**CALL FOR TENDERS**

for the provision of international consultancy services in the field of social and economic rights in the framework of the ACTIVITIES IMPLEMENTED BY THE DEPARTMENT OF SOCIAL RIGHTS of the directorate general human rights and rule of law of the council of europe

**2023/AO/89**

|  |  |
| --- | --- |
| **Object of the procurement procedure ►** | Provision of international consultancy services |
| **Project ►** | Activities implemented by the Department of Social Rights |
| **Organisation and buying entity ►** | Council of Europe  Department of Social Rights  Directorate Human Rights  Directorate General Human Rights and Rule of Law |
| **Type of contract ►** | **Framework Contract** |
| **Duration ►** | Until 31 December 2027 |
| **Expected starting date ►** | 10 January 2024 |
| **Tender Notice Issuance date ►** | 17 October 2023 |
| **Deadline for tendering ►** | 12 November 2023 by 23:59 CET |

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The TERMS OF REFERENCE describe what will be expected from the selected Providers.

* [**The TENDER RULES** 6](#_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 international consultancy services in the field of social and economic rights in the framework of the ACTIVITIES IMPLEMENTED BY THE DEPARTMENT OF SOCIAL RIGHTS of the directorate general human rights and rule of law of the council of europe

**2023/AO/89**

1. **Background**

The **European Social Charter** (hereinafter – the Charter) is a Council of Europe treaty that guarantees fundamental social and economic rights. It guarantees a broad range of everyday human rights related to employment, housing, health, education, social protection and welfare.

The Charter lays specific emphasis on the protection of vulnerable persons such as older people, children, persons with disabilities and migrants. It requires that enjoyment of the abovementioned rights be guaranteed without discrimination.

No other legal instrument at pan-European level can provide such an extensive and complete protection of social rights as that provided by the Charter, which also serves as a point of reference in European Union law. Most of the social rights in the EU Charter of Fundamental Rights are based on the relevant articles of the Charter. The Charter is therefore seen as the **Social Constitution of Europe** and represents an essential component of the continent’s human rights architecture.

The implementation of the Charter by States Parties is monitored by the **European Committee of Social Rights** (hereinafter – the Committee). The Committee rules on the conformity of national law and practice with the Charter. The Committee delivers its rulings in the framework of two procedures: the collective complaints procedure and the reporting procedure. The Charter is based on what is termed a **ratification system**, enabling States, under certain circumstances, to choose the provisions they are willing to accept as binding international legal obligations. Follow-up to monitoring is the responsibility of the Committee of Ministers of the Council of Europe with involvement, in some respects of the Governmental Committee of the European Social Charter and European Code of Social Security. As a result of the monitoring system, recently reformed and reinforced in particular as to follow-up, the States Parties make changes to their legislation and/or practice in order to bring the situation into line with the Charter. In this respect expert support is provided to States Parties through different Council of Europe technical assistance projects. The Charter, the Committee and the technical assistance projects represent the Council of Europe unique strategic triangle of standard-setting, monitoring and co-operation.

On 27 September 2022, the Committee of Ministers adopted a reform package aimed at modernising the European Social Charter system ([CM(2022)114-final](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=0900001680a8412f)). The ultimate goal is to assist States Parties in ensuring respect for social rights in line with their commitments. For this purpose, emphasis is placed on the need for enhanced dialogue between the Charter organs ([European Committee of Social Rights](https://www.coe.int/en/web/european-social-charter/european-committee-of-social-rights) and [Governmental Committee](https://www.coe.int/en/web/european-social-charter/governmental-committee) and States Parties as well as all relevant stakeholders (national human rights institutions, national equality bodies, trade unions and other civil society organisations).

The **Department of Social Rights of the Directorate General Human Rights and Rule of Law of the Council Of Europe** (hereinafter-Department) provides secretariat support to the European Committee of Social Rights in the implementation of the Charter’s monitoring mechanisms and to the Governmental Committee in respect of Committee of Ministers follow-up. Additionally the Department implements several technical assistance projects aiming at enhancing the protection and promotion of social and economic rights in the Council of Europe member States.

The Council of Europe is looking for 60 (sixty) Providers (provided enough tenders meet the criteria indicated below) in order to support the implementation of the Department’s activities with a particular expertise on social and economic rights.

This Contract is currently estimated to cover up to 150 (one hundred fifty) activities, to be held by 31 December 2027. 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 projects amounts to 3 000 000 Euros (three million Euros) and the total amount of the object of present tender should in principle not exceed 500 000 Euros (five hundred thousand 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 Providers to support the implementation of the Department’s activities and is divided into the following lots:

|  |  |
| --- | --- |
| Lots | Maximum number of Providers to be selected |
| Lot 1: **International consultancy services in the field of social and economic rights, as provided by the European Social Charter** with a specific focus on one or more of the following areas: the treaty system of the European Social Charter and its monitoring and follow-up mechanisms; the European Code of Social Security; social cohesion. | 30 |
| Lot 2: **International consultancy services in the field of labour inspection,** with a specific focus on institutional efficiency and development. | 10 |
| Lot 3: **International consultancy services in the field of social human rights** with a specific focus on the review and update of the Digest of the case law of the European Committee of Social Rights and its Appendix. | 5 |
| Lot 4: **International consultancy services in the field of social human rights** with particular expertise in legal writing, editing and proofreading of legal texts. | 15 |

**Lot 1** **concerns** **the provision of international consultancy services in the field of social and economic rights**  including but not limited to one or more of the following areas (non-exhaustive) and targeting all individuals in their daily lives, with special attention for vulnerable persons and groups:

* **the rights guaranteed under the European Social Charter,** covering employment and working conditions, housing, education, health, medical assistance and social protection, integration and participation, non-discrimination, etc.; implementation of the European Social Charter at the national and international levels, its monitoring mechanisms and acceptance of its provisions by the member States;
* **implementation of the European Code of Social Security** covering the norms for social security and levels of protection in such areas as medical care, sickness benefits, unemployment benefits, old-age benefits, employment injury benefits, family benefits, maternity benefits, invalidity benefits, survivors' benefits, etc.;the regular update of the Mutual Information System on Social Protection of the Council of Europe;
* **social cohesion,** covering Council of Europe actions aiming at ensuring equal and effective access to social rights.

**Lot 2 concerns the provision of international consultancy services in the field of labour inspection,** covering the scope and functions of labour inspection, institutional efficiency and development, policy, planning and implementation of labour inspection, powers and duties of labour inspectors, methods of inspections, enforcement and sanctioning measures and procedures, etc.

**Lot 3 concerns the provision of international consultancy services** to regularly update and proofreadthe Digest of the European Committee of Social Rights case law and its Appendix.

**Lot 4 concerns the provision of international consultancy services in the field of social human rights** with a specific focus on one or more of the following areas): legal writing, editing, proofreading, language check of the European Committee of Social Rights conclusions, decisions and other documents prepared by the Department, spelling check for correctness of the legal texts’ conformity to the [Council](https://www.un.org/dgacm/en/content/editorial-manual) of Europe English style guide, etc.

The Council will select the abovementioned number of Providers 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:**

* Analysis and/or expertise of laws, drafts, strategies and polices, or the situation in practice as a result of the application of those laws and policies, in light of the European Social Charter, case law of the European Committee of Social rights and by taking account of relevant social, economic and policy considerations;
* Preparation of reports, legal opinions, comments, recommendations, etc, on the implementation of the provisions of the European Social Charter, European Code of Social Security, social protection and social cohesion;
* Assessment of legal acts and policy documents (draft documents) and/or practice and provision of advice (in the form of oral and/or written contributions);
* Development of methodology and conduct of needs assessment on specific aspects related to the theme of the lot;
* Research, study and sharing of best European practices related to the theme of the lot;
* Participation and contribution to the organisation and to the conduct of conferences, roundtables, seminars, trainings, working group meetings, workshops, consultation meetings and other relevant events, including through moderating/facilitating discussions and delivering presentations (travel may be required);
* Development of institutional internal regulations, guidelines and information materials on specific aspects related to the theme of the lot;
* Development of the methodology and conduct of training needs assessment, evaluation of their impact/effectiveness and development of reports/recommendations thereof on specific aspects related to the theme of the lot;
* Development, adaptation of training courses (including on-line) and materials and delivery of training activities on specific aspects related to the theme of the lot;
* Development of publications, awareness raising materials, such as leaflets, brochures, etc on specific aspects related to the theme of the lot;
* Provision of other deliverables related to the above as requested by the Council of Europe.

**Under Lot 2:**

* Development of methodology and conduct of (institutional) needs assessment on specific aspects related to the theme of the lot;
* Preparation of reports, legal opinions, comments, recommendations, etc, on different aspects related to labour inspection in line with the relevant international standards and the provisions of the European Social Charter;
* Assessment of legal acts and policy documents (draft documents) and/or practice and provision of advice (in the form of oral and/or written contributions);
* Research, study and sharing the best European practices related to the theme of the lot;
* Participation and contribution to the organisation and to the conduct of conferences, roundtables, seminars, trainings, working group meetings, workshops, consultation meetings and other relevant events, including through moderating/facilitating discussions and delivering presentations (travel may be required);
* Development of institutional internal regulations, guidelines and information materials on specific aspects related to the theme of the lot;
* Development of the methodology and conduct of training needs assessment, evaluation of their impact/effectiveness and development of reports/recommendations thereof on specific aspects related to the theme of the lot;
* Development, adaptation of training courses (including on-line) and materials and delivery of training activities on specific aspects related to the theme of the lot;
* Development of publications, awareness raising materials, such as leaflets, brochures, etc on specific aspects related to the theme of the lot;
* Provision of other deliverables related to the above as requested by the Council of Europe.

**Under Lot 3:**

* Update of the Digest of the case law of the European Committee of Social Rights and its Appendix to reflect recent conclusions and decisions of the European Committee of Social Rights;
* Legal proofreading and language check (English and/or French) of the updated Digest of the case law of the European Committee of Social Rights and its Appendix;
* Check of the Digest of the case law of the European Committee of Social Rights and its Appendix for substantive accuracy, identification of any inconsistences (including in the footnotes) etc.;
* Provision of other deliverables related to the above as requested by the Council of Europe.

**Under Lot 4:**

* Legal proofreading by checking the accuracy and legal terminology of translations from French into English and vice versa of the European Committee of Social Rights conclusions, decisions and other documents produced by the Department;
* Language check (English or French) of the European Committee of Social Rights conclusions, decisions and other documents produced by the Department;
* Checking the spelling of the correctness of the conformity to the [Council](https://www.un.org/dgacm/en/content/editorial-manual) of Europe style guide;
* Provision of other deliverables related to the above 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.

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).

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.

**Pooling**

For each Order, the Council will choose from the pool of pre-selected tenderers of 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[[1]](#footnote-1) (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) [[2]](#footnote-2)

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 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](http://www.sanctionsmap.eu)).

**For Lot 1, 2 and 3**

*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):

* University degree in law, social sciences, human rights, international relations, political sciences, or related fields;
* At least 5 years of professional experience in the areas related to the fields of expertise as described under the scope of lot 1, 2 and 3, inter alia acquired in an international context;
* Proven competence or expertise (legal or policy) in one or more areas covered by the European Social Charter (e.g. labour and employment, children’s rights, equality and non-discrimination, social security and social assistance, etc.) or related to social security, social cohesion, labour inspection and other Council of Europe activities;
* Excellent knowledge of the English or French language (at least level C1 of the Common European Framework of Reference for Languages).

*Award criteria*

* Criterion 1: Quality of the offer (80%), including:
* Thematic expertise in the relevant areas covered by lot 1, 2 and 3, including knowledge of the European Social Charter, European standards and recommendations of the Council of Europe, European Committee of Social Rights and European Court of Human Rights case law (40%);
* Relevance of the experience of the tenderer in the areas covered by lot 1, 2 and 3, including previous similar assignments with international organisations (30%);
* Knowledge of the national and regional context in the field of the social rights and policies relevant to the areas covered by lot 1, 2 and 3 (10%).
* Criterion 2: Financial offer (20%).

**For Lot 4**

*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):

* University degree in language studies, linguistics, law, international relations, political sciences, human rights, or related fields;
* At least 3 years of experience in providing similar services as described under the scope of this lot;
* Excellent knowledge of the English and French languages (at least level C2 of the Common European Framework of Reference for Languages).

*Award criteria*

* Criterion 1: Quality of the offer (80%), including:
* Thematic expertise in the relevant areas covered by this lot, including knowledge of the European Convention of Human Rights, European Social Charter, the case law of the European Committee of Social Rights and the European Court of Human Rights (both in French and English) (20%);
* Relevance of the experience of the tenderer in the areas covered by this lot, including previous similar assignments with international organisations (30%);
* Legal proofreading, writing and/or translation skills (both in French and English) (30%);
* 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;[[3]](#footnote-3)
* 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 in English or in French);
* **contact details of 3 (three) relevant referees**, from among previous employers/clients/international organisations (name, surname, phone number and e-mail)
* FOR LEGAL PERSONS:
  + **a list of all owners and executive officers**;
  + the **detailed CV(s)**, preferably in Europass Format, of all individual (s) who is/are proposed to undertake the work under the contract, demonstrating clearly that the eligibility criteria are fulfilled by each of them;
  + **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 in English or in French) 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).

**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 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 international consultancy services in the field of social and economic rights in the framework of the ACTIVITIES IMPLEMENTED BY THE DEPARTMENT OF SOCIAL RIGHTS of the directorate general human rights and rule of law of the council of europe

**2023/AO/89**

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

* 1. **Name and address**

**COUNCIL OF EUROPE**

Department of Social Rights

Directorate of Human Rights

Directorate General of Human Rights and Rule of Law

Agora, 1 quai Jacoutot, F-67075 Strasbourg Cedex

* 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.[[4]](#footnote-4)

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 or French, and shall be exclusively sent to the following address:  [**socialrights.tender@coe.int**](mailto:%20socialrights.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](mailto:cdm@coe.int) with reference no. **2023/AO/89** 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 **12 November 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;
* 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 in English or in French);
* **contact details of 3 (three) relevant referees**, from among previous employers/clients/international organisations (name, surname, phone number and e-mail);
* FOR LEGAL PERSONS:
  + **a list of all owners and executive officers** ;
  + the **detailed CV(s)**, preferably in Europass Format, of all individual(s) who is/are proposed to undertake the work under the contract, demonstrating clearly that the eligibility criteria are fulfilled by each of them;
  + **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 in English or in French) 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);

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](mailto:cdm@coe.int) with reference no. **2023/AO/89** 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 **12 November 2023** **by 23:59 CET**.

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. [↑](#footnote-ref-1)
2. 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 en 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).

   [↑](#footnote-ref-2)
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. [↑](#footnote-ref-3)
4. Available on the website of the Council of Europe Treaty Office: [www.conventions.coe.int](http://www.conventions.coe.int) [↑](#footnote-ref-4)