

# TENDER FILE / TERMS OF REFERENCE

(Restricted consultation procedure / Framework Contract)

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

## Call for consultancy providers on education policy

The Council of Europe is currently implementing its bi-annual programme of intergovernmental cooperation "Education for Democracy" 2018-2019, as adopted by the Committee of Ministers on 20 November 2017. In that context, it is looking for Provider(s) for the provision of consultancy services on education policy issues for the **"Research Activity on counter-radicalisation policies and their impact on Education"**, to be requested by the Council on an as needed basis.

### A. TENDER RULES

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<sup>1</sup>, the Organisation shall 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 specific tender procedure aims at concluding a **framework contract** for the provision of **deliverables** described in the **Act of Engagement** (See attached). A tender is considered valid for 120 calendar days as from the closing date for submission. Tenderers are invited to fill in the Act of Engagement, sign it and send back to the Council. In case the tenderer is unable to accept one or more clause(s) in the Legal Terms of the Act of Engagement, it may specify in its offer the clause(s) in question and propose alternative clause(s).

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. Tenderers are invited to read these conditions, and to specify in their offer any of these clauses which they are unable to accept, together with a justification for this, and a proposal of alternative clause(s). However, tenderers should note that the capacity to meet the Council's contractual requirements is one of the award criteria to be taken into account when the Council assesses tenderers' offers. Tenderers should also note that any contract signed following this consultation will have to contain the following clauses: Article 3.6 (Disclosure of the terms of the contract), Article 3.7 (Use of name) and Article 11 (Disputes), Article 3.8 (Data Protection). If the tenderer proposing alternative clauses is selected as a result of the current procedure, the alternative clauses proposed by the tenderer will replace the relevant clauses in the Legal Terms and Conditions of the Act of Engagement.

The tenderer must be either a natural person, or a legal person except consortia.

Tenders shall be submitted **by email only** (with attachments) **to the email address indicated in the table below, with the following reference in subject:**

"Proposal for international consultancy services under the Research Activity on counter-radicalisation policies and their impact on Education".

Tenders addressed to another email address **will be rejected**.

The general information and contact details for this procedure are indicated on this page. You are invited to use the CoE Contact details indicated below for any question you may have. **All questions shall be submitted at least 5 (five) working days before the deadline for submission of the tenders and shall be exclusively addressed to the email address indicated below with the following reference in subject:**

"Q & A on Proposal for international consultancy services under the Research Activity on anti-radicalisation policies and their impact on Education".

Type of contract ►	Framework contract
Duration ►	Until complete execution of the obligations of the parties (See Article 2 of Legal Conditions as reproduced in the Act of Engagement)
Deadline for submission of tenders/offers ►	23 April 2019
Email for submission of tenders/offers ►	education@coe.int
Email for questions ►	education@coe.int
Expected starting date of execution ►	30 April 2018

<sup>1</sup> 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 of 29 June 2011 on the procurement procedures of the Council of Europe](#).

## B. EXPECTED DELIVERABLES

### Background of the Activity

The Research Activity on the impact of counter-radicalisation policies in Education aims to see a reinforcement of the implementation of the right to quality education without any discrimination at all levels of education, as well as a safeguard of human rights principles and the fundamental mission of education, while addressing issues currently understood as falling under the notion of “countering violent extremism and radicalisation leading to terrorism-policies” across member states of the Council of Europe.

The Activity will result on a needs assessment report on countering violent extremism and radicalisation in schools across the CoE member states, a study map and analysis of existing measures and initiatives and a comprehensive guide on state of the art in the challenges of counter-radicalisation policies in the education sector in the Council of Europe member states.

The Council of Europe is looking for up to **three** Providers (provided enough tenders meet the criteria indicated below) in order to support the implementation of the activity with a particular expertise on the field of research on counter-radicalisation policies in education.

This Contract is currently estimated to cover up to 40 activities, to be held by 31 December 2018. 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.

The total amount of the object of present tender **shall not exceed 55,000 Euros tax exclusive** 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.

### Scope of the Framework Contract

Throughout the duration of the Framework Contract, pre-selected Providers may be asked to provide the deliverables listed in the Act of Engagement (See Section A – Terms of reference). This list is considered exhaustive.]

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 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.

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 unit 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 delivered on the basis of Order Forms submitted by the Council to the selected Provider (s), by post or electronically, on **an as needed basis** (there is therefore no obligation to order on the part of the Council).

### 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: 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 Provider undertakes to take all the necessary measures to send it **signed** to the Council within 3 (three) 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 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 quote<sup>2</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 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 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 and absence of conflict of interests*

(by signing the Act of Engagement, you declare on your honour not being in any of the below situations)<sup>3</sup>

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;
- The ability to organise and present information, views and concepts in a concise, understandable and interesting way for a variety of audiences, and to listen and respond to information, questions and requests from others.
- are or are likely to be in a situation of conflict of interests.

### *Eligibility criteria*

- Master's degree or equivalent work experience in Education and Social Sciences, Humanities, Law, Public Policy, Political Science, International Relations, Media and Communication.
- Minimum 10 years of proven work experience, with a minimum of 5 years of experience in the area of interest.
- Experience in drafting of knowledge products such as books, articles, research papers, toolkits, guides, methodologies, analytical documents, policy papers and notes, project/program documents, baseline studies, desk reviews, comparative studies, etc.
- Knowledge of the work of or experience in governmental, intergovernmental, non-governmental and civil society organisations

### *Award criteria*

- Quality of the offer (70%), including:
  - Research, analysis and writing skills (40%)
  - Thematic expertise (20%)

<sup>2</sup> It must strictly respect the fees indicated in the Act of Engagement. In case of non-compliance with these fees, the Council of Europe reserves the right to terminate the Contract with the Provider, in all or in part.

<sup>3</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.

- Capacity to adapt to the context (10%)
- Financial offer (30%).

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

Multiple tendering is not authorised.

#### F. DOCUMENTS TO BE PROVIDED

- A completed and signed copy of the **Act of Engagement**<sup>4</sup> (See attached);
- A detailed CV, preferably in Europass Format, demonstrating clearly that the tenderer fulfils the eligibility criteria;
- Registration documents, for legal persons only;
- Samples of previous work (articles, handbooks, research analysis, policy options, presentation, training materials etc) in English;
- Three references (contacts including phone number and e-mail address).

**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 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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<sup>4</sup> 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.