



CALL FOR TENDERS

FOR THE PROVISION OF CONSULTANCY SERVICES ON ACCESSING FUNDS UNDER OPERATIONAL PROGRAMMES IN ROMANIA

2018/AO/74

Object of the procurement procedure ►	The provision of consultancy services in Romania relating to accessing funds related to the inclusion of Roma at local and regional level
Project ►	EU/CoE Joint Programme ROMACT
Organisation and buying entity ►	Council of Europe Directorate General of Democracy Directorate of Anti-discrimination Roma and Travellers Team
Type of contract ►	Framework Contract
Duration ►	Until 31 October 2021 Renewable until 31 March 2022
Expected starting date ►	01 February 2019
Tender Notice Issuance date ►	10 December 2018
Deadline for tendering ►	21 January 2019

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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 ON ACCESSING FUNDS UNDER OPERATIONAL PROGRAMMES IN ROMANIA 2018/AO/74

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

The Programme will end on 31 March 2021.

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.

The Programme’s activities will take place in **2 (two) countries: Bulgaria and Romania in a number of municipalities in each country.**

In each country, a National Support Team (“NST”) will be 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.

The Council of Europe is looking for [a maximum of *fifteen* Provider(s) (provided enough tenders meet the criteria indicated below) in order to support the implementation of the project with a particular expertise on accessing funds under operational programmes in Romania and implementing projects funded under the mentioned sources, in particular the following funds:

- European Social Fund
- European Regional Development Fund
- Cohesion Fund
- EU funds managed by European Commission
- Other funds

And, in particular, the following Operational Programmes:

- Operational Programme Human Capital (POCU)/ Sectorial Operational Programme Human Resources Development (POS DRU);
- Regional Operational Programme 2007-2013, 2014-2020, Cross-Border Programmes;
- Operational Programme Large Infrastructure (POIM)/Sectorial Operational Programme Environment (POS MEDIU);
- Programmes managed by European Commission,
- Other programmes: Swiss Fund, EEA Norway Grants.

This Contract is currently estimated to cover up to 200 activities, to be held by 31 October 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 [200,000] 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.

B. SCOPE OF THE FRAMEWORK CONTRACT

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

- Provide expertise to the ROMACT Management team, the NSTs and the Programme's stakeholders on matters and in fields of accessing funds under Operational Programmes in Romania and implementing projects funded under the mentioned sources
- Prepare proposals and recommendations to the NST and ROMACT Management team for activities in the field of accessing funds under Operational Programmes in Romania and implementing projects funded under the mentioned sources;
- Provide training on accessing funds under Operational Programmes in Romania and implementing projects funded under the mentioned sources;
- Assist and support the development of project proposals for submission to relevant Calls for funding and, in cases of already funded projects, assist and support the implementation thereof;

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 daily 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 requirements 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.

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 quote¹ (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 .

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)²

¹It 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.

²The Council of Europe reserves the right to ask tenderers, at a later stage, to supply the following supporting documents:

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):

- A University Degree in a relevant field (social sciences, economy, law);
- Professional experience of at least three years at the national and/or international level in the fields of accessing funds under Operational Programmes in Romania and assisting with or implementing projects funded under the mentioned sources;
- Excellent oral and written Romanian (at least level C1 of the CEFR³) and a good knowledge of English (at least level B2 of the CEFR);

Award criteria

- Criterion 1: Quality of the offer (80%), including:
 - Thematic knowledge and related expertise and experience in fields of accessing funds under Operational Programmes in Romania and assisting with or implementing projects funded under the mentioned sources;
 - Experience in providing training on topics relevant to the field of this Call (diploma and/or certifications in project management, project development / access to funding, public procurement would be considered an advantage)
 - Capacity to adapt to the context and apply the technical expertise to the needs of target groups of the Programme, hence local administrations and marginalized communities, including Roma;
 - Demonstrated understanding of the delivery of national and international technical assistance projects;
- Criterion 2: Financial offer (20%).

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

Multiple tendering is not authorised.

F. DOCUMENTS TO BE PROVIDED

- **Two** completed and signed copies of the Act of Engagement.⁴
- A detailed CV, not more than 5 pages long, demonstrating clearly that the tenderer fulfils the eligibility criteria;
- Completed application form (attached);

- 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.

³ http://www.coe.int/t/dg4/linguistic/Source/Framework_EN.pdf

⁴ 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.

- Copies of relevant diploma(s) and/or certification proving the experience in providing training on topics relevant to the field of this Call(project management, project development / access to funding, public procurement)(where applicable);
- 3 (three) referees' contact details;

All documents shall be submitted in English, failure to do so will result in the exclusion of the tender. The Council reserves the right to reject incomplete tenders. 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.

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PART II – TENDER RULES

CALL FOR TENDERS FOR THE PROVISION OF CONSULTANCY SERVICES ON ACCESSING FUNDS UNDER OPERATIONAL PROGRAMMES IN ROMANIA 2018/AO/74

ARTICLE 1 – IDENTIFICATION OF THE CONTRACTING AUTHORITY

1.1 Name and address

COUNCIL OF EUROPE

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

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.⁵

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 Dabove 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 of the requested documents 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 ON
ACCESSING FUNDS UNDER OPERATIONAL PROGRAMMES
IN ROMANIA
2018/AO/74
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 21 January 2019 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.

⁵ 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.
 - A detailed CV, not more than 5 pages long, demonstrating clearly that the tenderer fulfils the eligibility criteria;
 - Completed application form (attached);
 - Copies of relevant diploma(s) and/or certification proving the experience in providing training on topics relevant to the field of this Call (project management, project development / access to funding, public procurement) (where applicable);
 - 3 (three) referees' contact details;
-

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:

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