



CALL FOR TENDERS

FOR THE PROVISION OF LOCAL CONSULTANCY SERVICES FOR THE PROMOTION OF LOCAL DEMOCRACY AND THE LOCALISATION OF HUMAN RIGHTS IN GEORGIA

2023/AO/53

Object of the procurement procedure ▶	Purchase of local consultancy services the promotion of local democracy and the localisation of human rights in Georgia
Project ▶	Strengthening participatory democracy and human rights at local level in Georgia (PMM2638, PMM3707) Action Plan for Georgia 2020-2023 and 2024-2027
Organisation and buying entity ▶	Council of Europe Directorate of Programme Co-ordination
Type of contract ▶	Framework Contract
Duration ▶	Until 31 December 2027
Expected starting date ▶	15 August 2023
Tender Notice Issuance date ▶	30 May 2023
Deadline for tendering ▶	22 June 2023

TABLE OF CONTENTS

This Tender File contains:

- **The TERMS OF REFERENCE**..... 3
The TERMS OF REFERENCE describe what will be expected from the selected Providers.
- **The TENDER RULES**..... 8
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 G 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 LOCAL CONSULTANCY SERVICES FOR THE PROMOTION OF LOCAL DEMOCRACY AND THE LOCALISATION OF HUMAN RIGHTS IN GEORGIA

2023/AO/53

A. BACKGROUND

The Congress of Local and Regional Authorities of the Council of Europe (hereafter “the Congress”) implements co-operation activities within the Council of Europe Action Plan for Georgia 2020-2023 and, upon availability of funds, the Council of Europe Action Plan for Georgia 2024-2027.

The Congress projects aim to strengthen human rights protection and democratic public participation at local level in Georgia, with a strong focus on the localisation of intersecting priorities of the Council of Europe such as democracy, human rights, gender equality, youth and children engagement, environmental protection, equality and non-discrimination. The National Association of Local Authorities of Georgia (NALAG) is a key partner of the Congress in all co-operation projects.

The Council of Europe is looking for a maximum of 20 Providers per lot (provided enough tenders meet the criteria indicated below whereas the Providers may apply to one, several or all lots) in order to support the implementation of the Congress co-operation activities with a particular expertise on the areas of local democracy, human rights, gender equality, youth and children engagement, environmental protection, equality and non-discrimination.

This Contract is currently estimated to cover up to 100 activities to be held by the end of the implementation period of the Council of Europe Action Plan for Georgia 2024-2027. 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 500 000 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. LOTS

The present tendering procedure aims to select Provider(s) to support the implementation of the projects and is divided into the following lots:

Lots	Maximum number of Providers to be selected
Lot 1: Decentralisation and dialogue between central and local level	20
Lot 2: Open government, citizen participation and prevention of corruption	20
Lot 3: Human rights and non-discrimination at local level	20
Lot 4: Gender equality and mainstreaming	20
Lot 5: Safe and sustainable environment and cities	20
Lot 6: Youth and children engagement in civic life	20

Lot 1 - Decentralisation and dialogue between central and local level: The Congress activities aims at upholding the right of local authorities to be consulted by higher levels of government on matters that concern them, as enshrined in the European Charter of Local Self-Government. Providers under this lot will be expected to support the establishment and/or strengthening of policy and regulatory frameworks for strengthening decentralisation and ensuring effective consultation and meaningful contribution of local authorities to national commitments on issues of their interest, and to accompany the National Association of Local Authorities of Georgia (NALAG) in its advocacy efforts.

Lot 2 – Open government, citizen participation and prevention of corruption: The Congress activities aim at ensuring the implementation of the Council of Europe and Congress standards and recommendations on open, participatory and transparent governance. Providers under this lot will be expected to support local and regional authorities to develop adequate anti-corruption strategy, prevent the misuse of administrative resources during elections, combat nepotism, protect whistle-blowers, and ensure citizen engagement in decision-making.

Lot 3 – Human rights and non-discrimination at local level: The Congress activities aim to promote and protect human rights at local level, to support local social cohesion and strengthen local and regional democracy. This will include supporting advocacy efforts towards national strategies and practical implementation of local initiatives for human rights. Providers under this lot will be expected to support local and regional authorities in developing their awareness and knowledge on human rights and anti-discrimination issues, responding to human rights challenges, building more resilient and inclusive cities and regions, reducing social and economic inequalities and discrimination, promoting and protecting the right to equality and non-discrimination.

Lot 4 – Gender equality and mainstreaming: The Congress activities aim to contribute to build more resilient and inclusive cities and regions, reduce inequalities and reinforce participation and trust. Providers under this lot will be expected to support local elected representatives, local public officials, local civil servants, and staff members of national associations of local authorities to develop gender-sensitive and intersectional policies and practices. This includes support to local authorities in the development and evaluation of Gender Equality Action Plans.

Lot 5 - Safe and sustainable environment and cities: The Congress activities aim to support to local and regional authorities and their national associations to tackle climate emergency, and ensure greater territorial cohesion and sustainable local development. Providers under this lot will be expected to support in the development of effective strategies and instruments to achieve economic, social and environmental benefits for rural and urban areas, as well as the promotion of urban-rural co-operation.

Lot 6 – Youth and children engagement in civic life: The Congress activities aim at securing social cohesion and anchoring democratic principles in a society based on respect for human rights, in line with the Revised European Charter on the Participation of Young People in Local and Regional Life. Providers under this lot will be expected to support local and regional authorities to design and implement innovative youth policies, in consultation with young people and co-ordination with all levels of government, and to strengthen youth work at local and regional levels, with a particular focus on local democracy and human rights.

The Council will select the abovementioned number of Provider(s) per lot, provided enough tenders meet the criteria indicated below. Tenderers are invited to indicate which lot(s) they are tendering for (see Section A of the Act of Engagement).

C. SCOPE OF THE FRAMEWORK CONTRACT

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

- Participate and contribute to conferences, roundtables, seminars, capacity development activities and other events, including through moderating/facilitating discussions/mentoring and delivering presentations;
- Participate in the planning cycle of capacity development activities, including drafting the concept, agenda, content, materials, exercises, methodology for delivery, evaluation questionnaires, and report on the activities;
- Carry out comprehensive reviews, research, assessments, surveys, focus group meetings and/or interviews and prepare analytical reports and/or studies;
- Provide expertise in preparing relevant information and guiding materials, including learning courses (including e-courses), guides, handbooks, manuals, and information documents for different target groups based on needs assessments;
- Provide specific policy and strategic support to local authorities, including in the planning and implementation of initiatives in the areas of the aforementioned Lot(s);
- Undertake field visits to the selected municipalities and submit evaluation report(s) highlighting results and proposing follow-up actions;
- Co-ordinate with international and local experts and the responsible project team and communicate on a regular basis.

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).]

D. FEES

Tenderers are invited to indicate their unit 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.

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 daily fees, as agreed by this Contract.

E. 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).

Pooling

For each Order, the Council will choose from the pool of pre-selected tenderers the Provider for the relevant lot 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 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 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.

F. ASSESSMENT

Exclusion criteria (by signing the Act of Engagement, you declare on your honour not being in any of the below situations)²

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 an entity created to circumvent tax, social or other legal obligations (empty shell company), have ever created or are in the process of creation of such an entity;
- have been involved in mismanagement of the Council of Europe funds or public funds;
- are or appear to be in a situation of conflict of interest;

¹ 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.

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 and sixth 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.

- are retired Council of Europe staff members or are staff members having benefitted from an early departure scheme;

Eligibility criteria

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

General for all Lots:

- At least a first-level degree (Bachelor's or equivalent) in an area relevant to the lot for which the tenderer is applying.
- Minimum 5 (five) years of demonstrated experience in the area relevant to the lot for which the tenderer is applying.
- Minimum C1³ level of knowledge of English.
- Minimum C2 or native level of knowledge of Georgian.

Award criteria

- Quality of the offer (75%), including:
 - Thematic knowledge, expertise, and practical experience (55%);
 - Specific skills and capacities (20%), including:
 - Research, analysis, writing, and reporting skills;
 - Knowledge of political situation and institutional setting of Georgia;
 - Data collection, analysis, and visualisation skills would be an asset;
 - Previous working experience with local authorities would be an asset.
- Financial offer (25%).

The Council reserves the right to hold interviews with tenderers.

Multiple tendering is not authorised.

G. DOCUMENTS TO BE PROVIDED

- **One completed and signed copy of the Act of Engagement.**
- Registration documents, for legal persons only;
- A detailed CV, preferably in Europass format, demonstrating clearly that the tenderer fulfils the eligibility criteria. For legal persons proposing more than an expert, the CV of each proposed expert is to be provided;
- Motivation letter in English highlighting the specific areas of expertise related to the lot(s) the tenderer is applying for;
- Samples of previous written work or other relevant documents specific to the lot(s) for which the tenderer is applying (if the original document is not in English, it should be accompanied with a summary in English);
- Three references' contact details (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 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.

* * *

³ Based on the Common European Framework of Reference for Languages (CEFR).

PART II – TENDER RULES

CALL FOR TENDERS

FOR THE PROVISION OF LOCAL CONSULTANCY SERVICES FOR THE PROMOTION OF LOCAL DEMOCRACY AND THE LOCALISATION OF HUMAN RIGHTS IN GEORGIA

2023/AO/53

ARTICLE 1 – IDENTIFICATION OF THE CONTRACTING AUTHORITY

1.1 Name and address

COUNCIL OF EUROPE

Directorate of Programme Co-ordination
Council of Europe
Strasbourg Cedex 67075 FRANCE

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, 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.⁴

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, a legal person or consortia of legal and/or natural persons.

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: Georgia.localgov@coe.int

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 with reference no. **2023AO53** in the subject field. 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 22 June 2023 by 23:59 CET.

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.

* * *

⁴ 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:

- **One completed and signed copy of the Act of Engagement.**
 - Registration documents, for legal persons only;
 - A detailed CV, preferably in Europass format, demonstrating clearly that the tenderer fulfils the eligibility criteria. For legal persons proposing more than an expert, the CV of each proposed expert is to be provided;
 - Motivation letter in English highlighting the specific areas of expertise related to the lot(s) the tenderer is applying for.
 - Samples of previous written work or other relevant documents specific to the lot(s) for which the tenderer is applying (if the original document is not in English, it should be accompanied with a summary in English);
 - Three references' contact details (including phone number and e-mail address).
-

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 with reference no. **2023A053** in the subject field. Tenders submitted to another e-mail account will be excluded from the procedure.

The deadline for the submission of tenders is 22 June 2023 by 23:59 CET.