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**TENDER FILE / TERMS OF REFERENCE**

**(Restricted consultation procedure / Framework Contract)**

**Consultancy services on activities on Roma inclusion at local and regional level in Romania**

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.

1. GENERAL INFORMATION

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| **Object of the procurement procedure ►** | The provision of consultancy services **in Romania** relating to the inclusion of Roma at local and regional level |
| **Project ►** | EU/CoE Joint Programmes “ROMACT3 and ROMACT4” |
| **Type of contract ►** | Framework contract |
| **Duration ►** | Until 31 December 2017 |
| **Deadline for submission of tenders/offers ►** | **11 May 2017** |
| **Email for submission of tenders/offers ►** | **romact@coe.int** |
| **Expected starting date of execution ►** | 17 May 2017 |

The activities of the Council of Europe are governed by its [Statute](https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=0900001680306052) 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](https://wcd.coe.int/ViewDoc.jsp?p=&id=1807541&direct=true).

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.**

1. CoE CONTACT DETAILS (FOR THIS TENDERING PROCEDURE)

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| **Person / Function / Department ►** | Nedim Vrabac, ROMACT Project manager, Support Team to Special Representative of the Secretary General for Roma Issues |
| **Address ►** | Zmaja od Bosne 7-7A, Importanne Centre, 71000 Sarajevo, Bosnia and Herzegovina |
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1. 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.

The Projects’ activities will take place in **5 (five) countries: Bulgaria, Czech Republic, Italy, Romania and Slovakia in a number of municipalities in each country.**

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

The National Support Team will be supported by a number of consultants (“Service Providers”) providing expertise on various topics.

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

* **Lot 1**: Consultancy services relating to ROMACT methodology/Roma Inclusion/ Social Inclusion policies and practices;
* **Lot 2**: Consultancy services relating to Strategic planning, Technical aspects related to implementation of the Local Action Plans and Strategies, Project development, Accessing funds (EU and other funds).
* **Lot 3**: Consultancy services relating to Communication and Advocacy
* **Lot 4:** Consultancy services relating to National and international laws and regulations related to relevant fields of the Programme

The Council will select, through this procedure, a maximum of 4 (four) Service Providers for Lot 1, a maximum of 20 (twenty) Service Providers for Lot 2, a maximum of 2 (two) Service Providers for Lot 3, and a maximum of 4 (four) Service Providers for Lot 4, provided enough offers meet the criteria indicated below.

Tenderers may tender for one or more lots, and are invited to indicate which lot(s) they are tendering for (see Section A of the Act of Engagement), however, the Council reserves the right to assign a Service Provider to a lot other than the one(s) he/she tendered for.

This Contract is currently estimated to cover up to 100 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:

* Provide expertise to the ROMACT Management team, the NSTs and the Programme’s stakeholders on matters and in fields falling within the scope of the relevant lot, including and not limited to: elaborating documents, research, data collection and analysis, providing feedback, proposals, assistance and support for the implementation of Programme activities;
* Prepare proposals and recommendations to the NST and ROMACT Management team for activities in the fields falling within the scope of the relevant lot;
* Provide training on matters falling within the scope of the relevant lot;
* Provide advice and assistance to jointly develop common plans to find proper solutions/actions in the fields of interest of the Programme;
* Assist and support the development of project proposals for submission to relevant Calls for funding;
* Analyse: documents and information provided by the facilitators and the local teams on matters falling within the scope of the relevant lot;
* Participate in and provide expert input to various meetings, among others and not limited to: the meetings between the ROMACT teams; round tables or other local and national events from the Work Plan of the NSTs; meetings for the preparation of proposals/inputs and to contribute to the topic of meetings; working groups or implementation meetings with the aim to increase the contribution to the relevant public policies;
* Elaborate documents with the objective of strengthening the relation between the National Support Team and relevant national and local actors through relevant contribution;

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.

1. 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.

1. 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 for the relevant lot 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, 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 Council reserves the right to order services from Services Providers in the pool established for another Lot in cases where no providers for the relevant Lot accept a particular order within the required timeframe.

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

*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 in relevant fields;
* Professional experience of at least three years at the international and/or national level in the fields mentioned in the relevant Lot(s);
* Excellent oral and written Romanian (at least level C1 of the CEFR[[2]](#footnote-2)) and a 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 and related expertise and experience in fields relevant to the appropriate Lot(s);
  + Capacity to meet the required deadlines;
  + Capacity to adapt to the context
  + Demonstrated understanding of the delivery of international technical assistance projects;
  + Demonstrated ability to work in a team, strong interpersonal and communication skills. .
* Financial offer (20%).

Multiple tendering is not authorised.

1. DOCUMENTS TO BE PROVIDED

* A completed and signed copy of the **Act of Engagement[[3]](#footnote-3)** (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 and experience 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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1. 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. [↑](#footnote-ref-1)
2. http://www.coe.int/t/dg4/linguistic/Source/Framework\_EN.pdf [↑](#footnote-ref-2)
3. 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. [↑](#footnote-ref-3)