relating to delivery delays or the use of incorrect or incomplete addresses will be borne by the tenderers.
- Submitted and accepted documents will not be returned.
- Tenders should be sent in appropriate, sealed packaging. Tenders should bear sufficient postage. The Ministry will refuse packages on which extra postage has to be paid.
- Annexe 1 must be completed, signed and submitted exactly as requested. Altering or making additions to the fixed text of Annexe 1 or tender documents is not permitted. If this is found to have been done without permission, the tenderer may be excluded from further participation or any contract signed may be terminated.

## 9. Conditions

1. The Ministry reserves the right to stop, suspend or terminate the award procedure without stating its reasons for doing so.
2. Tenderers must bear all costs that they incur as a result of the tender procedure. These costs are not eligible for reimbursement. By registering as a participant, tenderers agree to this condition.
3. By submitting a bid, a tenderer declares that the references it has given and the staffing, quality assurance system, materials etc. it has described are representative of the quality of the performance of the contract.
4. If a tenderer attaches conditions or reservations to its tender, the tender will be considered not to have been submitted, and will be deemed invalid. Conditions drawn up by the tenderer or sector explicitly do not apply.
5. It is possible that the report to be compiled will be sent to the House of Representatives. If so, the Ministry is obliged to inform the House of the costs associated with the report and explain why it was necessary. By submitting a tender, tenderers declare their agreement with this procedure.
6. All requested information, statements and other documents should be in English.
7. All correspondence and documentation drawn up by the Ministry will be in English only. Correspondence relating to this contract award procedure should be in English.

8. By signing the Statement of Agreement in Annexe 1, the tenderer vouches for the accuracy, completeness and regularity of all the information requested and supplied, and agrees to all the conditions contained in the tender documents. Tenderers who provide inaccurate information may be excluded from the contract award procedure at any time.
9. Annexe 1 must be signed by an official authorised to represent the tenderer and conclude binding agreements. As a rule, it should be the representative enrolled in a commercial or professional register at the Chamber of Commerce.
10. The requirements and criteria set by the Ministry and the information provided by the Ministry in this award procedure are based on the Ministry's best estimate of the size of the contract. Tenderers may derive no rights from this information (e.g. relating to numbers, specifications or the timetable). The information is intended to give an indication of the contract award procedure and provide a basis for comparing tenderers.
11. Barring exceptions set out in the Copyright Act (Auteurswet), no part of this document may be reproduced (other than for the purpose of this award procedure) by means of print, photocopy, microfilm, or in any other form without the written permission of the Ministry (intellectual property).
12. Directive 2004/18/EC (on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts) and the Public Procurement Tendering Rules Decree (BAO) apply to the award procedure.
13. This tender document was drawn up with due care. If a tenderer nevertheless finds contradictions or flaws, it should inform the Ministry of them as soon as possible before the closing date for submitting tenders. If it later emerges that this document contains flaws or contradictions that were not reported by the tenderer, the Ministry cannot be held responsible.
14. The Ministry invites tenderers to ask any questions and make any objections they may have concerning the tender documents. Failure to take up this invitation may affect any subsequent claims. Reference is made in this regard to the judgment of the Court of Justice of the European Communities (ECJ) in case C-230/02 (the Grossmann judgment) of 12 February 2004, case law 2004, p. I-1829.
15. By signing the tender, a tenderer undertakes to maintain confidentiality with regard to all information obtained in connection with this award procedure and not to provide any information to third parties. An exception can be made for consortium members, subcontractors or third parties who provide assistance in the preparation of the tender. In such cases the tenderer remains responsible for ensuring compliance with the duty of confidentiality.
16. Publicity regarding this award procedure is only allowed after obtaining the written approval of the Ministry.
17. The present tender has not come about under the influence of an agreement, decision or conduct that contravenes Dutch or EU competition law.
18. The Ministry will observe confidentiality with respect to any information provided by tenderers and will use this information only for the purpose of this award procedure.
19. The tenderer undertakes not to make any statements of any kind that could harm any of the other participants. Tenderers who breach this condition may be excluded from further participation in this award procedure.
20. The Ministry reserves the right to check the accuracy of all the information provided by tenderers, to request official supporting documents and to contact referees directly.
21. Oral communications, undertakings or agreements have no legal force unless confirmed in writing.
22. Tenderers declare that there is no conflict of interest between their companies and the Ministry. 'Conflict of interest' includes employing an employee of the Ministry or a former

employee who left the Ministry less than two years ago who is or will be directly or indirectly involved in the current award procedure or the performance of the contract. In such an event, a tenderer should report this to the Ministry. If the Ministry has legitimate reasons for assuming that, contrary to a tenderer's declaration, a conflict of interest does in fact exist, the tenderer will be excluded from the award procedure.

23. This contract award procedure (including tenders submitted) is subject to Dutch law.
24. Tenderers must maintain their offers for 120 days after the closure date or for such further period as is necessary for the judge hearing applications for provisional relief (voorzieningenrechter) to give a decision.
25. A condition for contract award becoming final is that the parties reach agreement on the contract. The contract is included in Annexe 1.
26. Once the contract award is final, the contractor must initial every page of the contract and the conditions upon signing the contract.
27. The Regulations on Travel Allowances for External Advisers (BZ Reiskostenvergoeding externe adviseurs 2010, REA) apply to advisers who make working visits to other countries in connection with the contract. The REA is included in Annexe 4. Tenderers should take this into account when setting the price. By signing the Statement of Agreement, tenderers declare that the REA applies to this contract.
28. If none of the tenderers to which the contract is not to be awarded have instituted interlocutory injunction proceedings (kort geding) within 15 days of being sent the notice of the contract award decision, the contract award will become final and the contract will be concluded.
29. Tenderers wishing to institute interlocutory injunction proceedings against the contract award decision should notify the contracting authority in writing before the stipulated time limit expires, and send a copy of the summons (dagvaarding), stating the date on which the judge hearing applications for provisional relief will hear the case.
30. Unless there are very urgent reasons for not doing so, the Ministry will await the court's decision on the application for an interlocutory injunction. If the decision on the application for an interlocutory injunction has no impact on the contract award decision, the award of the contract to the tenderer to which the contract was awarded provisionally will become final.
31. In the event of a dispute between parties to this contract award procedure arising from the procedure, including a dispute that only one of the parties involved regards as such, the competent court will be The Hague District Court.