

FEDERATION NEWS

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Joint EFCA and FIDIC Sustainable Development Committee set up

EFCA's Board of Directors and FIDIC's Executive Committee agreed to merge their respective Sustainable Development committees.

Jean Félix, EFCA Vice-President, will chair the FIDIC-EFCA Sustainable Development Committee.

FIDIC Executive members Lee Jae Wan and Alain Bentéjac will act as liaison.

Meanwhile Jean Félix developed an action plan, based on the actions in progress. It sets out common EFCA-FIDIC topics and distinct European activities under the Committee's scope: tools / training /

communication / monitoring and lobby / best practice.

The action plan will serve as a pragmatic approach to the management and coordination of the joint FIDIC-EFCA Committee.

One possible common FIDIC-EFCA activity will be the development of a report, setting out the industry's vision on the urgent need for an integrated and inclusive approach to the planning and development of sustainable cities as well as a strong European political commitment.

Positive outcome at meeting with EBRD on transparency in contract award



FIDIC, EFCA and ACE (UK) met with senior EBRD officials on 15 February 2012.

The meeting started with an update on the current financial situation and its impact, developments in Eastern Europe, new EBRD financing in the southern and eastern Mediterranean (SEMED) region, and EBRD procurement policies.

Under the latter topic, it was remarked that roughly one in three EBRD-financed engineering consultancy project contracts is awarded to UK consultancies.

EBRD are going to adapt their website in order to encourage more engineering consultancies from other EU countries to participate.

The afternoon session focused on 'climate change' and anti-corruption measures.

EFCA sets out the industry's involvement in the current revision of the public procurement legislation

Incoming Internal Market Committee Chair Jaap de Koning and EFCA Secretary General Jan Van der Putten met with DG MARKT at the Commission to clarify the understanding of certain articles of the new proposed public procurement directive, which is due to be approved by the end of 2012.

The overall conclusion of the meeting was that the proposed legislation is largely in line with EFCA's viewpoints.

A few eye-catching novelties in the proposed directive:

- Although removed from the proposed directive, there might still be scope to reintroduce the reference to intellectual services as is currently the case in paragraph 14 of the preamble and article 1 (7) of Directive 2004;
- The distinction between A and B services is removed;
- The provisions for public-public and in-house public procurement will need monitoring so as to prevent the creation of closed markets;
- There is a new procedure called 'innovation partnership', which fits with the basic engineering scope of work and which is in line with the work in progress in CEN;
- The reference period for relevant experience can exceed the current three year period.

At the end of the very positive and constructive meeting, EFCA promised to provide the Commission with its detailed comments as soon as possible.

Consulting industry's feedback on EC development policies and aid delivery

EFCA has a long-standing and constructive relationship with DG DEVCO at several levels, from middle management up to the Director-General.

Early February 2012, an EFCA delegation met with Laurent Sarazin, Head of Unit Legal Affairs at DG DEVCO.

The meeting touched on a broad range of issues: from the increased use of global price contracts over the training of Delegation staff to the shift from a CV-focused evaluation to an assessment of the firms' overall resources for the successful implementation of the project.

EFCA reported on problems that the industry is facing in areas such as audits, proof for incidentals, tax systems, and practical difficulties with 'programme estimates' (PE) under 'Private Indirect Decentralised Operations'.

The Commission are currently working on the new PRAG (Practical Guide to Contract Procedures for European Union External Actions) and would therefore welcome any substantiated input from industry before finalising the new version.

The new PRAG has been delayed by the revision of the Financial Regulation, which is taking much longer than anticipated. However, the new Financial Regulation should now be due by the end of March. Subsequently the new PRAG should become available for comments at the end of April/beginning of May. A stakeholders' meeting is planned in June.

EFCA will continue to work with DG DEVCO to ensure that the effectiveness of the procurement processes in European external aid is improving.

EIC, EFCA and DG DEVCO Roundtable on Infrastructure Works in Developing Countries

On 9 February 2012, more than 70 representatives from EIC (European International Contractors) and EFCA met with officials of DG Development and Cooperation – EuropeAid (DEVCO) for a 2nd Roundtable on the future financing of infrastructure works in developing countries.

The Commission expressed its wish to advance the partnership with EIC and EFCA from the traditional focus on contractual rules to new ways of engaging with the private sector, including PPP and private investment.

Together with Laurent Sarazin (Head of Unit, Legal Affairs), the Vice-Chair of EFCA's European External Aid Committee, Martin Güldner, moderated the workshop 'Practical Issues in EDF-financed Contracts'.

In this straight-forward discussion between the EC officials and private sector representatives it was aimed at developing practical proposals relating to the whole project cycle - from the study phase to the contracting phase - and eventually to improvement of the quality of infrastructure projects.

Based on the outcome of the latter workshop, EIC and EFCA will jointly submit a series of conclusions and recommendations to DG DEVCO for its consideration in the ongoing review of the Practical Guide to Contract Procedures for EU External Actions (PRAG).

<http://www.eicontractors.de/news/eic-and-eu-commission-hold-infrastructure-roundtab/>

Developing the engineering world – Winning strategies

EFCA's 2012 Conference in Lisbon on 25 May 2012 will engage the engineering consultancy industry in a creative and courageous thinking about its future.

Our sector of activity is facing serious difficulties in many European countries, and everywhere the companies are to reflect on their roles and identity, business structures, partnerships and goals.

The European industry's flagship event will try to answer whether engineering consultancy firms are prepared to face the next decade successfully and address three major questions:

- Do we know how to grow in our business?
- Do we know how to satisfy our clients?
- Are we prepared?

Panels will consist of speakers from different walks, including banks, insurance brokers, major clients, small and large consultancies, industrial consultancies, academics and contractors from all over Europe.



Conference participants are drawn from senior levels across the engineering consultancies along with stakeholders and the young professionals' community.

Book in time to secure your participation and to benefit from the early bird registration rate!

The conference website (www.efca-conference2012.com) will be active shortly.

Inspirational YP events in Lisbon

The dynamic EFCA YP Steering Committee is finalising an exciting programme for its Forum in Lisbon on 24 May 2012.

EFCA YPs invite their fellow professionals who are interested in meeting new people from across Europe and furthering their skills to their Lisbon meeting and networking events on 24-25 May 2012.

The forum is stimulating YPs to network outside their company and create synergies with peers working within the sector, and to think about their future career within the engineering consultancy profession.

The 24 May 2012 Lisbon programme includes a skills session on 'Managing generational and cultural difference', and a discussion on building links with the FIDIC's YP community. A study visit is planned in the afternoon.



networking for new knowledge

All registered YPs are also cordially invited to the 25 May 2012 Conference at which the results of the 2012 EFCA YP competition will be officially announced and presented.

More information will be available shortly at: <http://www.efca.be/YPs.aspx>

Public procurement at the forefront of the USIC agenda

At a joint meeting in Bern, the USIC (Swiss Association of Consulting Engineers) board and EFCA board members discussed major issues that impact on the firms.

USIC President Alfred Squaratti looked at the upcoming events that will mark the association's 100th anniversary and presented the association's structure. Major issues for USIC are the promotion of the engineering consultants' image and the support to the concepts of quality and innovation over price-based procurement methods.

In order to curb the shortage of qualified engineers, USIC is using social media (<http://www.facebook.com/k.ING.usic>), in addition to bill-board campaigns (<http://www.usic-poster.ch/>) to persuade young professionals to join engineering consultancy firms.

The meeting discussed the USIC 'Procurement Best Practice Award for Public Procurement', the use of other than traditional 'design-bid-build' delivery methods, and price competition.

The discussion concluded with an exchange of views on how EFCA, in close cooperation with USIC, can influence the EU legislation that impacts on the industry's business conditions.

USIC and EFCA have a strong interest in working together to explain to the firms how European policies affect their business.



E F C A A G E N D A

European External Aid Committee	Brussels	08.03.2012
Internal Market Committee	Brussels	20.03.2012
Sustainable Development Task Force	Brussels	22.03.2012
European Consulting Future Committee	Lisbon	30.03.2012
Board of Directors meeting	Brussels	27.04.2012
Board of Directors meeting	Lisbon	24.05.2012
EFCA 2012 Conference & GAM & YP Forum	Lisbon	24-25.05.2012
D&S meeting	Luxembourg	16.11.2012

Structures designed to EN Eurocodes: your feedback on practical experiences

The Joint Research Centre (JRC) of the European Commission is seeking information on 'state-of-the-art' examples of structures designed to EN Eurocodes.

The collection and evaluation of the material will serve for activities related to the facilitation of the implementation and promotion of the Eurocodes.

JRC will publish the selected examples of the structures on the Eurocodes website (<http://eurocodes.jrc.ec.europa.eu/showpage.php?id=34>).



You are invited to download the JRC form (<http://www.efca.be/News/Detail.aspx?id=330>) if you wish to showcase a project of your firm.



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INTERNAL MARKET

Ministerial debate on the modernisation of public procurement policy

At the Competitiveness Council of 20 February, Ministers discussed flexibility and improved dialogue between parties, and on the other hand the relaxing of rules for certain types of services.

The proposal expands the list of cases in which member states can authorise a competitive negotiation procedure, since the Commission believes that improved dialogue between contractors and providers can contribute to improving public purchases and to making them innovative, as well as reducing costs on both sides.

The majority of member states are in favour of allowing greater access to the negotiation procedure whilst others want more flexibility but with clear rules to prevent the violation

of the principles of non-discrimination and equal treatment.

The second issue concerned the establishment of more flexible rules for certain services, which are currently grouped together as 'list B'. The Commission proposed the removal of this distinction and also the application of uniform rules to all services except social, cultural, education and health services, which, if they are worth less than €500,000, have the advantage of being exempt from any procedural demands, or if their value is greater than this threshold, benefit from a simplified procurement regime.

On this question, opinion among member states was also markedly divided.

The outcome of the debate provides guidance for the continuation of technical work. The intermediate target is to reach an agreement on the main principles of the reform at the Competitiveness Council in May, with the final purpose of getting the reform approved in co-legislation with the European Parliament before the end of 2012.

http://ue.eu.int/uedocs/cms_data/docs/pressdata/en/intm/128106.pdf

Consultation on the future of company law

In an online consultation the Commission explores issues related to the objectives of company law, the degree of harmonisation desirable (and possible) and the most appropriate legal instruments for improving the working of the single market.

The consultation also seeks to gather stakeholders' views on the advantages and drawbacks of the legal forms of companies already operational at EU level, such as the European economic interest grouping, the European company and the European cooperative society.

http://ec.europa.eu/internal_market/consultations/2012/company_law_en.htm

EU FUNDS & PROGRAMMES

Financial support for energy efficiency in buildings

What should be done at EU and national level to improve financial support for energy efficiency in buildings?

This is the main question of a public consultation launched by the Commission on 15 February 2012. The deadline for responses is 18 May 2012.

http://ec.europa.eu/energy/efficiency/consultations/20120518_eeb_financial_support_en.htm

Information on existing financing schemes tailored to the building sector (e.g. Energy Performance Contracting, the European Energy Efficiency Fund) is available on the interactive BUILD UP web portal.

http://www.buildup.eu/financing-schemes/view_all



European Investment Bank to reduce lending in 2012

The European Investment Bank (EIB) is not prepared to increase lending even given the current downturn; it will have to 'do more with less' to help struggling businesses grow and get expensive rail, energy or road projects off the ground.

The focus for planned lending activities remains on the EU. Whilst overall lending activity will reach pre-2008 crisis levels, new lending operations are still planned to represent €43bn, on average, for EU countries in the coming years.

The Bank remains committed to its mandates outside the EU with an average of €5.3bn of lending activity earmarked

annually over the three year period. The focus will rest on Pre-Accession countries and Neighbours in the East and the South.

The EIB, which is twice the size of the World Bank, funnelled €13 billion to 120,000 small and medium-sized enterprises (SMEs) via European banks last year, €20 billion to help develop poorer regions and €18.5 billion for climate-related projects.

A further €7 billion went outside the EU, including €1 billion to help North African countries involved in the Arab spring uprisings.

<http://www.eib.org/about/press/2012/2012-026-record-eib-support-for-smes-in-2011.htm>

http://www.eib.org/attachments/strategies/cop_2012_en.pdf

MISCELLANEOUS

Enterprises must boost innovation as global competition becomes stronger

Innovation performance growth is slowing down and the EU is not closing the persistent gap with global innovation leaders the US, Japan and South Korea.

The 2011 Innovation Union Scoreboard concludes that the companies' small research budget and the insufficient pull of Europe for high-level researchers are the two main obstacles that explain why the EU is lagging behind global innovation leaders.

The Innovation Union Scoreboard includes innovation indicators and trend analyses for the EU27 member states, as well as for Croatia, Iceland, the Former Yugoslav Republic of Macedonia, Norway, Serbia, Switzerland and Turkey.

http://ec.europa.eu/enterprise/policies/innovation/facts-figures-analysis/innovation-scoreboard/index_en.htm

UN High-level Panel on Global Sustainability presents report

The Panel's final report, 'Resilient People, Resilient Planet: A Future Worth Choosing', contains 56 recommendations to put sustainable development into practice and to mainstream it into economic policy as quickly as possible.



the heart of the economic agenda.

http://www.un.org/gsp/sites/default/files/attachments/GSPReportOverview_A4%20size.pdf

Report calls for creation of a barrier-free transatlantic market

The report states that EU-US trade policy cooperation has been 'less than optimal' because of the remaining impediments to trade, 'primarily in the form of non-tariff barriers (NTBs) and disparities in how services are regulated'.

The report, 'A new era for transatlantic trade leadership', gives a series of recommendations for transatlantic leadership in trade and investment policy in the near-to-medium future, both on a bilateral and a global scale.

The Global Sustainability Panel calls on political leaders to use the Rio+20 Conference to bring sustainable development to



The report was prepared by The Transatlantic Task Force on Trade and Investment, a joint initiative by the German Marshall Fund of the United States (GMF) and the European Centre for International Political Economy (ECIPE).

<http://www.ecipe.org/a-new-era-for-transatlantic-trade-leadership>

EIB - Islamic Development Bank agreement

The Islamic Development Bank (ISDB) and the European Investment Bank (EIB) agreed to join forces for cooperation particularly in the Mediterranean region.

The EIB and ISDB will consult on the priority areas and modalities of cooperation to work together and contribute to the overall development and social progress with initial focus on four pilot countries: Egypt, Jordan, Morocco and Tunisia (the same countries as the EBRD financing in the SEMED region).

Cooperation will include amongst other objectives: consultation and sharing information; developing expertise and knowledge in the region, notably with regards to public-private partnerships; network-building; and facilitating the identification, preparation and co-financing of projects.

<http://www.eib.org/about/press/2012/2012-023-the-islamic-development-bank-and-eib-join-forces-for-cooperation.htm>

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