

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

### Purchase of consultancy services on protection of victims of gender-based violence in the Southern Mediterranean region

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

The Council of Europe is currently implementing until 28/02/2022, a Project on Euro-Mediterranean cooperation for the protection of women and girls against violence. The project is part of the South Programme IV - Regional Support to reinforce human rights, rule of law and democracy in the Southern Mediterranean. In that context, it is looking for Providers for the provision of consultancy services on protection of victims of gender-based violence in the Southern Mediterranean region to be requested by the Council 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 Europe<sup>1</sup>, 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 – Consultant – Protection.** 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 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 - Consultant – Protection**

Type of contract ▶	Framework contract
Duration ▶	Until 28 February 2022
Deadline for submission of tenders/offers ▶	<b>08 April 2021</b>
Email for submission of tenders/offers ▶	<a href="mailto:nswomennetwork@coe.int">nswomennetwork@coe.int</a>
Email for questions ▶	<a href="mailto:nswomennetwork@coe.int">nswomennetwork@coe.int</a> or <a href="mailto:nscinfo@coe.int">nscinfo@coe.int</a>
Expected starting date of execution ▶	26 April 2021

<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. EXPECTED DELIVERABLES

### Background of the Project

In the framework of the European Union/Council of Europe joint programme "[Regional initiative to reinforce human rights, rule of law and democracy in the Southern Mediterranean](#)" (referred to as South Programme IV), the North-South Centre of the Council of Europe is implementing the Project "Euro-Mediterranean cooperation for the protection of women and girls against violence" aiming at strengthening capacities of civil society organisations (CSOs) in the Southern Mediterranean region to ensure a greater access to protection structures and services for victims/survivors of gender-based violence.

Combating Violence Against Women (VAW) requires a multi-sectorial approach and coordinated action among all actors of society towards the same goal. In this regard, the [Council of Europe Convention on Combating and Preventing Violence against women and domestic violence \(Istanbul Convention\)](#) is internationally recognised as a key standard for the adoption and implementation of a comprehensive and coordinated approach. This approach looks at and addresses the causes, manifestations and consequences of VAW and requires effective multi-sectorial and multi-agency interventions in which all policy sectors and actors are engaged and accountable. The adoption of a victim-centred approach<sup>2</sup> when implementing comprehensive and coordinated policies and measures ensures effectiveness of such policies and measures. In this regard, CSOs are playing a crucial role in promoting women's rights having a first-hand experience in understanding realities, perspectives and concerns of victims/survivors while supporting them according to their needs.

The North-South Centre of the Council of Europe will carry out targeted actions to strengthen the participation of CSOs in the multi-stakeholder cooperation within their role of "connecting stakeholder" between duty bearers and rights holders. In this respect, the following activities will be developed:

- Support to 8 civil society organisations (CSOs) in Algeria, Egypt, Jordan, Lebanon, Morocco, Palestine\* and Tunisia to conduct activities on the protection of women and girls victims/survivors of gender-based violence at the national or local level, through a regional grant scheme;
- Training activities for beneficiaries of the grant scheme on Council of Europe tools and methodologies;
- Coordination and preparatory meetings between beneficiaries of the grant scheme and relevant national and/or local authorities;
- Regional Women Empowerment Conference targeted at raising awareness among relevant stakeholders from the Southern Mediterranean region on the protection of girls against violence (tackling regional issues such as minimum age of marriage, trafficking of girls, harmful practices, migrant and refugee girls, etc.).
- Regional closing seminar to assess the results of the regional grant scheme together with governmental authorities, South Programme IV steering committee members and other relevant stakeholders and experts from the Euro-Mediterranean region to paving the way for the appropriate follow-up action.

In that context, the Council of Europe is looking for a maximum of 18 Providers in order to support the implementation of the project with a particular expertise on protection of victims and/or the multisectorial approach in combating gender-based violence.

This Contract is currently estimated to cover up to 32 activities, to be held by 28 February 2022. 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 200 000 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.

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<sup>2</sup> This approach is defined as the systematic focus on the needs and concerns of a victim to ensure the compassionate and sensitive delivery of services in a non-judgmental manner. A victim-centred approach seeks to minimize re-traumatization associated with the criminal justice process by providing the support of victim advocates and service providers, empowering survivors as engaged participants in the process, and providing survivors an opportunity to play a role in seeing their perpetrators brought to justice.

## Scope of the Framework Contract

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

- Drafting analytical reports (assessments, gap analysis...);
- Preparing and conducting coordination meetings/workshops;
- Participating and contributing in events of the project;
- Results oriented monitoring reports and evaluation of activities.

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 or French (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 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).

#### Pooling

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.

### **Providers subject to VAT**

The Provider, **if subject to VAT**, shall also send, together with each signed Form, a quote<sup>3</sup> (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.

### **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)<sup>4</sup>

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 or are likely to be in a situation of conflict of interests;
- 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)).

#### *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):

- Fluency in English and/or French (minimum B2 level or equivalent);
- Minimum of five years of proven experience in combating violence against women in the Southern Mediterranean (at national level in Algeria, Egypt, Jordan, Lebanon, Morocco, Palestine\* et Tunisia or at regional level for the Southern Mediterranean region) ;
- Possess a bank account under the Provider's legal name.

Only tenders submitted in English or French will be admissible.

<sup>3</sup> 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.

<sup>4</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 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).

*Award criteria*

- Quality of the offer (80%), including:
  - (60%) Thematic expertise gained from experience in drafting knowledge products such as books, articles, research and policy papers, baseline and comparative studies, desk reviews, handbooks, etc. and/or thematic expertise gained from field work and from experience in developing or applying international norms, methodologies, protocols, guidelines, toolkits, and/or from carrying out trainings, etc.
  - (15%) Drafting skills in English or French;
  - (5%) Experience in working in multicultural contexts and dealing with intercultural working approaches.
- Financial offer: (20%)

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

**Multiple tendering is not authorised.**

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**<sup>5</sup> (See attached);
- A list of all owners and executive officers, for legal persons only;
- Registration documents, for legal persons only;
- A detailed CV, demonstrating clearly that the tenderer fulfils the eligibility criteria;
- A motivation letter in English or French (1 page maximum) highlighting the most relevant expertise and experience;
- Two references (contacts including phone number and e-mail address).

**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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<sup>5</sup> 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.

\* This designation shall not be construed as recognition of a State of Palestine and is without prejudice to the individual positions of Council of Europe and European Union member States on this issue.