Annex I.A
to Tender Specifications

Tender procedure: EIOPA/OP/121/2016
Interim staffing services

Terms of Reference

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I BACKGROUND INFORMATION

The European Insurance and Occupational Pensions Authority (EIOPA) is a multi-cultural, multi-lingual body of the European Union, based in Frankfurt am Main, Germany, and its main working language is English.

Staff members employed by EIOPA are subject to Staff Regulations of Officials of the European Union and the Conditions of Employment of Other Servants of the European Union, hereafter "EU Staff Regulations"[1].

EIOPA will require interim staffing services as a complement to the abovementioned regular staff, for the following reasons:

- to temporarily replace staff absent due to maternity leave, long-term sickness or other reasons;
- to cope with peak periods which require an additional workforce for a fixed period of time;
- to carry out on a temporary basis additional tasks to the ordinary ones resulting from specific projects;
- to provide temporary human resources due to staff shortages;
- to carry out, on a temporary basis, tasks which require specific competencies which are not available within the EIOPA.

The objective of the envisaged framework agreement is to support EIOPA by providing an efficient and flexible way of providing the organisation with the supply of interim staff for the abovementioned reasons.

The scope of this Call for Tender is divided into three [3] Lots:

- **Lot 1: Interim staffing services for administrative and office management profiles**
- **Lot 2: Interim staffing services for project management experts**
- **Lot 3: Interim staffing services for financial market experts**

II DESCRIPTION OF THE ASSIGNMENT

II.1 GLOBAL OBJECTIVES

The overall objective of the assignment is to provide EIOPA with the necessary interim staff within a reasonable timeframe and in line with the requested competency profiles.

To this end the contractor shall comply with the relevant national law on employment, taxes, social and pension contributions. The tenderer will ensure the fulfilment of all legal and financial obligations towards the interim staff, which include, in addition to the gross salary, all social and pension contributions foreseen by the national law for the employer.

The interim staff shall be covered by the 'EIOPA guide to missions' rules when going on business trips during their assignment at EIOPA. They should in these cases respect the procedures for travelling on business trip within EIOPA.

Interim staff are subject to the same code of conduct as EIOPA employees as defined in Annex II.H to the Draft Framework Contract. They must sign the code of conduct form. They must agree and sign a confidentiality undertaking where the confidentiality obligations are

[1] OJ 45, 14.6.1962, p. 1385.

described. The confidentiality undertaking references the security rules that interim staff must comply with (security policy, classification policy, rules on handling sensitive information). Interim staff must have a clean criminal background the contractor is requested to provide certificates of good conduct for each person that is assigned to EIOPA together with a declaration that there are no pending criminal investigations against the person. Access to EIOPA premises is granted only after fulfilling the documents provided as described above.

II.1.1 General Description of the tasks and services

- Identifying suitable consultants or freelancers as interim staff according to the profiles and service request procedures defined in these Terms of Reference;
- Pre-screening of CVs and interviews with potential candidates prior to forwarding the CVs to EIOPA;
- Arrange interviews between EIOPA staff and the potential interims;
- Signing of Specific Contracts to define the interim's identity, the hourly rate, the maximum number of days and the duration of the assignment;
- Monitoring tasks for example actual days vs. maximum days defined in the Specific Contract;
- Finding adequate replacement in case of (i) requested by EIOPA (ii) termination of the Specific Contract by the supplier (iii) termination of the Specific Contract by EIOPA;
- Organisation and follow up of service review meetings with the appointed Contract Manager of EIOPA.

II.2 Specific objectives Lot 1

Lot 1 shall cover the provision of interim staffing services for administrative assistant profiles in the areas of HR, IT, finance, or any other business area EIOPA is responsible for. Lot 1 shall furthermore cover the profiles of secretaries. The variety of activities and duties for which EIOPA may request interim staff in the context of this Lot may include, among others, the following:

- General administrative support (filing, archiving, etc.);
- Administrative duties involving some degree of technical knowledge such as in the area of document management, asset management;
- Support for the organisation of meetings, conferences and events;
- Support for communications activities (e.g. press relations, intranet);

The abovementioned list of activities and duties is not exhaustive. It is indicative of the type of assignments likely to arise. The interim staff employed under Specific Contracts will carry out activities that would be normally carried out by regular staff. Therefore, it is expected that deployed interim staff work in close cooperation with EIOPA staff members, other interim staff and other external contractors of EIOPA in the premises of EIOPA.

II.3 Specific objectives Lot 2

Lot 2 shall cover the provision of interim staffing services for project management experts. The variety of activities and duties for which EIOPA may request interim staff in the context of this Lot may include, among others, the following:

- Planning and coordination of projects in the area of (but not limited to) corporate services, insurance and pensions;

- Providing project management assistance for short-term projects with a maximum duration of 9 months with project management expertise.

II.4 Specific objectives Lot 3

Lot 3 shall cover the provision of interim staffing services for financial market experts for example in insurance and pensions. The variety of activities and duties for which EIOPA may request interim staff in the context of this Lot may include, among others, the following:

- Advice and Drafting: Undertake analysis and make recommendations based on designated technical expertise;
- Work relating to the monthly production of the risk free rate technical information and the equity dampener including validation of data;
- Activities relating to gathering, input, analysis, interpretation, testing, and presentation of data in the areas of pensions and insurance;
- Design, seek agreement to, and implement business processes;
- Analysis of supervisory, legal and other practices in EIOPA's members and as appropriate third countries;
- Establishment and implementation of appropriate electronic filing and related structures.

II.5 EIOPA's relationship with interim staff

Interim staff under assignment to EIOPA are not under an employment contract directly with EIOPA. They are not considered statutory EIOPA staff. The contractor remains the focal point for the interim staff for administration of their employment contract (payroll, holidays, sick-leave, etc). However, it should be noted that EIOPA runs its statutory recruitment procedures in an open, transparent and public manner, and cannot exclude the possibility that an interim staff may successfully apply for statutory employment with EIOPA during their interim assignment.

II.6 Service ordering and invoicing procedure

The ordering procedure will be initiated by sending the "Service Request Form" (Annex II.I of the Draft Framework Contract) to the contractor. The "Service Request Form" will describe the profile requirements. The contractors' focal point shall, within a specified time frame respond with up to 3 CVs that match the requested profile and level.

EIOPA will assess the CVs and (if deemed appropriate) conduct interviews. Interviews shall be conducted either via phone/Skype or at the premises of EIOPA if possible. The proposal selected shall be followed by a formal offer from the contractor which will be the basis for establishing a Specific Contract. This procedure shall be applied for all service requests.

At the end of each month, the interim shall complete and sign the attendance sheet (timesheet) and forward it to his/her line manager at EIOPA and as named in the Specific Contract. EIOPA shall be in charge of checking the consistency between the daily records and the monthly timesheet. The interim shall subsequently forward the final time sheet to the contractors' representative for preparing the invoicing.

The approved timesheet with the invoice, approved by the contractor, should be sent to EIOPA.

Supply of interim staff shall be provided when the parties agree in the Specific Contract the duration the interim staff will work at EIOPA.

II.7 Language, qualifications and experience

The working language of EIOPA is English. All interim staff must have a very good command of oral and written English, as a minimum B2 level. For some job assignments the English language requirements may be higher than B2 level, in which case it will be indicated in the ordering process.

Required qualifications, professional experience, professional knowledge, technical and social skills will be detailed in the job description for the assignment.

Please note that EIOPA reserves the right to request to check originals of diplomas, certifications, evidence of declared employment, etc. in order to confirm the validity of provided information.

II.8 Location and Duration

The provision of the services will take place on-site at EIOPA headquarters:

Westhafenplatz 1, 60327 Frankfurt am Main, Germany.

II.9 Working hours for interim staff

The working hours for interim staff shall be 8 hours per day, excluding lunch breaks. Core hours shall be identical to those applicable to EIOPA staff, i.e.

- Mondays 11.30 -12.00 and 14.00 – 16.00
- Tuesdays – Thursdays 9.30 – 12.00 and 14.00 – 16.00
- Fridays 9.30 – 12.00 and 14.00 – 14.30

Public holidays applicable to EIOPA do not necessarily correspond to official German public holidays. Interim staff shall observe EIOPA public holidays and <u>not</u> German public holidays (as far as these are not the same). Annually there are between 17-19 EIOPA public holidays. The list of EIOPA public holidays are published on EIOPA's website.

II.10 Reporting

Upon request of EIOPA, the contractor shall provide reports to EIOPA which shall include relevant information related to the execution of the service as well as past and active postings of interim staff. Service review meetings shall be held at the EIOPA's premises upon request of EIOPA. Additional participants can be invited by EIOPA. The purpose of the service review meeting is to review the past performance of the service, identify any necessary measure to improve the quality of the service as well as foreseen changes with impact on the provision of the services.

EIOPA may decide to schedule ad-hoc meetings with the contractor if required.

II.11 Focal point

The successful tenderer shall identify a focal point of contact and a substitute within its organisation for all administrative and operational communication with EIOPA with regards to the contract and its implementation.

The focal point shall deal with all matters relating to the implementation of the framework contract, in particular aspects related to finding the appropriate candidates, orders, reporting and invoicing, as well as advice on legal matters.

The focal point shall ensure that the proposed interim staff are available and aware of the job description and tasks for the assignment. If there is an interview this information shall be shared beforehand.

The focal point shall be available via phone and/or email during EIOPA working days between 09:00 – 17:00.

The focal point shall have good command both spoken and written (at least B1 level) of English.

Exchanges between EIOPA and the contractor shall be in English language (orally as well as written).

II.12 Conflict of interest

In the event that a Contractor is awarded a Framework Contract for two or more lots, EIOPA may conclude that a specific project in the first area and specific project in the second area cannot be carried out by the same Contractor (or group member or subcontractor). In this case, the Contractor will not be asked to provide the services related to the second project and will not be part of the cascade for this specific request. They must agree and sign a confidentiality undertaking where the confidentiality obligations are described (see Annex II.A to the Draft Framework Service Contract).