**TENDER FILE / TERMS OF REFERENCE**

**(Competitive bidding procedure / One-off contract)**

**Preparation of Distance Learning Training Programme**

**Contract N° SC001/2024**

The Council of Europe is currently implementing and will implement a Project on “Improving the Effectiveness of the Family Courts: Better Protection of the Rights of Family Members” until 19 September 2024. In that context, it is looking for Providers for the production of online distance learning training programme under Project Activity A.2.4 Design of the Distance Learning Training Programme and the Launch of Family Law Training Platform (FLTP).

1. 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[[1]](#footnote-1), the Organisation shall invite to tender at least three potential providers for any purchase between €2,000 (or €5,000 for intellectual services) and €45,000 tax exclusive.**

This specific tender procedure aims at concluding a **one-off contract** for the provision of deliverables described in the Act of Engagement (See attached). A tender is considered valid for 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 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 – FC Distance Learning Training Programme.** 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 5 (five) 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 - FC Distance Learning Training Programme.**

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| **Type of contract ►** | One-off contract |
| **Duration ►** | Until complete execution of the obligations of the parties (See Article 2 of the Legal conditions as reproduced in the Act of Engagement) |
| **Deadline for submission of tenders/offers ►** | 12 January 2024 |
| **Email for submission of tenders/offers ►** | ankara.office@coe.int |
| **Email for questions ►** | ankara.office@coe.int |
| **Expected starting date of execution ►** | 1 February 2024 |

1. EXPECTED DELIVERABLES

The Council of Europe is currently implementing a Project on **Improving the Effectiveness of the Family Courts: Better Protection of the Rights of Family Members**. Within the scope of the Project, a distance learning training programme will be developed. The main purpose of this programme is to create an online training platform, namely the “Family Law Training Platform (FLTP)” to reach out all relevant professionals working in family justice and family law including judges, public prosecutors, and lawyers as well as experts and auxiliary staff including psychologists, pedagogues, social workers, clerks, bailiffs, and other personnel working in the family courts. It is aimed that these target groups benefit from the platform in order to further develop their capacities on gender equality, justice for women and children, domestic violence, best interests of the child and the family court related trial procedures. It is expected that the public also benefits from this platform via a dedicated awareness-raising material on the family law and domestic violence and violence against women. Within the scope of this work, training contents will be produced in accordance with the definitions of needs and technical specifications that are detailed under the Technical Specifications (See Annex 2-Technical Specifications).

Under this work, the Provider is expected to produce the following five training modules according to the **Scenarios** provided in Annex 3-Sample Scenarios:

1. Protection of the Rights of Family Members in Family Law Cases and Divorce Proceedings
2. Implementation of Law No. 6284 and Effective Protection of Women's Rights
3. Drafting of Reasoned Judgments in Family Law
4. Introducing Effective Techniques to Ensure the Proper Hearing of the Child
5. Communication Skills, Stress and Time Management

In addition, one awareness-raising video of 30 minutes in total will be produced by the Provider under the scenarios to be provided at a later stage.

The online training programme that will be produced by the Provider will include both self-learning and tutorship which will be consisting of certified trainers. The training platform will have various learning methods including but not limited to sets of interactive videos, interactions at different levels (multiple choice question, matching, true/false, feedback) between each interactive video, interim evaluations, comprehensive interactive drama or simulation-based interaction application, a question pool, self-assessment tests as well as an exam and question bank for certification.

The Council of Europe reserves the right that the Scenarios might be subject to alteration during the course of the implementation of this work.

1. FEES

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

Tenderers **subject to VAT** shall also send **a quote (Pro Forma invoice)** on their letterhead 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;

- 45.000 € is the exclusion level for this tender.

1. ASSESSMENT

*Exclusion criteria and absence of conflict of interests*

(by signing the Act of Engagement,**[[2]](#footnote-2)** you declare on your honour not being in any of the below situations)

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

* have been sentenced by final judgment on one or more of the following charges: participation in a criminal organisation, corruption, fraud, money laundering, terrorist financing, terrorist offences or offences linked to terrorist activities, child labour or trafficking in human beings;
* are in a situation of bankruptcy, liquidation, termination of activity, insolvency or arrangement with creditors or any like situation arising from a procedure of the same kind, or are subject to a procedure of the same kind;
* have received a judgment with res judicata force, finding an offence that affects their professional integrity or serious professional misconduct;
* do not comply with their obligations as regards payment of social security contributions, taxes and dues, according to the statutory provisions of their country of incorporation, establishment or residence;
* are an entity created to circumvent tax, social or other legal obligations (empty shell company), have ever created or are in the process of creation of such an entity;
* have been involved in mismanagement of the Council of Europe funds or public funds;
* are or appear to be in a situation of conflict of interest;
* are 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*

* The bidder must be a legally registered entity.
* Prior experience of producing an online learning/digital training platform within the last two years, with a list of completed works for both in 2022 and 2023.
* The bidder must provide a project plan/timetable with deadlines indicating the steps to be taken during the course of production of the training programme, in line with the final deadlines provided under the Act of Engagement document (See Annex 1).

*Award criteria*

* Quality of the offer (40%), including:
* Proven experience and capacity to create and deliver video-based interactive and drama-based online trainings including the creation of certificates for successful participants (20%);
* Having experienced and professional human resource for shootings which should include director and assistant positions with at least three years of professional experience in the respective areas (10%);
* Providing a project plan which includes proposed technical specifications of the production, in line with the final deadlines provided under the Act of Engagement document (See Annex 1) (10%).
* Financial offer (60%).

Multiple tendering is not authorised.

1. NEGOTIATIONS

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

1. DOCUMENTS TO BE PROVIDED

Tenderers are invited to submit:

* **A completed and signed copy of the Act of Engagement[[3]](#footnote-3) (See Annex 1)**;
* 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);
* A list of all owners and executive officers, for legal officers only;
* List of previously created online learning/digital training platform in 2022 and 2023;
* Proposed project plan that include technical specifications of the production;
* List of professional video equipment (to enable the training content to be produced in line with the technical requirements set under Section 3 of the Technical Specifications) and Greenbox studio (10%);
* List of staff and their CVs (including proven expertise and at least three years of experience on the topic) to be assigned for this task.
* Minimum two references confirming the completion successful similar works carried out by the bidder.

**All documents shall be submitted in English, 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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1. The activities of the Council of Europe are governed by its [Statute](https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=0900001680306052) 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](https://search.coe.int/intranet/Pages/result_details.aspx?ObjectId=090000168094853e). [↑](#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 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). [↑](#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)