**CALL FOR TENDERS**

for the provision of LOCAL CONSULTANCY SERVICES

UNDER THE COUNCIL OF EUROPE PROJECT

“ENHANCING EMPLOYMENT RIGHTS IN THE REPUBLIC OF MOLDOVA”

**2023/AO/67**

|  |  |
| --- | --- |
| **Object of the procurement procedure ►** | Local consultancy services  |
| **Project ►** | “ENHANCING EMPLOYMENT RIGHTS IN THE REPUBLIC OF MOLDOVA” |
| **Organisation and buying entity ►** | Council of EuropeDG1 Directorate General of Human Rights and Rule of Law Directorate of Human RightsDepartment of Social Rights |
| **Type of contract ►** | **Framework Contract** |
| **Duration ►** | Until 30 June 2026 |
| **Expected starting date ►** | 05 October 2023 |
| **Tender Notice Issuance date ►** | 01 August 2023 |
| **Deadline for tendering ►** | 29 August 2023 |

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* [**The TENDER RULES** 11](#_Toc445392376)

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** andcollect therequired **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**

**UNDER THE COUNCIL OF EUROPE PROJECT**

**“ENHANCING EMPLOYMENT RIGHTS IN THE REPUBLIC OF MOLDOVA”**

**2023/AO/67**

1. **Background**

Social rights are core European values enshrined in several formal commitments undertaken by Council of Europe Member States, including the Republic of Moldova. Respect for and the promotion of social rights are essential in attaining sustainable democracy. In accordance with the priorities set in the Council of Europe Action Plan for the Republic of Moldova for 2021-2024[[1]](#footnote-1), the Council of Europe and national authorities agreed to extend their cooperation in the field of social rights.

From **December 2022 to December 2025** the Council of Europe will implement the **project “Enhancing employment rights in the Republic of Moldova”** (hereinafter – the project), which is the first full-fledged project implemented by the Council of Europe in the field of social labour rights in the Republic of Moldova. The project is part of the Council of Europe Action Plan for the Republic of Moldova 2021-2024 and is co-funded by the Austrian Development Agency and the Council of Europe.

The overall objective of the project is to enhance the observance of social labour rights in line with international standards and facilitate the access of persons from vulnerable groups to vocational education and training andsubsequent employment.

Particularly, the project will develop the capacities of government officials to promote and protect social and employment rights, particularly employment rights of persons from vulnerable groups, in line with European standards. In this regard the Labour Code of the Republic of Moldova and the relevant national legislation and practices will be harmonized with international standards of relevant field. The acceptance by the Republic of Moldova of additional provisions of the European Social Charter will be promoted and facilitated. The capacities of different actors will be further developed to effectively implement the new gender sensitive legislative amendments in the area of labour rights of persons from vulnerable/disadvantaged groups and relevant international standards. The National Labour Inspectorate will be capacitated to efficiently carry out its mandate in a gender sensitive manner.

The project will also assist vocational education and training (hereinafter-VET) institutions to become more inclusive and gender sensitive, and better able to identify and attract girls and boys/women and men from vulnerable groups and not in employment, education and training (hereinafter-NEET) youth. To achieve this outcome a “National Network for NEET Integration in VET system” will be established. The needs will be assessed in several regions to capture the situation of NEET youth. The capacities of teachers and support services regarding students (girls and boys/women and men) with special needs within VET will be strengthened.

The project will further facilitate the access to the labour market for vulnerable groups in the VET system. In this regard the project will consolidate the capacities of the VET management and teaching staff, as well as representatives of civil society organisations, trade unions and the National Agency for Employment to support VET students from vulnerable groups to integrate in labour market. Soft skills and understanding of labour rights will be increased among VET students from vulnerable groups. The employment opportunities of persons with disabilities, as well as employment of persons from vulnerable groups will be promoted among potential employers.

The project will pay due regard to the country’s priorities set in different strategic papers such as the Development Strategy “Education 2030”, the European Union - Republic of Moldova Association Agreement, the European Commission Opinion on the Republic of Moldova’s application for membership of the European Union as well as the Framework Strategy of the Austrian Development Cooperation with the European Union Eastern Partner Countries for the Republic of Moldova.

The Council of Europe is looking for **a maximum of 20 providers for Lots 1 and 2, and 5 providers for Lot 3** (provided enough tenders meet the criteria indicated below) in order to support the implementation of the project with a particular expertise on social/labour rights/employment rights.

This Contract is currently estimated to cover **up to 100 activities** to be held by 31st of December 2026. 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 budget of the project amounts to 1 000 000. 00 Euros and the total amount of the object of present tender should in principle not exceed 63 000.00 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.

1. **LOTS**

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

|  |  |
| --- | --- |
| Lots | Maximum number of Providers to be selected |
| **Lot 1:** ***local consultancy services in the field of social human rights*** *to promote and protect social and labour rights, particularly employment rights of persons from vulnerable groups, in line with European standards* |  20 |
| **Lot 2:** ***local consultancy services in the field of vocational education and training*** *to facilitate the access of persons from vulnerable groups to vocational education and training and subsequent employment* |  20 |
| **Lot 3:** ***local consultancy services in the field of gender equality*** *to enhance the observance of social labour rights in line with international standards and facilitate the access of persons from vulnerable groups to vocational education and training and subsequent employment* | 5 |

**Lot 1** concerns the **provision of local consultancy services in the field of social human rights** for strengthening the capacities of Government officials, Members of Parliament and target groups (social workers, labour inspectors, trade union representatives, Ombudsperson’s office, Equality Council, legal professionals, CSO representatives and others) including, but not limited to one or more of the following areas and targeting persons from vulnerable groups, persons with disabilities, NEET youth:

* **education**: vocational guidance, vocational training, apprenticeship etc.;
* **employment**: employment policies and actions promoting equal and effective access to employment, access of persons with disabilities to rehabilitation and mainstream employment etc.;
* **social protection**: social and medical assistance for all persons in need, social services, including counselling, advice etc.;
* **integration and participation**: social integration and participation in the life of VET institutions, the community through non-discrimination guarantees etc.;
* **labour inspection**: scope and functions of labour inspection, policy, planning and monitoring of labour inspection, powers and duties of labour inspectors, methods of inspections, enforcement and sanctioning measures and procedures etc.;
* **the treaty system of the European Social Charter and the European Committee of Social Rights** with a specific focus on social labour rights including employment rights of persons from vulnerable groups.

One or more of the following actions are planned to be implemented under this Lot (non-exhaustive)**:** *alignment of relevant national policies, legislation and practices in the area of social labour rights, particularly the employment rights of persons from vulnerable groups with the requirements of the European Social Charter, the case law of the European Committee of Social Rights and relevant international standards; improvement of the functioning of the State Labour Inspectorate to efficiently carry out its mandate in a gender sensitive manner; facilitation of the acceptance by the Republic of Moldova of additional provisions of the European Social Charter protecting the rights of persons with disability, employment, and vocational training; improvement of the national reports, including the alternative reports prepared by the Civil Society Organisations’ representatives, to the European Committee of Social Rights etc.*

**Lot 2** concerns the **provision of local consultancy services in the field of vocational education and training** for strengthening the capacities of the management and teaching staff of the vocational education and training institutions, as well as representatives of CSOs, trade unions and National Agency for Employment including, but not limited to one or more of the following areas and targeting persons from vulnerable groups, persons with disabilities, NEET youth:

* vocational education and training system;
* inclusive education in the VET institutions;
* non-formal education in the VET institutions;
* counselling and support services within the VET institutions;
* access to the labour market for persons from vulnerable groups and NEET youth in the VET system;
* social integration of the persons with disabilities;
* employment of the persons with disabilities and persons from vulnerable groups.

One or more of the following actions are planned to be implemented under this Lot (non-exhaustive)**:** *improvement of the involvement of persons from vulnerable groups and NEET youth in the VET system; further enhancement of the inclusive education in the VET institutions; further enhancement of the non-formal education in the VET institutions, particularly by developing the soft skills (communication, interpersonal relations, interview skills etc.) and increasing the knowledge about labour rights among VET students from vulnerable groups; further strengthening of the counselling and support services within the VET institutions; further facilitation of the access to the labour market for persons from vulnerable groups and NEET youth in the VET system; further enhancement of the social integration of the persons with disabilities as well as the employment of the persons with disabilities and persons from vulnerable groups etc..*

**Lot 3** concerns the **provision of local consultancy services in the field of gender equality** **(*gender mainstreaming, gender-informed disaggregated data collection, equal gender representation, gender disparities and inequalities, etc.)*** with a specific focus on one or more of the following actions (non-exhaustive): *reduction of gender disparities and inequalities in the area of social labour rights, particularly employment rights of persons with disabilities and persons from vulnerable groups; identification of gender-specific obstacles on access to VET institutions faced by women/girls and men/boys; collection of disaggregated baseline data (by gender, age, social status) on different areas of social labour rights, particularly employment rights of persons from vulnerable groups; provision of gender sensitive expertise and recommendations on policy, legislative and practical levels as to bringing the situation in law and in practice in the area of social labour rights, particularly employment rights of persons from vulnerable groups into line with the requirements of the European Social Charter, European Committee of Social Rights case law and relevant international standards etc..*

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).

1. **SCOPE OF THE FRAMEWORK CONTRACT**

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

**Under Lot 1:**

* Develop baseline studies/progress reviews/needs assessments in order to measure progress and prepare roadmaps summing up needs and actions required to be taken on specific aspects related to the themes of this lot;
* Assess legal acts, policy documents (draft documents and documents in force) and/or practice and provide expert advice (in the form of an oral and/or written advice), do the legal review of legal opinions, comments, recommendations, reports, etc. related to the themes of this lot;
* Participate at and contribute to the conferences, round tables, seminars, trainings, working group/expert meetings/focus group meetings, workshops, consultation meetings and other relevant events with national stakeholders including through moderating/facilitating discussions and delivering presentations in the areas specific to this lot;
* Develop guiding documents, institutional internal regulations and information materials on specific aspects related to the themes of this lot;
* Develop the methodology and conduct training needs assessment to evaluate their impact/effectiveness and develop reports/recommendations thereof on specific aspects related to the themes of this lot;
* Provide recommendations on draft curricula, training courses and materials of trainings on specific aspects related to the themes of this lot;
* Develop training programmes/courses and materials, adapt, prepare and deliver training courses/modules on specific aspects related to the themes of this lot;
* Prepare and deliver presentations, moderate/facilitate discussions during workshops, seminars, conferences, round tables, ToT activities and other relevant events dedicated to the training needs of relevant actors on specific aspects related to the themes of this lot;
* Provide advice and deliver trainings on adult learning methodology in the field of social labour rights;
* Support international consultants with documents (legislation, rules, modules and any relevant documents) and written advice on the Moldovan background on specifics topics related to this lot;
* Provide other deliverables as related to the above and as requested by the Council of Europe.

**Under Lot 2:**

* Develop baseline studies/progress reviews/needs assessments in order to measure progress and prepare roadmaps summing up needs and actions required to be taken on specific aspects related to the themes of this lot;
* Do the assessment of legal acts, policy documents (draft documents and documents in force) and/or practice and provide expert advice (in the form of an oral and/or written advice), do the legal review of legal opinions, comments, recommendations, reports, etc. related to the themes of this lot;
* Participate at and contribute to the conferences, round tables, seminars, trainings, working group/expert meetings/focus group meetings, workshops, consultation meetings and other relevant events with national stakeholders including through moderating/facilitating discussions and delivering presentations in the areas specific to this lot;
* Develop guiding documents, institutional internal regulations and information materials on specific aspects related to the themes of this lot;
* Develop the methodology and conduct training needs assessment to evaluate their impact/effectiveness and develop reports/recommendations thereof on specific aspects related to the themes of this lot;
* Provide recommendations on draft curricula, training courses and materials of trainings on specific aspects related to the themes of this lot;
* Develop training programmes/courses and materials, adapt, prepare and deliver training courses/modules on specific aspects related to the themes of this lot;
* Prepare and deliver presentations, moderate/facilitate discussions during workshops, seminars, conferences, round tables, ToT activities and other relevant events dedicated to the training needs of relevant actors on specific aspects related to the themes of this lot;
* Provide advice and deliver trainings on adult learning methodology in the field of social labour rights;
* Support international consultants with documents (legislation, rules, modules and any relevant documents) and written advice on the Moldovan background on specifics topics related to this lot;
* Provide other deliverables as related to the above and as requested by the Council of Europe

**Under Lot 3:**

- Develop baseline studies/progress reviews in order to measure progress and prepare roadmaps summing up needs and actions required to be taken on specific aspects related to the themes of lot 1 and 2;

- Assess legal acts, policy documents (draft documents and documents in force) and/or practice and provide expert advice and recommendations (in the form of an oral and/or written advice), do the legal review of legal opinions, comments, recommendations, reports, etc. related to the themes of lot 1 and 2;

- Participate at and contribute to the conferences, round tables, seminars, trainings, working group/expert meetings/focus group meetings, workshops, consultation meetings and other relevant events with national stakeholders including through moderating/facilitating discussions and delivering presentations in the areas specific to lot 1 and 2;

- Develop guiding documents and information materials on specific aspects related to the themes of lot 1 and 2;

- Develop the methodology and conduct needs assessments to evaluate the impact/effectiveness of specific aspects related to the themes of lot 1 and 2 and develop reports/recommendations thereof;

- Develop training programmes and materials, and deliver trainings on specific aspects related to the themes of lot 1 and 2;

- Support international consultants with documents (legislation, rules, modules and any relevant documents) and written advice on the Moldovan background on specifics topics related to lot 1 and 2;

- Provide other deliverables as related to the above and as requested by the Council of Europe.

The above lists are not considered exhaustive. The Council reserves the right to request deliverables not explicitly mentioned in the above lists of expected services, but related to the field of expertise object of the present Framework Contract for the lot concerned.

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).]

1. **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.

1. **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).

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 **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[[2]](#footnote-2) (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.

1. **ASSESSMENT**

*Exclusion criteria* (by signing the Act of Engagement, you declare on your honour not being in any of the below situations) [[3]](#footnote-3)

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;
* are retired Council of Europe staff members or are staff members having benefitted from an early departure scheme;
* have not fulfilled, in the previous three years, their contractual obligations in the performance of a contract concluded with the Council of Europe leading to a total or partial refusal of payment and/or termination of the contract by the Council of Europe.

*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):

**For natural persons**:

* University degree in law, social sciences, international relations, political sciences, gender studies, media and communication, human rights or related fields;
* At least 3 years of professional experience in the areas related to the fields of expertise as described above under the scope of each lot the Tenderer is applying to;
* Excellent knowledge of the Romanian language (mother tongue level);
* Basic knowledge of the English language (at least level A2 of the Common European Framework of Reference for Languages).

**For legal persons[[4]](#footnote-4):**

* At least 3 years of professional experience in the areas related to the fields of expertise as described above under the scope of each lot the Tenderer is applying to;
* Capacity to make available, for the purposes of the contract, one or several consultants who meet the following criteria:
	+ University degree in law, social sciences, international relations, political sciences, gender studies, media and communication, human rights or related fields;
	+ At least 3 years of professional experience in areas related to the fields of expertise as described above under the scope of each lot the Tenderer is applying to.
	+ Excellent knowledge of the Romanian language (mother tongue level);
	+ Basic knowledge of the English language (at least level A2 of the Common European Framework of Reference for Languages);

*Award criteria*

* **Criterion 1:** **Quality of the offer (80%),** including
* Thematic expertise in the social human rights sphere, in the areas covered by each specific lot (40%);
* Relevance of the experience of the tenderer in the areas covered by this call, including previous similar assignments with international organisations (40%);
* **Criterion 2: Financial offer (20 %).**

The Council reserves the right to hold interviews with tenderers.

**Multiple tendering is not authorised.**

1. **DOCUMENTS TO BE PROVIDED**
* **One** **completed and signed copy of the Act of Engagement**.[[5]](#footnote-5)
* FOR NATURAL PERSONS:
* **a detailed CV**, preferably in Europass Format, demonstrating clearly that the tenderer fulfils the eligibility criteria;
* **a motivation letter** (up to 1 page), demonstrating clearly that the tenderer has the experience and expertise required;
* at least **2 (two) samples of work/deliverables** (as annexes) or references/links to publications, legal assessments/analyses, reports, studies, including records of trainings/conferences etc. relevant to the experience the tenderer claims in the areas covered by the lot(s) to which the tenderer applies (should submit one in English and/or one in Romanian);
* **contact details of 3 (three) relevant referees**, from among previous employers/clients/international organisations (name, surname, phone number and e-mail);
* FOR LEGAL PERSONS:
	+ the **detailed CV(s)**, preferably in Europass Format, of the consultant(s) who is/are proposed to undertake the work under the contract, demonstrating clearly that the eligibility criteria are fulfilled;
	+ **a motivation letter** (up to 1 page), demonstrating clearly that the tenderer has the experience and expertise required and additionally include the following information;
	+ **a list of all consultants** (natural persons) who shall be allocated to the execution of the contract;
	+ at least **2 (two) samples of work/deliverables** (as annexes) or references/links to publications, legal assessments/analyses, reports, studies, including records of trainings/conferences etc. relevant to the experience the tenderer claims in the areas covered by the lot(s) to which the tenderer applies (should submit one in English and/or one in Romanian) and produced by the consultants (natural persons) allocated to the execution of the contract;
	+ **contact details of 3 (three) relevant referees**, from among previous employers/clients/international organisations (name, surname, phone number and e-mail);
	+ **copy of the registration documents** (in Romanian) with brief translation into English of the key information about type of economic activities.

**All documents shall be submitted in English, unless explicitly specified otherwise in the Section G above. 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 tenderers are invited to send the samples of previous work only of their authorship or co-authorship. If no author is indicated on the cover/imprint page of the paper, the submitted package of documents should be complemented with a statement on the authorship declaring that the tenderer is the author or co-author.**

**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.**

**\* \* \***

# PART II – TENDER RULES

**CALL FOR TENDERS**

**for the provision of** **NATIONAL CONSULTANCY SERVICES UNDER THE COUNCIL OF EUROPE PROJECT ““ENHANCING EMPLOYMENT RIGHTS IN THE REPUBLIC OF MOLDOVA””**

**2023/AO/67**

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

* 1. **Name and address**

**COUNCIL OF EUROPE**

Council of Europe Office in Chisinau

73/1 Blvd. Stefan cel Mare, 7th floor

Chișinău, MD-2001, Republic of Moldova

* 1. **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.[[6]](#footnote-6)

Further details on the project are provided in the Terms of Reference.

**ARTICLE 2 – VALIDITY OF THE TENDERS**

Tenders are valid for 180 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: socialrights.tender@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.**2023/AO/67** 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 **29 August 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.

\* \* \*

**FINAL CHECK LIST**

1. **BEFORE SENDING YOUR TENDER, CHECK THAT IT INCLUDES:**
* **One** **completed and signed copy of the Act of Engagement**.[[7]](#footnote-7)
* FOR NATURAL PERSONS:
* **a detailed CV**, preferably in Europass Format, demonstrating clearly that the tenderer fulfils the eligibility criteria;
* a **motivation letter** (up to 1 page), demonstrating clearly that the tenderer has the experience and expertise required;
* at least **2 (two) samples of work/deliverables** (as annexes) or references/links to publications, legal assessments/analyses, reports, studies, including records of trainings/conferences etc. relevant to the experience the tenderer claims in the areas covered by the lot(s) to which the tenderer applies (should submit one in English and/or one in Romanian);
* **contact details of 3 (three) relevant referees**, from among previous employers/clients/international organisations (name, surname, phone number and e-mail);
* FOR LEGAL PERSONS:
	+ the **detailed CV(s)**, preferably in Europass Format, of the consultant(s) who is/are proposed to undertake the work under the contract, demonstrating clearly that the eligibility criteria are fulfilled;
	+ **a motivation letter** (up to 1 page), demonstrating clearly that the tenderer has the experience and expertise required and additionally include the following information;
* **a list of all consultants** (natural persons) who shall be allocated to the execution of the contract;
* at least **2 (two) samples of work/deliverables** (as annexes) or references/links to publications, legal assessments/analyses, reports, studies, including records of trainings/conferences etc. relevant to the experience the tenderer claims in the areas covered by the lot(s) to which the tenderer applies (should submit one in English and/or one in Romanian) and produced by the consultants (natural persons) allocated to the execution of the contract;
* **contact details of 3 (three) relevant referees**, from among previous employers/clients/international organisations (name, surname, phone number and e-mail);
* **copy of the registration documents** (in Romanian) with brief translation into English of the key information about type of economic activities.
1. **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. **2023/AO/67** 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 **29 August 2023** by 23:59 CET.

1. See: [Council of Europe Action Plan for the Republic of Moldova Action 2021-2024](https://rm.coe.int/prems-043221-eng-1501-action-plan-moldova-couv-texte-a4-bat-web/1680a22649). [↑](#footnote-ref-1)
2. 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. [↑](#footnote-ref-2)
3. 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. [↑](#footnote-ref-3)
4. The term “legal person” includes individuals, registered in accordance with the national legislation as individual entrepreneurs. [↑](#footnote-ref-4)
5. 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. [↑](#footnote-ref-5)
6. Available on the website of the Council of Europe Treaty Office: [www.conventions.coe.int](http://www.conventions.coe.int) [↑](#footnote-ref-6)
7. 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. [↑](#footnote-ref-7)