

FONDATION AGIR CONTRE L'EXCLUSION

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INTERREG PROJECT UNEET

SERVICE DELIVERY



TECHNICAL SPECIFICATIONS (C.C.T.P.)

ARTICLE 1 – SUBJECT OF THE SERVICE DELIVERY

This service delivery aims to select the legal consultant of the UNEET Project co funding by the Interreg North West Europe Agency. Implemented by a consortium of 6 partners (FACE being the Lead Partner), the project begun in March 2018 and will end in March 2021.

The legal consultant is expected to:

- Build the legal framework of the co-constructed platform
- Assist the consortium in the procurement process to select the digital agency in charge of creating the UNEET platform.

ARTICLE 2 – CONTEXT OF THE SERVICE DELIVERY

2.1- Overall context of UNEET project

UNEET is a project supported by the Interreg North-West Europe agency, a European Territorial Cooperation Programme funded by the European Commission with the ambition to make the North-West Europe area a key economic player and an attractive place to work and live, with high levels of innovation, sustainability and cohesion.

UNEET aims to provide an Open Source Technology (OST) platform innovative solution to foster the professional integration of NEET by matching the recruitment needs of the HORECA sector with existing labour demand of unemployed young adult people in 7 North West Europe regions, thanks to its implementation by the UNEET partners (see 2.3 article about the UNEET consortium).

The project aims to go beyond the existing tools designed to foster young people's professional integration (also referred as NEET, Not in Employment, Education nor in Training) by offering solutions coherent with expectations and needs of both job-seekers and companies.

The existing platforms :

- Either propose tools addressed to a qualified audience (this is the case of the European Hospitality Skills Passport launched by the European Commission in 2014 within the framework of the EURES platform, aiming to facilitate the transnational mobility of already qualified people to other European countries to work there in the hospitality sector), lacking a wider approach involving other target groups such as NEET;
- Or propose solutions that do not comply with the specificities of the HORECA sector (most of the existing job boards for the HORECA sector like lhotellerie-restauration.fr, irishjob.ie, hotelcareer.com do not take into account issues such as the negative image of this sector, the huge amount of application that companies receive, the lack of clarity concerning companies 'expectations). None of these initiatives have adopted a threefold approach, as the one we propose, involving young adults, companies and relevant stakeholders in the conception and creation of an open source technology platform that best respond to their needs.

Moreover, UNEET will contribute to fight back employment in the HORECA sector, promoting legal work and, consequently, improving its image.

2.2 - Objectives of the platform

Based on this analysis, UNEET aims to create comprehensive a platform joining youngsters, companies and partner organizations with a common purpose. It will be at the same time:

- A platform offering innovative tailored online functions fostering jobseekers' employability, transnational mobility and professional career pathways in the HORECA sector;
- A job board where NEET and companies can easily meet and interact, fostering the creation of a community;

Through the different tools and features included in the UNEET digital platform, the project aims to:

- Go beyond the existing tools and practices aimed to support youth professional integration by creation an innovative platform enabling users to benefit from a totally digital support path including different features (orientation, training, transnational mobility, professional integration)
- Reinforce NEET's employability to facilitate their long-term professional integration;
- Overcome the difficulties encountered by companies in recruiting people and enhance the attractiveness of the sector by including in the platform informative sheets and other tools fostering young adults 'knowledge about the jobs, the required profiles and the professional career pathways offered by the sector as well as innovative recruitment system based on candidates 'capacities and motivation. This system will allow companies to select candidates best responding to the required profile, reducing the recruitment time and facilitating professional encounters;
- Raise candidates 'awareness on the existing transnational mobility opportunities, the steps to take and the national actors that could support them.

2.3 – The UNEET consortium

The UNEET project is piloted by a Consortium of 6 partners where FACE is the lead partner in partnership with 6 other organisations, private and public.

The consultant will be prompted to work with all the project partners. According to each partner's expertise, a subleader has been attributed to each main work package of the project (6 in total). With regards to the work package concerned herein "Project Management", the subleader is FACE from France.

FRANCE FACE (Fondation Agir Contre l'Exclusion) is a Public Utility Foundation working alongside French companies in a wide range of CSR topics, including social, environmental and business areas.



GERMANY DISTRICT OF KASSEL is a public authority with several professional integration programs for young employed. They will be paired with the tourism branch of the region (Regional Management).



IRELAND DONEGAL LOCAL DEVELOPMENT COMPANY UNITED delivers training on the HORECA professions.



BALLYHOURA is a local development company which guides the professional integration of young unemployed



UNITED KINGDOM FIFE COUNCIL is a public authority with several professional integration programs and promote the development of tourism.



DUNDEE & ANGUS COLLEGE is a training centre with a specific offer for the HORECA sector.



ARTICLE 3 – DESCRIPTION OF THE SERVICE DELIVERY

3.1- Description of the expected mission

The legal consultant is expected to be the referent of the consortium in relation to :

- Intellectual property law ('component A'): The consultant will produce the legal framework of the platform (the related deliverables are detailed in the 3.2 article). Besides, in a more global approach, the consultant will advise the consortium throughout the whole duration of the project in all the related challenges in terms of intellectual property, open source implications and GDPR requirements.

- Procurement law ('component B'): The consultant will assist the consortium throughout the whole selection process of the digital agency who will develop the platform (the related tender will be launched during the second quarter of 2018). The consultant will :
 - o Check the procurement process
 - o Produce the legal documents or components of the tender (annexes included) except the technical core of the technical specifications
 - o Assist in the analysis of the received offers and in the selection of the subcontractor
 - o Produce the contract to be signed by the subcontractor

Given the launching date of the tender, this component B will have to be provided in a short period of time and will start immediately after the consultant selection.

3.2- Deliverables

FACE will provide the consultant with all the information already shared by the

INTERREG agency.

The consultant will consider the 4 different European countries 'regulations and the recent European Procurement Directives regarding the following expertise / deliverables:

Component A : Legal framework

1. [LF1] **A contractual agreement** to secure the legal framework between partnerships with the consortium and other subcontractors, including the following elements (non-exhaustive):
 - a. Allocation of the shares between joint owners;
 - i. Background
 - ii. IP joint ownership
 - b. Conditions of use and exploitation of joint results (IP);
 - i. Rights of use
 - ii. Rights of exploitation
 - iii. Dissemination and confidentiality
 - c. Management of the jointly owned results (IP);
 - i. IPR protection
 - ii. IPR infringement and enforcement issues
 - iii. Governing law and jurisdiction
 - d. GDPR compliance
2. [LF2] **A training session** on the contract agreement content (to be held in Paris).
3. [LF3] **Answers to punctual queries** to secure the legal aspects of the platform throughout the project duration (intellectual property, open source, GDPR issues etc.)

Component B. Procurement process

1. [P1] **A legal procurement process document** in compliance with French and European rules, involving all the Consortium¹ including:
 - a. The description of each step of the tender (adapted to the estimated financial amount of the tender) to implement to select the digital agency (EU and national thresholds)
 - b. A timeline
 - c. The templates required
2. [P2] **Legal counselling during procurement process** including the followings (non-exhaustive):
 - a. Writing of the legal aspects of the specifications of the tender and related annexes (contracts for subcontractor, maintenance and hosting&support agreement)
 - b. Check and validation of the different steps of the tendering process in regards with the [P1] deliverable, and validation of the specifications in itself
 - c. Feedbacks (from a legal point of view) on the received proposals from the digital agencies
 - d. Production of the contract to be signed with the selected digital agency

ARTICLE 4 – CALENDAR

¹ Giving FACE is paying the related expenses on behalf of the consortium, the French law applies in terms of procurement.

Milestones	Deadline
Deadline for answering the call for tender	April 23, 2019
Selection of the legal consultant	Beginning of May, 2019 (around May 3 rd)
Scoping meeting	Beginning of May, 2019 (around May 7 th)
Delivery of a legal procurement process document [P1]	Beginning of May, 2019 (around May 10 th)
Writing of the legal aspects of the specifications and related annexes – part of [P2]	May 2019
Legal counselling during procurement process and final check of the contract [P2]	May to September 2019
Delivery of the draft legal documents [LF1]	October/November 2019
Delivery of the final legal documents [LF1]	December 2019 (depending on the digital agency's planning)
Training session for project partners [LF2]	First semester of 2020
Answers to punctual queries [LF3]	Throughout the project (until March 2021)

ARTICLE 5- Disclosure and reporting requirements

The consultant will have to meet FACE institutional and organisational expectations, as well as the communication requirements. All the deliverables and the support documents are to be written in English. All deliverables, including the invoices issued during the project, must mention the support of the NWE INTERREG agency. The official project logo will be provided in the right format as soon as the subcontractor is chosen:



The future subcontractor is aware he can be subjected to controls and visits by FACE and every national or European instances. The accounting and non-accounting vouchers will have to be archived by the selected organisation until 2028.

ARTICLE 6 – SELECTION CRITERIA AND PAYMENT

The selection criteria and payment conditions are mentioned in the CCAP and RC

ARTICLE 7 – DOCUMENTS TO PROVIDE

The documents to provide are mentioned in the Rules for enquiry for tenders (RC).