

## ROMANIA

Reimbursable Advisory Services Agreement on Strengthening Capacities for an Integrated Approach to Sustainable Development (P178917)

### Deliverable 2

**Report with inputs to inform Client's preparation for contracting of professional training services**

**February 2024**



SECRETARIATUL GENERAL AL GUVERNULUI



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## ACRONYMS

ASE	Academy of Economic Studies
CExDD	Center for Excellence in Sustainable Development
DSD	Department for Sustainable Development
eGP	Electronic Government Procurement
EU	European Union
GoR	Government of Romania
GSG	General Secretariat of the Government
ISCO 08	International Standard for the Classification of Occupations 08
NQA	National Qualifications Authority
NRPP	National Registry for Postgraduate Programs
NRRP	National Resilience and Reconstruction Plan
OCR	Occupations Code of Romania
OS	Occupational Standard
RAS	Reimbursable Advisory Services
SD	Sustainable Development
SDG	Sustainable Development Goals
SDE	Sustainable Development Expert
SME	Small and Medium-sized Enterprises
ToR	Terms of Reference
ToT	Training of Trainers

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## Executive Summary

1. **The Government of Romania (GoR) has committed through its National Recovery and Resilience Plan (NRRP) to enhance the coordination of sustainable development (SD) efforts within the Romanian public administration.** GoR has committed to several initiatives to advance its achievement of the Sustainable Development Goals (SDGs) both in its National Strategy for the Sustainable Development of Romania 2030 approved in 2018, and most recently in its NRRP. The Bank team is supporting Romania's efforts in this direction. The Reimbursable Advisory Services (RAS) on Strengthening Capacities for an Integrated Approach to Sustainable Development aims to develop institutional capacity in the Romanian General Secretariat of the Government (GSG) in three main areas: (i) support for the development of the career development program for selected job profiles in the field of SD (Component 1); (ii) support for preparatory activities in the establishment of a virtual resource center for the localization of SDGs (Component 2); and (iii) advice on proposed operationalization of the Center for Excellence in Sustainable Development (CExDD) (Component 3).

2. **The present report provides technical inputs for the tender documentation for the procurement of (i) training services and (ii) logistical and planning services for certifying 2,000 public employees as Sustainable Development Experts (SDE).** This report and its annexes provide advice and technical inputs to inform the Department for Sustainable Development (DSD) within the General Secretariat of the Government (GSG) in the development of descriptions of required services, qualifications and award criteria and terms of reference (ToR) to prepare the required procurement documents for the contracting of professional training and logistical and planning services for the successful and timely delivery of the career development training program.

3. **The inputs and recommendations made under this report are part of an interactive and continuous consultation with GSG and DSD specialists, and the responsibility for the procurement process lies with the DSD.** During the consultations, DSD and GSG experts provided their views and feedback on the process and content. The information exchange process contributed to gaining a better understanding of the internal procurement processes at the level of the GSG, as well as to drafting the recommendations.

### *Rules and procedures for outsourcing services*

4. **The procurement process for outsourcing of training and logistical and planning services will follow the Romanian public procurement legal framework.** Given the nature of the services, *i.e.* trainings, the legislation provides the planning and organization of the procurement process based on a methodology laid out in an internal procedure of the Contracting Authority (in this case, the GSG). According to the GSG's internal procedure, the technical specifications for the procurement dossier need to include the minimum technical details of the services to be acquired, the obligations of the service provider, the evaluation factors and their respective weights, and the justification of the quality-price ratio.

5. **Certified professional postgraduate training programs are subject to a set of legal provisions.** Only higher education institutions (universities) are allowed to organize such certified training programs. Furthermore, the training program itself needs to be accredited and endorsed by the National Qualifications Authority (NQA). Only university graduates can attend such training programs. Upon completion of the training, the graduates receive a certificate confirming the acquired professional competencies. Content-wise, certified programs must respond to an existing occupational standard (OS); in the case of the SDE training program, the OS was approved in 2021 and registered in the Romanian Classification of Occupations.

### *Potential training providers*

6. **At the date of submission of this deliverable, seven universities in Romania were listed as official providers of the SDE training program.** The seven universities displayed in the National Registry of the Postgraduate Programs (NRPP) are located in five out of the eight development regions of Romania, and include both public and private tertiary education providers. The SDE training programs of these universities are, to a large extent, not deviating from the minimal requirements of the OS. Some of the universities have experience with providing the training to large groups (e.g., ASE Bucharest provided the training for 150 persons in 2021), while others became certified recently. Registration is an ongoing process, so other universities can join, by the time the procurement is published.

### *Description of required services*

7. **Given the diverse nature of the required services – training and logistical and planning – and in line with the procurement legislation and best practices, the Bank team and DSD considered appropriate options, which led to the decision of planning and organizing two separate procurement processes, each of them following a different approach.** In the case of the procurement of training services, the use of a classical procurement divided into eight lots would encourage competition among universities. Regarding the logistical and planning services, it is recommended that they are outsourced using a framework agreement. This means using a two-step approach: pre-selection of a limited number of contractors (preferably three) and follow-up individual contracts, assigned on a later date. The main advantage of this approach is that it allows the Contracting Authority to start the procurement process in parallel with the training procurement process, even if some details (e.g. location of the training providers) would be unknown at that stage.

8. **The objective of the training procurement consists in the provision of training and continuous professional development services for the qualification of 2,000 experts as SDEs.** To meet this objective, the Bank team provided technical inputs to be considered by the DSD for the preparation of the procurement documents, as well as in the overall process. The description of training services and of the logistical and planning services, includes the general description of the training program, in line with the OS (duration, structure, themes to be covered, methods, etc.), and respectively, the description of the necessary logistical arrangements. Following the logic of a ToR, the Bank team provided a detailed list of activities and sub-activities to be carried out by the training providers, which the bidders will detail in their technical proposals. The Bank team also formulated a recommended set of evaluation factors, in support of the operationalization of the best value-for-money criterion for awarding the contracts.

### *Considerations for quality assurance*

9. **In addition to considering the technical inputs provided in the report for preparing the procurement documents, the implementation of a series of preparatory operational steps is also crucial for a successful procurement process.** During the stage of preparing the procurement, the DSD should play an active role in communicating with any interested stakeholder, with the purpose of disseminating the training opportunity to potential providers, but also to potential future participants. In this regard, support from the DSD to the training providers in view of reaching the 2,000 participants target is crucial. Special attention should be given to aligning the two procurement procedures, as they are co-dependent and should be launched within a short time interval one after the other. Moreover, enhanced knowledge and capabilities among the members of the Evaluation and Selection Committee are critical for an efficient and high-quality awarding process.



10. **A robust and consistent monitoring process during the implementation of the contracts is of particular importance for meeting the regional and national targets.** The DSD should consider a proactive approach in engaging with all contractors, assigning dedicated persons to act as focal points for all interested parties (universities, public institutions, logistical and planning services contractors), foresee any potential vulnerabilities or risks, mitigate between the parties, and keep a permanent and solid overview.

11. **During both preparation and contract implementation phase, alignment with NRRP milestones, conditions and other possible limitations is highly desirable.** The present report puts forward a series of technical specifications and calculations based on legislation and other information and data provided by the DSD. The responsibility of ensuring the continuous alignment with NRRP and subsequent financing agreements lies with the DSD, who is advised to permanently check the compatibility of the proposed procurement inputs with elements such as eligibility of expenditures, timeframe, overall budget, etc.

#### *Next steps*

12. **A series of steps should be considered by DSD for implementation, after launching the procedure, both to streamline the procurement process, but also to enable the capitalization of the newly acquired skills and competencies of the 2,000 SDEs.** DSD is advised to closely monitor the submission of offers and the contracting process for all eight regional training contracts, and all logistical and planning services contracts. The timeframe for launching the procedures, signing the contracts and initiating the contract activities must be fully synchronized and coordinated. Importantly, DSD is advised not to consider meeting the NRRP target of 2,000 certified SDEs as the final outcome of the process, but focus on how to best integrate the SD specialists into their originating institutions and how to encourage them to engage in creating a resilient SDE network and community of practice.

## Chapter 1: Introduction

### 1.1. Context

13. **The Government of Romania (GoR) has committed through its National Recovery and Resilience Plan (NRRP) to enhance the coordination of sustainable development (SD) efforts within the Romanian public administration.** As a member of the United Nations (UN) and the European Union (EU), Romania has adopted the 2030 Agenda and its 17 Sustainable Development Goals (SDGs), which encompass various economic, social, and environmental objectives, and the efforts align with this dedication to achieving these goals. To support this, the Romanian Government has committed to several initiatives to advance its achievement of the SDGs both in its National Strategy for the Sustainable Development of Romania 2030 approved in 2018<sup>1</sup> and most recently in its National Recovery and Resilience Plan (NRRP).

14. **The Bank team is providing support to the Government of Romania (GoR) in the implementation of sustainable development (SD) reforms outlined in its National Recovery and Resilience Plan (NRRP) through the Reimbursable Advisory Services (RAS): *Strengthening Capacities for an Integrated Approach to Sustainable Development*.** The objective of this work is to develop institutional capacity in the Romanian General Secretariat of the Government (GSG) to support an integrated approach to the implementation and monitoring of reforms on SD. The RAS covers three main areas: (i) support for the development of the career development program for selected job profiles in the field of SD (Component 1); (ii) support for preparatory activities in the establishment of a virtual resource center for the localization of SDGs (Component 2); and (iii) advice on proposed operationalization of the Center for Excellence in Sustainable Development (CExDD) (Component 3).

15. **This report corresponds to Deliverable 2: *Report with inputs to inform Client's preparation for contracting of professional training services*, under Component 1 of the RAS.** The report presents technical inputs to inform the preparation for contracting professional training and logistical and planning services to certify 2,000 persons as sustainable development experts (SDEs). The report is informed by the main findings of the assessment of the capacity needs of public administration institutions in relation to SD, including an analysis of competencies of staff engaged in SD at both the central and local levels, and identification of the current competencies and training priorities for SD among the workforce, conducted under *Deliverable 1: Report on Institutional Capacity Needs Assessment in the Field of Sustainable Development* (see Box 1).

*Box 1 Main findings of Deliverable 1 supporting the ToR for training services*

D 1 provides the following key information, to support the elaboration of ToR:

1. Input for identification of the target group (potential participants in the SD training program), mapped by region, type of institution, position, contact data (2 databases are included in D1, with a total of about 1700 persons). The databases will be used by the training providers.
2. Additional training priorities, as resulted from Survey 2 of D1, on SD staff competencies and TNA, SD competency model developed within D1 and the latest developments and priorities identified from the desk research and the discussions with the DSD.
3. Based on the D1 main findings, proposals for updating the curriculum included in the OS have been formulated.

*Source: Deliverable 1, Report on Institutional Capacity Needs Assessment in the Field of Sustainable Development*

16. **Milestone 415<sup>2</sup> of the NRRP calls for 2,000 public sector employees to have graduated from an SDE training program and holding a professional competencies certificate by end of September 2025.** The Department for Sustainable Development (DSD) within the GSG is responsible for this milestone. As per the description of target 415, participants should be recruited from each of the eight development regions of Romania, as well as from each of the 41 counties and Bucharest – between 15 and 50 persons per county, depending on the demographic data of each county. Overall, about 400 participants would be from central institutions, and about 1,600 represent local administrations. More specific aspects of the training program are provided below in Box 2.

*Box 2 Sustainable development expert academic career development program specific details*

**The training package will include:**

- training in the field of public administration, with an emphasis on strengthening the capacity to access and absorb European funds, respecting the principles of SD; the content should focus primarily on the analysis of the *Regulation on Taxonomy* (2020/852), especially art. 17, “Significant harm to environmental objectives”, green procurement and how the SDGs can be transposed concretely;
- SD objectives specific training, related to the sphere of competence at the workplace or to the institution in which the trainee operates, directly and indirectly;
- training of skills corresponding to the SDE occupation (ROC code 242232), which lists the competencies for the SDE occupation.
- increasing the level of specific digital skills, with an emphasis on digital solutions and services to achieve the SDGs.

*Source: NRRP, Component 14, Good Governance*

17. **Prerequisites have been created for SDE-certified public sector employees to hold a position in accordance with an existing OS.<sup>3</sup>** In 2021, DSD elaborated the OS for the SDE, organized a pilot training for certifying 150 public administration employees as SDEs and subsequently, ensured that a corresponding job was created within the typology of civil service occupations. The provision enabling the creation of specific SDE jobs in public administration was introduced in the Administrative Code of Romania<sup>4</sup>, thus allowing authorities or institutions with attributions in the implementation of specific activities regarding SD, to establish the specific civil servant position of SDE. The new job can be added either by changing the name of executive positions that already entail more than 50% of their specific activities in the field of SD, related to the implementation of projects or other activities, or by transforming or establishing a public position of SDE. The prerequisite for occupying this position is that the person should have graduated from a professional training program organized in accordance with the SDE OS.

18. **The envisaged professional training program for SDEs builds on the experience from 2022, when a pilot training program was organized for 150 participants.** In 2022, within the framework of a project funded by the European Commission<sup>5</sup>, DSD commissioned the Academy of Economic Studies of Bucharest (ASE) to hold a postgraduate level professional training program for 150 persons in the

<sup>2</sup> Target 415 in NRRP, under Reform 1.2. Strengthening coordination at the Center of Government through an integrated and coherent approach to climate change and sustainable development initiatives, related to Component 14 - Good Governance, under the responsibility of the General Secretariat of the Government.

<sup>3</sup> Occupational standards lay out the generic responsibilities and "skills" that the job holder should do in a given job/occupation.

<sup>4</sup> Following the entry into force of Law no. 156/2022.

<sup>5</sup> "Sustainable Romania — Development of the strategic and institutional framework for the implementation of the National Strategy for the Sustainable Development of Romania 2030", MySMIS code: 127545 / project code: SIPOCA 613, co-financed by the European Social Fund through the Administrative Capacity Operational Program 2014-2020.

central public administration, corresponding to the OS of SDE. The training program was held by university professors and international-level experts invited to join the program, based on a training manual.

19. **Participants in the pilot program expressed that the program offered new insights, and rich content, but lacked specific elements relevant for their current professional roles.** The feedback from the participants – experts coming from central public administration institutions, with diverse training interests and expectations on how to further use the acquired SD competencies – revealed that the course was largely theoretical, thus failing to meet the participants’ expectations in terms of practical applicability. Moreover, the participants suggested that a more unified approach to the course content was needed to increase clarity about the role to be played as an SDE.

## 1.2. Scope of the inputs provided in this report

20. **This report provides a range of inputs to DSD for the preparation of the public procurement process for professional training services leading to a certification as SDE.** The Bank team is providing guidance and technical inputs to be used by DSD in developing descriptions of necessary services, qualification and award criteria for training and logistical and planning services providers. This includes recommendations and technical input for the ToR and the procurement documents required for contracting these services.

21. **The report provides inputs for the tender documentation for the certification of 2,000 SD experts, to be prepared and published by DSD.** The tender dossier, as per Romanian legislation, contains the requirements, criteria, rules and other information necessary to provide economic operators with transparent, complete, correct and explicit information regarding the requirements or the elements of the procurement. The tender dossier describes the objective of the contract and the manner of carrying out the award procedure and includes the ToR or the descriptive document, the proposed contractual conditions, forms and information regarding the applicable general obligations. The ToR embeds the technical specifications (*i.e.* technical requirements, characteristics) that allow for an objective description, corresponding to the needs of the contracting authority, of each product, service or work. Therefore, the present report consists of several technical details to inform the drafting of the ToR, but also other information relevant for the organization of the procurement process and for filling out the necessary templates or documents related to the procurement procedure.

22. **The inputs for the technical specifications provided in the report and its annexes cover both the training and logistical and planning services to be outsourced.** The training and certification of 2,000 SDEs requires both specialized training services, as well as logistical and planning services – accommodation, transportation, meals, conference rooms, publicity materials, events etc. Considering the different nature of the potential providers of each service (*i.e.*, training services should be provided by authorized universities, whereas logistical and planning services could be provided by a diverse range of specialized private companies), as well as the potential risks posed by a single public procurement of a large value, and following consultations with the Bank team, DSD decided to separate the procurement of the two types of services. Consequently, the current report provides a description of the main elements necessary for outsourcing both training and logistical and planning services, reflecting the particularities of these services.

23. **Different options for the procurement of services have been considered and explored in detail by the Bank team and DSD, taking into account pros and cons for each option.** Some of the discussed options have been: (i) partnership with universities for the provision of training services; (ii)

a single public procurement combining both training and logistical and planning services, divided into eight regional lots; (iii) public procurement for training services, separately, either divided into eight regional lots, or under a framework agreement with a limited number of accredited service providers; (iv) logistical and planning services public procurement, either as a classical one-step procurement, either as a framework agreement signed with three contractors, with follow-up contracts. Each of these options entail advantages and disadvantages, and have been carefully considered by DSD, with the support of the Bank team. As a result, it was considered suitable to plan two separate procurement procedures – one procurement procedure with eight regional lots for training services (in order to foster competition among universities) and one procurement procedure to be contracted under the form of a framework agreement with follow-up contracts, in the case of the logistical and planning services (in order to allow for a better coordination with the contracted universities).

24. **The sole responsibility for preparing and implementing the public procurement process remains with DSD.** The advice and inputs have been thoroughly and extensively discussed with DSD and relevant departments of GSG. As a result, the proposals formulated by the Bank team have been determined taking into account the following elements: (i) the targets set out in NRRP and their respective timeframes; (ii) the legislative and procedural framework of public procurement; (iii) the institutional specificities and limitations of DSD and GSG; (iv) the expected contract performance; (v) the potential training providers and their particularities; and (vi) potential external risks. The specialized public tender department within GSG, supported by the technical inputs from DSD, will elaborate and determine the content of the tender dossier documents, as well as bear the responsibility for the internal endorsement and advertisement, according to the internal procedure and applicable legislation. At the same time, DSD is responsible for checking the full compatibility of the technical inputs with the conditionalities imposed by the financing agreement/contract with the Ministry of European Investments and Funds, under NRRP, as well as with other specific legal provisions.

## Chapter 2: Rules and procedures for outsourcing services

### 2.1. Legal framework – public procurement

25. **The public procurement process in Romania is based on a legal framework that is open and transparent, and in accordance with European directives.** The public procurement laws adopted in May 2016 transpose the EU Directives for public procurement (see Box 3). They apply to all public sector bodies, including public corporations, generally referred to as Contracting Authorities.

#### *Box 3 Legal Framework for Public Procurement*

The legislative framework regarding public procurement in Romania, in force since May 2016 encompasses:

- Law no. 98/2016 on classic public procurement (transposing the Directive 2014/24/EU of the European Parliament)
- Law no. 99/2016 on utilities contracts (transposing the Directive 2014/25/EU of the European Parliament)
- Law no. 100/2016 on concessions contracts (transposing the Directive 2014/23/EU of the European Parliament)
- Law no. 101/2016 on remedies (transposing Directive 89/665/CEE).

*Source: Authors' elaboration*

26. **Law 98/2016 on public procurement is the backbone of the legal framework governing the procurement of goods, services and works in Romania, in an environment of economic and social efficiency.** The law regulates the implementation of public procurements, including the procedures for awarding public procurement contracts, the associated tools and techniques that can be utilized in this process, the organization of design contests, and certain specific aspects related to contract execution in public procurements.

27. **In the case of the outsourcing of services in the field of training and logistical and planning, the process is carried out following internal procedures drafted and used by each contracting authority.** Based on various factors, including the estimated value of the procurement and the type of services required, the legal framework specifies that the contracting authorities should utilize different procurement procedures. These procedures may include open tender, restricted tender, competitive negotiation, or a specific procedure for the award of services of social type and other specific services mentioned in Annex 2 of Law no. 98/2016, which includes training and logistical and planning services. Therefore, the professional training services foreseen under Milestone 415 of NRRP, (i.e., “2,000 public servants qualified to hold the position of SDEs at the central and local levels”), will be awarded following the procedural steps of GSG’s own public procurement procedure.<sup>6</sup>

28. **The contracting authorities are subject to additional binding obligations if the estimated value of the services to be procured is above the legal threshold.**<sup>7</sup> The estimated value for the training services procured by GSG for the 2,000 SDEs is above the legal threshold. In this situation, the contracting authority (GSG) is compelled to publish a contract notice and an award notice in accordance with the standard formats established by the European Commission<sup>8</sup> and to award contracts based on the “quality-price ratio” and “quality-cost ratio”, taking into account the quality and sustainability criteria of the services.

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<sup>6</sup> Art. 111 (1) of Law no. 98/2016 on classic procurement.

<sup>7</sup> Art. 7 (1) (d) from Law no. 98/2016, i.e. 3,701,850.00 Lei, as it has been recently notified by ANAP to have been updated by EU Delegated Regulation no. 2023/2495 - <https://anap.gov.ro/web/wp-content/uploads/2021/12/Notificare-praguri.docx.pdf>

<sup>8</sup> Parts H, I or J from annex V to EU Directive 2014/24/EU.

29. **The national e-procurement system<sup>9</sup> (SEAP) does not currently allow the contracting authorities to fulfil their obligations regarding the advertisement of Annex 2 services at the EU level.**

The National Procurement Agency in Romania advises the contracting authorities to ensure the advertisement of procurement processes at the European level<sup>10</sup> until the relevant section of SEAP becomes operational. It also recommends publishing standard forms from annex V to EU Directive 2014/24/EU in the Government's Official Gazette's webpage and facilitating economic operators to access to the tender documents along with a brief description of the procedure. To ensure advertisement publicity at the national level, the contracting authorities should publish notices in the "Advertisement" section of the SEAP, as an interim measure until Romanian authorities will ensure the necessary functionalities of the electronic system for publication of Annex 2 services accordingly.

30. **In line with the national legislation, GSG adopted an internal operational procedure<sup>11</sup> for the public procurement of social services listed under Annex 2 of Law 98/2016, i.e., services in education, training, health, culture.** The internal operational procedure, developed by the Directorate for Investments, Procurement and Contract Development, sets out the methodology to be applied in for the public procurement of such social-type services and other specific services provided in Annex 2, in accordance with the provisions set out in Law 98/2016. It describes the activities and procedures of public procurement and establishes the workflow for public procurement procedures. It also establishes that the services provided in Annex 2 of Law 98/2016 on public procurement will be classified into four groups, depending on the value of each purchase proposal. Group IV includes services with a value superior to RON 3,506,625.01.<sup>12</sup> Regarding this group, the procurement procedure states that the requesting structure (in this case, DSD) will prepare and submit for approval the justification report (justifies the necessity and opportunity of the purchase), as well as the technical specifications/ToR.

31. **The internal operational procedure of GSG contains the requirements for the technical specifications to be included in the public procurement dossier.** According to the internal procedure, the technical specifications<sup>13</sup> should include the minimum technical details, obligations of the service provider, evaluation factors and justification of the quality-price ratio or quality-cost award criteria (if applicable). The evaluation factors and their weighting - where applicable –should reflect the specific characteristics of the objective of the contract.

32. **In terms of institutional responsibilities, GSG acts as the contracting authority, while DSD has the role of the requesting structure.** GSG, through its specialized structure, namely the Directorate for Investments, Procurement and Contract Development, has the responsibility of organizing and running the public procurement process, in order to award the procedure and sign the contract for the provision of services. Additionally, DSD, as the specialized structure who proposes the purchase of services, is responsible for initiating the procedure, for providing the technical specifications and for implementing the contract. A more detailed list of attributions and responsibilities held by DSD in this process is provided in Box 4.

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<sup>9</sup> [www.e-licitatie.ro](http://www.e-licitatie.ro)

<sup>10</sup> Publication in the European Official Journal should be done by accessing the webpage <https://ted.europa.eu/>

<sup>11</sup> Operational procedure regarding the own procedure for public procurement of services from Annex 2 of Law no. 98/2016 on public procurement, code PO-DIAUC-09, edition I, revision 0, July 2021.

<sup>12</sup> The amount represents an outdated value of the EU threshold; it needs to be updated by DSD in their own procedure, as per footnote 8 and box 3 in chapter 5.

<sup>13</sup> According to the norms for application of the procurement legislation, the ToR must contain technical specifications.

- Drafts the ToR / technical specifications;
- Elaborates proposals for contractual clauses (if applicable);
- Determines qualification and/or selection criteria and justification of their option;
- Proposes technical and financial evaluation factors, algorithm calculation, corresponding weights;
- Responds to requests for clarification from economic operators regarding the provisions of the specifications, the technical and financial evaluation factors, the calculation algorithm;
- Nominates members to participate in the evaluation committees;
- Runs/implements the public procurement contract.

Source: Authors' elaboration based on GSG's internal operational procedure for public procurement under Annex 2

## 2.2. Rules on certification of sustainable development experts

**33. Postgraduate training and continuous professional development programs can be organized only by authorized universities and can only be attended by university graduates.** The postgraduate training programs aims at updating, developing, or improving the level of competence, related to an occupation that can only be practiced by a university graduate. As per current legislation<sup>14</sup>, postgraduate training professional programs can only be offered by accredited higher education institutions, which have accredited at least bachelor's and master's degree programs in the domain of the envisaged training program. Upon completion of the postgraduate training and professional development programs, the organizing institution issues a certificate attesting the professional competence specific to the program.<sup>15</sup>

**34. The OS is the document that specifies the competencies and the quality level associated with the results of activities specific to an occupation.** According to the legislation, the OS serves as a national reference instrument that encompasses elements pertaining to activities and learning conditions outlined in a vocational education and training program. This program enables individuals to acquire the necessary competencies to effectively carry out occupation-specific tasks required by the job market. Thus, the OS:

- i. represents the description of the professional activities to be carried out;
- ii. specifies the competency and qualification level associated with the results of activities specific to an occupation;
- iii. frames the process of professional education and training, which reflects the disciplines, thematic content, proposed methods, evaluation criteria, and number of hours allocated for each thematic content, to successfully perform the tasks required by an occupation.

**35. OSs are formulated for occupations in the Occupational Code of Romania (OCR), in view of connecting the labor market and the educational offer, by specialists with practical experience in the occupational field of the standard, along with training and education specialists.** The OS establishes a connection between the demands of the labor market, which are reflected by the competencies required for a particular occupation, and the defining elements of education and professional training. These elements include knowledge, qualification level, educational level, education and training plans,

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<sup>14</sup> Framework Methodology for organizing and registering postgraduate programs by the higher education institutions, approved by Order of the Minister of Education 4750/2019, with subsequent amendments and additions.

<sup>15</sup> Order no. 4.750/2019, with subsequent amendments and additions, approves the Framework Methodology for the organization and operation of postgraduate training and continuous professional development programs, and order no. 5.370/2012 approves the model of the professional competencies' attestation certificate and the descriptive supplement.



theoretical programs, professional practice, and access conditions. All of these elements must adhere to quality assurance conditions within the system.

36. **In 2021, DSD developed the SDE OS as a postgraduate professional training program and submitted it to the NQA for approval.** The SDE OS was approved through NQA decision 49/25.02.2021. In line with the applicable legal requirements, the standard includes a list of detailed occupation-specific activities, as well as a list of 34 competences, that should be addressed during the training programs developed following this standard. The standard places the training program in the category of a bachelor's degree, with a minimum total duration of 180 hours, of which 60 hours dedicated to theory and 120 hours to practice. The minimum requirements set by the standard for trainers, include being certified trainers and having either proven practical experience or with at least three years of academic teaching experience or practical experience in the field of SD (social or economic or environmental component) and/or in the field of public administration.

37. **The training plan and program associated with the approved OS consist of four compulsory modules.** Each module is designed to equip trainees with specific competencies that need to be acquired upon completion of the training. The four mandatory modules for the training programs covering the OS for SDEs are: (i) public management and administration, (ii) the economic dimension of SD, (iii) the social dimension of SD, and (iv) the environmental dimension of SD. Each module has 15 hours of theory and 30 hours of practice and a grand total of minimum 180 hours. It includes subject-specific content, thematic elements, teaching methodologies, training tools, learning materials, and participant evaluation criteria.

38. **The occupation of SDE, as categorized by the OCR code 242232, falls under the broader category of specialists in administration policy.** As a result, it is suitable for positions within the field of public administration. The Romanian OCR system adheres to the International Standard Classification of Occupations (ISCO 08), which is obligatory for all EU members. ISCO 08 classifies jobs into 10 major groups, and within each group, there are further subdivisions into occupational categories. This hierarchical structure allows for the classification of occupations up to a 6-digit level. The OCR code 242232 categorizes the occupation in a specific context based on related job categories. The OCR system defines these categories based on criteria such as the required skill level and specialization needed to effectively carry out the tasks and responsibilities of each occupation. This classification system aims to ensure accurate and comprehensive categorization of all occupations.

39. **Subsequently to the approval of the OS, DSD ensured that a corresponding job of sustainable development expert is added into the typology of civil service jobs.** This was achieved following the inclusion of this element into the national legislation. In 2022, amendments have been brought to the Administrative Code of Romania<sup>16</sup> through Law no. 156/2022, allowing authorities/institutions in the public administration to establish the specific public job of sustainable development expert in the public administration. Accordingly, authorities and public institutions in the central and local public administration with roles in the implementation of specific activities regarding SD, can establish the job of a sustainable development expert at execution level, either by changing the title of existing jobs, or by transforming or establishing a new public position. Only graduates of SDE certified training programs organized in accordance with the OS will be eligible to hold these jobs and occupy these positions.

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<sup>16</sup> Government Emergency Ordinance no. 57/2019 regarding the Administrative Code.

### 2.3. Rules of logistical and planning services

40. **The cost for logistical and planning services supporting the training services is an important component in NRRP.** The overall budget of milestone 415 in NRRP<sup>17</sup> (RON 34,262,400) corresponding to the training of 2,000 SDEs, covers logistical and planning services, alongside training services. Services such as provision of conference rooms, accommodation, meals, transportation, publicity materials and events are included and detailed in the current report. In view of the official publication of the public tender dossier for logistical and planning services, it is essential that DSD ensures the compliance with the NRRP rules and procedures, as well as with other limitations deriving from financing agreements or contracts with the Ministry of European Investments and Projects.

41. **Considering that the training program targets public administration employees, it is governed by specific provisions.** Government Decision no. 714/2018 determines the rights of personnel in the case of travel, delegation, or secondment, establishing ceilings for expenditures for accommodation, per diems and transportation. Of direct relevance for the current report are the accommodation and the transportation ceilings, as they will have to be reflected in the logistical and planning services ToR and cost estimates, considering that the logistical planner will have to cover the accommodation, meal and transportation of all participants. As per legislation, the accommodation is set at a maximum of RON 265/day, irrespective of the destination; the transport costs will be reimbursed at the value of 7.5 liters of fuel per 100 km travelled over the shortest distance, or at the value of the train/bus ticket, 2<sup>nd</sup> class fare.

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<sup>17</sup> The NRRP budget is available at <https://mfe.gov.ro/wp-content/uploads/2021/10/6c5361a5fd58b7b22eddf8316192abc8.pdf>

## Chapter 3: Potential training providers in Romania and authorized training programs

42. **There are seven Romanian universities that are registered and accredited to offer postgraduate professional training programs for the SDE qualification and are distributed across more than half of the eight regions in Romania<sup>18</sup>, ensuring accessibility and coverage in various areas of the country.** NRPP<sup>19</sup>-managed by the Romanian NQA - includes seven universities are located in five out of the eight regions of Romania, and cover both categories of tertiary education providers – public and private. They hold the SD expert training program under different titles, such as “Sustainable Development Strategies”, “Public administration for Sustainable Development”, “Sustainable Development Expert”. Where such information is available, the price of a training program of 180 hours ranges from RON 1,800 to RON 3,000<sup>20</sup>. All training programs have been accredited between 2021-2023. The number of ECTS<sup>21</sup> credits associated with the programs varies from 15 (minimum required according to the OS) to 20.

Table 1 Authorized SDE training providers and training program title

No	Training provider	Related existing training offers	ECTS Credit
1.	ASE	Public Administration for Sustainable Development	20
2.	Politehnica University of Bucharest, (the issuer of the certificate - University of Pitești)	Sustainable Development Expert	19
3.	Lower Danube University of Galați	Sustainable Development Strategies	16
4.	Athenaeum University of Bucharest	Sustainable Development Strategies	16
5.	University of Petroșani	Sustainable Development Expert	15
6.	Dimitrie Cantemir University of Târgu Mureș	Sustainable Development Expert	20
7.	Babes Bolyai University of Cluj-Napoca	Sustainable Development Expert	20

Source: Excerpts from the National Registry of Post-university programs, consulted in January 2024

43. **ASE, located in the Bucharest-Ilfov Region of Romania, specifically the Faculty for Administration and Public Management, is authorized to hold a certified postgraduate training program (180 hours, 20 ECTS) under the title Public Administration for Sustainable Development.**

<sup>18</sup> According to data available from February 2024, more universities are in the process of endorsing the training program and will be included in the NRPP.

<sup>19</sup> Available at [http://www.anc.edu.ro/registru\\_rnpp/](http://www.anc.edu.ro/registru_rnpp/)

<sup>20</sup> <https://cantemir.ro/wp-content/uploads/2023/04/Oferta-program-postuniversitar-Expert-in-dezvoltare-durabila-2023-.pdf>

[https://website.univath.ro/sites/default/files/2024-](https://website.univath.ro/sites/default/files/2024-01/Oferta%20cursuri%20STRATEGII%20IN%20DEZVOLTAREA%20DURABILA.pdf)

[01/Oferta%20cursuri%20STRATEGII%20IN%20DEZVOLTAREA%20DURABILA.pdf](https://website.univath.ro/sites/default/files/2024-01/Oferta%20cursuri%20STRATEGII%20IN%20DEZVOLTAREA%20DURABILA.pdf)

[https://senat.ase.ro/wp-](https://senat.ase.ro/wp-content/uploads/2023/20230628/Hot.Senat%20nr.%2075%20din%2028.06.2023_Metod.Taxe%20ASE%202023-2024_rev.pdf)

[content/uploads/2023/20230628/Hot.Senat%20nr.%2075%20din%2028.06.2023\\_Metod.Taxe%20ASE%202023-2024\\_rev.pdf](https://senat.ase.ro/wp-content/uploads/2023/20230628/Hot.Senat%20nr.%2075%20din%2028.06.2023_Metod.Taxe%20ASE%202023-2024_rev.pdf)

<sup>21</sup> The European Credit Transfer and Accumulation System (ECTS) is a tool of the European Higher Education Area. It allows students to have their academic qualifications and study periods abroad recognized. ECTS facilitates the transfer and recognition of credits obtained at a higher education institution to be counted towards a qualification or program studied at another institution. In the ECTS system, 60 credits are typically considered equivalent to a full year of study or work. This credit system promotes transparency, comparability, and mobility within the European higher education system.

The course covers the following disciplines: management and public administration, the social dimension of SD, the economic dimension of SD, and the environmental dimension of SD. In terms of professional competences/skills, the training program is focused on the appropriate use of territorial management concepts, through:

- (i) Knowledge and understanding of the basic concepts, theories and methods specific to territory management in terms of SD;
- (ii) Explanation and interpretation of concepts, theories and basic models associated with territory management for analyzing urban and territorial transformation processes in order to ensure the balanced development of the national territory;
- (iii) Application of basic principles and methods for urban and territorial planning under the conditions of SD;
- (iv) Critical-constructive evaluation of solutions for administrative-territorial organization and promotion of urban communities;
- (v) Elaboration of studies and projects to improve territory management.

44. **Another qualified provider of professional training programs for SDEs is the Politehnica University of Bucharest, acting as organizer, in partnership with the University of Pitești, as authorized issuer of the certificate (180 hours, 19 ECTS).** Politehnica University of Bucharest is based in the Bucharest-Ilfov region, whereas University of Pitești is based in the South-Muntenia Region. The SDE training program (180 hours) was authorized in 2021, covering the mandatory topics within the OS, such as:

- (i) the use of data processing techniques in relation to the principles of SD in order to perform quantitative and qualitative analysis;
- (ii) IT-facilitated correlated analysis and interpretation of economic, social and environmental data, in view of public policy formulation;
- (iii) application and monitoring of principles, norms, procedures and specific intervention strategies to mitigate the risks posed by the SDGs;
- (iv) assessment of the implementation degree, per domain and sub-domain, of the SDGs included in the National SD Strategy;
- (v) resource management (informational, human, material and financial);
- (vi) financing opportunities for projects dedicated to SD;
- (vii) implementing communication strategies to raise awareness on SD;
- (viii) developing partnerships with interested parties in order to achieve SD objectives.

As a result of participation, it is expected that graduates will have the necessary knowledge to participate in the elaboration of public policy documents in areas of social and economic development, as well as environmental protection, in line with the National Strategy for Sustainable Development.

45. **Lower Danube University of Galați is authorized to provide the professional training program “Sustainable development strategies” (180 hours, 16 ECTS) and is located in the South-East region of Romania.** The training program was authorized in 2022 and it covers 34 competencies/skills, fully in line with the minimum requests in the OS.

46. **Athenaeum University of Bucharest has been organizing SD strategies training programs since 2023 and certifying SDEs.** The postgraduate training program targets mainly public administration specialists, but also private and NGO staff interested in SD. The course aims to prepare specialists capable of dealing with the multidisciplinary issues that SD entails in public administration, in the field of the environment, the economic environment and the social environment. The course description highlights 34 competencies, which is compatible with the provisions in the OS.

47. **The University of Petroșani, based in the West region of Romania, is authorized to organize SDE professional training programs (180 hours, 15 ECTS) since 2022.** According to the description of the program, the graduates will be able to: (i) use the concepts, methods, techniques and tools of territorial management under the conditions specific to SD; (ii) offer advice, manage and verify the implementation of government policy related to the SD economic pillar; (iii) offer advice, manage and verify the implementation of government policy in the social, economic and environmental fields; (iv) carry out strategic research activities regarding the economic, social and environmental dimensions of SD.

48. **Dimitrie Cantemir University of Târgu Mureș, located in the Center Region, has been organizing authorized professional training programs to certify SDEs since 2023 (180 hours, 20 ECTS).** The program focuses on developing competencies such as: (i) data-analysis related to environmental protection, the needs of the community, the progress made towards the achievement of the objective and the economic trends; (ii) strategic research activities related to the economic, social and environmental dimension of SD (iii) development of professional networks; (iv) assessment of risk factors in relation to the economic, social and environmental pillar of SD, (v) compliance with government policy related to the economic, social and environmental dimensions of SD, etc.

49. **Babes-Bolyai University of Cluj-Napoca, situated in the North-West region of Romania, has registered a SDE course in the NRPP, in December 2023.** This course is assigned a credit value of 20 ECTS) and aims to provide specialized training and knowledge in the field of SD to interested individuals. The course has 220 hours of teaching activities and it focuses on developing a series of competencies and abilities, such as: ability to work with statistical and specific GIS tools; capacity to analyze the progress towards fulfilling the SD objectives; ability to establish contacts with communities, government officials and local authorities; capacity to evaluate risk factors, ability to draft reports related to the economic and social dimensions of SD etc. From the perspective of knowledge, the course will enable participants to identify innovative solutions to specific SD problems, to participate in the development of strategies in the fields of public administration, and of social, economic and environmental issues, to communicate on the topic of sustainable development, etc.

## Chapter 4: Description of required services

*The description of training and logistical and planning services provided in this chapter follow the content requirements of the documents in the procurement dossier, in particular the ToR.*

### 4.1. Description of the training services

50. **The postgraduate training program for SDEs aims to develop the skills of civil servants and contractual staff, within central and local public administration, in line with the provisions of the OS.** The overall objective is to strengthen SD initiatives and public administration reform to promote SD practices contributing to the implementation of the European Green Deal and the SDGs. The structure of the program aligns with the OS for SDEs, covers both the requirements and skills specific to the field as well as all the technical aspects and recent developments of the SD agenda in the global and specific context of the EU, relevant for Romania.

51. **The duration of the program is 220 hours, up from the minimum 180-hours provided by the OS, to accommodate additional time for in-depth study.** With a total of 220 hours, this postgraduate program is structured to provide training in the broad field of SD and includes: public administration, economics, social and environmental dimensions. The structure of the program aligns with the OS for SDEs, covering both the specific requirements and competencies as well as all the technical aspects and recent developments of the SD agenda in the global and specific context of the EU, relevant for Romania. Of the 220 hours, the first 180 hours will be dedicated to training according to the OS, and the remaining 40 hours will be dedicated to deepening the knowledge on a topic relevant to each participant', selected from a predefined list and completed with the writing of an individual project.

52. **The objective of the procurement consists in the provision of training and continuous professional development services for the qualification of 2,000 SDEs, at the national level.** The main services to be provided, are: (i) preparation of the training sessions; (ii) provision of certified professional training services for the SDE occupation, ROC 242232, for a duration of 220 teaching hours; (iii) examination and certification of participants; (iv) analysis of the results of the training program. The interested bidders/potential providers should integrate and further develop on the activities and sub-activities in their technical offers, describing several specific requirements, subject to selection and evaluation criteria. The technical inputs proposed by the Bank team are included in Annex 1 Technical inputs for the procurement of training services.

53. **The first activity refers to the preparation of training activities.** In this regard, the bidders/training providers should integrate the main findings of the training needs assessment performed by the Bank team under Deliverable 1 - Report on Institutional Capacity Needs Assessment in the Field of Sustainable Development into the overall design of the training program. Bidders should show a solid strategy for identifying and attracting the target group, working closely with the contracting authority. Moreover, training providers should update the training curriculum, based on the information provided in the technical input and integrate it into the delivery of the training. This activity also requires bidders to consider the participation of the teaching staff in a training program (ToT) that will be conducted by the DSD with the support of the Bank team, with the objective of methodological alignment and presentation of adult-training principles and techniques. The drafting of course materials, including the course manual, is also included in this activity. However, it should be

noted that the course manual may undergo a peer-review process by DSD with support from the World Bank. An initial plan of the training sessions is also required from the contacting phase, as well as a description of the online learning platform that the bidders are planning to use, mostly during the online training sessions. Ultimately, the final endorsement of the course manual will be provided by the contracting authority. This ensures that the course materials meet the required standards and are in line with the objectives of the training and professional development program.

54. **The second proposed activity is conducting of the training sessions (face-to-face and online) and certification of the graduate participants.** The bidders should be asked to submit a detailed description of the activity, in accordance with the technical specifications (the technical specifications should already include these requirements). First, the description should include how the training sessions will be held, the teaching techniques to be used. Furthermore, it should outline how the practical approach will be embedded in the training, both for the 180 hours component, in accordance with the OS, as well as for the additional 40 hours dedicated to deepening of the knowledge and competencies on a given topic through an individual research project. The activity should also include the self-assessment of participants and collection of feedback from the teaching staff, to improve the teaching methods and contents, as well as the examination and certification of participants at the end of the 220-hours training program.

55. **The third training services activity is an analysis of the results of the training program.** More specifically, the training providers should perform an analysis of the training and certification, assessing how the acquirement of the knowledge and competencies delivered through the training program has benefited the graduates on short term. This basic assessment will lead to the formulation of proposals to be integrated into future similar training programs for SDEs. A more in-depth ex-post impact assessment should be performed at a much later date (at least one year after certification), outside of the training contract, under the coordination of DSD.

56. **Throughout the entire contract period, the provider should perform project/contract management tasks.** Thus, the bidders are required to detail how they will maintain a permanent communication with the contracting authority, how monitoring and reporting tasks will be accomplished, and how they plan to coordinate with the logistical and planning services provider. DSD will play an important role in ensuring a coherent approach and coordinating the different service providers.

57. **The technical proposal should be developed in accordance with the requirements from the specifications, which are mandatory.** The bidder is responsible for providing a comprehensive and detailed technical description of the services and products they offer. In addition, they should include any other information that is relevant to the project. It is essential that the bidder covers all requirements in the specification. In their response, they should provide a detailed explanation of how they will fulfill the requests and meet the expectations of the Contracting Authority. This includes providing clear and specific details on their approach, methodologies, and strategies to address the requirements outlined in the specification.

## 4.2. Regional lots for contracting training services

58. **According to the national public procurement guidelines<sup>22</sup>, a division by lots of the overall procurement is regarded as the general rule, and not the exception.** To address concerns on reduced competition in public procurement procedures for complex contracts, it is advisable to prioritize the

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<sup>22</sup> Guide regarding the division per lots in the case of public procurement procedures, Competition Council.

division by lots criteria in future procedures. This approach allows for the participation of small operators who may otherwise find it challenging to take part in the procurement process. Additionally, it prevents creating an advantage for the winning bidder, promoting fair competition and ensuring broader participation from various entities. The public procurement legislation does not explicitly stipulate the obligation of the contracting authority to resort to lot division. However, if the contracting authority does not opt for the division by lot, it should provide a justification regarding this decision. The contracting authority will determine the specifics of each lot, on a quantitative basis, adapting the size of the individual contracts to better correspond to the capacity of small and medium-sized enterprises (SMEs), or on a qualitative basis, in accordance with the different trades and specializations involved.

59. **In the case of the procurement of the training services for the certification of the 2,000 SDEs, the division into eight lots, covering all regions of Romania, is considered the suitable approach.** Considering the broad coverage of training across all regions and large municipalities in Romania, along with a significant number of participants, it is appropriate to organize eight individual public procurement lots, corresponding to the eight development regions of the country. This approach enables potential providers to efficiently plan and organize training services at the local level. It also allows for better collaboration with local providers and ensures that the training programs cater to the specific needs and requirements of each region. This approach stimulates competition among the currently seven potential providers, facilitating access to the contracts to all. There is no predetermined limit on the maximum number of contracts awarded to a single potential provider and additionally, the potential providers should have the option to create different consortia or partnerships to participate in the procurement process. It is important to note that there is no guarantee that the lots will be assigned to different bidders. While it is possible for multiple bidders to win different lots, there is also a possibility that all the lots could be awarded to the same bidder. The final decision on the assignment of lots will depend on the evaluation of proposals and the contracting authority's assessment of the best offers received.

60. **The Training Needs Analysis (TNA) performed as part of Deliverable 1: *Report on Institutional Capacity Needs Assessment in the Field of Sustainable Development* showed that the need for specialization among the questioned public servants is not region-specific.** The needed specialization level seems to be more dependent on the institutional category (the type of institution where the respondent works) or the individual roles and responsibilities within that institution, rather than the region. Therefore, all participants across all regions of Romania, should complete a mandatory 180-hour core course, according to the OS, identical from the point of view of the content. The 40-hour component meant to deepen a selected topic, could, however, be customized to the particular interest and job requirements of each participant.

### 4.3. Training Audience

61. **To achieve the NRRP target, at least 2,000 participants need to follow the training program and receive the SDE certification.** However, considering that it is expected that a part of the participants drops out during the training (due to different reasons, ranging from lack of time and resources to fully attend the training program, to other professional and personal reasons), and another share might not pass the final certification exam, the provider should target a larger number of participants than the minimum number required per region. In the technical offer document, the provider should develop an outreach and promotion strategy, showing how future participants will be motivated and how the target number of certified SDEs per region/county will be reached by the end



of the training program. The contracting authority should also play an important role in supporting the provider in reaching the targeted audience for the training course.

62. **The Bank team is providing a suggested breakdown of the 2,000 participants per region and corresponding counties, based on statistical data and macro indicators.** The sampling methodology used for dividing the 2,000 participants per each county and region was based on a multi-criterial analysis using regional and county-level indicators relevant in the context of the SDGs. Using the database of the National Institute for Statistics,<sup>23</sup> a number of indicators have been considered for determining the share of each country and region in the total number of 2,000 training participants: resident population per county, poverty risk rate per county, social exclusion risk per region, drop-out rates in preuniversity education per county, average life expectancy per county, number of public institutions, as well as the total number of employees working in 'public administration and defense'. Weights have been assigned to each of these criteria/indicators.

63. As a result, the regional samples are directly proportional to the population of the county and to the number of civil servants and public institutions, but also to the rates of poverty, school dropout, or lower life expectancy of residents. The results of the sampling process are also compatible with the results of the research performed under Deliverable 1: *Report on Institutional Capacity Needs Assessment in the Field of Sustainable Development* which resulted in a database of public sector employees nominated to participate in the training program. The total minimum numbers of the participants (target groups) per each county and region is presented in Table 2:

Table 2 Distribution of the 2,000 training participants per region and county

Region	County	No. of participants	Region	County	No. of participants
North-West	Bihor	58	South-Muntenia	Argeş	59
	Bistriţa-Năsăud	31		Călăraşi	29
	Cluj	72		Dâmboviţa	50
	Maramureş	47		Giurgiu	27
	Satu Mare	35		Ialomiţa	26
	Sălaj	23		Prahova	72
	<b>TOTAL</b>	<b>266</b>		Teleorman	33
Center	Alba	34		<b>TOTAL</b>	<b>296</b>
	Braşov	58	Bucharest-Ilfov	Ilfov	59
	Covasna	21		Bucharest municipality	186
	Harghita	30		<b>TOTAL</b>	<b>245</b>
	Mureş	54	South-West Oltenia	Dolj	62
	Sibiu	41		Gorj	32
	<b>TOTAL</b>	<b>238</b>		Mehedinţi	24
North-East	Bacău	63		Olt	40
	Botoşani	41		Vâlcea	36
	Iaşi	82	<b>TOTAL</b>	<b>194</b>	
	Neamţ	47	West Region	Arad	43
	Suceava	68		Caraş-Severin	26
Vaslui	39				

<sup>23</sup> <http://statistici.insse.ro:8077/tempo-online/#/pages/tables/insse-table>

	<b>TOTAL</b>	<b>340</b>		Hunedoara	37
<b>South-East</b>	Brăila	29		Timiș	69
	Buzău	41		<b>TOTAL</b>	<b>175</b>
	Constanța	69		<b>TOTAL</b>	<b>2,000</b>
	Galați	52			
	Tulcea	20			
	Vrancea	35			
	<b>TOTAL</b>	<b>246</b>			

Source: Authors' calculations

#### 4.4. Logistical and planning services for the trainings

64. **The provision of the training program should be supported by professional logistical and planning services, which should be outsourced to a specialized private sector operator.** Given the specifics of logistical and planning services and in line with the procurement legislation and best practices, the Bank team and DSD agreed that contracting a specialized provider, through a separate procurement procedure, would be suitable.<sup>24</sup> Thus, specialized logistical and planning companies should provide these services, in coordination with the universities, while DSD should play an important role in ensuring the compatibility and synchronicity of both categories of services.

65. **Contracting of the logistical and planning services should use a “framework agreement”, followed by the necessary number of subsequent contracts for service provision.** A framework agreement should be followed by subsequent individual contracts assignment, on a later date.<sup>25</sup> This approach would allow the contracting authority to start the procurement process in parallel with the training procurement process, even if some details would be unknown at that stage. More specifically, signing a framework agreement with three logistical and planning services companies is considered suitable under the current circumstances when details such as exact number of participants or locations of trainings will be known. (after the initiation of the training contracts), the contracting authority will be able to run a simple step of awarding subsequent contracts, without re-competing. The subsequent contracts fall in the obligation of the 1st positioned contractor and in duly justified cases can be signed with contractors placed on the 2nd or 3rd positions.

66. **The contractor(s) should ensure that the logistical arrangements needed for the training services are appropriate.** The contractor(s) will support and collaborate with the eight regional training services providers by providing for each training event the accommodation, transportation, catering, hardware equipment and conference rooms for all training participants. Annex 3 *Technical inputs for the procurement of logistical and planning services* provides a more detailed perspective on the necessary services and their specifications.

<sup>24</sup> The recommendation to separate the two services and outsource them through different procedures is also justified by the legal provision stating that the main objective of a procurement contract is determined by the service with the highest weight in the total estimated value of the contract. In the current situation, as per cost estimates in Annex 3 and Annex 6, the cost for the logistical and planning services is significantly higher than the cost for training, which would impact the objective of the contract, in the case of a unique contract.

<sup>25</sup> A framework agreement is an agreement signed between one or more contracting authorities and one or more economic operators with the objective to establish the terms and conditions that govern the future contracts to be awarded in a defined period of time, especially aspects related to price and, if case, quantities considered.

## 4.5. Contract awarding criteria and evaluation

67. **The decision to award the contracts should be based on the “the most advantageous offer from an economic point of view” criterion and its matching evaluation factors.** In the case of the training and logistical and planning services, as per the internal procedure of GSG, the most advantageous offer from an economic point of view will be determined by applying the “best quality-price ratio”. According to the legislation, the best quality-price ratio is determined based on evaluation factors that include qualitative, environmental and/or social aspects, in relation to the objective of the public procurement contract/framework agreement. The evaluation factors may refer to quality, including technical advantages, aesthetic and functional characteristics, accessibility, organization, qualification and experience of the personnel appointed for the execution of the contract, if the quality of the appointed personnel can have a significant impact on the qualitative level of the execution of the contract.

68. **DSD should apply clear evaluation factors in the procurement process to determine the best quality-price ratio.** The purpose of the evaluation factors is to encourage bidders to submit substantiated technical and financial proposals, which justify both the price and the qualitative level of the activities, as well as taking full responsibility for the services provided. The evaluation factors are considering the 40% vs. 60% mandatory weights assigned to the price and the quality, respectively, as per GSG’s internal procedure. The quality of the offer will be assessed looking at the technical capacity of the bidders, including the methodology for the implementation of the contract, and key experts. The recommended evaluation factors used to apply the best quality-price ratio criterion are listed below (more details on the evaluation factors for training and logistical and planning services are included in Annex 2 and Annex 4, respectively):

- (i) The "price" factor, with a weight of 40% in the total award criterion, which corresponds to a maximum of 40 points;
- (ii) The experience of the relevant staff, with a weight of 35% in the total award criterion, which corresponds to a maximum of 35 points;
- (iii) The "Methodology of service provision" factor, with a weight of 15% in the total award criterion, which corresponds to a maximum of 15 points;
- (iv) "Adequate planning of technical and human resources in correlation with the specificity and complexity of the activities carried out within the professional training services contract", with a weight of 10% in the total award criterion, which corresponds to a maximum of 10 points.

69. **The evaluation factors discussed in this report should be regarded by DSD as potential options to be considered.** The recommended evaluation factors to be used for the contracting of training and logistical and planning services have been formulated based on the legislation and best practices and reflect the specificity of the necessary services, allowing DSD to decide regarding their application, when preparing and publishing the procurement documentation.

## Chapter 5: Considerations for quality-assurance

### 5.1. Procurement preparations

70. **To ensure high-quality services, obtain fair and competitive prices, and secure warranties, it is recommended to organize two public procurement processes that encourage significant participation from potential service providers.** This approach can help maximize the options available, promote competition, and ultimately result in the selection of the most suitable providers based on quality, pricing, and warranty considerations. To kickstart a successful procurement phase and achieve desired outcomes such as a large number of interested bidders, timely submission of high-quality technical offers, and minimal disruptions from complaints, it is crucial to ensure proper outreach regarding the training procedure among potential bidders. Adequate outreach plays a key role in attracting a wide pool of potential participants, fostering competition, and promoting transparency in the process. By effectively communicating the procurement opportunity to potential bidders, the contracting authority can create an environment conducive to receiving quality proposals within the defined timelines, minimizing delays, and avoiding blockages caused by complaints or other issues.

71. **DSD should engage in an active communication process with the potential training providers (universities), both with those which already accredited and registered the training program, but also with those who are still in the process of accreditation or are planning to apply for accreditation.** To ensure potential bidders are aware of the opportunity to submit an offer, it is important to inform them about the requirement of having the SDE training program registered in the NRPP. An effective approach is to utilize existing communication channels, such as the National Council of Rectors or the Consultative Council for Sustainable Development (an advisory body of the Government), to advertise and promote the opportunity. By leveraging these established channels, the contracting authority can reach a broader audience and inform relevant stakeholders about the procurement process and the specific requirement of the SDE training program registration. This approach increases the chances of attracting interested bidders who have met the prerequisite and are well-informed about the opportunity. It also contributes to transparency and accessibility, ensuring that potential bidders are aware of the necessary qualifications and can properly prepare and submit their offers.

72. **Prior to publicly launching the procedure, it is crucial to establish a robust internal process for preparing, drafting, and revising all necessary documents.** While efforts should be concentrated in finalizing the procurement documents and launching the procurement process, GSG should use this opportunity to revise and update the internal procedure to outsource services listed in Annex 2 of Law no. 98/2016. Even if this step does not represent a critical obstacle to starting the process, updates to the internal procedure would strengthen the process and reflect the latest modifications in the legal framework and the needs to outsource, as per Box 5.

GSG's internal procurement procedure on contracting "Annex 2 services" could be improved and updated to reflect the following:

- Section 3. Reference documents. It is recommended to replace the reference to ANAP Order no. 1581/2018 with Order no. 1170/2021.
- Update the values of the indicated thresholds throughout the entire document, according to the latest EU Delegated Regulation no. 2023/2495.
- Section 5.2.4.1. Communication of the procurement process. The section could consider the format of the Advertising note to be published in the electronic Government Procurement (eGP), which is different from a contract notice used for an open procedure, and the standard format of the notice to be published in the Official Journal of the EU (Parts H, I or J from annex V to EU Directive 2014/24/EU). The obligation to publish in the contract notice a short description of the own procedure used could be envisaged to be inserted in the section.
- Elimination of the provisions regarding the use of a ESPD (European Single Procurement Document) as it cannot be used for the award of "Annex 2 services", considering the current functionalities of the national eGP system.
- Section 5.2.4.3.1. Offer. Clarify the possibility of using documents in electronic format to submit offers.
- Section 5.2.4.3.4. Award criteria. It is recommended that the section is updated with the latest legal framework modifications regarding the use of rated criteria for procurement processes above the legal threshold.
- Section 5.2. To include information regarding the possibility to contract services using framework agreements and subsequent contracts.
- Section 5.2. To include details regarding the usage of "revision clauses", in cases where the Contracting Authority intends to use an option to increase or decrease the available quantities of services within a contract.

Source: Authors' elaboration

**73. Considering the necessary alignment between the training services and the logistical and planning services procurements, and to facilitate timely implementation, both procedures can be launched relatively simultaneously.** The training procurement should be divided into eight lots/contracts, one for each development region of Romania. Thus, the competition between universities will be stimulated, and universities with a stronger local and regional presence in the respective regions might be encouraged to submit offers. Having multiple training providers will also facilitate implementing the training programs simultaneously, leading to a more efficient provision of services, within the envisaged timeline. The logistical and planning services procurement should follow the model of a two-step procedure, meaning a framework agreement complemented by subsequent contracts. In this manner, each regional lot for training services will have a correspondent logistical and planning services contract.

**74. Meeting the 2,000 certified SDEs target is important within the NRRP context, therefore DSD should consider the provision that training providers can adjust the number of trained persons.** One important element that can be foreseen in the tender documents is the provision that the training providers will have the option to adjust the number of trained persons, subject to "revision clauses".<sup>26</sup> As allowed by the legislation, DSD will have the possibility to decide, within a determined threshold, to increase or decrease the numbers of participants. In this manner, the DSD will have a permanent overview on the regional number of participants, and will be able to assign additional participants to universities to facilitate reaching the target of 2,000 certified participants.

**75. The evaluation process should be performed by a team of experts, to create the prerequisites for a high-quality and timely outcome.** In the evaluation process for both procurement procedures, understanding and internalizing the evaluation factors is of particular importance, as scoring the technical and financial offers will result into the hierarchy of bidders. Therefore, DSD should ensure a general and uniform understanding of the evaluation factors among the experts in the evaluation committee, for example through organizing short informative meetings, prior to the commencement of

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<sup>26</sup> art. 221 (1a) from Law no. 98/2016 on classic public procurement.

the evaluation process. Likewise, DSD is advised to attract experts with different backgrounds: financial, legal, as well as technical specialists in SD trainings and logistical and planning services.

76. **During the preparation and contract implementation, alignment with NRRP targets, conditions and other possible limitations need to be monitored by GSG/DSD.** The present report puts forward inputs for technical specifications, as well as calculations, that are based on legislation and other information and data provided by DSD. The responsibility of ensuring the continuous alignment with the NRRP and subsequent financing agreements lies with DSD, and is advised to permanently check the compatibility of the proposed procurement inputs with elements such as eligibility of expenditures, timeframe, overall budget, etc.

## 5.2. Contract implementation

77. **DSD should monitor the evolution of the eight regional training contracts and keep record of the number of training participants.** For this purpose, DSD should appoint an internal coordinator to act as a focal point for all contractors, both training providers and logistical and planning services companies. The coordinator should maintain contact with representatives of each contractor, receive and answer questions, notifications and reports to stay informed on the progress of activities and anticipate risks and timely corrective measures. The coordinator should also request information from the contractors, in order to have a permanent and solid understanding of the advancement of activities and on reaching the target number of certified participants.

78. **The training providers can benefit from the DSD database of potential trainees to support meeting the NRRP target of certified participants.** DSD keeps a database with potential training participants at the national and the regional levels, identified in Deliverable 1: *Report on Institutional Capacity Needs Assessment in the Field of Sustainable Development*. This database, containing names of potential participants, should be made available to the contractors, alongside other internal similar records, with the caveat of complying with data privacy regulations. In addition, DSD should play an active role in supporting the contractors in identifying and contacting potential participants. Given its position at the Centre of the Government, DSD has the necessary leverage to actively and firmly engage in presenting the training opportunity to all central public institutions and to influence the decision-makers in nominating the necessary numbers of relevant participants to the training.

79. **Both categories of contractors – training and logistical and planning services –should coordinate under the oversight by DSD.** Given the lack of a contractual relation between the contractors, the DSD should commit to coordinate the interaction of the two providers. Specifically, the DSD should act as the focal point during the collaboration between universities and logistical and planning services companies, ensuring that both types of services are coordinated and in line with the contractual obligations of both sides. The DSD should also engage in formulating final decisions on issues that the contractors might not agree on, as a result of divergent opinions or interests, such as the final distribution of the participants per training location.

### 5.3. Next steps

80. **After considering the recommended inputs provided in this report, DSD should follow the internal procedure and prepare the launch of the procurements.** The technical inputs provided in the current report and its annexes serve as a starting point for DSD to draft the necessary documents for the procurement dossier. Prior to launching the procedures, the documents will be subject to an internal approval process, so DSD should start the endorsement process without any delays. Upon approval, the documents will be made publicly available and all interested providers will be able to start preparing their offers.

81. **Communication with potential bidders or providers is essential for a smooth and efficient procurement process.** Prior to launching the procurement, DSD should engage in an active, open and transparent communication with universities likely to submit an offer, with the objectives to: (i) raise the awareness on the training opportunity, and (ii) encourage universities to obtain the accreditation for SDE training programs, necessary to apply and submit offers. Once the procurement has been launched, the communication channels will be limited to receiving questions and requests for clarifications from potential bidders, that DSD will have to answer in a clear and transparent manner, focusing on streamlining the procurement.

82. **Once the offers have been submitted, the evaluation and contracting phase is expected to run for several months.** Based on previous DSD experience, and in function of the number of submitted offers, the complexity of the documents, as well as any potential barriers in the process, the evaluation and contracting phase could last for more than four months. Considering that, at least for the training services, the process will have to run in parallel for eight lots, the administrative burden of DSD and of the technical departments of GSG are expected to be considerable. However, the eight training contracts can be signed separately, so each contracted provider can start implementing the contract without waiting for the other lots to be contracted, which allows for more flexibility and efficiency in meeting the targets.

83. **Synchronizing the stages and milestones of both training procurement and logistical and planning procedure will play an essential part in the implementation of all contracts.** Carefully coordinating both procedures by DSD with the support of the technical departments of GSG, will imply a constant monitoring of the procurement processes status and timeframes, with the objective of eliminating any downtime that would delay any of the contracts. Thus, the Bank team recommends DSD to launch the training procurement first, focusing on contracting the training services. In parallel, the procurement for the logistical and planning services could be launched; follow-up contracts will be dependent on contracting the training services, and therefore will be published at a later stage.

84. **The coordination process will be an ongoing effort, that will have to be continued after contracting the services.** DSD should monitor the implementation of the rather large number of contracts resulting from both procurement procedures, and act as the main binding element. The success of all contracts and meeting the overall target is dependent of both the efforts of all service providers, but also on the capacity and efforts of DSD to streamline the coordination and engage with all main stakeholders.

85. **During and after the training process, DSD should focus on ensuring that the 2,000 certified SDEs capitalize on their acquired competencies.** The overall process should not end with training and certifying 2,000 SDEs but should continue with enabling the certified SDEs to occupy a matching job within their organizations and using their skills and competencies. DSD should play an active role in

engaging with the public authorities, employers of the nominated training participants, to ensure that certified persons will be involved in sustainable development activities after the finalization of the program and that specific responsibilities will be embedded in their job description. DSD should also consider conducting an in-depth impact assessment of the training programs, and, based on the conclusions, take operational steps in view of creating a strong, knowledgeable and extended network of SDEs in public institutions.



## Annexes (in separate files)

Annex 1 Technical inputs for the procurement of training services (in Romanian)

Annex 2 Evaluation factors for training services (in Romanian)

Annex 3 Technical inputs for the procurement of logistical and planning services (in Romanian)

Annex 4 Evaluation factors for logistical and planning services (in Romanian)