

TA Consultants United

STAY INDEPENDENT, BUT NOT ALONE

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Subject: Changes PRAG

Dear Laurent,

You will recall that you concluded the first Round Table meeting by announcing that there would be a follow-up draft PRAG in January 2012, which would be circulated to stakeholders for further comments. Despite this, we have not received an invitation or any other possibility to comment on the draft PRAG.

In recent months we have consulted our members and supporters around the world concerning the most common problems that experts experience and which both should and can be changed immediately. If necessary and required, we will submit supporting arguments for each one.

These proposed changes are additional to the fundamental changes that we have separately made submissions about and which require legal amendments.

1. Make it obligatory for contractors to pay full EU-approved per diems for all short-term missions, including the full duration of FWC assignments, and for the first month of long-term KE assignments.
2. Make it a requirement in PRAG (or other regulatory procedure) that short-term experts are paid in full for travel days and long-term experts on the first and last day of their missions. Overnight travel by plane, ship or other form of transport, the cost of which is already covered, should be compensated, even if not at the full per diem rate.
3. Make the insurance provisions as required in PRAG (but frequently ignored) transparent for experts and make it a condition of contract award that winning contractors have to submit documentary proof – before the project commences - that they have taken out current and full insurance cover on all experts.
4. Once and for all, sort out the mess over providing documentary evidence of past work experience and ensure that all CAs know and stick to the rules – three to five years should be ample time, except for specific relevant experience. We will be happy to submit a detailed proposal for this.
5. In TORs for long-term service contracts, change the minimum proportion of time to be spent on site by KEs from 95 percent to 80 percent, except in special circumstances where this proportion could be varied upwards or downwards, depending on specific project requirements.
6. Abolish specifying the amount of time spent on site for STEs and FWC assignments. This issue should be dealt with on a case-by-case basis and clearly indicated in the approved work-plans.
7. For the purpose of specifying technical expertise in KE profiles, accept that many years of relevant experience without educational qualifications can be of equal if not superior value to fewer years combined with such qualifications.
8. Compensate experts financially as a sanction to be applied to contracting authorities that fail to meet their tender evaluation deadlines.
9. Provide that contractors must reimburse experts for local expenditure at the actual exchange rate obtaining locally and on the day of such transactions (to be verified with exchange receipt from exchange bureau or bank), and not at the official rate applied by the Commission for reimbursing contractors.

We look forward to a swift agreement to these reasonable demands. If any of them are rejected, we cordially request a detailed explanation and justification that we can circulate.

Please note that these proposals are also intended to reflect the importance that EuropeAid claims to attach to experts.

Furthermore, because of our mutual transparency, we would like to notify you that we plan to meet with Members of the European Parliament in the coming months. On our agenda for these meetings are:

- The ongoing issue about the SoE&A;
- The lack of a structured dialogue with us and other representative business associations and EuropeAid's apparent refusal to set up this structured tripartite dialogue;
- The growing prominence of body shops and other unscrupulous contractors and the taxpayers money that gets wasted by this development;
- EuropeAid's total lack of control over the profit margins of contractors versus earnings of experts (and the taxpayers money that gets wasted by that).

In this regard we also would like to inform you that we have recently asked the European Court of Auditors to include these latter issues in their audit.

Last but not least, Stephen will contact you shortly about an idea we have to develop a model for a half-yearly survey among experts, researching their satisfaction with EuropeAid-funded projects and their ideas to improve both contracting and the outputs of projects.

Kind regards,



Henry Leerentveld



Stephen Dewar