

# TENDER FILE / TERMS OF REFERENCE

(Restricted consultation procedure / Framework Contract)



## Consultancy services for the provision of intercultural trainings and mediation trainings in line with ROMACT methodology

The Council of Europe is currently implementing and until 31 December 2017 will implement Projects "ROMACT III and ROMACT IV – Building up political will and understanding of Roma inclusion at local and regional level" (ROMACT III and ROMACT IV). In that context, it is looking for consultant(s) for the provision of consultancy services to be requested by the Council on an as needed basis.

### A. GENERAL INFORMATION

<b>Object of the procurement procedure ▶</b>	The provision of consultancy services relating to intercultural trainings and mediation trainings
<b>Project ▶</b>	EU/CoE Joint Programmes "ROMACT3 and ROMACT4"
<b>Type of contract ▶</b>	Framework contract
<b>Duration ▶</b>	Until 31 December 2017
<b>Deadline for submission of tenders/offers ▶</b>	17 May 2017
<b>Email for submission of tenders/offers ▶</b>	romact@coe.int
<b>Expected starting date of execution ▶</b>	24 May 2017

The activities of the Council of Europe are governed by its [Statute](#) and its internal Regulations. Procurement is governed by the Financial Regulations of the Organisation and by [Rule 1333 on the procurement procedures of the Council of Europe](#).

This tender procedure is a restricted consultation procedure. **In accordance with Rule 1333 of the Secretary General of the Council of Europe on the procurement procedures of the Council of Europe, the Organisation is in principle required to invite to tender at least three potential providers for any purchase between €2,000 (or €5,000 for intellectual services) and €55,000 tax exclusive.**

This tender procedure aims at concluding a framework contract for the provision of services described below. Unless national legislation prescribes otherwise, deliverables executed on-site will be considered as performed in the country where the event takes place, and deliverables executed in writing will be considered as performed at the place where the Service Provider/Consultant is established. A tender is considered valid for 120 calendar days as from the closing date for submission. The selection of tenderers will be made in the light of the criteria indicated below. All tenderers will be informed in writing of the outcome of the procedure.

**The general information and contact details for this procedure are indicated on this page. You are invited to use the CoE Contact details listed below for any question you may have.**

### B. CoE CONTACT DETAILS (FOR THIS TENDERING PROCEDURE)

<b>Person / Function / Department ▶</b>	Nedim Vrabac, ROMACT Project manager, Support Team to Special Representative of the Secretary General for Roma Issues
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## C. EXPECTED DELIVERABLES/SERVICES

### *Background of the Project*

The Joint European Commission (EC) and Council of Europe (CoE) Projects "ROMACT III and ROMACT IV – Building up political will and understanding of Roma inclusion at local and regional level" (ROMACT III and ROMACT IV) (hereafter referred to as "the Projects") are pursuing the ROMACT Programme to build the capacity of local authorities to develop and implement plans and projects for Roma inclusion and aim to promote the integration of Roma at local level.

The Projects will end on 31 December 2017.

The Projects pursue the following objectives: improving local democracy, accountability, inclusiveness and responsiveness towards Roma citizens and thereby improved delivery of services.

The Projects are comprised of several elements of support to regional and local authorities and Roma communities focusing on:

- capacity building;
- establishment and enforcement of mechanisms and processes promoting and ensuring good governance standards and ownership by local authorities of effective integrated development efforts covering education, employment, healthcare, housing, urban development and culture;
- equipping local authorities with tools, knowledge and skills to overcome the challenges and barriers in regard to the needs of the Roma;
- improving the efficiency, effectiveness and sustainability of local policies, measures and delivery of services; and
- supporting cooperation between municipalities willing to design and implement jointly concrete integration measures and projects.

One of the components of ROMACT is Transnational Cooperation and Capacity Building Component (TCC) which aims at assisting local authorities in better integrating marginalised people, in particular non-nationals of Roma ethnicity.<sup>1</sup>

It is based on the assumption that local authorities are best placed to identify challenges and needs in their territories as no one-size-solution fits all. It also draws on expertise of the Council of Europe, more notably in intercultural training and Roma mediator training.

The capacity building and transnational cooperation component of ROMACT comprises three modules:

Module A - Intercultural trainings;

Module B – Mediation trainings and

Module C – Support for working visits.

This call concerns only the Modules A and B.

### **Module A – Intercultural trainings**

This module consists of the provision of intercultural training for municipal staff. Trainings can be provided to any staff of the municipality, including social workers, police, health professionals, education staff and others. Staff engaged in outside organisations and agencies that provide a service on behalf of the municipality are also eligible to receive the training.

Training sessions usually take one day and are delivered in the local language.

### **Module B – Mediation trainings**

This module consists of the provision of training on Intercultural Mediation for staff/mediators already employed or to be employed by the municipality.

The Council of Europe is looking for a maximum of 20 (twenty) consultants in order to support the implementation of the project with a particular expertise on provision of intercultural trainings and mediation trainings.

This Contract is currently estimated to cover up to 50 activities, to be held by 31 December 2017. This estimate is for information only and shall not constitute any sort of contractual commitment on the part of the Council of Europe. The Contract may potentially represent a higher or lower number of activities, depending on the evolving needs of the Organisation. **Under no circumstances will the total (cumulative) cost of the contract exceed 55,000 EUR (tax exclusive).**

### *Expected services*

Tenderers may be asked to:

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<sup>1</sup> Find more information about the ROMACT component at <http://coe-romact.org/article/romact-call-proposals-capacity-building-and-transnational-cooperation-0>

- Work closely with municipalities to set up the training programme, including setting a suitable date for the trainer and the municipality;
- Perform an ex-ante assessment of the profile and needs of training participants;
- Adapt the training curriculum on the basis of the identified needs while respecting the obligatory elements as set out by the ROMACT Programme;
- Prepare the local elements of the training, including relevant examples from the field as well as information on local context;
- Conduct a training in a relevant municipality in the local language;
- Contribute to the in-process evaluation and feedback on the training and improvement of curriculum as needed;

In terms of **quality requirements**, the selected Service Providers must ensure, *inter alia*, that:

- The services are provided to the highest professional/academic standard;
- Any specific instructions given by the Council – whenever this is the case – are followed.

#### D. FEES

Tenderers are invited to indicate their fees, by completing and sending the table of fees, as attached in Section A to the Act of Engagement. These fees are final and not subject to review. Tenders proposing fees above the exclusion level indicated in the Table of fees will be **entirely and automatically** excluded from the tender procedure. The Council will indicate on each Order Form (see Section E. below) the global fee corresponding to each deliverable, calculated on the basis of the unit fees, as agreed by this Contract.

Tenderers are informed that the daily fee they propose shall not be deemed to **cover any travel, accommodation or subsistence expenses** relevant for the execution of the contract. In the event of the Service Provider being required to travel for the purposes of the contract, the Council undertakes to reimburse the travel and subsistence allowances in connection with the provision of the deliverables set out in the Order Form (see Article 4.4 of the Legal Conditions in the Act of Engagement). Travel expenses will be reimbursed on the basis of the applicable reimbursement rules of the Council of Europe.<sup>2</sup>

#### E. HOW WILL THIS FRAMEWORK CONTRACT WORK? (ORDERING PROCEDURE)

Once this consultation and the subsequent selection are completed, you will be informed accordingly. Services will then be carried out on the basis of Order Forms submitted by the Council to the selected Service Provider(s), by post or electronically, on **an as needed basis** (there is therefore no obligation to order on the part of the Council).

For each Order, the Council will choose from the pool of pre-selected tenderers the Provider who demonstrably offers best value for money for its requirement when assessed – for the Order concerned – against the criteria of:

- quality (including as appropriate: capability, expertise, language, past performance, availability of resources and proposed methods of undertaking the work);
- availability (including, without limitation, capacity to meet required deadlines and, where relevant, geographical location); and
- price.

Each time an Order Form is sent, the selected Service Provider undertakes to take all the necessary measures to send it **signed** to the Council within 2 (two) working days after its reception. If a Provider is unable to take an Order or if no reply is given on his behalf within that deadline, the Council may call on another Service Provider using the same criteria, and so on until a suitable Provider is contracted.]

The Service Provider, **if subject to VAT**, shall also send, together with each signed Form, a quote<sup>3</sup> (Pro Forma invoice) in line with the indications specified on each Order Form, and including:

- the Service Provider's name and address;
- its VAT number;
- the full list of services;
- the fee per type of service (in the currency indicated on the Act of Engagement, tax exclusive);
- the total amount per type of service (in the currency indicated on the Act of Engagement, tax exclusive);
- the total amount (in the currency indicated on the Act of Engagement, tax exclusive).

<sup>2</sup> Applicable Rules: [https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectID=09000016805ce9c4](https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=09000016805ce9c4)

<sup>3</sup> It must strictly respect the fees indicated in the Financial Offer attached to the original Service Provider's tender as recorded by the Council of Europe. In case of non-compliance with the fees as indicated in the original Service Provider's tender, the Council of Europe reserves the right to terminate the Contract with the Service Provider, in all or in part.

An Order Form is considered to be legally binding when the Order, signed by the Service Provider, is approved by the Council, by displaying a Council's Purchase Order number on the Order, as well as by signing and stamping the Order concerned. Copy of each approved Order Form shall be sent to the Service Provider, to the extent possible on the day of its signature.

## F. ASSESSMENT

### *Exclusion criteria*

(by signing the Act of Engagement, you declare on your honour not being in any of the below situations)

Tenderers shall be excluded from participating in the tender procedure if they:

- have been sentenced by final judgment on one or more of the following charges: participation in a criminal organisation, corruption, fraud, money laundering;
- are in a situation of bankruptcy, liquidation, termination of activity, insolvency or arrangement with creditors or any like situation arising from a procedure of the same kind, or are subject to a procedure of the same kind;
- have received a judgment with res judicata force, finding an offence that affects their professional integrity or serious professional misconduct;
- do not comply with their obligations as regards payment of social security contributions, taxes and dues, according to the statutory provisions of their country of incorporation, establishment or residence.

### *Eligibility criteria*

- University degree;
- Native speakers or fluent (at least level C1 of the CEFR<sup>4</sup>) in at least one of the following languages: Dutch, English, Finnish, French, German, Italian, Norwegian, Portuguese, Spanish, Swedish;
- At least 5 years of experience in working in or with public administrations;
- Demonstrated experience in conducting trainings;
- Good knowledge of English (at least level B2 of the CEFR);

Only bids submitted in English shall be deemed eligible.

### *Award criteria*

- Quality of the offer (80%), including:
  - Thematic knowledge, experience and expertise in provision of trainings; work in or with public administration;
  - Demonstrated experience in working with minorities, migrants and refugees
  - Knowledge of required languages
  - Demonstrated ability to work with Roma communities in countries of origin (Romania, Bulgaria, Slovakia, etc.);
  - Proposed methods of preparing and providing the training.
- Financial offer (20%).

Multiple tendering is not authorised.

## G. DOCUMENTS TO BE PROVIDED

- A completed and signed copy of the **Act of Engagement**<sup>5</sup> (See attached);
- A detailed CV, preferably in Europass Format, not more than 5 pages long, demonstrating clearly that the tenderer fulfils the eligibility criteria;
- Motivation letter highlighting skills, experience and proposed methods in the above-mentioned areas.

**Incomplete tenders will not be considered. Submitted documents that were not requested in the tender will not be considered.**

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<sup>4</sup> [http://www.coe.int/t/dg4/linguistic/Source/Framework\\_EN.pdf](http://www.coe.int/t/dg4/linguistic/Source/Framework_EN.pdf)

<sup>5</sup> The Council of Europe reserves the right to ask tenderers, at a later stage, to supply an extract from the record of convictions or failing that an equivalent document issued by the competent judicial or administrative authority of the country of incorporation, indicating that the first three above listed exclusion criteria are met, and a certificate issued by the competent authority of the country of incorporation indicating that the fourth criterion is met.