

TENDER FILE / TERMS OF REFERENCE (Competitive bidding procedure / Framework Contract)

Purchase of international consultancy services Contract N° ADRPCDM(2022)1

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

The Council of Europe is currently implementing the project "Support to the development of the role of the Parliament in consolidating democracy in Morocco". This project is part of the larger joint program entitled "Support to the national mechanism against torture and to the development of the key role of Parliament in Morocco" (2020-2023) funded by the European Union and implemented by the Council of Europe,

In this context, the Council is looking for expert(s) for the provision of international consultancy services in the areas of intervention of the above-mentioned project (evaluation of public policy, opening of Parliament to civil society and system of petitions and motions, parliamentary diplomacy) on an as needed basis.

A. 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 Europe¹, the Organisation shall invite to tender at least three potential providers for any purchase between €2,000 (or €5,000 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 120 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 - ADRPCDM(2022)1**. 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 7 (seven) 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 - call for tender international experts.**

Type of contract ▶	Framework contract
Duration ▶	Until 06 November 2023
Deadline for submission of tenders/offers ▶	21 March 2022
Email for submission of tenders/offers ▶	appui.parlement.maroc@coe.int
Email for questions ▶	appui.parlement.maroc@coe.int
Expected starting date of execution ▶	01 April 2022

¹ 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. EXPECTED DELIVERABLES

Background of the Project

The project "Support to the development of the role of the Parliament in consolidating democracy in Morocco" aims to:

- Support the Moroccan Parliament's efforts to effectively monitor and evaluate the government's public policies²;
- Accompany the opening of the Parliament towards the citizens, the civil society and other partners and to promote effectively the parliamentary democracy in Morocco;
- Support Morocco's parliamentary diplomacy and strengthen the Moroccan Parliament's inter-parliamentary dialogue with its counterparts in neighboring countries and the member states of the Council of Europe.

The project is developing mainly in the form of exchanges of good practices, study visits, skills improvement and publications. Thus, innovative activities have been designed to accompany the implementation of the project, which will also improve the communication of the Parliament and contribute to its opening to citizens.

Types of expected deliverables

The Council of Europe is looking for a maximum of 20 (twenty) consultancy service providers (provided enough tenders meet the criteria indicated below) with specific expertise in the project intervention sectors to support the implementation of the project with the following deliverables:

- Participation in and facilitation of remote and/or face-to-face conferences, workshops, roundtables and training sessions at national and international level for Members of Parliament and staff, civil society organisations and other relevant partners on international and European norms and standards as well as on good practices at European and international level;
- Drafting of conference reports (conclusions), thematic reports, manuals, guides, analysis and any other type of publications;
- Support to policy makers and project team members on strategic and methodological issues throughout the implementation of the project;
- Participation in the production of audiovisual material (videos and others) related to the topics within the mandate of the Moroccan Parliament.

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.

It is estimated at this time that this contract will cover up to 20 (twenty) activities, to be completed by 6/11/2023. This estimate is provided for informational purposes only. It does not constitute any sort of contractual commitment or obligation on the part of the Council of Europe. It may be revised upwards or downwards in accordance with the Organisation's changing needs. **The total (cumulative) cost of the contract shall not exceed 55,000 Euros tax exclusive.**

The Council will place orders (see section D below on the ordering process) for specific deliverables similar to those listed above, provided they meet the project implementation needs and are within the scope of the successful provider's expertise.

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

² During 2022, the Chamber of Representatives of the Moroccan Parliament will evaluate the National Public Administration Reform Plan 2018-2021, the Green Morocco Plan and the water resource management while the Chamber of Councillors will evaluate public policies on youth.

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 French or 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).

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.

C. 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. Tenders proposing fees above the exclusion level indicated in the Table of fees will be **entirely and automatically** excluded from the tender procedure.

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.]

D. 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).

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

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

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.

The Provider, **if subject to VAT**, shall also send, together with each signed Form, a quote³ (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)

³ It must strictly respect the fees indicated in the Act of Engagement. In case of non-compliance with these fees, the Council of Europe reserves the right to terminate the Contract with the Provider, in all or in part.

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.

E. 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)⁴

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 or if their owner(s) or executive officer(s), in the case of legal persons, are included in the lists of persons or entities subject to restrictive measures applied by the European Union (available at www.sanctionsmap.eu).

Eligibility criteria

- University degree (higher education) in areas such as: law, economics, political/social sciences, public policy and other areas relevant to the scope of the project;
- International professional experience of 3 (three) years or more in one of the following areas
 - Evaluation of public policy, including youth policy, agriculture, water resource management and public administration reform;
 - Participatory democracy and the system of petitions and motions;
 - Institutional relations, in particular relations with civil society and citizens;
 - Parliamentary Diplomacy;
- Excellent command of at least one of the two official languages of the Council of Europe (French or English), both written and spoken.

Award criteria

- Quality of the offer (70%), including:
 - Number of years of relevant work experience, see eligibility criteria above ;
 - Experience in writing deliverables;
 - Knowledge of the international and/or European context related to the sectors of intervention of the project;
 - Experience working with national parliament(s) and/or the Parliamentary Assembly of the Council of Europe;
 - Knowledge of the Moroccan context related to the sectors of intervention of the project;

⁴ 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;
- For legal persons, an extract from the companies register or other official document proving ownership and control of the Tenderer;
- For natural persons (including owners and executive officers of legal persons), a scanned copy of a valid photographic proof of identity (e.g. passport).

- Expertise in the gender approach to integrate this dimension into deliverables and services
- Knowledge of the Arabic language;
- Financial offer (30%).

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

Multiple tendering is not authorised.

F. NEGOTIATIONS

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

G. DOCUMENTS TO BE PROVIDED

- A completed and signed copy of the **Act of Engagement**⁵ (See attached);
- A **detailed CV**, preferably in Europass Format, demonstrating clearly that the tenderer fulfils the eligibility criteria;
- A list of all owners and executive officers, for legal persons only;
- The **list of scientific publications**;
- The **list of at least 3 reference persons** (names, functions and contact information);
- A **letter of motivation** highlighting the skills and experience in at least one of the sectors of intervention of the project.

All documents shall be submitted in English or French, 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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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.