

Agency for Support for BEREC

Call for tenders BEREC/2020/08/OT

TRAINING ON REGULATORY FRAMEWORK FOR ELECTRONIC COMMUNICATIONS NETWORKS AND SERVICES AND OTHER TOPICS RELATED TO BEREC ACTIVITIES

Open procedure

TENDER SPECIFICATIONS

Part 2: Technical specifications

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1. DESCRIPTION: WHAT DO WE WANT TO BUY THROUGH THIS CALL FOR TENDERS?

The services that are the subject of this call for tender, including any minimum requirements, are described in detail in the document *Tender specifications – part 2: Technical specifications*, hereafter referred to as *Technical specifications*.

Variants (alternatives to the model solution described in the tender specifications) are not allowed. The *Contracting authority* will disregard any variants described in a tender.

1.1. Background and objectives

The objective of the framework contract (FWC) is to deliver training courses on a yearly basis, which shall provide a comprehensive overview of the new regulatory framework, knowledge of the key regulatory principles and other topics within BEREC areas of activities for specialised staff of BEREC members and the participating National Regulatory Authorities without voting rights in charge of topics related to the regulation of electronic communications networks and services and other topics of BEREC area of activities at European and national level during the whole duration of the contract.

The training shall also be aimed at those experts who are new in some fields of telecommunication and related topic to BEREC area of expertise and need to acquire a rapid grasp of the key topics and debates and/or experts who need to refresh their advanced knowledge with the latest developments in this area. The below mentioned training courses will be attended by different experts following the call for expression of interest launched by the Contracting Authority.

1.2. Detailed characteristics of the purchase

The training courses may be organised online or physically. In case the training course is organised physically it may take place either in Brussels, Belgium or Riga, Latvia.

The following 4 types of training courses have to be developed and delivered during a 12 months period:

- 1) an intensive training course of 48 hours divided into a number of sessions, completed by an online tutorial on regulatory issues; the course is described in details under point 2.1.1;
- 2) an intensive and concise training course of 16 hours on issues related to sustainability and its relevance to the area of BEREC activities; the course is described in details under point 2.1.2;
- 3) an intensive and concise training course of 16 hours on topics related to the mandate of BEREC; the course is described in details under point 2.1.3;
- 4) an intensive and concise training course of 8 hours on issues related to planning the work of the working groups and expert networking groups and moderating the work of the groups; the course is described in details under point 2.1.4.

In particular, the training aims at establishing a solid base in the fundamentals of the electronic communications sector, allowing staff members to fill in the gaps and understand jargon and buzzwords, providing participants with a deep understanding of the instruments for competition and regulation in specific markets, as well as to deal with a number of specific

topics that, due to the extremely fast technological and economics developments of the last years, are becoming of utmost importance in the sector, creating a number of challenges stakeholders and regulator have to cope with.

2. CONTENT AND STRUCTURE OF THE DELIVERABLES

2.1. Content

The tenderer shall develop and provide the following **4 types of training courses**. Each course will be developed and presented to experts according to the description and structure specified below for each course.

2.1.1. An intensive training course of 48 hours divided into a number of sessions per academic year, completed by an online tutorial.

The content of this course will be specific and should take into consideration the technical background and/or learning objectives of the targeted audience.

The training course shall include, but will not be limited to the following topics, divided into “A” - mandatory and “B” – optional. Annual training of 48 hours of all sessions shall cover all “A” topics and at least one of the “B” topics:

(A) The EU new regulatory framework

- Overview and summary of the new regulatory framework: EECC, Roaming Regulation, Telecom Single Market Regulation
- BEREC’s role according to the new regulation; main changes in its structure, role, set up
- New guidelines on the implementation of the Union regulatory framework for electronic communications, in particular, as referred to in the Roaming Regulation, in the Telecoms Single Market Regulation and in the EECC
- Trade-offs between regulatory goals
- “Soft law”: Recommendations (Termination Rates Recommendation, NGA Recommendation, Recommendation on consistent non-discrimination obligations and costing methodologies) etc.

(A) Markets, competition and (ex-ante) regulation

- Market and market failures (including oligopolistic market structures)
- Markets, competition and concept of pro-competitive regulation in the EU law
- Merger control and state aid on broadband
- Market definition and SMP assessment
 - Relevant markets susceptible for ex-ante regulation acc. to the Recommendation 2014/710/EU (comparison based on the 2007/879/EC and 2014/710/EU recommendations)
- Regulatory Remedies
 - Transparency obligation;
 - Non-discrimination obligation;
 - Access obligation;
 - Price control and cost accounting obligation;
 - Accounting separation obligation;

- Functional vertical separation;
 - Voluntary separation
 - Other
- Procedure and Phase II (Article 31 and Article 32 of the new [Regulation \(EU\) 2018/1971](#))

(A) Access and interconnection

- The economics of interconnection
- Termination regulation and European-wide maximum termination rate
- Dispute resolution approaches
- IP interconnection and Peering

(A) NGN/NGA

- NGN/NGA networks and topology (FTTH, FTTLA, vectoring)
- Transition to NGN: Costs and access
- Investment incentives
- Public initiatives and state aid

(A) 5G

- 5G Ecosystem
- Coverage
- Regulation
- Security requirements

(A) Very High Speed Networks

- Criteria and Definition
- Regulation

(A) TSM Regulation

- **Open Internet**
 - Net Neutrality Regulation (EU-Reg. 2015/2120)
 - Open Internet Guidelines
 - Ecosystem of internet services
 - Role of the OTT/CAP
 - Network and traffic management practices
 - Managed services
 - Transparency of internet offers
- **Roaming**
 - Roaming Regulation 2015/2120

(A) Future developments

- New technologies and market development
- New business models and demand side development
- New EU initiatives
- OTT/CAP and their impact on data portability, competition, privacy,

- consumption patterns, etc.
- New consumption models (e.g. involved consumption, the prosumer and the consumer as a source of data), “skinny bundles”, the future of privacy

(B) Regulatory accounting and cost models

- Regulatory accounting
- Bottom up / top down cost models
- Reconciliation between cost models

(B) End user Regulation

- Consumer protection

2.1.2. An intensive and concise training course of 16 hours on issues related to sustainability and its relevance to the area of BEREC activities.

This training course shall cover issues related to sustainability and shall include but not be limited to the following topics:

- Importance of sustainability in running an organisation like BEREC and/or an agency like BEREC Office, including examples of best practices and measurement tools/techniques to assess the current environmental footprint and the actions taken to improve the energy efficient circular economy performance of the sector itself. The training shall cover aspects which are addressed in the 2030 Agenda and the European Green Deal;
- Analysis of good practices already in place to decrease environmental footprint (improving network energy efficiency, streamlining networks deployments and acting on limiting rebound effects regarding digital consumption) and making the life circle of devices and equipment more sustainable;
- Assessment of the most important elements of the environmental impact in the electronic communications sector across two main dimensions underlined by the European Commission: the networks’ environmental footprint (energy and resources consumption, carbon emissions etc.) and the life circle of devices and equipment. The training shall cover both dimensions and include clear examples and cover latest methodologies used.

2.1.3. An intensive and concise training course of 16 hours on topics related to the mandate of BEREC.

This training shall be delivered to the experts dealing with public relations and communications issues. It shall provide an overall understanding of the telecommunication sector on national, European and global perspective. It shall also explain the role of the BEREC/BEREC Office, different other organisations and stakeholders in the telecommunications sector.

The content of the training shall be designed in a way to be delivered to the experts, who does not necessarily have a technical background in the telecommunications area.

This training shall cover issues described in the annual BEREC Work Programme, BEREC Strategy 2021-2025 and shall include, but not be limited to the topics related to the BEREC

mandate. Regulation (EU) 2018/1771 and Directive (EU) 2018/1772 can be considered as a legal reference.

The exact topic(s) for the course will be selected based on the BEREC Communications Plan adopted by the end of every annual year and will be defined before signature of a specific contract with the contractor.

2.1.4. An intensive and concise training course of 8 hours on issues related to planning the work of the BEREC working groups and BEREC Office expert networking groups' and moderating the work of the groups.

This training course shall include but not be limited to the following topics:

- Effective work planning in view of the principle of annularity of the BEREC work programme including meeting planning to support work activities and successful delivery of the work programme;
- Moderating the work of the working groups and expert networking groups and cooperation between different work streams within those groups;
- Effective communication and moderation within the working groups and expert networking groups as well as addressing stakeholders;
- Public speaking in view of participating in BEREC public events;
- Effective presentation within the groups or broader audience;
- Presenting online;
- Presenting complex technical issues to non-technical experts.

2.2. Structure of the training courses

As mentioned already earlier, there are 4 types of courses that are to be developed and provided by a contractor to the Contracting Authority. The training courses shall be divided into sessions depending on the total number of hours specified for each course.

2.2.1. An intensive training course of 48 hours divided into number of sessions during a 12 months period and complemented by independent online learning activities.

This course, which content is described under **point 2.1.1.** will be attended by experts at a fixed price. The total number of participants shall not exceed 40 members per training session.

The training is composed of:

- an intensive and active training of at least 48 hours divided between number of sessions;
- additional independent online learning activities between the sessions, the total workload of the online learning activities shall cover at least 15 hours in total divided between the sessions.

The training shall be divided into sessions. The number of sessions may be arranged according to the below example. The contractor may propose a different schedule arrangement.

- 4 sessions (12 hours/session) which can be held in 2 consecutive days/per session; one training day must comprise at least 6 hours of active training.

In addition, this training course described under **point 2.1.1** shall be complemented by online learning activities to be established and managed by the contractor. It will take place between the sessions through an online platform or be circulated to the training participants by email. It shall be comprised of preparatory readings before each training session and follow-up activities after each training session. The total workload of the online tutorial shall not exceed 3 hours per week with no more than 15 hours over the whole period of the training over a 12 months period.

2.2.2. An intensive and concise training course of 16 hours during a 12 months period on issues related to sustainability and its relevance to the area of BEREC activities.

This course, which content is described under **point 2.1.2**, will be attended by experts at a fixed price. The total number of participants shall not exceed 40 members per training session.

The training course shall be organised in two sessions per academic year. Each session must comprise from 4 to 8 hours each; the training sessions may be held in 1 or 2 days. The course shall not exceed 16 hours in total over a 12 months period.

2.2.3. An intensive and concise training course of 16 hours during a 12 months period on topics related to the mandate of BEREC.

This training will be attended by experts at a fixed price. The content of the training is described under **point 2.1.3**. The total number of participants shall not exceed 40 members per training session.

In order to facilitate the production of information items for communications campaigns, the training shall be done in two parts. The first part shall focus on the presentation and explanation of a topic related to the mandate of BEREC. The second part might be organised - in a form of a workshop, during which the topic discussed at the first part would be elaborated in a written report - outcome of the workshop.

The training course shall be organised in two to four sessions. Each session must comprise from 4 to 8 hours each; the training may be held in 1 or 2 days. The course shall not exceed 16 hours in total over a 12 months period.

2.2.4. An intensive and concise training course of 8 hours on issues related to planning the work of the working groups and expert networking groups and moderating their work.

This course, which content is described under **point 2.1.4.** will be attended by experts at a fixed price. The total number of which shall not exceed 40 participants per training session.

The training course shall be provided once over a 12 months period. The course may be organised in one or two sessions, 8 or 4 hours each. The course shall not exceed 8 hours in total over 1 year period.

2.3. Planning

The agreed final training schedule for all the training courses shall be provided to the Contracting Authority not later than 4 weeks before the beginning of each the training course.

2.4. Reporting to the contracting authority

The contractor should clearly designate a project manager in its tender.

The project manager will be the only point of contact and report to the BEREC Office. The project manager will propose to the BEREC Office responses and solutions regarding teaching, organisational and administrative aspects and will be responsible for implementing them. He or she will also be responsible for processing administrative files with the BEREC Office.

The project manager will supervise the performance of the trainers to ensure that the following services are completed:

- the training is prepared properly and in good time, in other words (this list is not exhaustive), documentation and teaching materials are ready in advance of the training;
- the training is run in such a way that the training objectives are sufficiently achieved for all participants to an adequate level of satisfaction;
- the training objectives are explained clearly and precisely to the participants at the beginning of the course and before the beginning of each new section; all question received from the participants are addressed clearly and accurately.
- the training courses shall always be complemented by a written report on the main items discussed and covered by the contractor that has to be prepared and submitted to the Contracting Authority after finalisation of each of the training course.

2.5. Teaching aids

The contractor must take the greatest care in producing and ensuring that all the necessary training material and teaching aids, presentations, slides, booklets, leaflets, working documents for participants, summaries, bibliographies to accompany training courses, must meet high quality standards.

All the training material and teaching aids mentioned above must be included in the training price.

2.6. Online solution

The technical solution for organising and performing the training courses must be proposed by the tenderer in its offer. The training courses shall be provided remotely through the online platform, unless clearly specified by the Contracting Authority before signing a specific contract.

The tenderer should provide access to commonly used and well known platform as a service or software solution. The platform shall accommodate the requirements specified for each training course in sections 2.2.1, 2.2.2., 2.2.3 and 2.2.4.

2.7. Physical training sessions

In case the Contracting Authority decides to hold a physical training session of any of the above mentioned training courses or even the whole training course, it undertakes to organise the training in Brussels, Belgium or Riga, Latvia. In such case, the Contracting authority will take care and bear the costs of all logistical aspects related to booking of the venue, providing any necessary technical equipment required during the training and/or ensuring catering services for the training participants. The exact venue in such cases will be determined by the Contracting Authority before signing a specific contract.

2.8. Reimbursement of travel expenses of contractor

In case the training session is held physically in Brussels, Belgium or in Riga, Latvia, the Contracting Authority shall reimburse travel, subsistence and accommodation expenses, which are directly linked to the meetings mentioned in point 2.7 of the tender specifications, in accordance with the terms of the framework contract.

2.9. Language of the training courses

English is the working language of BEREC and BEREC Office. The training courses shall be given in English language. The trainer (s) shall be fluent in English and shall be able to explain the topics in all the nuances. Despite the fact that participants must be fluent in this language, it is important to note that English is often not the native language of the participants. This has to be taken into consideration when preparing and most importantly when delivering the training courses.

2.10. Certificate

The contractor shall issue a certificate of attendance to each participant of the training courses after finalisation of dedicated activities of each course.

For the training course consisting of 4 sessions (point 2.1.1.), the attendance of at least 90% of the training and 100% completion of online activities is mandatory for receiving a certificate. In case a participant is unable to fulfil these criteria, he/she will receive a certificate of partial attendance for each session completed (i.e. at least 90% attendance and 100% online activities).

For the rest of the courses (mentioned under points 2.1.2., 2.1.3., and 2.1.4.) the contractor shall issue a certificate of attendance to those participants who have registered for and, consequently, attended the course and completed the relevant online activities if applicable.

A certificate of attendance will state total training hours foreseen for the training course or the specific session (s).