

Special Evaluation Service
Federal Public Service Foreign Affairs, Foreign Trade and Development Cooperation

SPECIAL SPECIFICATIONS n°S4/2009/02

GENERAL CALL FOR TENDER FOR THE
EVALUATION OF THE BELGIAN INSTRUMENTS IN SUPPORT OF FOREIGN TRADE ELIGIBLE AS
ODA – EVALUATION FINEXPO

KEYWORDS: DEVELOPMENT COOPERATION, FINANCIAL COOPERATION, UNTIED AID,
PROMOTING FOREIGN TRADE, STATE-TO-STATE LOANS, INTERESTS SUBSIDIES

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A. GENERAL PROVISIONS.

In accordance with Section 3, Paragraph 1, of the Royal Decree (RD) of 26 September 1996, tenderers should note that in this specifications an exception has been made to Section 75 of the appendix to the RD of 26 September 1996 relating to fines for lateness, specifically with regard to the percentage of the fines per calendar day and the maximum percentage of the fines calculated according to the value of the services.

1. Object and Nature of the Contract

This contract concerns an evaluation for the Belgian State.

The chosen procedure is that of a general call for tenders.

This contract comprises a single lot.

It is a global fixed price contract (R.D. of 08 January 1996, Sect. 86).

2. Duration

The contract will come into force on the first calendar day following the day when the tenderer has received notification of the contract's allocation and will finish the day the contract is fully executed. Delivery of the services demanded in the present specifications must be completed within the foreseen period, in accordance with Point 15.1.

3. Contracting Authority

The contracting authority is the Belgian State, represented by the Federal Public Service Foreign Affairs, Foreign Trade and Development Cooperation.

Special Evaluation Service of Development Cooperation S4 15, Rue des petits Carmes B-1000 Brussels Belgium

Further information relating to procedure and content of the contract may be obtained from Mr Dominique de Crombrugghe (Office S4), Phone. +32 (0)2 501 36 06, dominique.decrombrugghe@dipobel.fed.be.

Or from Ms. Andrée FRANCOIS, Phone + 32 (0)2 501 30 16, andree.francois@dipobel.fed.be.

4. Information session

Given the complexity of the assignment, the contracting authority has decided to organize an information session between the announcement in the bulletin des adjudication and in the European publication journal and the day of the opening of the tenders.

This information session will take place on 27/05/2009 at 14.00 on the following address 15, Rue des petits Carmes – 1000 Brussels, room G204.

During this information session, first a brief overview will be given about the object of the assignment. Further the opportunity will be given to ask questions.

In order to have a fluent progress of the meeting the candidate tenderers are requested to send any questions to the contracting authority by e-mail to andree.francois@dipobel.fed.be, with dominique.decrombrugghe@dipobel.fed.be in cc.

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At the entrance of the meeting room, participants will be asked to mention the identity of the company they represent and their address on a participants' list.

Afterwards, the contracting authority will send all participants the minutes of the meeting

The candidate tenderers that couldn't come to the meeting can ask the contracting authority to receive the minutes of the meeting by e-mail to andree.francois@diplobel.fed.be, with dominique.decrombrugghe@diplobel.fed.be in cc.

5. Submission and Opening of Tenders

The tenders should be drawn up in 5 exemplars and sent to the contracting authority at the latest before opening. The tenders will:

- Either be sent by registered delivery to the Ministry of Foreign Affairs, Foreign Trade and Development Cooperation - Special Evaluation Office S4 (Rue des petits Carmes 15, 1000 Brussels),
- Or be submitted in person to the expedition service of the Ministry of Foreign Affairs (Rue des Petits Carmes 23, 1000 Brussels)

On 29/06/2009, at 11.00 am, the tenders submitted for this contract shall be opened in open session (without disclosure of the prices) in the room G204 of the Ministry of Foreign Affairs, Foreign Trade and Development Cooperation - Rue des Petits Carmes 15, 1000 Brussels.

Tenders are accepted as long as the meeting for the opening of the tenders didn't start.

Tenders must be placed in a sealed envelope. The following information must be shown on the envelope:

- The number of these Special Specifications;
- The tender opening date and opening time.

This envelope must be placed inside a second envelope bearing the following information:

- The word "tender" in the upper left-hand corner;
- In the place provided for the address of the recipient the written indication « For the attention of Service S4: Submission for the "the evaluation of FINEXPO." as well as « **Only to be opened during the tender opening session** ».

Tenderers should note that, in accordance with Section 104 of the Royal Decree of 08 January 1996, tenders that arrive late shall only be taken into account if they were submitted by registered post at the latest by the fourth calendar day preceding the day set for the opening of the tenders, or if the delay was clearly due to the negligence of the contracting authority.

6. Managing Department – Managing Officer

The managing department in the sense mentioned in articles 1 and 2 of the general terms and conditions is the contracting authority. The contracting authority is the sole authority competent for the contract surveillance and control.

The managing department is the "Special Evaluation Office (S4)". The scope of its authority shall be set out in the notification of the contract's allocation.

7. Description of Services to be Performed

The services that are demanded are described in Part B "Technical Prescriptions – Terms of Reference" of the present Specifications.

8. Documents Governing the Contract

8.1. Regulations

- The law of 24 December 1993 relating to public contracts and certain labour, supply and service contracts (Moniteur belge of 22 January 1994);
- The Royal Decree of 08 January 1996 relating to public labour, supply and service contracts and public works concessions (Moniteur belge of 26 January 1996);
- The Royal Decree of 26 September 1996 establishing the general rules of execution for public contracts and public works concessions + appendix: general specification for public works, supply and service contracts and public works concessions (Moniteur belge of 18 October 1996);
- Any amendments to the law and to the RD's referred to above, current on the day of the opening of the tenders.

8.2. Documents Relating to the Contract

- The present Specifications Nr. S4/2009/02
- The approved tender

9. Tenders

9.1. Information to be included in the Tender

Tenderers should pay special attention to section 10 of the law of 24 December 1993 and Section 78 of the Royal Decree of 08 January 1996 relating to incompatibilities.

The tenderer must use the tender submission form appended to the present Special Specifications. However, if other documents are used, the tenderer must attest to the compliance of each document with the tender submission form attached to the Special Specifications (Sect. 89 of the RD of 8 January 1996).

The tender and the appendices attached to the tender submission form must be written in French or Dutch or English.

By submitting a tender, the tenderer agrees automatically to abandon all general or special terms and conditions, even if these are referred to in one of the tender's annexes.

The tender submission form is to be found in the annex of the present Specifications

The following information shall be included in the tender:

- The fixed (all inclusive) price in words and figures (excluding VAT);
- The amount of Value Added Tax (if any);
- The signature of the person authorised to sign the tender;
- The position of the person signing the tender;
- The date on which the person referred to above signed the tender;
- The enterprise number (for Belgian tenderers only).

9.2. Tender Validity Period

Tenderers shall remain bound by their tender for 90 calendar days, starting from the day following the day when the tenders were opened.

9.3. Documents and Certificates to be attached to the Tender

Tenderers shall attach to their tender :

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- All the documents requested as part of the selection and awarding criteria (see Paragraph 12 below);
- Bylaws and any other useful document proving the competence of the signatory(ies).

10. Prices

10.1. Prices

All prices submitted in the tender package must be mentioned in euros.

This contract is a total price contract, which means that the price is fixed.

The tenderer is deemed to have included all the possible expenses attached to delivery of the services in its fixed price, especially, but not solely,

- Consultancy fees;
- Travel, accommodation and transportation costs (per diem allowances shall not exceed the maximum amounts of the FPS Foreign Affairs);
- Costs related to the feedback, publication and translation of reports;
- Administrative costs.

The tenderer is deemed to have included **all real and/or reasonable expenses attached to delivery of the services** in its prices, except VAT.

10.2. Price revision

Price revisions for the present contract are not possible.

11. Tenderer Liability

The tenderer is fully liable for any errors and omissions in the services delivered, in particular in the studies, accounts, drawings or any other documents submitted in execution of the contract.

At any stage in the tendering process, the Contracting Authority may gather information by all legal means about the real situation of the tenderer regarding the exclusion criteria listed beneath.

12. Selection Criteria – Regularity of Tenders – Awarding Criteria.

12.1. Selection Criteria

Tenders will be judged according to the selection criteria here below.

Only tenders that meet the selection criteria shall be taken into consideration for the awarding criteria given in Point 12.3 of Part A of the Specifications, if the tenders meet the administrative and technical requirements.

12.1.1. Exclusion Criteria

By submitting a tender the tenderer declares not to be in the case of any of the exclusion criteria described below. The contracting authority will verify the correctness of this declaration on the honour for the tenderer who obtained the best ranking. This will be done on the basis of the information and the documents provided by the best ranking tenderer in the fastest way possible and within a period of time determined by the contracting authority. The information and documents which can be obtained by the contracting authority electronically and free of charge, will be asked by the contracting authority itself if deemed necessary.

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First exclusion criterion

§.1. Belgian tenderers that employ staff subject to the Law of June 27th, 1969 revising the Decree-Law of 28 December 1944 on workers' social security, must have fulfilled their obligations towards the National Office of Social Security. The tenderer will be deemed to have fulfilled these obligations if it appears that at the latest the day before the deadline for the reception of tenders that :

- 1° All the required declarations have been transmitted to the National Office of Social Security, including those relating to the last calendar quarter but one to have elapsed before the deadline for the reception of tenders,
- 2 the tenderer does not have more than 2500 EUR worth of social security contributions outstanding relating to the declarations described in the previous paragraph, unless a payment plan for such arrears has been obtained to which the tenderer is strictly adhering.

However, even if the outstanding social security contributions are more than 2500 EUR, the tenderer shall be deemed to be meeting his obligations if he proves, before the decision to allocate the contract, that at the latest on the day before the day on which tenders can be received by a contracting authority as described in Section 4, §1 and § 2, 1 to 8° and 10° of the Law or by a public company as described in Section 26 of the same Law, that he has one or several receivable financial claims which are free of any commitments to third parties and are equal, within 2500 EUR, to the sum of its social security contribution arrears.

§ 2. At the latest the day before the last day on which tenders can be received, *foreign tenderers* must:

- 1° have fulfilled the obligations relating to the payment of social security contributions according to the legal provisions of the country where they are established;
- 2° meet the requirements of § 1 if they employ staff subject to the Law of June 27th, 1969 revising the Decree-Law of December 28th, 1944 on workers' social security.

§.3. At any stage in the procedure, the contracting authority may inquire, by whatever means it considers appropriate, into any tenderer's situation regarding the payment of social security contributions.

Second exclusion criterion

The tenderer may not be in one of the following cases:

- 1° to be in a state of bankruptcy or liquidation, to have ceased its activities or to have obtained a legal scheme of arrangement or to be in any similar situation resulting from a procedure of comparable nature existing in its national legislations and regulations;
- 2° to have deposited a declaration of bankruptcy, to have set in motion a procedure of liquidation or legal scheme of arrangement or to have in progress a procedure of comparable nature existing in its national legislations and regulations.

Third exclusion criterium

The tenderer may not have been condemned by a definitive judgement for an offence that undermines its professional integrity.

Fourth exclusion criterium

The tenderer may not, on professional matters, have made a serious fault, noted by any means that the contracting authority will be able to justify.

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The tenderer, by the signature of his offer, commits himself to respect the standards defined in basic conventions of International Labour Organization (ILO) and, in particular:

1. The prohibition of forced labour (conventions n° 29 of 1930 concerning forced or obligatory labour, and n° 105 of 1957 on the abolition of the forced labour);
2. The right to trade-union freedom (convention n° 87 of 1948 on trade-union freedom and on trade-union rights);
3. The Right of organization and collective negotiation (convention n° 96 of 1949 on the right of organization and collective negotiation);
4. The prohibition of any work remuneration discrimination (conventions n° 100 on equal pay, 1951 and n° 111 concerning discrimination (employment and profession), 1958);
5. The minimum age fixed for the child work (convention n° 138 on the minimum age, 1973), as well as the prohibition of the worst forms of the child work (convention n° 182 on the worst forms of the child work, 1999).

The non-observance of above-mentioned conventions will thus be regarded as serious professional fault in the sense of article 69, 4° of the Royal Decree of January 8th, 1996.

The here above provisions don't waive the application of other provisions of article 69 of the above mentioned Decree.

Fifth exclusion criterium

The tenderer may not to have failed in its obligations with respect to direct taxation and VAT.

Sixth exclusion criterium

The tenderer may not have made itself seriously guilty of false declarations by providing information requested within the framework of this contract.

12.1.2 Selection Criteria Relating to the Tenderer's Financial Resources

Tenderers must attach to their tenders a declaration on the turnover relating to evaluation services performed by the company in the course of the last three financial years.

12.1.3 Selection Criteria Relating To The Tenderer's Technical Capacities

Tenderer's are requested to justify their technical capacity by annexing to their tender a list of maximum 10 relevant evaluations performed over the last 5 years or currently being performed by the tenderer, establishing the following information, according to the following framework:

- The title of the final report
- The country or region to which the evaluation relates
- The type of evaluation (ex-ante, in process, final or ex-post)
- The object, the sector or the theme of the evaluation
- The composition of the team of evaluators
- The contracting authority
- The budget
- The time dedicated to the activity.

12.2. Tender Legality

The tender shall be examined to verify whether it complies with the selection criteria. Tenders that do not comply, will be excluded.

Only regular tenders shall be taken into account for the awarding criteria.

12.3. Awarding Criteria

In order to choose the most interesting tender, the regular tenders will be judged according to a number of awarding criteria.

These criteria will be weighed to obtain a final ranking

12.3.1. List with Awarding Criteria

The awarding criteria, in descending order of importance, are as follows:

1. Technical bid (70%)
 - Understanding of the object of the call for tenders (5%);
 - Methodological approach (15%);
 - Technical approach (10%);
 - Experience and knowledge of evaluation of international development cooperation (20%);
 - Experience and knowledge of international financial cooperation and supporting credits to foreign trade (10%);
 - Experience and knowledge of the team leader (10%);
2. Price of the services (30 %)

The tenderer must annex detailed curriculum vitae showing the consultants' technical capacities.

The tenderer shall attach to its tender any other information useful for the assessment of its tender, according to the awarding criteria.

12.3.2. Final Score

For the technical offer, the tenderer must obtain 60% of the points if not, the tender shall not be taken into account.

The scores for the two awarding criteria will be counted together. The contract will be awarded to the tenderer that obtains the highest final score.

The 2nd awarding criterion (price of the services) will be calculated as follows:

Score for tender X = $30 \times (\text{price of lowest tender}) / (\text{price of tender X})$

13. Guarantee.

The guarantee is set at 5% of the total contract amount, excluding VAT. The resulting amount in euros shall be rounded up to the next multiple of ten.

In accordance with the legal and regulatory provisions, the guarantee may take the form of cash, public funds, or a collective guarantee.

The guarantee may also be a surety bond granted by a credit institution satisfying the provisions of the Law of 22 March 1993 on the legal status and supervision of credit institutions, or by an insurance company satisfying the provisions of the Law of 09 July 1975 on the supervision of insurance companies and approved for Branch 15 (guarantee).

Within 30 calendar days of the concluding of the contract, the winning tenderer must prove that the guarantee has been created by itself or by a third party in one of the following ways:

- 1 In the event of cash, by transferring the amount to the Consignments and Loans Fund Postal Cheque account (postal cheque account n° 679-2004099-79) or to a public organisation

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- performing a similar function to that of said Fund, hereafter referred to as a public organisation performing a similar function;
- 2 In the case of public funds, by the depositing of these with the State cashier at the headquarters of the National Bank in Brussels or at one of its provincial branches, in favour of the Consignments and Loans Fund, or a public organisation performing a similar function;
 - 3 In the case of a collective guarantee, through the filing of a joint guarantee document with the Consignments and Loans Fund, or a public organisation performing a similar function, by a company legally authorised to carry out this activity;
 - 4 In the case of a surety bond, through the commitment document from the credit institution or the insurance company.

Proof shall involve, as the case may be, presenting to the contracting authority:

- 1 Either a deposit slip from the Consignations and Loans Fund or a public organisation performing a similar function;
- 2 Or a debit advice issued by the credit institution or the insurance company;
- 3 Or the deposit acknowledgement issued by the State cashier or by a public organisation performing a similar function;
- 4 Or the original joint guarantee document signed by the Consignations and Loans Fund or by a public organisation performing a similar function;
- 5 Or the original commitment document drawn up by the credit institution or insurance company granting a surety bond.

These documents, signed by the depositor, must state in favour of whom the guarantee has been created, its precise allocation through a brief indication of the purpose of the contract and the Specification reference, and the surname, forename and full address of the winning tenderer and, if applicable, of the third party that has made the deposit, with the reference "Financial Backer" or "Managing Agent", as the case may be.

The 30-calendar-day period shall be suspended for the time during which the winning tender's company is closed for yearly paid holidays and compensatory leave provided for in the regulations or in a compulsory collective labour agreement.

The proof that the guarantee has been created must be sent to the address that will be given in the contract allocation notice. In the case that the proof of guarantee has arrived too late, the contracting authority can give a fine according to the modalities described in art. 6 of the general contracting conditions of the R.D. of 26 September 1996.

The guarantee shall be fully released after the final acceptance of the last services rendered . The guarantee will only be released at the explicit request of the service provider, on the condition that the services have been rendered as demanded in the present Specifications.

14. Monitoring and Acceptance of the Services

The Special Evaluation Office of development cooperation will be in charge of the overall supervision of the evaluation mission and of the acceptance of the final evaluation report.

A limited reference group will monitor the content of the analysis, conclusions and recommendations.

15. Service Implementation

15.1. Timing and Clauses

15.1.1. Timing

The services must be performed within the period indicated in weeks in the offer by the tenderer. This period starts the day following the day when the tenderer received notification of the awarding of the contract.

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The contracting authority, in consultation with the steering committee, is free to extend the evaluation period if he judges this is in the interest of the evaluation.

The original copy of the submission form, hereafter referred to as “the purchase order”, duly countersigned by the contracting authority shall be sent to the service provider by registered post.

In any case, claims relating to the purchase order shall only be valid if they are made within 15 calendar days of the first day following that when the service provider received the purchase order.

15.1.2. Clauses

The tenderer commits himself, until full execution of the contract, to respect the 8 basic conventions of the International Labour Organization (ILO) indicated in point 12.1.1 of these Special Specifications.

The non-observance of above-mentioned conventions can, in the sense of article 20, §1st, 4° of the General Specifications attached to the Royal Decree of September 26th, 1996, lead to the application of automatic measures provided for by §6 of the same article, namely the unilateral termination of the contract.

15.2. Place of the Services and of the Monitoring

15.2.1. Places where the Services are carried out

The services are carried out in:

Belgium and the two countries where the field missions will be organised: Ghana and Vietnam

15.2.2. Monitoring of the Services

If anomalies are observed during the performance of the services, they shall be immediately notified to the winning tenderer by fax or e-mail, and later confirmed by registered letter. The winning tenderer is obliged to recommence any services performed in a non-compliant manner.

When the services have been performed, the standard and compliance of the services delivered shall be assessed by the Special Evaluation Office and a steering committee. A report of this assessment shall be produced, the original copy of which shall be transmitted to the service provider. Services that have not been delivered in a correct or compliant manner must be recommenced.

16. Invoicing and Payment

Prices mentioned in point 10 (+21% VAT for Belgian tenderers) will be paid as follows on presentation of invoices:

- 30% of the global price after acceptance of the documentary research report;
- 30% of the global price after acceptance of the field visit reports;
- 30% of the global price after acceptance of the final report;
- 10% of the global price after the restitution seminar.

An indicative timeframe presents the duration of the execution of the various steps in part B of these Special Specifications.

The tenderer must send invoices (in triplicate) to the following address:

Federal Public Service Foreign Affairs, Foreign Trade and Development Co-operation
For the attention of Dominique de Crombrughe, Service S4
Rue des petits Carmes 15
1000 Brussels
Belgium

Only services that have been performed correctly may be invoiced.

Payment shall take place within 50 calendar days of receipt of the invoice, provided the contracting authority has been put in possession, within the envisaged period, of any other documents that may have been requested.

Invoices must be in euros.

17. Contract Notices and Amendments

Contract notices and amendments announced or published in the Official Belgian Journal or the Official European Community Journal that deal with contracts in general, as well as contract notices and amendments relating to this contract, are an indivisible part of these Special Specifications. The tenderer is deemed to have read them and taken them into account when compiling its tender.

18. Special modalities for the Service Provider

All the results and reports produced by the service provider during the execution of this contract are the property of the contracting authority and may not be published or disclosed to third parties without its written authorisation permission.

The service provider and its employees are bound by a duty of discretion with regard to the information with which they become acquainted during the execution of the contract. This information may in no circumstances be disclosed to third parties without the contracting authority's written permission. The service provider may, however, refer to the contract as a reference.

The service provider must ensure that the contract is executed by the consultants proposed in the tender, except in a case of force majeure. Replacements (in case of force majeure only) should be advised to the contracting authority by registered post and have to be accepted by the contracting authority and the steering committee. A replacement that is not caused by a case of force majeure can cause the breach of the contract between the service provider and the contracting authority.

19. Disputes

Any disputes relating to the execution of this contract shall be dealt with exclusively by the competent courts of the district of Brussels. The working language shall be French or Dutch.

The contracting authority shall in no circumstances be liable for injury to people or damage to property directly or indirectly caused by the activities necessary for the execution of this contract. The service provider shall guarantee the contracting authority against any proceedings for damages brought by third parties in this respect.

20. Fines for Late Performance of Services

Notwithstanding Section 75 of the appendix to the Royal Decree of September 26th, 1996, the fine for the late delivery of services is set at 0.5% per calendar day with a maximum of 10% of the total for the services performed.

B. TECHNICAL SPECIFICATIONS.

1. Purpose and scope of the evaluation

The Special Evaluation Office is responsible for evaluating all Belgian Federal State expenses eligible as official development assistance (ODA) by the OECD. It also evaluates the institutions or instruments which contribute to the implementation of ODA. In that capacity, it undertakes an evaluation of the FINEXPO service.

FINEXPO is primarily a support tool for foreign trade. It is an Advisory Committee¹ with the objective to support Belgian companies in their export projects for capital goods and services, and thus give them the resources to deal with international competition.

Some of FINEXPO's financial instruments are eligible by the OECD's Development Assistance Committee (DAC) as ODA. These are State-to-State loans, interest subsidies (with or without donation) and pure donations. These instruments relate in effect to the definition of ODA as formulated by the DAC². FINEXPO is therefore a development cooperation tool.

The evaluation will focus specifically on projects financed by FINEXPO via the four instruments above. The evaluation period runs from 1997 to the end of 2008. The activities concerned take place in the countries eligible for these types of aid credits, i.e. countries where the GNP per inhabitant was less than 3,705 USD in 2007. These are listed in "The OECD Arrangement on Officially Supported Export Credits" of 1978 and updated annually.

In 2007, FINEXPO's investment budget (interest stabilisations included) represented a total of € 66,720,000. FINEXPO interventions classed as ODA are in the region of 3 % of Belgian ODA.

In May 2008, the OECD invited its member states to broaden the scope of application of the Recommendation of 2001 on untying official development assistance³ to eight HIPC⁴. Belgium requested a moratorium of two years in order to "evaluate the relevance and impact of the State-to-State Loan system and interest subsidies supported export credits and to ensure adaptation to current requirements for effective development assistance promoted by the Paris Declaration and the works of

¹ Created by the Royal Decree of 30th May 1997¹; its composition and operation is laid down in the Royal Decree of 15th July 1997. The Committee's Advice is submitted to the Minister for Foreign Trade for the final decision with regard to interest stabilisation and interest subsidies with or without donation, as well as pure donations. With regard to State-to-State loans and interest stabilisations of over 25 million Euros, once the application has received the positive advice of the FINEXPO Committee it must pass to the Belgian Council of Ministers.

² DCD/DAC(2007)34: "Official Development Assistance" means all the resource contributions which are provided to the countries and regions on the List of ODA recipients, or to multilateral institutions, and which satisfy the following criteria:

- i. Provided by public bodies, including states and local authorities or bodies acting on behalf of public organisations.
- ii. Given that each operation must also
 - a. Have the main aim of encouraging economic development and improving the standard of living in developing countries.
 - b. Be accompanied by favourable conditions and consist of a grant element of at least 25% (on the basis of a discount rate of 10%).

It excludes grants, loans and credits for military purposes."

³ DCD/DAC (2001)12/FINAL – Recommendation initially drafted for the Least Developed Countries (LDC), a country category created in 1971 by the United Nations grouping together the world's least socio-economically developed countries.

⁴ The Heavily Indebted Poor Countries initiative is a system set up by the IMF to control the problem of the external debt of these heavily indebted countries. Only 8 HIPC's do not appear on the current list of LDCs: Bolivia, Cameroon, Brazzaville, Congo, Ivory Coast, Ghana, Guiana, Honduras and Nicaragua.

the DAC in general.”⁵ The evaluation will implement this decision adopted during the Accra High Level Forum in September 2008.

The evaluation will include two distinct parts: on the one hand, it will check the relevance, consistency, effectiveness and efficiency of FINEXPO as a development cooperation instrument as well as the sustainability of the financing carried out; on the other hand, it will evaluate the relevance, effectiveness, efficiency and impact of FINEXPO as a support tool for foreign trade. The evaluation will examine whether adjustments to FINEXPO are desirable for the operation of the tool in a looser context.

To date, no evaluation of this type has been conducted.

2. International context

2.1 The OECD Arrangement on Officially Supported Export Credit

FINEXPO's activities are subject to both internal operating rules (ref. below) and OECD provisions which derive from the terms of the *"Arrangement on Officially Supported Export Credits"* (1978)

Stakeholders in the Arrangement are commonly called “the participants”. These are Australia, Canada, the member states of the European Union, the United States, Japan, Norway, New Zealand, the Republic of Korea and Switzerland.

The Arrangement constitutes an exception to general competition rules. Within strict limits, it authorises the Participants to give some official assistance according to the following key principles:

- The assistance allocated must target developing countries featuring on the list of countries eligible for assistance, drawn up by the World Bank based on the GNP/inhabitant⁶.
- Official assistance cannot be given for projects which would be commercially viable if they were financed in market conditions.
- Participants must match the credits given to a minimum concessionality level (at least 35 % or 50% if it is a LDC⁷).

The Arrangement created the institutional framework within which some export aid is authorised. It aims to encourage competition based on quality and price and regulate official assistance for export credits.

The Arrangement builds on the export credit “Consensus” agreed among a number of OECD countries in 1976. Prior to this time, the lack of rules pushed States into competing to provide the most attractive subsidies for national exporters striving to acquire foreign markets.

The Arrangement places limits on the terms and conditions of officially supported export credits, notably minimum interest rates, risk fees and maximum repayment terms and imposes restrictions on the provision of tied aid. It includes procedures for prior notification, consultation, information exchange and review of export aid as well as tied aid offers.

⁵ See letter from Minister Charles Michel of 29/04/2008 sent to the Chair of the DAC, Mr Eckhard Deutscher.

⁶ Eligibility or ineligibility for concessional aid therefore relies on the World Bank's statistics in terms of GNP/inhabitant. The principle adopted is as follows: a country will be added to the list of eligible countries or removed from this list when its GNP/inhabitant has been less than or greater than the GNP/inhabitant threshold recognised as the eligibility criteria for concessional aid for two consecutive years.

⁷ These are countries where the GNP per inhabitant is less than 750 USD (average over 3 years 2002-2004). They present the lowest Human Development Indices (HDI) and significant economic vulnerability and as such benefit from special attention from the international community.

The Arrangement is a *gentleman's agreement* between the Participants. It is not an Act by the OECD but has the administrative support of the Organisation's Secretariat. However, the Arrangement has a constraining value in the Member States of the European Union. In effect, the Arrangement is integrated into European Community law by a decision of the European Council of 4th April 1978⁸.

2.2 The untying of aid and its developments

Untied aid is aid that can be used freely by the country that receives it to buy goods and services from suppliers from all OECD countries and practically all developing countries. Conversely, tied aid consists in limiting the markets to suppliers in the donor country.

For three decades, the debates on the effectiveness of aid have focused on the question of untying aid or not and its implications. Analyses have shown that tied aid is more expensive⁹ and less effective than untied aid. The appropriation of tied aid by the beneficiaries would also be more difficult than that of untied aid.

In 2001, the member states of the DAC issued a Recommendation on the untying of aid in favour of the LDC. This came into force on 1st January 2002. An evaluation of the implementation of this recommendation is currently underway¹⁰. It already appears that the ex-ante and ex-post notification of untied aid as well as its statistical reporting poses some problems.

The question of untying aid and the progress to be achieved in the matter has also been integrated into the Millennium Development Goals (Goal 8 – Target 35) and the Paris Declaration on Aid Effectiveness in 2005 (Indicator 8).

In May 2008, the development ministers of the donor countries agreed on an extension to the scope of the Recommendation. This decision aims to broaden the conditions for untying to all HIPC countries. All aid sent to these countries should be entirely untied from 1st October 2008.

Belgian ODA is 97% untied. Belgium has nevertheless requested a moratorium of two years from the OECD before implementing the extended Recommendation. It would like to make use of this period (from October 2008 to October 2010) to conduct an evaluation of FINEXPO.

In fact, it can be observed that on one hand the interventions subsidised by FINEXPO are almost exclusively tied aid (this is the case for all subsidies and State-to-State loans except 4) and on the other hand that these 8 HIPC countries account for a significant share of the financing granted in recent years. Indeed over the period 2004-2007, they represent 38.58 % on average of the amounts awarded.

We can expect further discussion on untying aid, since some states are in favour of an extension of the 2001 Recommendation to countries other than just the LDC and HIPC, while others favour a deepening of the Recommendation in terms of content and want to extend untying to food aid and technical support.

⁸ This decision has since been modified several times (97/173/CE, 97/530/CE, etc) in order to integrate updates to the Arrangement.

⁹ Ref. study by Prof. Jepma (1991).

¹⁰ The phase I report was issued in September 2008. This evaluation focused more specifically on the results achieved by untying the aid and on the processes of changes in behaviour by the donors following the 2001 Recommendation (factors favouring untying or not). Phase II will focus on case studies.

3. Belgian context

3.1. Foreign trade in the Belgian State

Foreign trade is an area which was defederalised during the State reforms in 1988¹¹. It is currently a regionalised power but the federal authority has retained certain residual powers.

Some instruments have in effect been maintained at the federal level with significant participation by the regions, namely the Agency for Foreign Trade, the National Delcredere Office (credit export guarantees) and the Belgian Cooperation for International Investment (financial support for Belgian investments abroad).

In practice, the main actors are:

The Federal Public Service Economic Affairs, SMEs, Self-Employed and Energy

- has a “welcome service for foreign investors” which distributes a guide for investors, maintains a website “Invest in Belgium” and keeps the European regulations (Single market infodesk) up to date as well as the administrative formalities for investors;
- coordinates the federal authorities/regional authorities inter-ministerial unit (FPS Economic Affairs and FPS Foreign Affairs) focusing on investments. This unit meets monthly to assess the investment climate.
- has a unit in the “Bestuur Economisch Potentieel” service which is responsible for protecting the economic interests of Belgium in the area of exports, through the OECD (Export Credit Group), FINEXPO and the National Delcredere Office. It also provides the secretariat for the “National Contact Point”, a government office responsible for the promotion and implementation of the OECD Guidelines for multinational companies. Finally, it coordinates the policy in terms of sustainable development and social responsibility of companies, observing national and international regulations.

Federal Public Service Finance

- draws up, with the FPS Foreign Affairs, Foreign Trade and Development Cooperation, bilateral agreements on mutual safeguarding of investments and agreements designed to avoid dual taxation.
- acts as the vice president and secretariat of the FINEXPO committee (Export funding and export credit guarantees) which examines the possibility of granting state intervention in terms of export credits. The FINEXPO Committee meets once a month. Its financial instruments are mechanisms to stabilise interest rates, interest subsidies, interest subsidies plus additional donations, pure donations and State-to-State loans.

The Federal Public Service Foreign Affairs, Foreign Trade and Development Cooperation

- coordinates multilateral (WTO, OECD) and European trade policy. The guideline is that Belgium is continuing to call for enhanced liberalisation of international trade, while at the same time focusing on

¹¹ The institutional framework is as follows:

- The Institutional Reform Act of 8th August 1988 states that the Regions are responsible for determining policy with regard to opportunities and exports, without prejudice to any national policy of coordination, promotion and cooperation on the subject;
- The regional organisations promoting foreign trade were established in the early 1990s: AWEX in February 1990, Export Vlaanderen and Brussels Export in 1991 (in January and August respectively);
- The Saint Michel agreements in 1992, reflected in the special law of 16th July 1993, set out the regional organisation of the then Foreign Trade fund and of the economic and trade attachés;
- The special law of 13th July 2001 stipulates two provisions:
 - the regional organisation of the policy on opportunities and exports except in the following areas:
 - i. the awarding of guarantees against export, import and investment risks (FINEXPO and the National Delcredere Office)
 - ii. multilateral trade policy
 - the cooperation agreement concluded on 24th May 2002, created the Agency for Foreign Trade (ACE) which superseded the Belgian Foreign Trade Office (OBCE). Unlike the latter, the Agency for Foreign Trade is not answerable to the Federal minister for foreign trade.

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certain values that our society considers essential: cultural diversity, social protection, food safety and protecting the environment;

- acts as the president and secretariat of the FINEXPO committee (Export funding and exports credit guarantees) (ref. above)
- chairs the “Advisory Committee on the allocation of subsidies to promote exports”. These subsidies are aimed at Belgian chambers of commerce and industry abroad and mixed chambers of commerce and business clubs in Belgium;
- selects foreign trade advisers and honorary consuls.

Semi-governmental institutions

- [Agency for Foreign Trade](#)

Created in 2003, the mission of the Agency for Foreign Trade is to organise joint trade missions on the initiative of one or several regions or at the request of the Federal authority; as well as the organisation, development and distribution of information, studies and documentation relating to foreign markets.

- [The National Delcredere Office](#)

The National Delcredere Office is an autonomous body guaranteed by the Government. It promotes international economic relations, mainly by covering export, import and foreign investment risks.

The National Delcredere Office is also authorised to cover foreign exchange risks and insure transit operations, helps fund exports and performs any financial technical or representative mission conferred upon it on behalf of the Government. Credit insurance applies mainly to non OECD markets.

- [The Belgian Corporation for International Investment \(BMI-SBI\)](#)

The BMI-SBI provides long term co-financing for foreign investment by Belgian companies. It operates all over the world and its activities are focused on creating new joint-ventures or subsidiaries and purchasing, restructuring and developing existing companies.

Federated entities and their specific organisations

- The [Wallonia Foreign Trade and Investment Agency \(AWEX\)](#) is the body of the Walloon Region in charge of promoting foreign trade and attracting foreign investors. AWEX supports the export projects of Walloon companies.

- [Flanders Investment Trade \(FIT\)](#) develops international trade for Flemish companies and advises foreign investors in the investment opportunities which exist in Flanders.

- [Brussels Export](#) promotes Brussels companies abroad and assists Brussels exporters in their export procedures.

3.2. FINEXPO

3.2.1 Structure

Before FINEXPO was created, there were two independent committees each with its own powers:

- Copromex (Committee for the promotion of exports) was attached to the Ministry for Foreign Affairs, Foreign Trade and Development Cooperation; it examined requests to stabilise interest rates and requests for super subsidies (now interest subsidies)
- The Interdepartmental Committee for State-to-State loans was attached to the Finance Ministry and examined State loan requests only.

In 1997, the decision was taken to merge the two Committees giving the presidency to the Ministry for Foreign Affairs, Foreign Trade and Development Cooperation, and the vice-presidency to the Finance Ministry. The procedures in force have been simplified and remain under the power of the two aforementioned administrations.

3.2.2. Instruments

To support exports, FINEXPO has five of financial instrument types. One is purely commercial (interest stabilisation) and the others grant concessional type aid. As a reminder, only the concessional types will be subject to the evaluation. These are the:

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a/ **Interest subsidies:** these are interventions which considerably reduce the rates of interest related to export credits and ensure the stability of these rates for the entire repayment duration. The result of FINEXPO's intervention by way of an interest subsidy is to reduce the guaranteed interest rate to 0%. Interest subsidies necessarily have a "donation" element of 35%.

b/ **Interest subsidies with donation:**

A subsidy may be combined with a donation. The aim of this instrument is to reduce, by means of donation, both the repayment period of the aid credit and the National Delcredere Office premium pertaining to it (this is particularly high for some countries). This instrument is now mainly used for projects in developing countries classed by the National Delcredere Office in premium categories 5 and 6 (high commercial risk). Together, the donation and subsidy must have a concessional element of at least 35%. An interest rate of 0% is guaranteed on the subsidy part as with a normal subsidy.

c/ **Pure donations**

This instrument consists of a donation of 35% without interest subsidy. The instrument is used for small projects with a maximum contract value of €2,500,000. The pure donation is aimed more at SMEs and service companies.

d/ **State-to-State loans**

This system, established in 1964, authorises the Finance Minister and the Minister responsible for Foreign Trade to jointly grant financial assistance to developing countries in order to enable them to purchase capital goods and services vital to their social and economic development, in Belgium on very favourable credit terms. This is what we call tied aid. For the least developed countries aid has been untied since 1st January 2002; this means that the loan must not necessarily be used for purchasing goods or services in Belgium.

State loans are granted in very favourable conditions: the repayment term is 30 years with a period of grace of 10 years. The interest is 0% or 2% depending on the GNP/inhabitant of the receiving country. State loans are almost always combined with commercial loans. In the majority of cases it is therefore a case of "associated financing". To satisfy the criteria of the OECD Arrangement, these associated financing packages must have a "donation" element of 50 % minimum for LDCs and 35 % for other developing countries.

3.2.3. Procedure

The projects submitted for FINEXPO financing are examined on their intrinsic merits and must satisfy the following criteria:

- the transaction must focus on the export of Belgian capital goods or services;
- foreign competition must be such that financial assistance is essential to penetrate the market in question;
- the project must have a relevance for development (DGD);
- the project must not be commercially viable and must comprise a minimum concessional element of 35%;
- the Belgian participation rate must be sufficient;

During assessment of the projects, the FINEXPO Committee also bases its decision on the following elements according to the project presented:

- there is an interest in the project for the Belgian economy (MINECO).
- the price check in comparison to the market price (MINECO, +BTC for some State loans);
- the importance of the project and its fulfilment for the authorities of the receiving countries (Embassy);
- local skills for using the equipment supplied, training, monitoring, maintenance, spare parts, ...;
- the project's environmental impact (Delcredere);
- analysis of the country's debt and its ability to repay the credit granted (on the basis of data from the World bank);
- funding availability (FINEXPO).

NB: the organisations responsible for monitoring the respective criteria are given in brackets

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The law of 25th May 1999 on international cooperation does not apply to FINEXPO instruments. They are therefore not subject to the sectoral concentration and thematic policy of the DGDC.

3.2.4. ODA

State-to-State loans, interest subsidies (with or without donation) and pure donations are aid credits and as a result are subject to the regulations laid down in the OECD Arrangement. They must have a "donation" element of at least 35 % (and 50% in the case of a State loan to a LDC). Because of this they fall within the definition of Official Development Assistance used by the DAC (ref. above) and are statistically accounted as Belgian official development assistance.

3.2.5. Geographical concentration and volume of activities

Between 1997 and 2008 were granted:

- 63 State loans in 31 different countries, 4 of which were untied loans;
- 34 subsidies in 12 different countries;
- 11 subsidies + donation in 5 different countries;
- **1 pure donation.**

In total the concessional funding of FINEXPO over the period to be evaluated had 38 different receiving countries.¹²

In terms of volume of activities, the tables below clarify the distribution of financing granted to the main receiving countries.

Top of the table for State-to-State loans according to amounts granted over the period 1997-2008

	State-to-State loan	Amount	Number of cases
1	Ghana	33.564.119,52 €	7
2	Algeria	25.127.405,87 €	4
3	Tunisia	22.222.556,64 €	4

Top of the table for State-to-State loans according to the number of applications granted over the period 1997-2008

	State-to-State loan	Amount	Number of cases
1	Ghana	33.564.119,52 €	7
2	Mozambique	4.106.360,00 €	5

but represents only 2.3% of budgets allocated

Top of the table for interest subsidies according to amounts granted over the period 1997-2008

	Subsidies	Amount	Number of cases
1	Jamaica	86.203.358,95 €	7
2	Algeria	69.393.722,58 €	7
3	Ghana	62.778.676,68 €	6
4	Vietnam	50.984.126,45 €	13

¹² Algeria, Bangladesh, Bosnia-Herzegovina, Burkina Faso, Cameroon, Cap Verde, China, DRC Congo, Ivory Coast, Croatia, Ecuador, Ethiopia, Gambia, Ghana, Guinea (Conakry), Honduras, Jamaica, Jordan, Kenya, Malawi, Maldives, Mali, Mongolia, Mozambique, Nepal, Nicaragua, Uzbekistan, Philippines, Dominican Republic, Sao Tome, Senegal, Sudan, Tanzania, Tunisia, Turkey, Vietnam, Zambia, Zimbabwe.

Top of the table for interest subsidies according to the number of applications granted over the period 1997-2008

	Subsidies	Amount	Number of cases
1	Vietnam	50.984.126,45 €	13
2	Algeria	69.393.722,58 €	7
2	Jamaica	86.203.358,95 €	7
3	Ghana	62.778.676,68 €	6

3.2.6. Regular management and budgets

Since 2004, the budget allocated through these concessional tools by FINEXPO has been officially integrated into that of the DGDC (15 54 division)¹³. The current management of applications however remains shared between the FPS Foreign Affairs and the FPS Finance. The Bilateral Affairs Department of the FPS Foreign Affairs, Foreign Trade and Development Cooperation manages interest subsidies (with or without donation) and pure donations via its Export Financial Assistance Service. As for state loans, these are managed on a daily basis by the FPS Finance and more particularly the Treasury administration and its International and European Financial Affairs service.

4. Objectives of the Evaluation

The evaluation has two main sections:

- **FINEXPO as an instrument of development assistance**
Since FINEXPO's concessional financing is eligible as ODA, the evaluation will assess the added value of FINEXPO from the point of view of development cooperation. It will examine the relevance, coherence, effectiveness, efficiency and sustainability of investments made in favour of the economic and social development of the receiving countries.
- **FINEXPO as an instrument for promoting foreign trade**
The main purpose of FINEXPO is to be an instrument for promoting foreign trade. The evaluation will assess the quality of the instrument according to this purpose.

The evaluation will take into account the change in context in development cooperation, which imposes more untied aid. It will also review instruments used to pursue purposes similar to those of FINEXPO in other European countries (management structures and instruments/products used).

5. Scope of the evaluation

The evaluation will examine all State loans, interest subsidies (with or without donation) and pure donations over the period 1997-2008. The period under investigation will therefore start with the implementation of the Royal Decree of 1997 and will run until the second half of 2008 inclusive. It will have to take account of changes taking place in the Belgian regulations during this period and possibly those taking place in the applicable international regulatory context.

6. Evaluation questions

The questions and key points referred to below must be completed and developed by the consultants.

6.1. FINEXPO as an instrument of development assistance

Relevance for development

- To what extent does FINEXPO find a balance between the aspects of commercial support to Belgian companies on the one hand and the relevance of its interventions for development on the other?

¹³ Previously, the subsidies were attributed to a budget of Foreign Trade outside the DGDC and State-to-State loans to a Finance Ministry budget. Expenditure was nevertheless already accounted as ODA in the notification by the DAC.

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- Are the projects supported relevant for development? What is the quality of the advice requested in this regard and to what extent is it taken into consideration?
- Does FINEXPO monitor or evaluate the projects underway or finished, notably from the viewpoint of relevance for development.

Coherence

- To what extent does FINEXPO align its efforts with the priorities of local authorities and does it coordinate with other partners (development banks, other counties, Belgian federated entities, etc.)?
- The assessment of projects supported by FINEXPO results from an analysis of the different criteria referred to above in 3.2.3, and notably that of development. What is the actual importance given to each of these criteria?

Effectiveness

- To what extent do the projects supported achieve their objectives? Do they have an effect (direct or indirect) on development?
- Is there a monitoring system (M&E) which makes it possible to analyse the results?
- To what extent does FINEXPO take into account the quality of the governance in the country in question when selecting projects?

Efficiency

- With the same quality, does tied aid lead to a cost overrun in comparison to the market price? Does FINEXPO have the tools to verify this?
- Have the resources to support exports been allocated efficiently? Are procedures optimised? Is the choice of tool the most appropriate? What is the management/expenses cost ratio?
- To what extent does the administration method for the FINEXPO budget (shared between several public services) have an influence on the importance attached the dimension of development?

Impact

- Is the aspect of sustainability (technical, social and environmental) taken into account when selecting projects to be supported? If yes, what are the guarantees sought and/or made?
- What is the impact of the projects supported (on employment, natural resources, etc.)? Do they provide a real contribution to the development of the country?

6.2. FINEXPO as an instrument for promoting foreign trade

With regard to this purpose, the evaluation will examine the following points in particular:

Relevance

- FINEXPO procedures, notably the preliminary procedure;
- The complementary nature of the FINEXPO instruments with those of the specialist services of federated entities;
- The clarity and detail of the selection criteria for projects;
- FINEXPO's company portfolio and its development.
- What share do exports supported by FINEXPO represent in exports from Belgium to the countries targeted by the Arrangement? How is it changing?

Effectiveness

- FINEXPO's visibility for its potential clients and ease of access to FINEXPO services.
- The effectiveness of the FINEXPO tool and its different instruments for promoting Belgian foreign trade: do they enable the companies concerned to access the desired market? To what extent are other countries more or less effective in their assistance?
- The services provided by FINEXPO, notably assistance given in preparing applications.
- The usefulness of the procedures and resources available and the instruments established and their suitability to the needs of the clientele?

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- The actions, notably in promotion, undertaken by FINEXPO with companies, receiving countries, embassies, chambers of commerce and other Belgian, European or foreign public services.
- The existence of monitoring and evaluation mechanisms for projects?
- To what extent do FINEXPO and the National Delcredere Office show similar trends in the level of the repayment rate?

Efficiency

- What is the management/expenses cost ratio?

Impact

- To what extent do the companies capture market share in the countries concerned? Is there a multiplying effect for the company itself as well as its subcontractors in the country concerned and neighbouring countries?

6.3. Comparative study (Benchmarks)

To complete its judgment, the evaluation will examine the management structures and instruments set up in other European countries (Germany, Denmark, France, the Netherlands, Spain) where activities fall within the scope of the OECD Arrangement. If the need arises, the evaluation will report on the development of these instruments, notably with regard to the untying of financial aid.

7. Method and approach

The evaluators will respect the norms and standards of the Development Assistance Committee (CAD) of the OECD and will use the definitions formulated by the latter¹⁴.

The evaluators will clarify in their offer the methods and the approach envisaged by the evaluation and will detail these in the methodological note. The methodology used will have to produce reliable information both quantitative and qualitative.

8. Progress of the evaluation

The evaluation is in several phases: a kick-off, a documentary research phase, a field phase and an analysis phase. The schedule for the reports and the dates for the steering committee meetings will be determined by the kick-off.

8.1. Kick-off

The team leader will present his approach to the evaluation during this meeting in order to give the steering committee the opportunity to react and to give the necessary advice. The team leader will also be presenting the process that he has selected for defining questions for additional evaluation.

This meeting will provide the opportunity to regulate certain practical aspects: the first meeting with the consultants, providing the consultants with documents and contact details, schedules, organisation of missions, etc.

8.2. Methodological note

Based on the technical details of the offer, the evaluators will redraft a methodological note including in particular:

- a stakeholders' analysis in order to identify all the actors involved;
- the questions of the evaluation;
- the judging points for each evaluation question;

¹⁴ See in particular “the CAD norms for quality evaluation” and “Glossary of the main terms relating to the evaluation and the management based on results”, www.oecd.org/CAD.

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- the indicators per judging point (least two); the evaluators will study the specialist literature in order to identify the pertinent indicators;
- the methods of collection and the structure of the information for the documentary phase;
- the methods of collection and the structure of information for the field phase with particular attention to the collection of information from the final beneficiaries;
- a method of selecting a balanced and representative sample of the projects implemented by Belgian enterprises in Ghana and Vietnam. With a view to setting up this sample, the evaluators will particularly take into account the following criteria:
 - projects involving large and small enterprises;
 - the most important sectors of activity;
 - Geographic base (town/countryside)The evaluators will set up a selection schedule starting from these criteria and others as they deem useful.
- A chronogram indicating the field visits (for which account will be taken as necessary of the sensitive period for cultural, political or religious reasons).

This note will be drafted in French, Dutch or English.

8.3. The documentary research phase

The research phase is divided into two distinct parts but which can overlap one another:

- Reading and analysis of the reference texts, in particular:
 - the Belgian and international regulatory framework (essentially OECD) relating on one hand, to development cooperation and on the other hand, to public support for exports;
 - the Belgian and foreign literature relating in particular to the release of aid, to financial cooperation and support instruments for foreign trade;
 - the documents and reports relating to the preparation, the implementation, follow-up and if necessary, the evaluation of projects for evaluation;
 - the report on internal evaluation of FINEXPO instruments;
- Interviews with in particular the:
 - Chairman and members of the FINEXPO committee;
 - representatives of strategic cells concerned;
 - administration in charge of files at the various ministries;
 - National Ducroire / Del Credere Office;
 - Inspector of Finance;
 - services of the federal entities in charge of foreign trade;
 - CAD and the OECD exchange committees;
 - representatives of the support structures for foreign trade and financial cooperation (German, Danish, French, Dutch and Spanish);
 - financial institutions and the enterprises concerned.

This list is not definitive and depends on the stakeholders' analysis.

The research phase will conclude with a documentary research report in Dutch, French or English, which will include the following elements:

- The conclusions of the research phase
- Any gaps identified in the information
- The hypotheses to be verified in the field
- The structure of the final report

The research report will be presented during a meeting of the steering committee where the report will be the subject of discussion.

8.4. The field mission phase

Field missions will be carried out in the following countries: Ghana (14 projects) and Vietnam (13 projects). The evaluators will involve local consultants and work with them in pairs in order to accomplish the field visits. The methodology proposed should ensure the collection of necessary and sufficient information verified with the contractual partners and as far as possible, the final beneficiaries.

Each field mission will be the subject of interviews with, in particular the:

- enterprises concerned;
- Belgian Embassy and the Local Representative of the BTC as necessary;
- local ministry/ministries concerned;
- local authorities concerned;
- local technical partners concerned;
- beneficiaries.

This list is not definitive and depends on the stakeholders' analysis.

The field missions will give cause for a presentation at the end of the mission in order to communicate the main points noted. The objective is so that the stakeholders get the opportunity to react and for the consultants to take note of the remarks. The consultants will prepare a proposal of persons to invite to this meeting. The consultants will be responsible for organizing this presentation.

The notes from the field will be the subject of a note per country, which will be drafted in French, Dutch or English. The reports will be presented to the steering committee. The consultants will submit the main conclusions from the field missions. An initial analysis will be made if possible.

The comments and remarks received by the consultants will be included in an appendix at the end of the country report (see Annexe 1). If the consultant does not agree with certain remarks, he will be asked to state why not.

8.5. Analysis and final report stage

In the analysis phase, all information from the previous phases will be analysed in the context of the main issues at stake in this evaluation: the quality of the FINEXPO performance as a tool for development on the one hand and foreign trade on the other hand.

Stage 1:

The consultants will submit to the contracting authority a **draft report** prepared according to the following diagram:

- Introduction
 - Table of contents
 - Table of tables
 - Table of graphs
 - 1. Summary
 - 2. Methodology
 - 3. Observations
 - 4. Analysis and explanatory factors
 - 5. Conclusions and lessons
 - 6. Improvements (recommendations), structured according to the end reader
- The appendices will contain in particular
1. the reference terms
 2. the list of people interviewed
 3. the list of documents consulted

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The narrative part of the report should not exceed 60 pages. This report does not provide details of the methodological note nor the documentary research report. Any important material will be included in the appendix.

This draft report will be discussed during the steering committee. The comments will then be sent in writing to the consultants.

The consultants will adopt a position on these comments and indicate what action they will be taking in this regard (see Annexe 1).

Stage 2:

The consultants will produce a **final draft report** (on the same model as the draft report) based on these exchanges.

The consultants will also prepare a summary of a maximum of six pages, the key elements of the evaluation report and the main improvements proposed.

The final draft report will be submitted to the steering committee for discussion.

The comments and remarks received will be included by the consultants in an appendix at the end of the report (Annexe 1). If the consultants do not agree with certain remarks, they will give reasons for this.

Stage 3:

The definitive final report will be provided in five copies in each language (Dutch, French and English). The tenderer will also provide a summary of the evaluation prepared in the three languages. An electronic copy will also be provided on CD-ROM (including the appendices).

We draw your attention to the fact that:

- the consultants will have to adhere strictly to the instructions of the SES regarding layout of the final report and will ensure the quality of the translation (conformity, coherence, readability). This will have to be the subject of a quality control by the consultants.
- the conclusions must indicate on which paragraph (in observations and analyses) they are based.
- any recommendation must correspond to one or more conclusions and will if necessary be aimed at improving the function of the FINEXPO.

It has been expressly requested that conclusions and recommendations should be formulated precisely in order to be operational.

8.6. Restitution

The final report will be presented and commented on by the evaluation team during restitution seminars with the associated stakeholders.

9. Requirements relating to the offers from the research departments

- The tenderers are requested to submit brief offers. It is not necessary to explain the general concepts of the evaluation theory.

- The terminology used in these special specifications is that of the CAD of the OECD. If the terminology and/or the definitions used in the offer do not correspond to those of the CAD, it is requested that it be clearly stated which terminology is used and/or how this is defined

- The evaluation team should fulfil the following conditions:

- Experience and knowledge of international development cooperation
- Experience and knowledge of Belgian development cooperation
- Experience and knowledge in the field of financial cooperation and foreign trade.
- Experience in evaluations and knowledge of evaluation methods and gathering information in the field

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- Knowledge of French and Dutch, as well as the official language of the countries visited

The members of the evaluation team must be independent with regard to the organisations and the interventions evaluated. In the technical bid, the team leader and the person writing the final report must be clearly identified.

- The maximum points allocated per criteria are indicated in point 12.3 of part A. The method in which the offers will be quoted for these criteria is explained below:

1. Understanding the purpose of the contract (5%)

It is important for the tenderers to show that they have understood the concept of evaluation and that they are capable of summarizing and reformulating what is at stake.

2. Methodology (15%)

The offer from the tenderers should detail the processes envisaged for achieving the results, i.e., the methods of collection and analysis of information.

3. Approach (10%)

This criterion takes account of the examination of practical aspects proposed by the organisation of this evaluation according to what is required in the special specifications.

Some important aspects:

- This phase of the evaluation (including the number of h x days per consultant and by phase of evaluation, who is responsible for each of these phases, what are the meetings before, during and at the end of each phase and what are the deliverables at the end of each phase)
- The duration of the field missions will take account of the nature of the project and the context of the country where the projects take place.
- The coherence of the approach (the role of the team leader, the role of other consultants, coordination between consultants, logistical support, quality control, etc.)
- The role of local consultants
- Availability at Brussels for interviews, steering committees, etc.
- The linguistic balance (NL/FR) within the team
- The gender balance within the team

4. Team leader (10%)

The role and availability of the team leader are important in order to be able to ensure the coherence of the work of the other consultants and in view of the summary to be carried out. The following elements will be mentioned in a positive manner: the knowledge of the theory and practice of evaluation, the knowledge of the Belgian cooperation and experience as a team leader.

5. Knowledge and experience of the team regarding evaluation of development cooperation (20%)

Proven experience by consultants in the theory and practical experience in evaluation will be viewed positively and in particular in the field of development cooperation.

6. Knowledge and experience of the team in the field of financial cooperation and foreign trade tools (10%)

Professional experience in these sectors will be considered positively.

- The express request has been made to have a local expert/consultant in the team for each mission in each country. The experience of the local consultant should complement the experience of the international consultant. The tenderer should recruit the local consultant. The tenderer will bear all the costs of the local consultants (salary included). The criteria below will also be applied to the local consultants. Their CVs should therefore be included in the offer.

10. Indicative timetable

29/06/2009	Opening of the offers
08/07/2009	Selection of the offer
31/07/2009	Signature of the contract and kick-off
04/09/2008	Submission of the methodological note
16/09/2009	Discussion of the methodological note
30/10/2009	Submission of the documentary research report
18/11/2009	Discussion of the documentary research report
End November/Begin December	Field missions
04/01/2010	Submission of field reports
13/01/2010	Discussion of field reports
12/02/2010	Submission of the draft report
24/02/2010	Discussion of the draft report
20/03/2010	Submission of the final draft report
31/03/2010	Comments on the final draft report
05/04/2010 au 26/04/2010	Translation of the final report
30/04/2010	Submission of the final report
To be organized in May	Restitution seminar

11. Management of the evaluation

The Special Evaluation Service for Development Cooperation (SES) is responsible for launching the evaluation and the administrative guidance of the contract. It will arrange for general supervision of the evaluation and is responsible for accepting the final evaluation report.

A steering committee has been set up for providing comments and advice on the working methods proposed by the consultants. It will arrange the follow-up of the work according to the indicative timetable proposed and give advice on the quality of the reports that will be produced. It will be consulted regarding the content of the analyses, the conclusions and the recommendations. The evaluation team will take account of the remarks and the comments from the steering committee.

The steering committee will be comprised of representatives from various stakeholders: strategic cells and administrations from various ministries responsible for this matter, the National Del Credere Office, the BTC and FEB/Febelfin.

C. ANNEXES.

INFORMATION SHEET

IMPORTANT:

PLEASE STRICTLY COMPLY WITH THE PROVISIONS OF SECTION 89 OF THE ROYAL DECREE OF 08 JANUARY 1996. THIS SECTION OF SAID ROYAL DECREE PROVIDES THAT:

“The tenderer must produce its tender and complete the summary bill of quantities or the inventory on the submission form that may be included in the Specification. If it produces them on documents other than the form provided, the tenderer must attest on each of these that the document complies with the model envisaged in the Specification.”

The documents must be signed by the tenderer or by its authorised representative.

Any deletions, overwriting and additional or amending references, either in the tender or in its appendices, that are likely to affect the contract’s basic conditions, such as prices, time limits and technical conditions, must also be signed by the tenderer or its authorised representative”.

1. References To Be Indicated On The Tender Submission Form

- For an individual acting as a tenderer : indicate the surname, forename, position or profession and nationality.
- For companies, indicate:
“The company (company name, juridical form, nationality and head office) represented by the undersigned (surname, forename, position)”.
- For partnerships without independent legal status, indicate:
“The undersigned (for each of the joint venture’s partners: surname, forename, position or profession, nationality and domicile, N.O.S.S. registration n° of each of the joint venture’s partners or N.O.S.S. registration n° of the partnership itself, if the joint venture is registered with the N.O.S.S.) acting as a joint venture for this enterprise, jointly and severally undertake, and pledge their movable and immovable assets to this effect.....”.

Furthermore, it must be indicated in the tender which of the tenderers is responsible for representing the partnership with regard to the Department.

All the appendices must bear the reference: “To be attached to and indivisible from my tender of ... (followed by the date and signature, and the surname, forename and position of the signatory).

- Tenderers that do not employ staff subject to the legal provisions relating to workers' social security must declare this in a separate document attached to the tender. This document must be duly signed and dated. The surname, forename and position of the document’s signatory must also be stated.
- For foreign tenderers, an attestation issued by an official organisation within their country that is competent in workers' social security matters must be attached to their tender. If such an attestation is not issued in the country concerned, it may be replaced by a sworn declaration or a solemn declaration made by the service provider concerned before a legal or public authority, a notary or a qualified professional organisation within the country in question.
- This social security attestation is not required if the tender total does not exceed 22,000 EUR, excluding V.A.T (in this case, the contracting authority is obliged to inquire into the tenderer’s situation itself).

2. Filing of Tenders

As indicated in the Specification, five copies of the tender (five originals or an original and four copies) must be sent to or filed at the contracting authority’s address by the date and time set, specified in the special specifications, in the form clearly described in the Specification.

SUBMISSION FORM

Contracting Department

Federal Public Department of Foreign Affairs, Foreign Trade and Development Co-operation, Special Evaluation Service, Office D401
15 rue des petits Carmes, B-1000 Brussels
Tel: +32/(0)2/501.36.06
Managing Officer: Service S4 - Dominique de Crombrughe

Specifications S4/2009/02
Relating to the evaluation of FINEXPO

SUBMISSION of the company (company name, legal form, nationality and head office)

.....

represented by (name and quality of the authorised person who signs the this form):

.....

V.A.T. Nr Social security registration Nr

The following have been included in the present submission:

- A description of the tender including the elements compliant with the special specifications.
- The Curriculum Vitae of the people appointed to execute the contract.

Said company pledges on its movable and immovable assets, according to the elements and conditions of Special Specifications S4/2009/02 (including in particular the imposed timetable), to execute the service provisioning contract relating to the evaluation of "FINEXPO" at the following prices excluding VAT:

In figures : EUR

In words :EUR

Payment shall validly be made by transfer to account number:

.....-.....-..... opened in the name of

Produced in (place), in three original copies, on .(date).....

The tenderer

(Signature, name and handwritten comment "OK for submission")

SECTION FOR THE USE OF THE DEPARTMENT ONLY

Allocation of Contract N° S4/2009/02

On Date & endorsement of the Commitment Inspector

Authorising Officer