

## North-western Waters Regional Advisory Council

### EXECUTIVE COMMITTEE

Wednesday 19<sup>th</sup> November

Erin Conference Room

Dublin Castle - Ireland

15.35-16.05 h

The current Chairman, Sam Lambourn, thanked all attendees for their presence and declared the meeting open.

### 1. Report on the tender procedure for selection of the Chairman of the NWWRAC

Kristel Adriaenssens (NWWRAC Secretariat) informed the meeting that a tender procedure was launched amongst the members of the General Assembly as decided at the Executive Committee of 8 October 2008 and that the tender specifications for the award of the contract for the chairperson of the NWWRAC were previously approved by the EC (see Annex I). Secondly she informed the re-elected members of the new Executive Committee present at the meeting about the results obtained by the Evaluation Committee, composed of three members elected according to the procedure approved at the last meeting of the Executive Committee, on 8<sup>th</sup> of October, in Paris (see Annex I). The three appointed members of the Executive Committee were Bertie Armstrong (Chairman of Working Group 1), Hugo González (Chairman of Working Group 2) and Kara Brydson (Environmental NGO representative). Patricia Comiskey, Alexandre Rodríguez and Kristel Adriaenssens, members of NWWRAC Secretariat, participated in the meeting of the said Committee as observers of the process.

The meeting was informed that only one application was received within the time limit established for applications defined in the tender application procedure (31<sup>st</sup> of October 2008). This application was from the current Chairman, Sam Lambourn. The Evaluation Committee met on Monday 10<sup>th</sup> of November 2008<sup>1</sup> to assess if this application complied with the minimum requirements established in the tender procedure with regard to selection<sup>2</sup> and award<sup>3</sup> criteria.

**Decision:** The Evaluation Committee ruled that Sam Lambourn complied with the minimum requirements established for the selection. In addition, the Committee noted that the candidate obtained a score which was higher than the minimum levels required under the technical award criteria. The financial offer were also assessed and determined to be within the acceptable ceiling value of the financial criteria. The report of the Evaluation Committee detailed an agreed score of 91.6 out of 100 points for this application and recommended that the applicant, Sam Lambourn, be appointed as Chairperson of the NWWRAC for three years (until 30 September 2011) under the terms of a fixed-period service contract. According to the procedures agreed at the Executive Committee of 8 October 2008 the members of the Executive Committee were requested to vote on the recommendations of the Evaluation Committee.

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<sup>1</sup> The meeting was held by phone conference in order to save costs related to renting rooms, transportation and travel of the attendees and other similar costs. The EC was consulted beforehand and approved that the evaluation committee could be held under the format of a telephone conference

<sup>2</sup> Previous experience and professional skills related to the position.

<sup>3</sup> Assessment criteria: Letter of application, motivation, availability and financial terms (total maximum amount of the contract for provision of services: 60.000 Euros).

## 2. Formal appointments and elections

### - Appointment of the Chairman of the NWWRAC:

**Decision:** The attending members of the Executive Committee<sup>4</sup> ratified by consensus the recommendation of the Evaluation Committee to award a fixed-term service contract to **Sam Lambourn** to fulfil the role of Chairperson of the NWWRAC until 30 September 2011.

### - Election of the vice-chairpersons

The NWWRAC Secretariat asked the current vice-chairperson of the Executive Committee Jacques Pichon (First Vice-president), Hugo González (Second Vice-president) and Helen McLachlan (Third Vice-president) if they wished to stand for re-election for a subsequent three-year term. All incumbents confirmed their interest in maintaining their respective positions<sup>5</sup> and no further nominations were received from the floor following an open call for candidates to the meeting.

**Decision:** The attending members of the Executive Committee unanimously approved the appointment of **Jacques Pichon, Hugo González** and **Helen McLaghlan** as Vice-chairpersons of the Executive Committee for a term of three years.

### - Representation of the Regional Advisory Councils on the Administrative Board of the Community Fisheries Control Agency (CFCA)

The Chairman informed the meeting of the formal inquiry request, sent by the Community Fisheries Control Agency on 3<sup>rd</sup> October, in which it requested the RACs to decide the duration of the term of office of the sole representative of the RACs on the CFCA Administrative Board (which meets twice a year).

The European Commission representative, Isabelle Viallon, clarified that all the RACs already have a permanent representative on the CFCA Advisory Committee and that this inquiry refers only to the Administrative Board of the CFCA, where all RACs must be represented by one member of the RAC members of the CFCA Advisory Committee.

**Decision:** The members of the Executive Committee unanimously opted for the establishment of a rotating one-year term of office between the representatives (Chairman or vice-chair/s) of the individual RACs. It was agreed that the Secretariat shall communicate this agreement to the respective personnel of the Community Fisheries Control Agency in the coming weeks.

## Other topics / varied issues

There are no other issues on the agenda

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<sup>4</sup> Fourteen members present in the room. Jacques Pichon was not present but communicated his support of Sam Lambourn's application to the NWWRAC Secretariat in writing.

<sup>5</sup> Jacques Pichon, by written communication sent prior to the meeting to the Secretariat, Hugo González in person and Helen McLaghlan being represented by Iwan Ball, the WWF representative who is noting for her during her absence.



## **Closing**

The session was closed at 16:05.

## **ANNEX 1**

### **PROCEDURE FOR THE SELECTION OF CHAIRPERSON OF THE NWWRAC**

- 1. Introduction**
- 2. Procedure**

### **ANNEX A. SPECIFICATIONS FOR THE AWARD OF THE CONTRACT FOR A CHAIRPERSON OF THE NWWRAC**

- A1 Object**
- A2 Task description**
- A3 Selection Criteria**
- A4 Award Criteria**
  - A4.1 Quality of the tender**
  - A4.2 Financial evaluation**
  - A4.3 Overall evaluation of Candidates**

### **ANNEX B. TENDER APPLICATION FORM AND TEMPLATES**

- B1 Tender Application Form**
- B2 Template with regard to the Selection Criteria**
- B3 Templates with regard to the Award Criteria**
- B4 Template Financial Offer**

## **PROCEDURE FOR THE SELECTION OF CHAIRPERSON OF THE NWWRAC**

### **1. Introduction**

According to article 41 of the Rules of Procedures, the Chairman of the RAC shall be nominated and elected by consensus of the members of the Executive Committee. The Chairman may be a member of the Executive Committee or may be appointed from amongst the membership of the General Assembly.

According to article 11 of the Rules of Procedures, members shall have the right to participate in the nomination of a Chairperson of the Executive Committee.

The first chairperson of the NWWRAC, Sam Lambourn, was elected in the Executive Committee Meeting of 30 September 2005, with Jacques Pichon, Hugo Gonzalez and Helen Mc Lachlan as vice-chairs. The internal procedures do not prescribe a fixed term for this position. However, the contract for the Chairman is due to expire soon and the Executive Committee is only appointed for 3 years hence it seems appropriate that the new appointed Executive Committee (re)elects the chair on November 19<sup>th</sup> 2008.

Chairman fees (travel costs included) from budgetary year 4 onwards will only be considered as eligible costs, hence co-financed by the EU grant, if the chairman is employed as staff or by awarding a contract for services. According to the EC, a tender procedure must be launched and accepted when the expected chairman fees exceeds €5,000 over a predefined period. The basic principle governing the award of these types of contracts is competitive tendering.

In order to provide equal treatment for all interested candidates, whether they seek payment or not for services provided, the Executive Committee decided that the following tender procedure be undertaken. In this case, the internal rules of the NWWRAC regarding the election of the chairperson of the RAC and the principles of procurement are combined.

We propose to launch a negotiated tender procedure with a least five candidates as **the maximum value of the service contract is 60 000 €** (this amount includes estimated fees of 45 000 € and reimbursement for any related travel expenses, estimated at 15 000 € over three years). Please note that in this tender process we will not request estimated costs for travel and subsistence, only the cost for administration fees will be sought, which should amount to no more than €45,000 in total for the period. If none of the interested candidates seeks payment, a simple election process will be carried out at the next Executive Committee meeting on the 19<sup>th</sup> of November.

The following proposed procedure was endorsed at Executive Committee Meeting on the 8<sup>th</sup> of October.

## **2. Procedure**

2.1. A call will be issued by the Secretariat to the NWWRAC following the Executive Committee meeting on the 8<sup>th</sup> of October seeking suitable candidates from the General Assembly (57 members) for the position of Chairman. A document called *'Tender Specifications for the Selection of a Chairperson of the Executive Committee of the NWWRAC'* (see Annex A) will be sent to the all candidates as well as an explanatory note describing the background and the procedure. Interested candidates will be expected to respond to the NWWRAC secretariat by the 31<sup>st</sup> of October.

2.2. In order to tender for this position, interested members MUST fill out the template Application form (Annex B 1) and the other forms as provided under Annex B. The form with regard to the selection criteria Annex B.2. seeks relevant information from the candidate on what experience they have in similar roles. Only applicants, which fulfil the selection criterion, will be considered for further evaluation.

Candidates must as well provide information why they wish to fulfil the position of chairperson and their availability to chair the meeting as requested in Annex B.3.  
Candidates must also fill the financial offer in Annex B.4.

The General Assembly will be informed on the list of candidates.

2.3. An independent evaluation committee of at least three members of the Executive Committee, will assess the applications and score the positions (please see Annex A for scoring system). Members of the Secretariat of the NWWRAC will be present at the Evaluation Committee as observers. Members of the Executive Committee, other than those who have come forward for position of chairperson, will be invited to apply for a position on the independent evaluation committee. If more than three candidates come forward, the Director of the NWWRAC will select the final Evaluation Committee. The Evaluation Committee will be expected to meet on the day before the General Assembly and Executive meeting planned for the 19<sup>th</sup> of November.

2.4. The Evaluation Committee will report to the Executive Committee and inform the membership of the outcome of the scoring, the members will be made aware of the ranking of the positions but not the final scores (individual candidates may seek these if required).

2.5. The candidate who scores highest points after this assessment shall be put forward as Chairman of the RAC and shall be ratified by consensus by the Executive Committee.

2.6. If the Executive Committee cannot ratify by consensus the recommendation of the evaluation committee, a new election will be held without taking into account the results of the procurement evaluation. If the candidate elected has fees of above €5000 over a three years period, the fees for this candidate will be deemed ineligible and the NWWRAC budgets and work programme for year 4 will be amended accordingly.

## **Annex A**

### **Tender Specifications for the award of the contract for a chairperson of the NWWRAC**

#### **A1. Object**

**This is a negotiated procedure addressed to the candidates who have received these ‘Tender specifications’ for the selection of chairperson of the NWW RAC. The maximum value allocated to this service contract will be €60,000) including reimbursement for any related travel expenses over a period of three years (estimates amount €5 000 a year).**

**The estimated numbers of days of work in a year period are as follows:**

Chairing meetings: minimum 3 days per year

Preparing meetings Executive Committee: minimum 1 day per meeting

Preparing other meetings than the Executive Committee meetings: minimum 1 day a meeting

Attending meetings on behalf of the NWWRAC: minimum 3 days per year

Day-to-day activities: minimum 2 per month

#### **A2. Task description:**

- According to article 7.5. of the Council Decision of 19 July 2004, the chairperson shall act impartially
- His/her main responsibility will be to lead the work of the Executive Committee of the NWWRAC , to prepare for its meetings together with the Secretariat and to chair its meetings
- The chairperson will be responsible for contacts with the European Commission and any other relevant organisation such as ICES, the other Regional Advisory Councils.
- The chairman shall play an impartial role, independent of different interests represented in the NWWRAC and shall not have a vote
- The appointment will be for a period of three years, 30<sup>th</sup> October 2008 until 29<sup>th</sup> September 2011
- The Chairperson of the RAC will speak for the RAC and will be responsible for liaison with Member States, the European Commission, and the wider public and media on all matters pertaining to the day-to-day workings of the RAC, its Executive Committee and Working Groups
- The Chairperson of the RAC will be responsible for liaison with the secretariat on all matters of governance and all matters pertaining to the day-to-day services to the RAC, its Executive Committee and Working Groups
- Liaison with Member States, the European Commission, the wider public and media will be coordinated through the secretariat.



- The Chairperson of the RAC, in conjunction with the Executive Committee, will appoint members of Working Groups.
- The Chairperson of the RAC will report annually to the General Assembly of the RAC

### **A3. Selection Criteria (see templates provided under Annex B.1 and B.2.)**

In order to tender for this position, interested members MUST fill out the Application form in Annex B.1. Furthermore, the candidates must fill out the template as provided under B.2. This application form seeks relevant information from the candidate on, what experience they have in similar roles. The level of professional experience required is a minimum of 3 years (in total) chairing in at least 2 organisations relevant to fisheries and or marine environment, a minimum of three meetings chaired a year with minimum of average 20 participants a meeting and a minimum of 2 reference persons are required. Only applicants, which fulfil the selection criteria, will be considered for further evaluation.

### **A4. Award Criteria (see templates to be provided Annex B.3. and B.4.)**

The contract will be awarded based on the following award criteria offering the best value for money having regard to quality and price.

#### A.4.1. Quality of the tender

A maximum of 100 points will be awarded for the quality of the tender. The criteria for the assessment of the quality are:

|  | <b>To be provided</b>   | <b>Minimum Level</b>  | <b>Maximum</b> | <b>Thres hold</b> |
|--|---|---|----------------|-------------------|
| Criterion No 1:<br>Please fill template B.3.1. | Written text detailing reasons why you wish to become Chairperson of the NWWRAC. Please outline any objectives or achievements you would wish to fulfil during your time as Chairperson of the NWWRAC and provide details on how you will go about implementing such objectives;<br><b>Text should not exceed 500 words</b> |   | 55             | 35                |
| Criterion No 2:<br>Please fill template B.3.2. | Information indicating how much time you can give to the position of chairperson. The information should be expressed appropriately as requested (i.e. no of years in box 1, days per year in box 2 and days per month in box 3, no of days per month to prepare meetings). Awards will be based on figures given.          | Minimum level of 2 years to hold the position, minimum level of 3 meetings per year to chair and minimum 3 to attend on behalf of the NWWRAC and minimum number of days of 2 per month to liaise with the Secretariat, and minimum of 1 day/meeting to prepare the meetings attended on behalf of the NWWRAC and minimum 1 day /chaired meeting to prepare chairing of the meetings | 45             | 30                |



Only the tenders having reached a minimum number of points required for each of the criteria for the assessment of the quality and a minimum score of 65 out of 100 will be considered for the financial evaluation.

#### A.4.2. Financial evaluation

The financial value of the tenders that passed the quality examination will be determined by calculation of the price index as follows: (lowest price tender/price of the tender in question) x 100.

| Fees per task  | Number of days in a year period | Price |
|--|---------------------------------|-------|
| Fee per day to chair Executive Committee meetings  | Estimated number of days:<br>X  |       |
| Fee per day to prepare Executive Committee meeting   | Estimated number of days:<br>X  |       |
| Fee per day for preparation other meetings   | Estimated number of days:<br>X  |       |
| Fees per day for attending other meetings on behalf of the NWWRAC                          | Estimated number of days:<br>X  |       |
| Fees per day for liaising with the secretariat to deal with ongoing business of the NWWRAC | Estimated number of days:<br>X  |       |

**The calculation of the yearly cost of the offer will be the additions of the multiplications: number of days by daily price for each kind of tasks.**

#### A. 4.3.Overall Evaluation of Candidates

The calculation to assess the candidate offering the best quality/price ratio, with a weighting between technical capacity and financial value will be achieved by multiplying:

-the result of the technical evaluation (number of points) by 0.7

-the result of the financial evaluation (price index) by 0.3

The two results will be added together and the candidate with the highest score at the end of the process will be put forward to the Executive Committee for ratification by consensus on the 19<sup>th</sup> of November.



**Annex B Tender Application Form and Tender Templates**

**B. 1. Tender Application Form**

**Application form to be completed by each interested candidate**

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Email: \_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

I hereby declare that the attached information is accurate and in accordance with the facts.

.....

Date, Signature of the applicant

## B.2. SELECTION CRITERION

Please outline previous experience as Chairman. Please clearly identify the body/ies for which you were chair, the nature of its/their business, the length of time you spent in position(s) of chair, the starting and ending date of your position(s), and what your responsibilities included in your position as chairman.

Only applicants, which fulfil the selection criterion, will be considered for further evaluation.

|   | MINIMUM LEVEL  | 1 | 2 | 3 | 4 |
|---|--|---|---|---|---|
| Name of organisation                                  | Minimum 2 Organisations                                |   |   |   |   |
| Business Type   | Relevant to fisheries and or to the marine environment |   |   |   |   |
| Average Number of members in organisation             |  |   |   |   |   |
| Number of Years as Chairman                           | Minimum 3 in total                                     |   |   |   |   |
| Starting date (Month, Year)                           |  |   |   |   |   |
| End date (Month, Year)                                |  |   |   |   |   |
| Average Number of meetings per year chaired           | Minimum 3  |   |   |   |   |
| Average number of participants at each meeting        | Minimum of 20 participants in each meeting             |   |   |   |   |
| Describe how agreement was reached at these meetings  |  |   |   |   |   |
| Describe your duties and responsibilities as Chairman |  |   |   |   |   |



**Additional information you would like to provide to back up your experiences above. Text should not exceed 500 words**

Please provide **at least 2 references**, which we can contact to verify the information above

|                  | <b>Reference 1</b> | <b>Reference 2</b> | <b>Reference 3</b> |
|------------------|--------------------|--------------------|--------------------|
| <b>Name</b>      |                    |                    |                    |
| <b>Job Title</b> |                    |                    |                    |
| <b>Address</b>   |                    |                    |                    |



**B.3. Templates to be provided with regard to the Award Criteria**

B.3.1. Please state why you wish to become Chairperson of the NWWRAC, Please outline any objectives or achievements you wish to fulfil during your time as Chairman of the NWWRAC and provide details on how you will go about implementing such objectives

Text should not exceed 500 words



B.3.2. Please find hereby the required template to provide information on your availability to chair the NWWRAC

|   |                                  |  |
|---|----------------------------------|--|
| Number of years you will agree to hold the position for   | Minimum required 3 years         |  |
| Number of days per year you will be available to chair meetings   | Minimum 3 days to chair meetings |  |
| Number of days you will be available to attend meetings on behalf of the NWWRAC   | Minimum 3 meetings to attend     |  |
| Number of days per month you will be available to work with the secretariat to deal with ongoing business of the NWWRAC | Minimum 2 days per month         |  |
| Number of days available to prepare Executive Committee meetings  | Minimum 1 day per meeting        |  |
| Number of days available to prepare other meetings than the chaired Executive Committee meetings                        | Minimum 1 day per meeting        |  |

### **B.3. Financial offer**

Please complete the following table of fees.  
Fees must be quotes in EURO.

|   | Per Year                                  |               |                      | Per Contract Period                                   |                      |
|---|---|---------------|----------------------|---|----------------------|
|   | Column 1                                  | Column 2      | Column 3             | Column 4  | Column 5             |
| Fees per task   | Estimated Number of days in a year period | Price per day | Total (Column 1 x 2) | Number of Years (should correspond to Table in B.3.2) | Total (Column 3 x 4) |
| Fee per day to chair Executive Committee meetings (Minimum 3 a year)  |   |               |                      |   |                      |
| Fee per day to prepare Executive Committee meeting (Minimum 3 a year)   |   |               |                      |   |                      |
| Fees per day to attend meetings on behalf of the NWWRAC (Minimum 3 a year)  |   |               |                      |   |                      |
| Fee per day for preparation of other meetings than the Executive Committee Meeting (Minimum 3 a year)                         |   |               |                      |   |                      |
| Fees per month for liaising with the secretariat to deal with ongoing business of the NWWRAC (minimum 2/ month = 24days/year) |   |               |                      |   |                      |
| <b>TOTAL</b> (yearly cost of the offer)   |   |               |                      |   |                      |
|   |   |               |                      |   |                      |