**TENDER FILE / TERMS OF REFERENCE**

**(Competitive bidding procedure / One-off contract)**

**Provision of services on conducting training impact assessment for the Cascade Trainings’ trainees**

**[*Contract N°*  ]**

The Council of Europe is currently implementing a Joint Project on “Improving the Effectiveness of the Administrative Judiciary and Strengthening the Institutional Capacity of the Council of State in Turkey” (hereinafter – the Project) which aims to foster public confidence in the administrative judiciary by further strengthening its independence, impartiality, and effectiveness, and by increasing public awareness of it. The Project will end on 31 May 2023. The Project is co-funded by the European Union, Republic of Türkiye and the Council of Europe.

In that context, it is looking for a Provider for the provision of services on conducting training impact assessment for the Cascade Trainings’ trainees to assess impact and experiences of the trainees. **(See Section A of the Act of Engagement).**

1. TENDER RULES

This tender procedure is a competitive bidding procedure. **In accordance with Rule 1395 of the Secretary General of the Council of Europe on the procurement procedures of the Council of Europe[[1]](#footnote-1), 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 **one-off 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. 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 tenderer must be 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:** **ImEAJ Tender / Training Impact SURVEY.** 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 five (5) 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: QUESTIONS:** **QUESTIONS / ImEAJ Tender / Training Impact SURVEY**

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| --- | --- |
| **Type of contract ►** | One-off contract  |
| **Duration ►** | Until complete execution of the obligations of the parties (See Article 2 of the Legal conditions as reproduced in the Act of Engagement) |
| **Deadline for submission of tenders/offers ►** | 18 April 2023 |
| **Email for submission of tenders/offers ►** | ankara.office@coe.int |
| **Email for questions ►** | ankara.office@coe.int |
| **Expected starting date of execution ►** | 26 April 2023 |

1. EXPECTED DELIVERABLES

The expected deliverables are described in **Section A of the Act of Engagement** (See attached).

1. FEES

All tenderers are invited to fill in the **table of fees** as reproduced in **Section A of the Act of Engagement**.

**The Project is exempted from the VAT payment** *according to the Article 27 & 28 IPA Framework Agreement between the European Union Commission and Republic of Türkiye signed on 11.02.2015 (this FWA adopted as law (no: 6647) by Turkish Parliament on 4 April 2015, which has been put into force by the government decree, no 2015/7708 that was published in Official Gazette no: 29393, dated 21 June 2015.)*

**Services should be invoiced VAT excluded**,

Tenderers **subject to VAT** shall also send **a quote (Pro Forma invoice)** on their letterhead 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.

1. ASSESSMENT

*Exclusion criteria and absence of conflict of interests*

(by signing the Act of Engagement,**[[2]](#footnote-2)** 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, terrorist financing, terrorist offences or offences linked to terrorist activities, child labour or trafficking in human beings;
* 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;
* are or are likely to be in a situation of conflict of interests;
* are or if their owner(s) or executive officer(s), in the case of legal persons, are included in the lists of persons or entities subject to restrictive measures applied by the European Union (available at [www.sanctionsmap.eu](http://www.sanctionsmap.eu)).

*Eligibility criteria*

* A legal person duly registered in Türkiye; company/institution/organization having legal grounds to provide research and survey services and operating in good standing
* At least 5 years of experience at national or international level in areas of work related to surveys; in providing research using face-to-face, online and focus group and in-depth methods across Türkiye’s territory with sample over 2000 respondents.

*Award criteria*

* **Quality of the offer (80%), including:**
	1. Demonstrated previous experience in conducting surveys in the field of the judiciary or public sector and a solid understanding of the needs (in terms of cooperation with justice system actors, public administrations, deadlines, reporting and expected outcomes) (20%)
	2. Quality of the proposed methodology for the survey including a timeline, human resources to provide the requested services, training of the interviewers to be carried out before the research, and quality of the documents submitted (60%)
* **Financial offer (20%).**

Multiple tendering is not authorised.

1. NEGOTIATIONS

The Council reserves the right to hold negotiations with the bidders in accordance with Article 20 of Rule 1395.

1. DOCUMENTS TO BE PROVIDED

Tenderers are invited to submit:

* **A completed and signed copy of the Act of Engagement (See attached)**
* **Registration documents** (scanned copy of the originals in Turkish);
* A list of all owners and executive officers, for legal persons only;
* **Professional profile** in the form of official letter (stamped and signed) or PPT presentation demonstrating clearly that the tenderer fulfils the eligibility criteria, in particular having a list of surveys carried out using face-to-face methods in Türkiye with sample over 2000 respondents;
* **Technical proposal describing;**

a) Sample of the training impact assessment implementation plan and proposed timeline including training of the interviewers to be carried out before conducting the surveys.;

b) Description of the professional experience of the key human resources to be engaged to provide the requested services.

**All documents shall be submitted in English (with only exception to registration document which can be submitted in Turkish), failure to do so will result in the exclusion of the tender.**

**If any of the documents listed above are missing,** **the Council of Europe reserves the right to reject the tender. All documents should be submitted either in PDF (or in PPT for professional profile) or in MS Word (DOC/DOCX) format.**

**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.**

**\* \* \***

1. 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 1395 of 20 June 2019 on the procurement procedures of the Council of Europe](https://search.coe.int/intranet/Pages/result_details.aspx?ObjectId=090000168094853e). [↑](#footnote-ref-1)
2. 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 above listed exclusion criteria are met;

A certificate issued by the competent authority of the country of incorporation indicating that the fourth criterion is met;

For legal persons, an extract from the companies register or other official document proving ownership and control of the Tenderer;

For natural persons (including owners and executive officers of legal persons), a scanned copy of a valid photographic proof of identity (e.g. passport). [↑](#footnote-ref-2)