**TENDER FILE / TERMS OF REFERENCE**

**(Competitive bidding procedure / Framework Contract)**

**Purchase of national consultancy services in the field of human rights protection of displaced population in Armenia within the framework of the Project “Strengthening Human Rights Safeguards for the Displaced Population in Armenia”.**

**[*Contract N°* BH9185-2024-003]**

The Council of Europe is currently implementing and until 31 May 2026 will implement from a Project on ***Strengthening Human Rights Safeguards for the Displaced Population in Armenia***. In that context, it is looking for Provider(s) for the provision of national consultancy services in the field of human rights protection of displaced population, to be requested by the Council on an as needed basis.

1. TENDER RULES

This tender procedure is a competitive bidding procedure. **In accordance with Rule 1395 of the Secretary General of the Council of Europe on the procurement procedures of the Council of Europe[[1]](#footnote-1), the Organisation shall invite to tender at least three potential providers for any purchase between €2,000 (or €6,000 for intellectual services) and €55,000 tax exclusive.**

This specific tender procedure aims at concluding a **framework contract** for the provision of deliverables described in the Act of Engagement (See attached). A tender is considered valid for 180 calendar days as from the closing date for submission. The selection of tenderers will be made in the light of the criteria indicated below. All tenderers will be informed in writing of the outcome of the procedure.

The tenderer must be either a natural person, a legal person or consortia of legal and/or natural persons.

Tenders shall be submitted **by email only** (with attachments) **to the email address indicated in the table below, with the following reference in subject: Tender – National Consultancy BH9185-2024-003.** Tenders addressed to another email address **will be rejected.**

The general information and contact details for this procedure are indicated on this page. You are invited to use the CoE Contact details indicated below for any question you may have. **All questions shall be submitted at least 5 (five) working days before the deadline for submission of the tenders and shall be exclusively addressed to the email address indicated below with the following reference in subject: Questions - National Consultancy BH9185-2024-003**

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| --- | --- |
| **Type of contract ►** | Framework contract |
| **Duration ►** | Until 31 May 2026 |
| **Deadline for submission of tenders/offers ►** | **27 May 2024** 23h59 CET |
| **Email for submission of tenders/offers ►** | <tender.armenia-BH9185@coe.int> |
| **Email for questions ►** | Mariam.sardaryan@coe.int |
| **Expected starting date of execution ►** | 10 June 2024 |

1. EXPECTED DELIVERABLES

**Background of the Project**

The Project aims to provide tailored support to the Armenian authorities in addressing the needs of the displaced persons/refugees. Specific focus will be given to supporting the human rights institutions, in particular the Human Rights Defender’s Office (the Ombudsperson), and the Migration and Citizenship Service of the Ministry of Internal Affairs, in terms of strengthening professional capacities and building resilience in highly demanding, overwhelming situation, in light of a significant influx of displaced population due to the escalation in the long-standing conflict (according to official data provided by the Armenian Government, between 24 September and 4 October 2023, 100 632 ethnic Armenians, including 30 000 children arrived in Armenia from Karabakh). The Project will further support the advancement of the relevant legislative and policy framework to ensure the displaced people enjoy basic human rights, as guaranteed under the European Convention on Human Rights and other European standards.

An expected impact of the Project is the strengthening of human rights protection for displaced population in Armenia, aligning with European standards. In order to support Armenia to protect the rights of displaced population, activities are proposed under three main project components, as follows:

* National authorities operate with an advanced legislative and policy framework for the protection of human rights, including that of displaced persons;
* Legal professionals, relevant national authorities and civil society organisations operate with enhanced capacity while responding to the needs of the displaced population;
* Access to information on the rights and available services is facilitated for the displaced persons.

The Council of Europe is looking for 25 Provider(s) (provided enough tenders meet the criteria indicated below) in order to support the implementation of the project with a particular expertise on standards related to migration, displacement, refugee rights, and the empowerment of human rights institutions.

This Contract is currently estimated to cover up to 63 activities, to be held by 31 May 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 Euros and the total amount of the object of present tender **shall not exceed 55,000 Euros tax exclusive** for the whole duration of the Framework Contract. This information does not constitute any sort of contractual commitment or obligation on the part of the Council of Europe.

**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: National Human Rights Institutions | 10 |
| Lot 2: Policy and capacity building work on the issue of displaced population/refugees | 10 |
| Lot 3: Awareness raising activities, including awareness raising sessions for displaced population on their rights and available services | 5 |

Lot 1 concerns provision of national consultancy services on assessing and revising the legislative framework regulating the operation of Human Rights Institutions.

Lot 2 concerns provision of national consultancy services on assessing and revising the legislative framework and the identified gaps specifically concerning the rights of displaced persons and on capacity building of stakeholders to effectively respond to the needs of the displaced population.

Lot 3 concerns provision of national consultancy services on facilitating access to information for the displaced population.

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).

**Scope of the Framework Contract**

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

Under Lot 1:

* Providing legal expertise regarding the Human Rights Institutions mandate, functioning, role, internal policy etc.
* Participating at and contributing to the events, including moderating and facilitating discussions, worksops, conferences, high level meetings

Under Lot 2:

* Drafting analytical reports (assessements, gap analysys, researches, opinions, recommedations) on the topics related to the migration, displacement, refugee rights
* Conducting trainings/workshop/capacity building activities on refugee and asylum law, interrelation of international human rights and humanitarian law;
* Developing training modules and conducting trainings on the monitroing missions to the closed institutions
* Designing comprehensive training modules and facilitating workshops for local Civil Society Organisations on effective project management strategies and fundraising techniques
* Developing training modules and conducting trainings for project stakeholders focusing on enhancing IT literacy alongside academic writing skills, including best practices for ensuring the accuracy, integrity, and ethical standards of academic publications. The IT literacy component will cover a range of essential digital skills, including proficiency in word processing software for drafting and formatting academic documents.
* Participating at and contributing to the events, including moderating and facilitating discussions, worksops, conferences, high level meetings

Under Lot 3:

* Developing and implementing awareness raising campaings (identifing target audiences, messaging strategies, and appropriate communication channels). Creating informative campaign materials such as posters, brochures, videos, and social media content.
* Developing monitoring and evaluation framework to assess the impact of the awareness-raising events. This involves identifying relevant indicators of success, such as increased knowledge and understanding among the target audience, changes in attitudes or behaviors, and the reach and engagement of the campaign. Implementing methods for data collection, such as surveys, interviews, or focus groups, to gather quantitative and qualitative feedback from participants.

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 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.

If contracted by the Council of Europe, the deliverables shall be provided personally by the persons identified in the offer of the Provider whose CVs have been presented to the Council of Europe (See section E. below), in accordance with the terms as provided in the present Tender File and Act of Engagement.

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 fees, by completing and sending the table of fees, as attached in Section A to the Act of Engagement. These fees are final and not subject to review.

The Council will indicate on each Order Form (see Section D below) the global fee corresponding to each deliverable, calculated on the basis of the unit fees, as agreed by this Contract.

1. HOW WILL THIS FRAMEWORK CONTRACT WORK? (Ordering PROCEDURE)

Once the selection procedure is completed, you will be informed accordingly. Deliverables will then be delivered on the basis of Order Forms submitted by the Council to the selected Provider (s), by post or electronically, on **an as needed basis** (there is therefore no obligation to order on the part of the Council).

**Pooling**

For each Order, the Council will choose from the pool of pre-selected tenderers for the relevant lot the Provider who demonstrably offers best value for money for its requirement when assessed – for the Order concerned – against the criteria of:

* quality (including as appropriate: capability, expertise, past performance, availability of resources and proposed methods of undertaking the work);
* availability (including, without limitation, capacity to meet required deadlines and, where relevant, geographical location); and
* price.

Each time an Order Form is sent, the selected Provider undertakes to take all the necessary measures to send it **signed** to the Council within 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 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 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 and absence of conflict of interests*

(by signing the Act of Engagement, you declare on your honour not being in any of the below situations)[[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;
* are currently employed by the Council of Europe or were employed by the Council of Europe on the date of the launch of the procurement procedure;
* 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 for Lot 1*

* Master’s Degree or equivalent in Law, Human Rights, Public Administration, Public Policy, Political Science or a related field;
* At least 5 (five) years of professional experience in the areas related to the Human Rights Institutions, including experience in undertaking specific research, providing legal advice, legal opinions, recommendations in the related field, with reference to relevant international standards;
* Fluency in Armenian (mother tongue);
* Knowledge of English (B2 level [CEFR](https://www.coe.int/en/web/common-european-framework-reference-languages/table-2-cefr-3.3-common-reference-levels-self-assessment-grid)).

*Award criteria*

* Quality of the offer (80 points), including:
  + Knowledge of the national and international context in the areas covered by this call (40 points);
  + Previous similar experience with international organisations and/or public institutions (40 points).
* Financial offer (20 points).

*Eligibility criteria for Lot 2*

* Master’s Degree or equivalent in Law, Human Rights, Refugee Rights, Public Administration, Public Policy, Political Science, Psychology or a related field;
* At least 5 (five) years of professional experience in the areas related to the migration and refugee rights, including experience in undertaking specific research, providing legal advice, legal opinions, recommendations in the related field, with reference to relevant international standards. Additionally, demonstrated experience in developing comprehensive training materials and conducting trainings in the related fields
* Fluency in Armenian (mother tongue);
* Knowledge of English (B2 level [CEFR](https://www.coe.int/en/web/common-european-framework-reference-languages/table-2-cefr-3.3-common-reference-levels-self-assessment-grid)).

*Award criteria*

* Quality of the offer (80 points), including:
  + Knowledge of the national and international context in the areas covered by this call (40 points);
  + Previous similar experience with international organisations and/or public institutions (40 points).
* Financial offer (20 points).

*Eligibility criteria for Lot 3*

* Master’s Degree or equivalent in Communications, Marketing, Public Relations, Journalism, or a related field.
* At least 5 (five) years of professional experience in the development and implementation of awareness-raising campaigns, proven track record in creating informative campaign materials, experience in developing monitoring and evaluation frameworks;
* Fluency in Armenian (mother tongue);
* Knowledge of English (B2 level [CEFR](https://www.coe.int/en/web/common-european-framework-reference-languages/table-2-cefr-3.3-common-reference-levels-self-assessment-grid)).

*Award criteria*

* Quality of the offer (80 points), including:
  + Strong understanding of communication principles and best practices (40 points);
  + Previous similar experience with international organisations and/or public institutions (40 points).
* Financial offer (20 points).

The Council reserves the right to hold interviews with tenderers.

Multiple tendering is not authorised.

1. NEGOTIATIONS

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

1. DOCUMENTS TO BE PROVIDED

* **A completed and signed copy of the Act of Engagement[[4]](#footnote-4)** (See attached);
* For natural persons: a detailed CV, preferably in Europass Format, demonstrating clearly that the tenderer fulfils the eligibility criteria;

For legal persons: a detailed CVs, preferably in Europass Format, of at least one employee that would be assigned to the tasks under this framework contract, clearly demonstrating that they satisfy the eligibility criteria;

For consortia: a detailed CVs, preferably in Europass Format, of all consortium members clearly demonstrating that they satisfy the eligibility criteria;

* Registration documents, for legal persons only;
* A concise motivation letter highlighting and specifying the relevant experience for each lot that the tenderer is applying for;
* At least two (2) examples of previous relevant work in English and/or Armenian for each lot that the tenderer is applying for;
* Minimum three references (only names, positions, phone numbers, and emails).

**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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1. The activities of the Council of Europe are governed by its [Statute](https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=0900001680306052) and its internal Regulations. Procurement is governed by the Financial Regulations of the Organisation and by [Rule 1395 of 20 June 2019 on the procurement procedures of the Council of Europe](https://search.coe.int/intranet/Pages/result_details.aspx?ObjectId=090000168094853e). [↑](#footnote-ref-1)
2. It must strictly respect the fees indicated in the Financial Offer attached to the original Provider’s tender as recorded by the Council of Europe. In case of non-compliance with the fees as indicated in the original Provider’s tender, the Council of Europe reserves the right to terminate the Contract with the 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 above listed exclusion criteria are met;

   A certificate issued by the competent authority of the country of incorporation indicating that the fourth criterion is met. [↑](#footnote-ref-3)
4. 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-4)