



CALL FOR TENDERS

**FOR THE PROVISION OF CONSULTANCY SERVICES IN HUNGARIAN LANGUAGE ON ACTIVITIES ON ROMA INCLUSION AT LOCAL AND REGIONAL LEVEL IN ROMANIA (ACCESS TO FUNDS (EU FUNDS / OPERATIONAL PROGRAMMES AND OTHER DONORS), PROJECT CYCLE MANAGEMENT, PUBLIC PROCUREMENT AND STRATEGIC PLANNING; ACCESS TO FUNDS FOR SMALL AND LARGE-SCALE INFRASTRUCTURE PROJECTS)
2022A067**

Object of the procurement procedure ►	The provision of consultancy services in Hungarian language in Romania relating to the inclusion of Roma at local and regional level in the fields of 1) access to funds (EU funds / Operational Programmes and other donors), Project Cycle Management, Public Procurement and Strategic planning and 2) access to funds for small and large-scale infrastructure projects.
Project ►	EU/CoE Joint Programme ROMACT
Organisation and buying entity ►	Council of Europe Directorate General of Democracy Directorate of Democratic Governance and Anti-discrimination Roma and Travellers Team
Type of contract ►	Framework Contract
Duration ►	Until 31 December 2023 Renewable until 31 December 2025
Expected starting date ►	15 November 2022
Tender Notice Issuance date ►	12 September 2022
Deadline for tendering ►	24 October 2022

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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 F of the terms of reference (below).

STEP 3: Send your **TENDER**, in accordance with Article 9 of the Tender Rules.

PART I –TERMS OF REFERENCE

CALL FOR TENDERS

FOR THE PROVISION OF CONSULTANCY SERVICES ON ACTIVITIES ON ROMA INCLUSION AT LOCAL AND REGIONAL LEVEL IN ROMANIA (ACCESS TO FUNDS (EU FUNDS / OPERATIONAL PROGRAMMES AND OTHER DONORS), PROJECT CYCLE MANAGEMENT, PUBLIC PROCUREMENT AND STRATEGIC PLANNING; ACCESS TO FUNDS FOR SMALL AND LARGE-SCALE INFRASTRUCTURE PROJECTS) 2022A067

A. BACKGROUND

The European Commission and Council of Europe (hereafter referred to as “the Council”) Joint Programme “ROMACT - Building Capacity for the Inclusion of Roma at Local Level” (ROMACT) (hereafter referred to as “the Programme”) aims to build the capacity of public authorities to develop and implement plans and projects for Roma inclusion at local level.

The Programme pursues the following objectives: improving local democracy, accountability, inclusiveness and responsiveness towards Roma citizens and thereby improved delivery of services.

The Programme will end on 31 August 2024 and could be extended if funding is available.

The Programme is comprised of several elements of support to regional and local authorities and Roma communities focusing on:

- capacity building;
- establishment and enforcement of mechanisms and processes promoting and ensuring good governance standards and ownership by local authorities of effective integrated development efforts covering education, employment, healthcare, housing, urban development and culture;
- equipping local authorities with tools, knowledge and skills to overcome the challenges and barriers in regard to the needs of the Roma;
- improving the efficiency, effectiveness and sustainability of local policies, measures and delivery of services.

The Programme’s activities take place in **2 (two) countries: Bulgaria and Romania in a number of municipalities in each country.**

In each country, a National Support Team is formed, consisting of one or more National Project Officer(s), National Facilitators’ Coordinators, National Experts’ Coordinators, and a number of Facilitators.

The National Support Team is also supported by a number of consultants (“Service Providers”) providing expertise on various topics.

The present tendering procedure aims to select Service Providers to support the implementation of the Programme and is divided into two lots of consultancy services:

- **Lot 1: Consultancy services relating to:**
 - Access to funds (EU funds/Operational Programmes and other donors)
 - Project cycle management
 - Public Procurement
 - Strategic Planning
- **Lot 2: Consultancy services relating to:**
 - Access to funds for small and large-scale infrastructure projects (EU funds and other donors)

The Council will select, through this procedure, a maximum of 30 (thirty) Service Providers for Lot 1, and a maximum of 30 (thirty) Service Providers for Lot 2, provided enough offers meet the criteria indicated below.

This Contract is currently estimated to cover up to 200 activities, to be held by 31 December 2023. This estimate is for information only and shall not constitute any sort of contractual commitment on the part of the Council. 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 400,000 EUR 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.

B. EXPECTED SERVICES

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

- Provide expertise to the ROMACT Management team, the NSTs and the Programme's stakeholders on matters and in fields falling within the scope of the relevant lot, including and not limited to: elaborating documents, research, data collection and analysis, providing feedback, proposals, coaching and training assistance and support for the implementation of Programme activities;
- Prepare proposals and recommendations to the NST and ROMACT Management team for activities in the fields falling within the scope of the relevant lot;
- Provide training on matters falling within the scope of the relevant lot/s;
- Provide advice and assistance to jointly develop common plans to find proper solutions/actions in the fields of interest of the Programme;
- Assist and support the development of project proposals for submission to relevant Calls for funding;
- Analyse documents and information provided by the facilitators and the local teams on matters falling within the scope of the relevant lot;
- Participate in and provide input to various meetings (at local and national level), among others and not limited to: the meetings between the ROMACT teams; round tables or other local and national events from the Work Plan of the NSTs; meetings for the preparation of proposals/inputs and to contribute to the topic of meetings; working groups or implementation meetings with the aim to increase the contribution to the relevant public policies;
- Elaborate documents with the objective of strengthening the relation between the National Support Team and relevant national and local actors through relevant contribution.

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).

C. 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 D below) the global fee corresponding to each deliverable, calculated on the basis of the daily fees, as agreed by this Contract.

D. 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).

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.

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.

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 Service Provider using the same criteria, and so on until a suitable Provider is contracted.

The Council reserves the right to order services from Services Providers in the pool established for another Lot in cases where no providers for the relevant Lot accept a particular order within the required timeframe.

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).

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.

E. ASSESSMENT

Exclusion criteria (by signing the Act of Engagement, you declare on your honour not being in any of the below situations²)

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:

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 funds or public funds;
- are or appear to be in a situation of conflict of interest;
- are retired Council 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 leading to a total or partial refusal of payment and/or termination of the contract by the Council;
- 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

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

- University Degree in relevant fields;
- Professional experience of at least three years at the local, national and/or international level in the mentioned fields);
- Excellent oral and written Hungarian (native) and a good knowledge of Romanian and English (at least level B2 of the CEFR);
- Capacity to provide the services required in Romani for the entire duration of the ROMACT programme.

Only tenders submitted in English shall be deemed eligible.

Award criteria

- Criterion 1: Quality of the offer (60%), including:
 - Thematic knowledge and related expertise and experience in fields relevant to the call;
 - Knowledge of the local, regional and national context concerning the areas covered by the call;
 - Relevant experience in the areas covered by this call, including previous assignments with local / regional / national authorities, companies or NGOs relevant for the field;
 - Experience in developing of capacity building materials and activities;
 - Capacity to adapt to the context;
 - Demonstrated ability to work in a team, strong interpersonal and communication skills;
 - ANC (Autoritatea Națională pentru Calificări) trainer certification desirable for lot 1.
- Criterion 2: Financial offer (40%).

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- 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;
 - 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).

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

Multiple tendering is not authorised.

F. DOCUMENTS TO BE PROVIDED

- A completed and signed copy of the Act of Engagement;³
- A detailed CV, not more than 5 pages long, demonstrating clearly that the tenderer fulfils the eligibility criteria;
- A file containing 3 relevant samples of work (no more than 1 page each) demonstrating the required skills, experience and added value in the above-mentioned areas;
- 3 (three) referees' contact details;
- For tenderers subject to VAT only: a quote, describing their financial offer, in line with the requirements of section C of the Tender File (see above).

All documents shall be submitted in English. Incomplete tenders will not be considered. Submitted documents that were not requested in the tender will not be considered.

³ 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.

PART II – TENDER RULES

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ARTICLE 1 – IDENTIFICATION OF THE CONTRACTING AUTHORITY

1.1 Name and address

COUNCIL OF EUROPE

Directorate General of Democracy
Directorate of Democratic Governance and Anti-discrimination
Roma and Travellers Team

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: romact@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 the subject line 'Consultancy Services on Activities on Roma inclusion in Romania- Hungarian language – 2 lots-2022AO67'. **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 24 October 2022 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:

- **A completed and signed copy** of the Act of Engagement;⁵
 - A detailed CV, not more than 5 pages long, demonstrating clearly that the tenderer fulfils the eligibility criteria;
 - A file containing 3 relevant samples of work (no more than 1 page each) demonstrating the required skills, experience and added value in the above-mentioned areas;
 - 3 (three) referees' contact details;
 - **For tenderers subject to VAT only:** a quote, describing their financial offer, in line with the requirements of section C of the Tender File.
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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. Tenders submitted to another e-mail account will be excluded from the procedure.

The deadline for the submission of tenders is 24 October 2022 **23:59 CET**.

⁵ 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 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.