



## CALL FOR TENDERS

### FOR THE PROVISION OF CONSULTANCY SERVICES IN THE AREA OF PREVENTING AND COMBATING TRAFFICKING IN HUMAN BEINGS WITHIN THE FRAMEWORK OF COUNCIL OF EUROPE CO-OPERATION PROJECTS

**2020A067**

<b>Object of the procurement procedure ►</b>	Provision of consultancy services in the area of preventing and combating trafficking in human beings within the framework of Council of Europe co-operation projects.
<b>Project ►</b>	Projects on Preventing and Combating Trafficking in Human Beings in Bosnia and Herzegovina, North Macedonia, Serbia, Turkey and Kosovo*
<b>Organisation and buying entity ►</b>	Council of Europe Directorate of Human Dignity, Equality and Governance Division on Action against Trafficking in Human Beings Co-operation Unit
<b>Type of contract ►</b>	<b>Framework Contract</b>
<b>Duration ►</b>	<b>Until 23 May 2022</b> (Renewable for further terms of one year, but not beyond 31 December 2025)
<b>Expected starting date ►</b>	<b>15 March 2021</b>
<b>Tender Notice Issuance date ►</b>	<b>08 January 2021</b>
<b>Deadline for tendering ►</b>	<b>07 February 2021</b>

\*All references to Kosovo, whether the territory, institutions or population, in this text shall be understood in full compliance with United Nation's Security Council Resolution 1244 and without prejudice to the status of Kosovo

## Contents of the tender file:

### **The TERMS OF REFERENCE .....3**

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

### **The TENDER RULES .....9**

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)**

The ACT OF ENGAGEMENT is the document formalising the consent of the Parties to be bound by the LEGAL CONDITIONS, 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 IN THE AREA OF PREVENTING AND COMBATING TRAFFICKING IN HUMAN BEINGS WITHIN THE FRAMEWORK OF COUNCIL OF EUROPE CO-OPERATION PROJECTS

**2020A067**

#### A. BACKGROUND

**Framework:** The Council of Europe (CoE) is currently implementing projects on “Preventing and Combating Trafficking in Human Beings” (THB) in **Bosnia and Herzegovina, North Macedonia, Serbia and Turkey**, as part of the Programme Horizontal Facility (HF) II “Western Balkans and Turkey” (2019-2022), as well as in **Kosovo\*** within the framework of a project funded through Norway Grants.

**Aim:** The aim of the projects is to support the above-mentioned countries in ensuring compliance with the Council of Europe Convention on Action against Trafficking in Human Beings (“the Convention”), based on country-specific recommendations of the Group of Experts on Action against Trafficking in Human Beings (GRETA), and in the case of Kosovo\*, to promote compliance with the standards of the Convention, with a particular focus on:

- Strengthening detection, identification of, and assistance to, victims of THB (women, men, children) for all forms of exploitation;
- Improving the investigation, prosecution and adjudication of THB cases;
- Improving access of victims of THB to justice, effective remedies and compensation;
- Strengthening prevention of THB through awareness-raising and capacity building.

**Means:** The projects use a combination of legal and policy support, learning and capacity building, as well as awareness-raising activities.

**Target groups:** The target groups of the projects are:

- Legal and law enforcement professionals (police officers, prosecutors, judges, lawyers);
- Labour inspectors;
- Child protection, education and health professionals;
- Border, migration and asylum authorities;
- Civil society organisations;
- The private sector, including media.

**Partners:** The main partners of the projects are the respective National Co-ordinators for Combating Trafficking in Human Beings, Ministries of Internal Affairs and subordinate agencies (police, border and migration, asylum...), Ministries of Justice, Prosecutor’s Offices, the judiciary, Ministries of Labour and Social Affairs, Ministries of Foreign Affairs, Ministries of Education, Ministries of Health.

As civil society organisations play an important role in the implementation and monitoring of the Convention, they contribute to or benefit from the activities.

**Duration:** The duration of the programme Horizontal Facility II “Western Balkans and Turkey” is until 23 May 2022, and that of the project in Kosovo\* until 31 December 2021.

## B. SCOPE OF THE FRAMEWORK CONTRACT

The CoE is looking for Provider(s) per area of expertise outlined below (provided enough tenders meet the criteria indicated below) in order to support primarily the implementation of the above mentioned projects.

This Contract is currently estimated to cover up 150 activities, for the five projects, to be held by 23 May 2022. 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.

Projects that can refer to the pool include, but are not limited to: Horizontal Facility Projects on Preventing and Combating Trafficking in Human Beings in Bosnia and Herzegovina (HF 20), North Macedonia (HF 29), Serbia (HF 26), Turkey (HF30), as well as the project in Kosovo\* (funded through the Norway Grants).

For information purposes only, the total budget of the projects is around 4 000 000 Euros and the total amount of the object of the present tender should not exceed 275 000 Euros for all projects 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.

**Throughout the duration of the Framework Contract, pre-selected Providers may be asked to provide consultancy services during the implementation process as described under each of following thematic LOTs:**

<p><b>LOT 1:</b></p> <p><b>Preventing and combating trafficking in children for different forms of exploitation (including forced begging, forced criminal activities and forced marriages)</b></p>	<p>Consultancy services aimed at law enforcement officials, prosecutors, judges, lawyers, border and migration management officials, education professionals, social care and health professionals, civil society organisations and media representatives.</p>
<p><b>LOT 2:</b></p> <p><b>Preventing and combating trafficking in human beings for the purpose of labour exploitation</b></p>	<p>Consultancy services aimed at law enforcement officials, prosecutors, judges, lawyers, labour inspectors, social services, trade unions, public and private employment agencies, business representatives, civil society organisations and media representatives.</p>
<p><b>LOT 3:</b></p> <p><b>Strengthening the criminal justice response to trafficking in human beings</b></p>	<p>Consultancy services aimed at law enforcement officials, prosecutors, judges and lawyers in the areas of investigation, prosecution, confiscation and freezing of assets, financial investigations, legal representation of victims, victims' access to compensation and other remedies.</p>

The CoE will select, through this procedure, a maximum of number of Service Providers for each lot, as listed below, provided enough offers meet the criteria:

Lot 1	15 Providers
Lot 2	15 Providers
Lot 3	15 Providers

Tenderers are invited to indicate which lot(s) they are tendering for (see Section A of the Act of Engagement). **Tenderers may tender for one, several or all lot(s).**

**The indicative list of consultancy services under each of the above-mentioned lots is as follows:**

- **Conduct research, reviews and analysis, and drafting reports**, which might involve, but not be limited to, the following:
  - carrying out desk research and review of documents (mapping of national situations including institutions, policies and legislation, case-law, statistics and trends in trafficking in human beings for specific purposes);
  - conducting in-situ or on-line meetings for the collection of data and information with relevant authorities, CoE staff, international organisations, civil society organisations, private sector;
  - analysing policies and legislation and their implementation in practice, making comparative analyses;
  - making recommendations and developing guidelines for specific institutions and anti-trafficking actors;
  - drafting reports, and presenting the results at public events.
- **Prepare training modules and methodological tools/materials for relevant professionals**, which might involve, but not be limited, to the following:
  - providing technical expertise and advice on the development of specific tools and/or policy documents;
  - developing or upgrading training curricula and manuals;
  - producing training materials based on participants needs analyses;
  - developing or upgrading guidelines and standard operation procedures.
- **Deliver capacity-building activities (training/workshops)**, which might involve, but not be limited, to the following:
  - conducting needs and/or risks assessments in specific fields;
  - delivering training sessions (workshops, seminars, training of trainers) for different professional groups, as listed in the Lots;
  - delivering presentations at public events;
  - conducting consultations and evaluations.

The above list is **not considered as being exhaustive**. The CoE 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 that:

- The services are provided to the highest professional/academic standards;
- Any specific instructions given by the CoE – whenever this is the case – are followed;
- Regular communication and exchange of information with the CoE are ensured.

The pre-selected Service Providers shall inform the CoE as soon as he/she 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 CoE, written documents by the Provider shall be produced **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 the lot or lots they apply for** (see Section A of the Act of Engagement) and **their unit fees, in a form of daily rate per lot or lots**, 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 CoE 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 CoE 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 CoE).

Each time an Order Form is sent, the selected Provider undertakes to take all the necessary measures to send it **signed to the CoE within 3 (three) working days** after its reception.

### Pooling

For each Order, the CoE 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.

If a Provider is unable to take an Order or if no reply is given on his behalf within that deadline, the CoE 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 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 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, tenderers declare on honour not being in any of the below situations:<sup>3</sup>

- 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;

<sup>2</sup> It 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.

<sup>3</sup> 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 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;
- 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).

- 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***

Tenderers shall demonstrate that they fulfil the following criteria (to be assessed on the basis of all supporting documents listed in Section F):

#### **Lot 1: Preventing and combating trafficking in children**

- University degree in a relevant field (Law, Criminology, Education, Public Policy, Political Science, Social Sciences, Social Work, Psychology, Medicine, or another field related to child protection);
- At least five years of professional experience in the area of children's rights;
- Experience in providing at least three capacity-building sessions to professionals in the area of combating child trafficking and/or participation in research projects in this area;
- Very good knowledge of international standards in the area of combating trafficking in human beings, in particular the CoE Convention on Action against Trafficking in Human Beings;
- Excellent oral and written knowledge of English (level C2 of the CEFR<sup>4</sup>);

#### **Lot 2: Preventing and combating trafficking in human beings for the purpose of labour exploitation**

- University degree in a relevant field (Law, Criminology, Public Policy, Political Science, Social Sciences, Human Resources and/or Business Management, or another related field);
- At least five years of professional experience in the area of labour and social rights;
- Experience in providing at least three capacity-building sessions and/or participation in projects in the area of trafficking for the purpose of labour exploitation;
- Very good knowledge of international standards in the area of combating trafficking in human beings, in particular the CoE Convention on Action against Trafficking in Human Beings;
- Excellent oral and written knowledge of English (level C2 of the CEFR<sup>4</sup>);

#### **Lot 3: Strengthening the criminal justice response to trafficking in human beings**

- University or other professional degree in a relevant field (Law, Criminology, Policing);
- At least five years of professional experience in the investigation, prosecution or adjudication of cases of trafficking in human beings and exploitation;
- Experience in providing at least three capacity-building sessions or participation in projects related to the criminal justice response to human trafficking;
- Very good knowledge of international standards in the area of combating trafficking in human beings, in particular the CoE Convention on Action against Trafficking in Human Beings;
- Excellent oral and written knowledge of English (level C2 of the CEFR<sup>4</sup>);

### ***Award criteria for all lots:***

- Quality of the offer (80%), including:
  - Thematic expertise, including knowledge of international and CoE standards in the areas covered by the lots;
  - Relevance of the experience in the areas covered by the lots;
  - Excellent written and oral communication skills in English;
  - Knowledge of at least one of the countries covered by the projects and the local language(s) would be an asset.
- Financial offer (20%).

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

**Multiple tendering is not authorised.**

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<sup>4</sup> [http://www.coe.int/t/dg4/linguistic/Source/Framework\\_EN.pdf](http://www.coe.int/t/dg4/linguistic/Source/Framework_EN.pdf)

**F. DOCUMENTS TO BE PROVIDED**

- Completed and signed copy of the Act of Engagement;<sup>5</sup>
- A list of all owners and executive officers, for legal persons only;
- A scanned copy of a valid photographic proof of identity (e.g. passport), for natural persons only (including from owners and executive officers of legal persons);
- Registration documents of civil society organisations (CSOs) accompanied by a list of all potential providers representing the CSO with their respective CVs, preferably in Europass format, demonstrating clearly that each provider fulfils the eligibility criteria;
- **Detailed CV(s)**, clearly demonstrating that the tenderer fulfils the eligibility criteria (3 pages maximum);
- **Motivation letter** describing how the tenderer meets the eligibility criteria above and demonstrating the tenderer's knowledge of the CoE standards (2 pages maximum);
- A sample of an English text recently drafted by the tenderer, preferably in a form of references/links to publications, analyses, reports, assessments, studies, etc. relevant to the experience the tenderer claims;
- An official certificate of English language proficiency, if obtained.

**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 Council of Europe reserves the right to reject the tender.**

**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>5</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.

**PART II – TENDER RULES**  
**CALL FOR TENDERS**  
**FOR THE PROVISION OF CONSULTANCY SERVICES IN THE AREA**  
**OF PREVENTING AND COMBATING TRAFFICKING IN HUMAN BEINGS**  
**WITHIN THE FRAMEWORK OF COUNCIL OF EUROPE COOPERATION PROJECTS**

**2020A067**

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

**1.1 Name and address**

Directorate of Human Dignity, Equality and Governance  
 Action against Trafficking in Human Beings (GRETA) - EU/CoE  
 Horizontal Facility action on Preventing and Combating Trafficking  
 in Human Beings in Bosnia and Herzegovina, North Macedonia  
 and Serbia  
 COUNCIL OF EUROPE  
 F-67075 Strasbourg Cedex

**1.2 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 1395 of 20 June 2019 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.<sup>6</sup>

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 civil society organisation, or a legal person except consortia.

**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 one week before the deadline for submission of the tenders**, in English, and shall be exclusively sent to the following address: [trafficking@coe.int](mailto:trafficking@coe.int) with subject: **2020A067 - Consultancy services in combating trafficking in human beings.**

This address is to be used for questions only; for modalities of tendering, please refer to the below Article.

**ARTICLE 8 – MODALITIES OF THE TENDERING**

Tenders must be sent to the Council of Europe **electronically**.

**Electronic copies** shall be sent **only** to [cdm@coe.int](mailto:cdm@coe.int) with the subject line "**2020A067 - Consultancy services in combating trafficking in human beings.**". Tenders submitted to another e-mail account will be excluded from the procedure;

**ARTICLE 9 – DEADLINE FOR SUBMISSION OF TENDERS**

The deadline for the submission of tenders is 07 February 2021.

**ARTICLE 10 – ASSESSMENT OF TENDERS**

Tenders shall be assessed in accordance with Rule 1395 of 20 June 2019 on the procurement procedures of the Council of Europe. Assessment shall be based upon the criteria as detailed in the Terms of Reference.

**ARTICLE 11 – NEGOTIATIONS**

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

<sup>6</sup> Available on the website of the Council of Europe Treaty Office: [www.conventions.coe.int](http://www.conventions.coe.int)

# FINAL CHECK LIST

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## 1) BEFORE SENDING YOUR TENDER, CHECK THAT IT INCLUDES:

- Completed and signed copy of the Act of Engagement;<sup>7</sup>
  - A list of all owners and executive officers, for legal persons only;
  - A scanned copy of a valid photographic proof of identity (e.g. passport), for natural persons only (including from owners and executive officers of legal persons);
  - Registration documents of civil society organisations (CSOs) accompanied by a list of all potential providers representing the CSO with their respective CVs, preferably in Europass format, demonstrating clearly that each provider fulfils the eligibility criteria;
  - **Detailed CV(s)**, clearly demonstrating that the tenderer fulfils the eligibility criteria (3 pages maximum);
  - **Motivation letter** describing how the tenderer meets the eligibility criteria above and demonstrating the tenderer's knowledge of the CoE standards (2 pages maximum);
  - A sample of an English text recently drafted by the tenderer, preferably in a form of references/links to publications, analyses, reports, assessments, studies, etc. relevant to the experience the tenderer claims;
  - An official certificate of English language proficiency, if obtained.
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## 2) HOW TO SEND TENDERS?

Tenders must be sent to the Council of Europe **electronically**.

**Electronic copies** shall be sent only to [cdm@coe.int](mailto:cdm@coe.int) with the subject line "**2020A067 - Consultancy services in combating trafficking in human beings.**". Tenders submitted to another e-mail account will be excluded from the procedure;

The deadline for the submission of tenders is 07 February 2021.

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<sup>7</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.