

## FEDERATION NEWS

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### ***MEPs recognise engineering consultant's role as independent expert advisor in project delivery***

*Members of the European Parliament (MEPs) are clear about the engineering consultants' unique contribution to effective public procurement, particularly in achieving added and long term-value for clients.*

In the meeting between an EFCA delegation (Jan Bosschem, Jean Félix and Jan Van der Putten) and MEP Heide Rühle, the Rapporteur on the Green Paper on the modernisation of EU public procurement policy endorsed EFCA's views on quality based award, the particular role of the

engineering consultants and the generalised use of negotiated procedures with prior announcement for intellectual services.

The Rapporteur invited EFCA to an EP hearing on the promotion of innovation and incentives for sustainability when the Commission has finalised its proposed Directive.



Rapporteur Heide Rühle (Greens/EFA, DE)

EFCA also met with MEP Malcolm Harbour, Chair of the European Parliament Internal Market and Consumer Protection Committee (IMCO).

EFCA President Jan Bosschem outlined the relationship between the role of intellectual services, project quality, the (low) price criterion and the use of the negotiated procedure.

The role of the consulting engineer as (trusted) adviser to clients was underlined as well as the need for clients to be able to assess the market (pre-commercial or market consultation).

MEP Malcolm Harbour recognised that procurement needs to go away from the lowest price and pay more attention to life-cycle costing and environmental criteria. Quality should become the criterion. There is a need for more flexible and affordable procedures.

MEP Harbour agreed to re-establish contact once the Commission proposal was tabled.

## **EFCA emphasises need to reform EU public procurement legislation**

*The day before the major EC conference on Modernising Public Procurement, EFCA and the Architects' Council of Europe (ACE) circulated a press release to European Commission officials and Members of the European Parliament (MEPs), as well as to the press, stressing the need for reviewing the current public procurement directives and urging for a more quality focussed approach.*

At the conference, the Commission presented a comprehensive evaluation of the impact and effectiveness of EU public procurement legislation and a synthesis of the main views expressed by the over 620 respondents to the Green Paper on modernisation of EU public procurement legislation.

EFCA President Jan Bosschem, Vice President and European Internal Market Committee Chair Jean Félix and Jan Van der Putten participated in the conference.

*Jan Bosschem stated that 'Planning, design and engineering require in the first place an independent engineering consultancy industry, ensuring innovation and creativity. Purchasing sustainable and innovative solutions needs dialogue, negotiation and quality based award.*

*Engineering consultants and architects are affected by the actual procedures whereby the lowest price criterion is applied. EFCA is calling for a change of the European public procurement legislation for the award of creative intellectual services, to be based on negotiation and Quality Based Selection.'*

Internal Market Commissioner Michel Barnier explained that both the insights obtained from stakeholder consultation and the evaluation will constitute an important input for the preparation of the Commission proposals for review of the Directives, foreseen before the end of 2011.

<http://www.efca.be/Publications/ReportsPolicyPapers.aspx>

[http://ec.europa.eu/internal\\_market/publicprocurement/modernising\\_rules/consultations/index\\_en.htm](http://ec.europa.eu/internal_market/publicprocurement/modernising_rules/consultations/index_en.htm)

## **Internal Market Committee: change of name in line with enlarged remit**

*The Internal Market is all about bringing down barriers to develop and maintain a dynamic and open European single market that enables businesses and citizens to meet the challenges of globalisation.*

The former European Public Market Committee, now called Internal Market Committee, is dealing with the broad area of Single Market policies.

Over the past two months, the Internal Market Committee developed EFCA's contribution to two European Commission (EC) consultations:

- Access of third countries to the EU's public procurement market: in contrast to the EU's policy favouring greater openness, other countries are reluctant to (further) open their public procurement markets to international competition, which limits business opportunities for EU companies in these markets. In its response to the EC consultation, EFCA advocated the application of the principles of reciprocity and transparency to ensure a level playing field and symmetrical access to public markets;
- Modernising the Professional Qualifications Directive: EFCA expressed support to a European professional card as a tool to enhance mobility and employment of engineers in the Internal Market, and to facilitate the opening-up of the European engineering consultancy market.

Jointly with the Sustainable Development task force and the European Consulting Committee, the Committee also developed EFCA's views on a range of issues related to challenges of the construction sector and its contribution to sustainable development objectives, ahead of the EC Communication

on the sustainable competitiveness of the construction sector and its enterprises later this year.

EFCA policy papers are available at: <http://www.efca.be/Publications/ReportsPolicyPapers.aspx>

Finally, the Committee will issue guidance on integrated contracts shortly. The guidance identifies the main issues engineering consultancies may encounter in their new roles and relationships in this project delivery approach and outlines some specific considerations to avoid pitfalls.

### ***Industrial Market Task Force keen to develop initiatives***

*In line with the 2011-2014 Forward Plan, EFCA is working to strengthen industrial engineering consultancies.*

Industrial engineering firms provide professional services to an array of industries ranging from automotive and aviation to telecom and electronics for which they develop entire products or processes or parts thereof.

Some national associations represent such technology-based services providers. EFCA invited their representatives to identify issues of strategic importance to the business in order to define how the federation could support these firms and improve their operating conditions in the European market.

A first exploratory meeting analysed the major concerns of the industrial engineering consultancies. These relate to liability, late payments, skills shortages, mobility of staff and the lack of data on the economic importance of these firms' high-technology inputs to other industry sectors.

EFCA President Jan Bosschem is now supporting the development of the task force's action plan to deliver support to the

business of industrial engineering consultancies.

If you are interested in taking part in the discussions, please contact the secretariat ([efca@efca.be](mailto:efca@efca.be)).

### ***EFCA convincingly conveys the industry's views on proposed changes to the Practical Guide to contract procedures in EU External Actions (PRAG)***



DG Development and Cooperation – EuropeAid (DG DEVCO) invited

*EFCA to a consultation and subsequently a discussion on its proposed improvements on procedural aspects of service contracts.*

DG DEVCO presented the revised proposals of the European Commission's (EC) internal working group at the 14 September 2011 meeting with Permanent Representations, consulting firms and professional associations.

In general, EFCA's recommendations, submitted at the end of June 2011, were considered and taken into account in the EC's revised proposals. These related to the extended use of global price contracts (only when the outputs can be clearly defined in advance), the acceleration of the tendering process, the replacement of experts (before signing the contract, the successful tenderer would have five calendar days from the notification of the award to confirm the availability of the experts, and if not available, 15 days to propose replacements of equal or superior quality) and the availability of evaluators.

The EC Working Group will prepare a final version of its position paper for approval of its management.

The EC plans to have a revised PRAG by November 2011, so that it could enter into force in June 2012.

## **The Board of Directors welcomed FIDIC President Gregs Thomopoulos at its September meeting**

*Outgoing FIDIC President Gregs Thomopoulos appreciates progress in the FIDIC-EFCA cooperation and supports joint policies.*

On a regular base, the EFCA Board of Directors is reviewing the implementation of the 2010 FIDIC-EFCA Agreement, including the continuing tasks of the EFCA liaison members in the FIDIC Committees.

The FIDIC President thanked EFCA for the European perspective it brought to both the FIDIC QBS guide and the FIDIC Policy Paper on Limitation of Liability.

On the issue of procurement, he welcomed the promotion of QBS and the FIDIC integrity management system in the EFCA response to the EC Green Paper on the modernisation of EU public procurement policy.

Both federations agreed to examine and decided to go ahead with the joint global sector review.

They also committed to work together in order to ensure the correct use of FIDIC Contract Conditions in Central and eastern European member states.

Finally, starting from existing FIDIC guides and in consultation with FIDIC, the EFCA Private Sector Task Force will develop a global guidance to clients on how to engage engineering consultants.

## **2012 EFCA YP competition for engineering excellence launched!**



networking for new knowledge

*The YP competition offers young professionals (YPs) a unique opportunity to develop their leadership skills, show their excellence, and meet with industry leaders and other talented young professionals.*

### **Who?**

Age limit: 35 years; having the ambition to become a leader or owner in his/her professional career; having already made an interesting contribution to at least one project (in their field of expertise and/or as professionals (managers); nomination from the national association.

### **Prizes!**

An award ceremony will take place during the EFCA 2012 Conference 'Developing the engineering world – Winning strategies' and the winner will present his/her submission.

The winner of the 1st prize will be awarded a free participation in the EFCA Conference to be held in Lisbon on 25 May 2012, including travel & accommodation expenses.

The winners of the 2nd and 3rd prizes will be awarded a support of €500, to be used for participation in the event.

Winning submissions will also be published in the EFCA website - with consent of the firm.

The Conference is also providing a platform for YPs to exchange skills and experiences.

### **When?**

Deadline for submissions: 16 March 2012.

Winners will be announced at the end of March 2012.

Details can be found at:

<http://www.efca.be/YoungProfessionals.aspx>

and the LinkedIn group

'Young Professionals within EFCA'.

European External Aid Committee	Brussels	27.10.2011
D&S meeting	Brussels	18.11.2011
Task Force on Sustainable Development	Brussels	22.11.2011
Board of Directors meeting	Budapest	09.12.2011
Internal Market Committee	Brussels	12.01.2012
Board of Directors meeting	Bern	09&10.02.2012
European Consulting Future Committee	Lisbon	30.03.2012
Board of Directors meeting	Brussels	20.04.2012
Board of Directors meeting	Lisbon	24.05.2012
<b>EFCA 2012 Conference &amp; GAM &amp; YP Forum</b>	<b>Lisbon</b>	<b>24-25.05.2012</b>

***EFCA publishes 'Taking hold of our future – A briefing paper for the engineering consultancy industry'***



*The new EFCA publication aims to guide the firms in their strategic thinking and planning and to provide basic directions for deciding what to do and how to do it.*

The document is recommended reading for anyone in engineering consultancy firms involved in determining where the firm is going over the next year(s) and how it is going to get there.

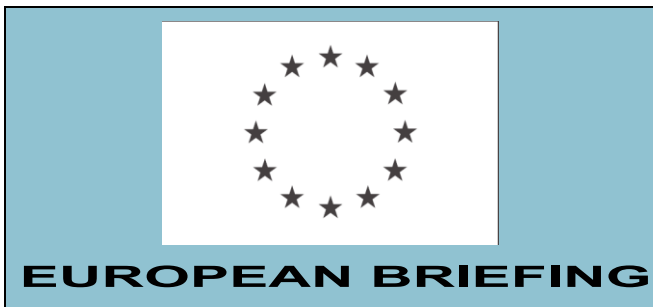
EFCA's European Consulting Future Committee also produced two presentations that are intended to be used at briefings and seminars in the firms as well as in the national associations.

The first presentation, 'Taking hold of our future – a roadmap for change', should assist in discussions on the firms' business and strategic planning horizons in a systematic way whilst the second focuses on project delivery methods.

The presentations can be downloaded at: <http://www.efca.be/Publications/Publications.aspx>.

Also the **25 May 2012 EFCA Conference in Lisbon**, '*Developing the engineering world – Winning strategies*' will address markets and growth strategies. It will offer a platform for debate to help the firms direct their corporate vision and business strategy.

The publication is for sale at the price of €20 and can be ordered online from the Publications section of the EFCA website.



## INTERNAL MARKET

### **Internal Market Scoreboard: transposition deficit increases to 1.2%**

*At this time of crisis, the Single Market has a key role to play in bringing Europe out of economic stagnation. But whenever one or more member states fails to write EU rules into national law on time, they leave a void in the EU's legal framework, leading to fragmentation.*

On average, 1.2% of Internal Market Directives for which the transposition deadline has passed are not currently written into national law. In November 2010, this was 0.9%.

However, member states have reduced the average extra time needed to transpose an EU Directive into national law to 5.5 months. A further positive is that, as regards the application of EU law, the number of infringements has fallen by a quarter since 2007.

[http://ec.europa.eu/internal\\_market/score/index\\_en.htm](http://ec.europa.eu/internal_market/score/index_en.htm)

## EU FUNDS & PROGRAMMES

### **Maximum and optimal use of EU funds for the countries mostly hit after the crisis**

*The Commission proposed to help boost economic growth and employment in six member states (Greece, Ireland, Portugal, Romania, Latvia and Hungary) by lowering their share of investment in co-financed projects.*

The EU contribution would be increased to a maximum of 95% if requested by a member state concerned.

This should be accompanied by a prioritisation of projects focusing on growth and employment, such as retraining workers, setting up business clusters or investing in transport infrastructure.

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The Commission will request that the Council and the European Parliament adopt the proposed exceptional temporary measures in a fast-track legislative procedure by the end of 2011.

[http://ec.europa.eu/regional\\_policy/newsroom/detail.cfm?id=112](http://ec.europa.eu/regional_policy/newsroom/detail.cfm?id=112)

### **European Energy Efficiency Fund launched**

*The Commission launched a new European Energy Efficiency Fund (EEE-F) as part of the European Energy Programme for Recovery (EPR), a facility to finance public energy efficiency and renewable energy projects within the European Union.*

The EEE-F will invest in energy saving, energy efficiency and renewable energy projects, particularly in urban settings, achieving at least 20% energy saving or GHG/CO<sub>2</sub> emission reduction.

The fund will offer a wide range of financial products such as senior and junior loans, guarantees or equity participation to local, regional and (where justified) national public authorities to promote sustainable energy investments.

In addition, about €20 million of the EU funding will be made available as grants for project development services (technical assistance) related to technical and financial preparation of projects.

[http://ec.europa.eu/energy/eepr/eeef/eeef\\_en.htm](http://ec.europa.eu/energy/eepr/eeef/eeef_en.htm)

### **2010 EU development policy initiatives and external assistance**

*2010 commitments for EU external aid amounted to €11.107 billion. This total combines resources from the EU budget and the European Development Fund. It represents 8% expressed as a share of the budget.*

30% (€3.23 billion) of all aid was committed to Africa, which is by far the largest share, compared to other regions in the world. Assistance to Eastern European countries and pre-accession countries was €2.23 billion (21%).

€1.07 billion financed projects in economic infrastructure and services, adding, for example to the 36,000 km of roads that the EU has helped to construct and maintain in the last five years.

In 2010, the Commission committed €1.8 billion of EU aid funds for external cooperation as budget support, a mechanism under which European funds are made available to governments of beneficiary countries and their national budgets, provided agreed conditions for payment are met.

[http://ec.europa.eu/europeaid/multimedia/publications/documents/annual-reports/annual-report-2011\\_en.pdf](http://ec.europa.eu/europeaid/multimedia/publications/documents/annual-reports/annual-report-2011_en.pdf)

### **E-learning course on the Practical Guide (PRAG) to contract procedures for EC External Actions**

*The self-learning online course on the PRAG provides the general background of EU external actions, and explains the Commission's management procedures and contracting procedures.*

The interactive tool is available in English and French.

[http://ec.europa.eu/europeaid/work/procedures/implementation/practical\\_guide/e-learning\\_en.htm](http://ec.europa.eu/europeaid/work/procedures/implementation/practical_guide/e-learning_en.htm)

### **EU Donor Atlas 2011**

*The EU Donor Atlas is an online tool that provides an overview of what the EU and its member states do to support development across the world, searchable by specific donor country, areas of activity, regions, or developing countries.*

The EU Donor Atlas covers official aid from most EU member states for 2009 as well as the European Commission and also contains information on key development indicators of developing countries.

<http://development.donoratlas.eu/home.html>

### ***EU earmarks €5.5 billion for reforms in the Western Balkans, Turkey and Iceland***

*The European Union will assist the Western Balkan countries (Albania, Croatia, Bosnia and Herzegovina, Kosovo, Macedonia, Serbia and Montenegro), as well as Turkey and Iceland, with a €5.5 billion pre-accession package in 2011-2013.*

The Multi-Annual Indicative Planning Documents (MIPDs) outline a revised strategy for funding under the Instrument for Pre-Accession assistance (IPA) and will focus on areas such as reform of the judiciary and public administration, regional cooperation, fight against organised crime and corruption.

The Commission proposal for 2014-2020 sets aside 12.5 billion for the EU enlargement policy, allowing for a continuation of the current levels of support for candidate and potential candidate countries.

A detailed regulation on the new pre-accession instrument will be tabled towards the end of the year.

[http://ec.europa.eu/enlargement/how-does-it-work/financial-assistance/planning-ipa\\_en.htm](http://ec.europa.eu/enlargement/how-does-it-work/financial-assistance/planning-ipa_en.htm)

### ***€19.1 million for institutional reforms in Armenia***

*For the period 2011 – 2013, the EU's priority areas of cooperation with Armenia focus on improving democratic structures and good governance, and facilitating trade and investment and socio-economic reform, in line with the recently released European Neighbourhood Communication.*

The support package will address three key reform challenges in Armenia: (1) preparing for the negotiations of the Association Agreement between the EU and Armenia, (2) advancing reforms in justice, liberty and security and (3) preparing for the negotiations of the Deep and Comprehensive Free Trade Area.

[http://eeas.europa.eu/delegations/armenia/eu\\_armenia/tech\\_financial\\_cooperation/index\\_en.htm](http://eeas.europa.eu/delegations/armenia/eu_armenia/tech_financial_cooperation/index_en.htm)

[http://ec.europa.eu/world/enp/index\\_en.htm](http://ec.europa.eu/world/enp/index_en.htm)

### ***Five economic recovery and reconciliation programmes for Ivory Coast***

*The EU adopted the second part (totalling €125 million) of an aid package of €180 million to support the recovery of the country.*

The five programmes will be funded by the 10th European Development Fund.

They are intended to support the areas of vocational training, health, transport, public finance management and the strengthening of civil society organisations.

[http://ec.europa.eu/europeaid/where/acp/country-cooperation/cote-d-ivoire/cote-d-ivoire\\_en.htm](http://ec.europa.eu/europeaid/where/acp/country-cooperation/cote-d-ivoire/cote-d-ivoire_en.htm)

### ***€78.6 million for energy and justice reform in the Republic of Moldova***

*The €78.6 million allocation is provided through the EU's European Neighbourhood and Partnership Instrument (ENPI).*

The funding for the reform of the energy sector will support the government's efforts towards further progress on the implementation of a Moldovan energy strategy, research into renewable energy potential and public awareness on energy efficiency and renewable energy.

[http://ec.europa.eu/europeaid/where/neighbourhood/country-cooperation/moldova/moldova\\_en.htm](http://ec.europa.eu/europeaid/where/neighbourhood/country-cooperation/moldova/moldova_en.htm)



## **European financial assistance to Tunisia**

*The EU approved two new financial assistance programmes for Tunisia, for a total of €110 million.*

The first programme, which has a budget of €90 million, supports the economic recovery measures recently adopted by the Tunisian government. These measures will also be supported by loans from the World Bank, the African Development Bank and the French Development Agency.

The second programme is aimed at increasing the dynamism and competitiveness of the Tunisian economy through a budget of €20 million for national modernisation policies in the services sector.

[http://ec.europa.eu/europeaid/where/neighbourhood/country-cooperation/tunisia/tunisia\\_en.htm](http://ec.europa.eu/europeaid/where/neighbourhood/country-cooperation/tunisia/tunisia_en.htm)

## **€30 million support for institutional reforms in Ukraine**

*The €30 million assistance package has been committed from the 2011 EU Budget for the European Neighbourhood and Partnership Instrument (ENPI).*

[http://ec.europa.eu/europeaid/where/neighbourhood/country-cooperation/ukraine/ukraine\\_en.htm](http://ec.europa.eu/europeaid/where/neighbourhood/country-cooperation/ukraine/ukraine_en.htm)

[http://eeas.europa.eu/ukraine/index\\_en.htm](http://eeas.europa.eu/ukraine/index_en.htm)

## **MISCELLANEOUS**

### **New energy efficiency Directive proposed**

*The aim is a 20% improvement by 2020 in energy savings in the EU.*

The Commission proposes simple but ambitious measures:

- Legal obligation to establish energy saving schemes in all Member States
- Public sector to lead by example
- Major energy savings for consumers.

The proposal may be adopted before the end of the year.

[http://ec.europa.eu/energy/efficiency/eed/eed\\_en.htm](http://ec.europa.eu/energy/efficiency/eed/eed_en.htm)

## **Construction output up by 1.4% in euro area and by 0.3% in the EU27 (July 2011 compared with June 2011)**

Among the member states for which data are available for July 2011, construction output rose in Slovenia (+10.3%), Romania (+3.3%), Germany (+3.2%) and Poland (+1.2%), and fell in the other eight member states.

The largest decreases were registered in the United Kingdom (-4.3%), Sweden (-3.1%), Portugal (-2.8%) and the Czech Republic (-1.6%).

<http://europa.eu/rapid/pressReleasesAction.do?reference=STAT/11/135&format=HTML&aged=0&language=EN&guiLanguage=en>

## **Report charts Europe's eco-innovation challenge**

*Many European companies innovate but large material efficiency gains often remain elusive. This is leaving untapped potential for economic and environmental improvement.*

The 2010 report of the Eco Innovation Observatory 'The Eco-Innovation Challenge - Pathways to a resource efficient Europe' presents a first-ever country-by-country analysis of eco-innovation performance.

[http://www.eco-innovation.eu/media/ECO\\_report\\_2010.pdf](http://www.eco-innovation.eu/media/ECO_report_2010.pdf)

The 2011 thematic report of the Eco Innovation Observatory 'Resource-efficient construction' shows that resource-efficiency eco-innovation efforts need to be stepped-up across the EU.

[http://www.eco-innovation.eu/index.php?option=com\\_content&view=article&id=201:resource-efficient-construction&catid=79:thematic-reports&Itemid=212](http://www.eco-innovation.eu/index.php?option=com_content&view=article&id=201:resource-efficient-construction&catid=79:thematic-reports&Itemid=212)

## ***Proposal to ease the recovery of cross-border debts***

*Companies lose around 2.6% of their turnover a year to bad debts.*

Procedures for recovering debts from another country's jurisdiction are complex, multiplying the costs for businesses that wish to trade across EU borders.

The proposed Regulation will establish a new and self-standing European procedure for the preservation of bank accounts which will enable a creditor to prevent the transfer or withdrawal of his debtor's assets in any bank account located in the EU.

The European procedure will be available to citizens and companies as an alternative to procedures existing under national law.

[http://ec.europa.eu/justice/civil/files/comm-2011-445\\_en.pdf](http://ec.europa.eu/justice/civil/files/comm-2011-445_en.pdf)

## ***Using models for air quality assessment and planning: a guide***

*Various different models for estimating air quality or forecasting changes in pollution levels are currently used across Europe. The FAIRMODE reference guide aims to make these models comparable, well documented and validated in order to achieve reliable results.*

FAIRMODE is a joint initiative of the European Environment Agency (EEA) and the European Commission's Joint Research Centre (JRC).

The FAIRMODE technical reference guide provides a general overview of the use of models with regard to the EU's Air Quality Directives and includes a list of first recommendations for developing model evaluation protocols.

<http://www.eea.europa.eu/publications/fairmode>

## ***Enterprise Europe Network reinforced in Asia and extended to North Africa***

*The European Commission is extending the outreach of the Enterprise Europe Network, the business and innovation support network for SMEs.*

The Japanese Network operates via two centres in Tokyo. Some 13 branches have been added to the Network in China.

The new focus on Africa is conceived to be of mutual benefit for SMEs in the EU and in Mediterranean neighbour countries.

[http://www.enterprise-europe-network.ec.europa.eu/index\\_en.htm](http://www.enterprise-europe-network.ec.europa.eu/index_en.htm)

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