**CALL FOR TENDERS**

**for the provision of consultancy services ON the inclusion of roma at local and regional level in romania (facilitators)**

**2017/AO/05**

|  |  |
| --- | --- |
| **Services** | Consultancy services on the inclusion of Roma at local and regional level in Romania (Facilitators) |
| **Project** | EU/CoE Joint Programme “ROMACT3” and “ROMACT4” |
| **Organisation and buying entity** | Council of Europe  Directorate General of Democracy  Support Team of the Special Representative of the Secretary General of the Council of Europe for Roma Issues |
| **Type of**  **contract** | **Framework contract** **with a maximum of 30 (thirty) Service Providers** |
| **Duration** | Until 31 December 2017 |
| **Estimated**  **starting date** | 1 March 2017 |
| **Tender Notice**  **Issuance date** | 25 January 2017 |
| **Deadline for**  **tendering:** | 17 February 2017 |

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The TERMS OF REFERENCE describe what will be expected from the selected Service Providers.

* [**The TENDER RULES** 10](#_Toc445392376)

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 provisions of the Legal Conditions. It contains also:
* The LEGAL CONDITIONS, which are the legal provisions which will be applicable between the Council of Europe and the selected Service Providers.
* The TABLE OF FEES indicates the applicable fees, throughout the duration of the contract.

**HOW DOES A FRAMEWORK CONTRACT WORK?**

**Stage 1:**

**Selection** of qualified Service Providers through a call for tenders and signature of a framework contract with all the pre-selected Service Providers. A ranking list is established.

**Stage(s) 2:**

**Order(s)** are addressed to the Service Providers on an “as needed basis”, respecting the order of the established ranking list, throughout the duration of the framework contract. Service Providers are invited to read the ordering conditions, as indicated in Article 4.1 of the Legal Conditions (See Act of Engagement).

**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 Article 6 of the Act of Engagement

**Step 3: Send your TENDER**, in accordance with Article 9 of the TENDER RULES

**PART I –TERMS OF REFERENCE**

**CALL FOR TENDERS**

**for the provision of consultancy services ON THE inclusion of roma at local and regional level in romania (facilitators)**

**2017/AO/05**

1. **Background**

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 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.

The Projects’ activities will take place in **6 (six) countries: Bulgaria, Czech Republic, Hungary, Italy, Romania and Slovakia in number of municipalities in each country.**

In each country, a National Support Team will be formed, consisting of one or more National Project Officer(s), National Facilitators’ Coordinator and a number of Facilitators.

1. **OBJECT AND SCOPE OF THE TENDERING PROCEDURE**

This tendering procedure is an international call for tender. It aims at concluding a Framework Contract (hereafter referred to as the “Contract”) with a maximum of 30 (thirty) Service Providers for the provision of consultancy services within the framework of the Projects **in Romania**. This call relates specifically to consultancy services to be provided by Providers who will act **as Facilitators**.

The Projects will be implemented in a number of municipalities in Romania, selected according to the presence of Roma communities and willingness to participate in the Projects. Each facilitator may be asked to work with **up to three municipalities**. Orders will be addressed to Service Providers on an “as needed basis”, respecting the order of the established ranking list, throughout the duration of the framework contract. The Council of Europe is not bound, through this framework contract, by a minimum purchase requirement. Therefore, the selection of a Service Provider will not give rise to a right for the Service Provider concerned to be awarded subsequent orders. Tenderers are invited to read the ordering conditions, as indicated in Article 4.1 of the Legal Conditions (See Act of Engagement) and set out in section V below.

The contract is concluded until 31 December 2017. In the event that the Project is prolonged by the donor, this contract may be renewed on a three-monthly basis, but cannot be prolonged beyond 30 June 2018.

For information purposes only, the total budget of the Project amounts to 2,250,000.00 Euros and the total amount of the consultancy, object of the present tender, should in principle not exceed 200,000.00 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.

**III. Expected services**

The Service Provider, acting within the role of a Facilitator, will undertake a facilitating function in relation to the implementation of the project activities at municipal level in Romania. In particular, he/she will act as a conduit between Roma Communities on one hand, and the Municipal authorities on the other hand, and will work to ensure effective implementation of activities in one or more municipalities, as applicable.

Throughout the duration of the framework contract, the selected Service Provider/s may be requested to provide deliverables falling under the scope of the following services:

* **Drafting and preparing work plan proposals** for the implementation of the municipal level Project activities in the relevant municipality(ies) in Romania for which the Provider is responsible, and helping finalise these documents, together with National Facilitators’ Coordinator;
* **Planning, organisation and facilitation of meetings** within the relevant municipality(ies) for which the Provider is responsible, and in consultation with National Project Officer and National Facilitators’ Coordinator, in particular meetings of Community Action Group (CAG), meetings with Local Administration (LA) of a given municipality, and Joint meetings of CAG and LA, including: establishing and developing contacts with stakeholders; identifying opportunities for meetings to develop effective cooperation and dialogue between them in regards to project implementation; helping with the planning and organisation of those meetings; and, where applicable, facilitating the drafting/revision process for the adoption of Joint Action Plans and their inclusion into the Local Strategy of the relevant municipality(ies).
* **Planning, organisation and facilitation of other events and activities** within the relevant municipality(ies) for which the Provider is responsible, including identifying relevant opportunities and topics for events, identifying participants, and helping with the planning and organisation of those events;
* **Drafting activity reports** regarding the activities carried out during the relevant reporting period within the relevant municipality(ies) for which the Provider is responsible, ensuring reporting obligations, quality of reports, uploading the reports in the online system within 7 days after the activity takes place, reviewing reports upon feedback from the Secretariat within 7 days;
* **Training/coaching**, including identifying needs for capacity development and technical assistance to stakeholders at the local level within the relevant municipality(ies) for which the Provider is responsible, including local level training and coaching (CAG and LA), planning and organising training, workshops and roundtables, securing the participation of local partners/speakers and ensuring the quality and relevance of these activities, proposing improvements where necessary;
* **Attending and representing the Project at events** at the municipal level within the relevant municipality(ies) for which the Provider is responsible, in close cooperation with National Facilitators’ Coordinator and National Project Officer, including those mentioned in the paragraphs above and any other events, such as conferences, workshops, trainings, meetings organised by local NGOs, international organisations or donor organisations, which are relevant to the subject matter of the Project;
* **Research and collection of information** within the relevant municipality(ies) for which the Provider is responsible, including collecting and providing information about municipal action plans/local development plans/initiatives; information relevant for trimestral municipal reports, updates of municipality pages of the Programmes, for conducting surveys and assessments, providing information on relevant developments in the field of social inclusion and work with vulnerable groups in the relevant municipality(ies) and other relevant developments, for improvement, adjustment, development of ROMACT strategy and work plans at municipal levels;

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 of Europe – whenever this is the case – are followed.

1. **FEES**

Each tenderer is invited to indicate his/her daily fee, which will serve as a basis for calculating, for each order, the total amount of each deliverable (See Appendix to the Act of Engagement). Tenders proposing a fee above the exclusion level indicated in the Table of fees will be **entirely and automatically** excluded from the tender procedure.

For each deliverable, and before ordering the given deliverable, the Council of Europe shall estimate the number of days required and determine the fee accordingly. However, such an estimation (of the number of days required) shall have no contractual value and shall not alter the nature of this contract which shall be deemed as deliverable-based. The fee to be paid by the Council for each deliverable will be indicated on the relevant order form(s).

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. Those expenses should be covered by the organisation/service provider supporting the implementation of ROMACT in Romania. **No extra travel, accommodation or subsistence costs will be covered by the Council within the scope of the contract**.

1. **HOW WILL THIS FRAMEWORK CONTRACT WORK? (ORDERING)**

All services will be ordered on an “as needed basis”. The Council of Europe is not bound, through this framework contract, by a minimum purchase requirement. Therefore, the selection of a Service Provider will not give rise to a right for the Service Provider concerned to be awarded subsequent orders.

Purchase of deliverables shall be carried out on the basis of orders submitted by the Council to the Service Provider, by post or electronically. The ordering procedure is defined in Article 4.1 of the Legal Conditions (See Act of Engagement).

Prior to the ordering of services, agreement will be reached in writing between the Council and selected Service Providers in relation to the municipalities in which the selected Service Providers will work, in accordance with the following paragraphs.

Selected Service Providers will be offered a framework contract to work with a maximum of 3 (three) municipalities each. While respecting the ranking list established as a result of this tendering procedure, the Council reserves the right to propose to the selected Service Providers which municipalities they will work with, at its absolute discretion, based on their place of residence or professional activity (in order to minimise the travel costs of the Projects), their experience with the community/municipality concerned and/or their adaptability to the context. For the purpose of allocating the municipalities, the address provided under Article 2.2 of the Act of Engagement will be taken as the place of residence or professional activity.

Service Providers will be entitled to accept or refuse the municipalities proposed. The Council may decide to propose alternatives; however the Service Provider shall not have the automatic right to be proposed an alternative in lieu of any municipalities which they refuse.

Orders will be addressed in priority to the Service Provider ranked highest on the tender list for the duration of the contract. Other Service Providers will be proposed the remaining municipalities, by order of ranking. Thus the first-ranked Service Provider may be offered 1 (one), 2 (two) or 3 (three) municipalities, the second-ranked Service Provider may be offered 1 (one), 2 (two) or 3 (three) municipalities, and so on down the list, until all municipalities are allocated. The Council reserves the right to address orders to one of the following ranked Service Providers if a Service Provider refuses to work with one or several given municipalities, without prejudice to the criteria mentioned above.

The Service Providers who are not initially allocated municipalities will be called on only if the contract with one of the higher ranked Service Providers is terminated or in cases otherwise provided for in the Legal Conditions (See Article 4.1 of the Legal Conditions).

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.

The Service Provider, **if subject to VAT**, shall also send, together with the signed Form, a quote[[1]](#footnote-2) (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).

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.

1. **ASSESSMENT OF THE TENDERERS/TENDERS**
2. **Exclusion criteria**

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.

1. **Eligibility criteria**

Tenderers shall demonstrate that they fulfil the following criteria:

* Completed secondary education;
* Professional experience of at least three years at the international and/or national and/or local level in the field of Roma inclusion, Roma communities, policies, public administration, access to funding, social inclusion;
* Excellent oral and written Romanian (at least level C1 of the CEFR[[2]](#footnote-3)).

Only bids submitted in English shall be deemed eligible.

1. **Award criteria**

Only the tenders of tenderers who have passed the exclusion and eligibility tests will be assessed against the following award criteria:

* Quality of the offer (80%), including:
  + Thematic knowledge and related experience in Roma inclusion field: Communities, Policies, Public administration, Access to funding, Social inclusion;
  + Experience in and knowledge of the local communities and municipalities;
  + Demonstrated ability to work in a team, strong facilitation, mediation, organisational, reporting, interpersonal, and communication skills, including English language skills.
* Financial offer (20%).

Multiple tendering is not authorised.

1. **Documents to be provided**

All tenderers shall deliver, when submitting their tender:

* **Two** completed and signed copies of the Act of Engagement;[[3]](#footnote-4)
* A table of fees, duly completed, as attached to the Act of Engagement. Tenders proposing a fee above the exclusion level indicated in the Table of fees will be **entirely and automatically** excluded from the tender procedure;
* A motivation letter in English, demonstrating experience and expertise required;
* A detailed CV in English (EU format);
* Three relevant references, from current or previous employers or clients (name, surname, title, phone number or e-mail).

**The Council of Europe reserves the right to hold an interview in person or via phone with the eligible tenderers to evaluate the required knowledge and experience.**

# \* \* \*

# PART II – TENDER RULES

**CALL FOR TENDERS**

**for the provision of consultancy services ON the inclusion of roma at local and regional level in romania (facilitators)**

**2017/AO/05**

**ARTICLE 1 – IDENTIFICATION OF THE CONTRACTING AUTHORITY**

* 1. **Name and address**

**COUNCIL OF EUROPE**

Directorate General of Democracy

Support Team of the Special Representative of the Secretary General of the Council of Europe for Roma Issues

* 1. **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.[[4]](#footnote-5)

Further details on the project are provided for in the Technical Specifications.

**ARTICLE 2 – PLACE OF PERFORMANCE AND FULFILMENT**

Unless national legislations prescribe otherwise:

* Deliverables provided exclusively in writing will be considered as performed at the place where the consultant is established;
* Other deliverables will be considered as performed where the event takes place.

**ARTICLE 3 – VALIDITY OF THE TENDERS**

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

**ARTICLE 4 – DURATION OF THE CONTRACT**

The duration of the framework contract is set out in Article 3 of the Act of Engagement.

**ARTICLE 5 – 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 6 – Content of the tender file**

The tender file is composed of:

* Technical specifications/Terms of reference;
* Tender rules;
* An Act of Engagement, including the General and Special Conditions of the contract.

**ARTICLE 7 – LEGAL FORM OF TENDERERS**

Natural persons only are accepted.

Applications from companies, NGOs and other legal persons, including sent by that legal person on behalf of an individual, or where an individual supplies details of a legal person which is incorporated in their own name or on their behalf for the purposes of their professional activities, shall be disregarded.

**ARTICLE 8 – 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 or French, and shall be exclusively sent to the following address: [Nedim.vrabac@coe.int](mailto:Nedim.vrabac@coe.int)

**ARTICLE 9 – MODALITIES OF THE TENDERING**

Tenders must be sent to the Council of Europe:

* Electronically, only to the following address [cdm@coe.int](mailto:cdm@coe.int). Tenders submitted to another e-mail account will be excluded from the procedure;

**AND**

* In the form of the paper hardcopy 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 Tenders – ROMACT – Facilitators Romania – 2017/AO/05**

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 10 – Deadline for submission of tenders**

The deadline for the submission of tenders is 17 February 2017 as evidenced by the postmark, or by the receipt of delivery provided by the dispatching company.

**ARTICLE 11 – 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.

\* \* \*

**FINAL CHECK LIST**

1. **BEFORE SENDING YOUR TENDER, CHECK THAT IT INCLUDES:**

* **Two** completed and signed copies of the Act of Engagement;
* A table of fees, duly completed, as attached to the Act of Engagement;
* A motivation letter in English, demonstrating experience and expertise required;
* A detailed CV in English (EU format);
* Three relevant references, from current or previous employers or clients (name, surname, title, phone number or e-mail).

1. **HOW TO SEND TENDERS?**

Tenders must be sent to the Council of Europe:

* Electronically only to the following address [cdm@coe.int](mailto:cdm@coe.int). Tenders submitted to another e-mail account will be excluded from the procedure;

**AND**

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The deadline for the submission of tenders is 17 February 2017 as evidenced by the postmark, or by the receipt of delivery provided by the dispatching company.

1. It must strictly respect the fees indicated in the Order Form. In case of non-compliance with the fees as indicated in the Order Form, the Council of Europe reserves the right to terminate the Contract with the Service Provider, in all or in part. [↑](#footnote-ref-2)
2. http://www.coe.int/t/dg4/linguistic/Source/Framework\_EN.pdf [↑](#footnote-ref-3)
3. By signing the Act of Engagement, tenderers declare that they are not in any of the situations listed in the exclusion criteria (See Act of Engagement – Article 5). 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 en equivalent document issued by the competent judicial or administrative authority of the country of incorporation, indicating that the first three above listed requirements are met;
   * A certificate issued by the competent authority of the country of incorporation indicating that the fourth requirement is met.

   [↑](#footnote-ref-4)
4. Available on the website of the Council of Europe Treaty Office: [www.conventions.coe.int](http://www.conventions.coe.int) [↑](#footnote-ref-5)