

The Hague, 8 April 2013

Dear Members,

This is an important newsletter so we hope you will have the time to read it and to participate in the first stage of electing TACU's Advisory Board. We also provide an update on the planning for our members' meeting in Brussels as well as some other items.

Advisory Board election

Our Articles of Association require us to establish an Advisory Board (AB) comprising a minimum of three and a maximum of five persons, drawn mainly from TACU's membership. Non-members who have appropriate expertise and/or special skills may also be nominated as candidates.

The primary role of the AB is to advise the management team (Henry and myself at present) on policy issues and priority matters for TACU.

In this newsletter we want to start the electoral process. We ask you, therefore, to send us your nomination(s) for membership of the AB. You may nominate yourself and/or others. If you nominate somebody who does not nominate themselves we will ask that person if he/she is happy to stand for election. Thus, if Expert X nominates Expert Y, but Expert Y does not nominate himself/herself, we will check directly with Expert Y to see if he/she is willing to stand. If not, Expert Y will not be included in the list of candidates.

You may nominate non-members but, if you do so, you must describe the special characteristics that you feel this person has and what benefits he/she would bring to the AB in particular and TACU in general.

There is no limit on how many candidates you can nominate.

Please send your nominations to info@ta-consultants-united.org and write **NOMINATIONS** in the subject line.

We will write to all nominated candidates and ask them to send us a brief statement of what they think are the key issues for TACU or whatever they feel they can contribute if elected to the AB.

We will prepare a ballot where we list the candidates in alphabetical order of surname. After each name we will paste their message, i.e. the brief statement from above.

You can vote for up to five (5) candidates by placing an "X" beside the names of your preferred candidates. You can vote for any number between one (1) and five (5), but if you vote for six (6) or more, the ballot paper will be considered spoiled and will not be counted. This is because the maximum number of members of the AB is five (5).

Votes will be emailed to Henry and myself (same address as above) and, at the same time, to Catherine Hall. Kitty is a lawyer based in Texas. She is a member of TACU, who has already told us she will NOT stand for election to the AB. However, she has generously agreed to act as our official "electoral commission". She will count the votes and make the official adjudication on who has been elected. Kitty has a doctorate in law (Juris Doctor), has been a member of the American Bar Association and currently practices as an arbitrator and mediator. We think she is ideal for

assuring everybody that this will be an absolutely fair election and we are most grateful to her.

Kitty will add up all the votes for each candidate and rank the results in numerical order. The top five (5) candidates will be elected. If there are less than five (5) candidates all those candidates who get at least three (3) votes will be elected. We are setting three (3) votes as a minimum to avoid someone being elected on the basis of voting for himself/herself with the help of his/her best friend! We want a wider level of support than that!

The DEADLINE for receiving nominations is 16th April 2013. We hope to send out the ballot papers around 10 days later, but this will depend on all candidates confirming participation (if needed) and submitting their election statements. We will allow a week to 10 days for the election and a further week for Kitty to do the maths. If all goes to plan we should have our AB in the first half of May.

Brussels meeting

Twenty-four (24) members replied to our questionnaire about the Brussels meeting. Of these, nine said they cannot or will not come, leaving 15 who said they will, if they can, plus Henry and myself. The dates that were most suitable, with 10 members saying they could come, are Thursday/Friday 6th and 7th June. Therefore, we are planning to hold the meeting on those dates. We apologise most sincerely to the five members who want to come but for whom these dates are not suitable, but we want as many people as present and 10 was the highest number of possibles.

Although Henry and I have been to Brussels many times over the years, we do not really know our way around. Therefore, we would be very grateful if there is anybody who could help us find a suitable location to meet and a good but reasonably-priced hotel to stay in, somewhere central and preferably within easy walking distance of Grand Place. (It would be nice to have dinner on Thursday in one of the excellent brasseries in that area – recommendations will be gratefully received.) Some of you may have favourite places you always stay at, but we imagine that most of you are like Henry and myself and would be glad of some local knowledge.

If nobody can help us over this we will do what we can on our own and hope for the best! We will try to get a group rate on room costs and so forth. Attendees will have to pay their accommodation costs and we may have to ask for a contribution to other costs when we have worked out the overall budget, but we will put TACU money (your subscriptions!) towards as much as we can.

EuopeAid and Framework Contracts have confirmed that they will attend but we have been unable to arrange a meeting with the relevant MEPS as yet.

We are grateful for proposals regarding changes to the agenda. Please keep sending your suggestions to us or post them on the LinkedIn discussion started by Tony Barry (thanks Tony!) at http://www.linkedin.com/groupAnswers?viewQuestionAndAnswers=&discussionID=221103752&gid=4571412&commentID=128266531&trk=view_disc&ut=2i6Rqhte0C7B11

Several people have proposed that we connect with experts who cannot attend through Skype conferencing or similar. If we can do this efficiently we will – the more participation the better. But it might be difficult to manage (e.g. lots of people all trying to talk at the same time over Skype...). We have an open mind on this for now.

EuropeAid response

As reported in a previous newsletter, we wrote to EuropeAid with a number of questions that experts had sent to us. Here is the response:

1. Concerning your proposal as regards arbitration, I appreciate it but it was not possible to elaborate on it and take it into account in the release of the PRAG that occurred last week due to time constraints. We hope to be able to develop this possibility in the future and will work on it.
2. Thanks a lot for your comment concerning the length of the experts CVs. You will see that in the new version of the PRAG, we have modified the sentence "Each CV must be no longer than 3 pages and only one CV should be provided for each position identified in the Terms of Reference" by "Each CV should be no longer than 3 pages and only one CV should be provided for each position identified in the Terms of Reference". We hope that this replies to your comment.
3. We share your concern about the poor quality of some Terms of Reference. However, as you indicate, we cannot verify the quality of all terms of reference of service contracts. Please be assured that a real focus is given to this quality when we provide trainings to the contracting authorities and to our staff working in delegations. I am moreover very open to work with you on identifying CAs that might need specific support on these issues.
4. In order for the experts to verify the type of contracts when they are approached by contractors, the published prior information notice and contract notice indicate if it will be a global price or fee-based contract (see point 6 of the contract notice). Therefore, this information is available.
5. Concerning security measures to be covered by the incidental expenditures in some particularly dangerous countries, this is foreseen in the template of terms of reference, which indicates: "Please note that if the contract is to be implemented in high risk or particularly dangerous countries, the budget for the incidental expenditures must be increased with the cost for specific security measures such as extra insurance, training or extra security activities." We do not believe in a centralised system of classifying levels of risks, and prefer to leave it to tenderers and CAs to approach this on a case by case basis.

We still need more members – please keep spreading the word and urging your network of experts to support our shared goals.

Thank you, as always,



Stephen Dewar