



CALL FOR TENDERS

FOR THE PROVISION OF CONSULTANCY SERVICES RELATED TO THE INTERCULTURAL TRAININGS AND MEDIATION TRAININGS

2018/AO/62

| | |
|--|---|
| Object of the procurement procedure ► | Provision of consultancy services related to the intercultural trainings and mediation trainings |
| Project ► | Joint EU/CoE Programme ROMACT |
| Organisation and buying entity ► | Council of Europe Directorate General of Democracy Directorate of Democratic Governance and Anti-discrimination Roma and Travellers Team |
| Type of contract ► | Framework Contract |
| Duration ► | Until 30 June 2021 Renewable until 31 October 2021 |
| Expected starting date ► | 01 January 2019 |
| Tender Notice Issuance date ► | 19 October 2018 |
| Deadline for tendering ► | 28 November 2018 |

TABLE OF CONTENTS

This Tender File contains:

- **The TERMS OF REFERENCE** 3
The TERMS OF REFERENCE describe what will be expected from the selected Providers.
- **The TENDER RULES** 8
The TENDER RULES explain the procedure through which the tenders will be submitted by the tenderers and assessed by the Council of Europe.
- **The ACT OF ENGAGEMENT (See Document attached)** is the document formalising the consent of the Parties to be bound by the LEGAL CONDITIONS, which are the legal provisions which will be applicable between the Council of Europe and the selected Providers. It also contains the TABLE OF FEES, which indicates the applicable fees, throughout the duration of the contract.

HOW DOES A FRAMEWORK CONTRACT WORK?

STAGE 1:

SELECTION of qualified Providers through a call for tenders and signature of a framework contract with all the pre-selected Providers.

STAGE 2:

ORDER(S) are addressed, on an as needed basis, throughout the duration of the contract, to the designated Provider(s).

EXECUTION as from the date of signature of each Order, unless the Order concerned provides otherwise.

HOW TO SUBMIT A TENDER?

STEP 1: Read the **TENDER FILE**

STEP 2: Complete the **ACT OF ENGAGEMENT** and collect the required **SUPPORTING DOCUMENTS**, as listed in section F of the terms of reference (below).

STEP 3: Send your **TENDER**, in accordance with the Tender Rules

PART I – TERMS OF REFERENCE

CALL FOR TENDERS FOR THE PROVISION OF CONSULTANCY SERVICES RELATED TO THE INTERCULTURAL TRAININGS AND MEDIATION TRAININGS 2018/AO/62

A. BACKGROUND

The Joint European Commission (EC) and Council of Europe (CoE) Programme “ROMACT – Building up political will and understanding of Roma inclusion at local and regional level” (ROMACT) (hereafter referred to as “the Programme”) is 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 Programme will end on 31 June 2021.

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

The Programme is 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.¹

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 of the municipality.

Module B – Mediation trainings

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

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

The present tendering procedure aims to select Service Providers to support the implementation of the project and is divided into two lots of consultancy services:

- **Lot 1:** Consultancy services related to provision of intercultural trainings (Module A);
- **Lot 2:** Consultancy services related to provision of mediation trainings (Module B).

The Council will select, through this procedure, a maximum of 8 Service providers for Lot 1, and a maximum of 8 Service providers for Lot 2, provided enough offers meet the criteria indicated below.

This Contract is currently estimated to cover up to 150 activities, to be held by 30 June 2021. 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.

For information purposes only, the total amount of the object of present tender should in principle not exceed 300 000 Euros for the whole duration of the Framework Contract. This information does not constitute any sort of contractual commitment or obligation on the part of the Council of Europe.

The locations in which the Service Providers will provide training will be based on the list of municipalities that have been selected through a call for expressions of interest in receiving intercultural and/or mediation trainings.

Once the selection process of municipalities has been finalised, trainers will be assigned training sessions in the selected municipalities according to the procedure set out at Section D below.

If, in the pool of trainers, preselected through this call for tenders, there are trainers who are native speakers of the local language of a given municipality, one or more of these trainers will be assigned the training sessions in that municipality. If there is no trainer in the pool who speaks the local language, the training session will be conducted in English.

B. SCOPE OF THE FRAMEWORK CONTRACT

Throughout the duration of the Framework Contract, pre-selected Providers may be asked to:

- 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 (failing that, in English);
- Contribute to the in-process evaluation and feedback on the training and improvement of curriculum as needed;

The above list is not considered exhaustive. The Council reserves the right to request deliverables not explicitly mentioned in the above list of expected services, but related to the field of expertise object of the present Framework Contract.

In terms of **quality requirements**, the pre-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.

In addition to the orders requested on an as needed basis, the Provider shall keep regular communication with the Council to ensure continuing exchange of information relevant to the project implementation. This involves, among others, to inform the Council as soon as it becomes aware, during the execution of the Contract, of any initiatives and/or adopted laws and regulations, policies, strategies or action plans or any other development

related to the object of the Contract (see more on general obligations of the Provider in Article 3.1.2 of the Legal Conditions in the Act of Engagement).

Unless otherwise agreed with the Council, written documents produced by the Provider shall be in English (see more on requirements for written documents in Articles 3.2.2 and 3.2.3 of the Legal Conditions in the Act of Engagement).

C. FEES

Tenderers are invited to indicate their unit fees, by completing the table of fees, as attached in Section A of 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 D below) the global fee corresponding to each deliverable, calculated on the basis of the daily fees, as agreed by this Contract

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

Once this consultation and the subsequent selection are completed, you will be informed accordingly. Deliverables 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).

Each time an Order Form is sent, the selected Provider undertakes to take all the necessary measures to send it **signed** to the Council within 2 (two) working days after its reception.

Pooling

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: language(s) spoken, capability, expertise, 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.

When determining which Provider offers best value for money, the Council reserves the right to assign multiple training sessions within the same municipality to the same Provider, in order to minimise travel expenses.

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.

Providers subject to VAT

The Provider, **if subject to VAT**, shall also send, together with each signed Form, a quote² (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 deliverables (in the currency indicated on the Act of Engagement, tax exclusive);
- the total amount per type of deliverables (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, the applicable VAT rate, the amount of VAT and the amount VAT inclusive.

² It must strictly respect the fees indicated in Section A of the Act of Engagement as recorded by the Council of Europe. In case of non-compliance with the fees as indicated in the Act of Engagement, the Council of Europe reserves the right to terminate the Contract with the Service Provider, in all or in part.

Signature of orders

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 Provider, to the extent possible on the day of its signature.

E. ASSESSMENT

Exclusion criteria (by signing the Act of Engagement, you declare on your honour not being in any of the below situations)³

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

Tenderers shall demonstrate that they fulfil the following criteria (to be assessed on the basis of all supporting documents listed in Section F):

- University degree;
- Native speakers or fluent (at least level C1 of the CEFR⁴) 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);

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%).

The Council reserves the right to hold interviews with eligible tenderers.

Multiple tendering is not authorised.

³ The Council of Europe reserves the right to ask tenderers, at a later stage, to supply the following supporting documents:

- 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 requirements listed above under "exclusion criteria" are met;

- A certificate issued by the competent authority of the country of incorporation indicating that the fourth requirement is met.

⁴ http://www.coe.int/t/dg4/linguistic/Source/Framework_EN.pdf

F. DOCUMENTS TO BE PROVIDED

- **Two** completed and signed copies of the Act of Engagement.⁵
- 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 and in which language(s) the trainer would be capable of delivering training;
- Three relevant referees, from current or previous employers or clients (name, surname, title, phone number or e-mail).

All documents shall be submitted in English, failure to do so will result in the exclusion of the tender. If any of the documents listed above are missing, the Council reserves the right to reject tender. Submitted documents that were not requested in the tender will not be considered.

The Council reserves the right to reject a tender if the scanned documents are of such a quality that the documents cannot be read once printed.

* * *

⁵ The Act of Engagement must be completed, signed and scanned in its entirety (i.e. including all the pages). The scanned Act of Engagement may be sent page by page (attached to a single email) or as a compiled document, although a compiled document would be preferred. For all scanned documents, .pdf files are preferred.

PART II – TENDER RULES

CALL FOR TENDERS FOR THE PROVISION OF CONSULTANCY SERVICES RELATED TO THE INTERCULTURAL TRAININGS AND MEDIATION TRAININGS 2018/AO/62

ARTICLE 1 – IDENTIFICATION OF THE CONTRACTING AUTHORITY

1.1 Name and address

COUNCIL OF EUROPE

Directorate General of Democracy
Directorate of Democratic Governance and Anti-discrimination
Roma and Travellers Team

1.2 Background

The activities of the Organisation are governed by its Statute. These activities concern the promotion of human rights, democracy and the rule of law. The Organisation has its seat in Strasbourg and has set up external offices in about 20 member and non-member states (in Ankara, Baku, Belgrade, Brussels, Bucharest, Chisinau, Erevan, Geneva, Kyiv, Lisbon, Moscow, Paris, Podgorica, Pristina, Rabat, Sarajevo, Skopje, Tbilisi, Tirana, Tunis, Warsaw, Venice and Vienna).

Council of Europe procurements are governed by the Financial Regulations of the Organisation and by Rule 1333 of 29 June 2011 on the procurement procedures of the Council of Europe.

The Organisation enjoys privileges and immunities provided for in the General Agreement on Privileges and Immunities of the Council of Europe, and its Protocols, and the Special Agreement relating to the Seat of the Council of Europe.⁶

Further details on the project are provided in the Terms of Reference.

ARTICLE 2 – VALIDITY OF THE TENDERS

Tenders are valid for 120 calendar days as from the closing date for their submission.

ARTICLE 3 – DURATION OF THE CONTRACT

The duration of the framework contract is set out in Article 2 of the Legal Conditions in the Act of Engagement.

ARTICLE 4 – CHANGE, ALTERATION AND MODIFICATION OF THE TENDER FILE

Any change in the format, or any alteration or modification of the original tender will cause the immediate rejection of the tender concerned.

ARTICLE 5 – CONTENT OF THE TENDER FILE

The tender file is composed of:

- Technical specifications/Terms of reference;
- Tender rules;
- An Act of Engagement, including the Legal Conditions of the contract.

ARTICLE 6 – LEGAL FORM OF TENDERERS

The tenderer must be either a natural person, or a duly registered company under sole proprietorship of a natural person, or equivalent, provided that the signatory of the Act of Engagement is individually liable for all obligations undertaken by the entity, and is the owner of the moral rights in any creations of the entity. If contracted by the Council of Europe, the signatory of the Act of Engagement shall provide the deliverables personally, in accordance with the terms as provided in the current Tender File, Act of Engagement and future Order Forms

(see Section **Error! Reference source not found.** above on ordering procedure).

ARTICLE 7 – SUPPLEMENTARY INFORMATION

General information can be found on the website of the Council of Europe: <http://www.coe.int>

Other questions regarding this specific tendering procedure shall be sent at the latest by **one week before the deadline for submissions of tenders**, in English, and shall be exclusively sent to the following address: romact@coe.int.

ARTICLE 8 – MODALITIES OF THE TENDERING

Tenders must be sent to the Council of Europe **both electronically and in paper hardcopy**.

Electronic copies shall be sent only to cdm@coe.int. Tenders submitted to another e-mail account will be excluded from the procedure;

Paper hardcopies shall be sent in A4 format (21x29.7 cm) by post, as specified below:

- Tenders shall be submitted in a sealed envelope. The first sealed envelope shall be placed inside a second envelope addressed to the Tenders Board, showing the file reference number and object, as follows:

COUNCIL OF EUROPE
For the attention of the Tenders Board
**CALL FOR PROVISION OF CONSULTANCY SERVICES
RELATED TO THE INTERCULTURAL TRAININGS AND
MEDIATION TRAININGS**
2018/AO/62
B.P. 7
F – 67075 STRASBOURG Cedex
FRANCE

- Tenderers are requested to indicate their names and address on the outside envelope for identification purposes.

ARTICLE 9 – DEADLINE FOR SUBMISSION OF TENDERS

The deadline for the submission of tenders is 28 November 2018 as evidenced by the postmark, or by the receipt of delivery provided by the dispatching company.

ARTICLE 10 – ASSESSMENT OF TENDERS

Tenders shall be assessed in accordance with Rule 1333 of 29 June 2011 on the procurement procedures of the Council of Europe. Assessment shall be based upon the criteria as detailed in the Terms of Reference.

* * *

⁶ Available on the website of the Council of Europe Treaty Office:
www.conventions.coe.int

FINAL CHECK LIST

1) BEFORE SENDING YOUR TENDER, CHECK THAT IT INCLUDES:

- **Two** completed and signed copies of the Act of Engagement.⁷
 - 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 and in which language(s) the trainer would be capable of delivering training;
 - Three relevant referees, from current or previous employers or clients (name, surname, title, phone number or e-mail).
-

2) HOW TO SEND TENDERS?

Tenders must be sent to the Council of Europe **both electronically and in paper hardcopy**.

Electronic copies shall be sent only to cdm@coe.int. Tenders submitted to another e-mail account will be excluded from the procedure;

Paper hardcopies shall be sent in A4 format (21x29.7 cm) by post, as specified below:

- Tenders shall be submitted in a sealed envelope. The first sealed envelope shall be placed inside a second envelope addressed to the Tenders Board, showing the file reference number and object, as follows:

| |
|--|
| <p style="text-align: center;">COUNCIL OF EUROPE For the attention of the Tenders Board CALL FOR PROMISION OF CONSULTANCY SERVICES RELATED TO THE INTERCULTURAL TRAININGS AND MEDIATION TRAININGS 2018/AO/62 B.P. 7 F – 67075 STRASBOURG Cedex FRANCE</p> |
|--|

- Tenderers are requested to indicate their names and address on the outside envelope for identification purposes.

The deadline for the submission of tenders is 28 November 2018 as evidenced by the postmark, or by the receipt of delivery provided by the dispatching company.

⁷ The Act of Engagement must be completed, signed and scanned in its entirety (i.e. including all the pages). The scanned Act of Engagement may be sent page by page (attached to a single email) or as a compiled document, although a compiled document would be preferred. For all scanned documents, .pdf files are preferred.