

**TENDER FILE / TERMS OF REFERENCE  
(Competitive bidding procedure / One-off contract)**

**Purchase of consultancy services in the field of anti-corruption at local level in Ukraine**  
***Contract No. 9144/2024/27***

The Congress of Local and Regional Authorities of the Council of Europe (hereinafter the "Congress") is currently implementing co-operation activities within the Council of Europe Action Plan for Ukraine "Resilience, Recovery and Reconstruction" for 2023-2026 through the project "Strengthening multi-level governance, democracy and human rights at local level in Ukraine". The project aims to strengthen the dialogue, partnership, and consultation between different levels of government; enhance collaborative governance and citizen participation in line with the principles of local democracy and open government; and promote and guarantee the right to equality and non-discrimination at local level, for the recovery and reconstruction of Ukraine.

Following a Call for proposals for local initiatives on open government and human rights at the local level in Ukraine, ten Ukrainian municipalities are receiving grant and coaching support to introduce democratic innovations through open government approaches and protection of human rights at local level. One of the selected initiatives has a specific focus on the prevention of corruption at local level. Initiatives are implemented from February to October 2024.

The Council of Europe is therefore looking for a Provider to deliver consultancy services to raise awareness on anti-corruption at local level in Ukraine among the representatives of the selected municipalities and to provide practical recommendations for the successful implementation of their initiatives. (see Section A of the Act of Engagement).

**A. TENDER PROCEDURE 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<sup>1</sup>, 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 **one-off 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 – 9144/2024/27.** 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 Council of Europe Contact details indicated below for any question you may have. **All questions shall be submitted at least three 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 – 9144/2024/27.**

<b>Type of contract</b> ▶	One-off contract
<b>Duration</b> ▶	Until complete execution of the obligations of the parties (see Article 2 of the Legal conditions as reproduced in the Act of Engagement)

<sup>1</sup> The activities of the Council of Europe are governed by its [Statute](#) 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](#).

<b>Deadline for submission of tenders/offers</b> ▶	<b>03 May 2024 23h59 CET</b>
<b>Email for submission of tenders/offers</b> ▶	<a href="mailto:congress.ukraine@coe.int">congress.ukraine@coe.int</a>
<b>Email for questions</b> ▶	<a href="mailto:congress.ukraine@coe.int">congress.ukraine@coe.int</a>
<b>Expected starting date of execution</b> ▶	20 May 2024

## B. EXPECTED DELIVERABLES

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

## C. FEES

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

## D. ASSESSMENT

### *Exclusion criteria and absence of conflict of interests*

(by signing the Act of Engagement,<sup>2</sup> you declare on your honour not being in any of the below situations)

Tenderers shall be excluded from participating in the tender procedure if they:

- have been sentenced by final judgment on one or more of the following charges: participation in a criminal organisation, corruption, fraud, money laundering, terrorist financing, terrorist offences or offences linked to terrorist activities, child labour or trafficking in human beings;
- are in a situation of bankruptcy, liquidation, termination of activity, insolvency or arrangement with creditors or any like situation arising from a procedure of the same kind, or are subject to a procedure of the same kind;
- have received a judgment with res judicata force, finding an offence that affects their professional integrity or serious professional misconduct;
- do not comply with their obligations as regards payment of social security contributions, taxes and dues, according to the statutory provisions of their country of incorporation, establishment or residence;
- are 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.

### *Eligibility criteria*

- Natural or legal person duly registered in accordance with the Ukrainian legislation, having legal grounds to provide consultancy services as described in the Act of Engagement (Section A);
- Demonstrated experience in the field of anti-corruption at local level in Ukraine (at least five (5) years);
- Language skills: native level in Ukrainian and a minimum of B2 level of the Common European Framework of Reference for Languages in English.

### *Award criteria*

- Quality of the offer (80%), including:
  - demonstrated thematic knowledge, expertise, and practical experience in providing expert support and delivering capacity-building activities relevant to the type of engagement expected (50%);
  - specific skills and capacities (30%), including:
    - research, analysis, writing, and reporting skills;
    - knowledge of local self-government system in Ukraine;
    - data collection, analysis, and visualisation skills are an asset.
- Financial offer (20%).

<sup>2</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 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.

The Council reserves the right to hold interviews with tenderers.

Multiple tendering is not authorised.

#### E. NEGOTIATIONS

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

#### F. DOCUMENTS TO BE PROVIDED

Tenderers are invited to submit:

- **A completed and signed copy of the Act of Engagement<sup>3</sup> (see attached);**
- Registration documents (scanned copies in Ukrainian), 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 one expert, the CV of each proposed expert – demonstrating clearly that the expert fulfils the eligibility criteria – is to be provided;
- A motivation letter in English highlighting the specific area of expertise in question;
- Samples of previous written work or other relevant documents specific to the area of expertise in question (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 (except for registration documents as stated 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 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>3</sup> The Act of Engagement must be completed, signed, scanned in its entirety (i.e. including all the pages) and sent as a compiled document. For all scanned documents, .pdf files are preferred.