

## TENDER FILE / TERMS OF REFERENCE

(Competitive bidding procedure / One-off contract)

### Provision of service of teaching Serbian language as a non-mother tongue in primary schools in Bujanovac and Presevo, within the action HF25 "Promotion of diversity and equality in Serbia".



#### Contract N° BH4674/2021/31

The Council of Europe is currently implementing - and until 23 May 2022 will implement - the joint Council of Europe / European Union Horizontal Facility Action on "Promotion of diversity and equality in Serbia". In that context, it is looking for Provider(s) for the provision of consultancy services 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 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 duly registered company under sole proprietorship of a natural person, or equivalent, provided that the signatory of the Act of Engagement is individually liable for all obligations undertaken by the entity and is the owner of the moral rights in any creations of the entity. If contracted by the Council of Europe, the signatory of the Act of Engagement shall provide the deliverables personally, in accordance with the terms as provided in the present Tender File and Act of Engagement.

Tenders shall be submitted **by email only** (with attachments) **to the email address indicated in the table below, with the following reference in subject: HF25 SERBIA TEACHING ASSISTANT**. 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) 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 HF25 SERBIA TEACHING ASSISTANT**

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)  <a href="#">Click here to enter a date.</a>
Deadline for submission of tenders/offers ►	<b>16 August 2021</b>
Email for submission of tenders/offers ►	<b>TENDERS.ANTIDISCRIMINATION@COE.INT</b>
Email for questions ►	<b>TENDERS.ANTIDISCRIMINATION@COE.INT</b>
Expected starting date of execution ►	1 September 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

"Promotion of diversity and equality in Serbia" is an Action implemented in Serbia within the framework of the second phase of the European Union / Council of Europe Joint Programme Horizontal Facility for the Western Balkans and Turkey (HF II).

The Horizontal Facility supports justice reform, the fight against corruption and combating discrimination and protecting the rights of vulnerable groups, and covers Albania, Bosnia and Herzegovina, Montenegro, Republic of North Macedonia, Serbia as well as Kosovo<sup>2</sup>. Through the Horizontal Facility, the European Union and the Council of Europe will assist beneficiaries in South-East Europe to comply with Council of Europe standards and to align with the European Union acquis in the framework of the enlargement process.

The aim of the Action is to contribute to improving the functioning of anti-discrimination mechanisms and their accessibility by vulnerable groups, in line with European standards and best practices. In specific, it will work on combating discrimination, including discrimination on grounds of sexual orientation and/or gender identity, hate speech, as well as protecting and promoting national minorities and their languages. This will be achieved by instruments such as legislative and policy reviews, capacity building and campaigning implemented at various levels, including the local. The Action is based on the CoE findings and recommendations of the European Commission against Racism and Intolerance (ECRI), the Advisory Committee of the Framework Convention for the Protection of National Minorities (ACNM), the Committee of Experts of the European Charter for Regional or Minority Languages (COMEX ECRML).

The Action is implemented throughout the period of 36 months (24 May 2019 – 23 May 2022) by the Anti-Discrimination department of the Council of Europe and the project team based in the Council of Europe office in Belgrade. The main partners of the project are the Office for Human and Minority Rights in Serbia, the Commissioner for Protection of Equality in Serbia, the Institution of the Ombudsman of Serbia and other relevant stakeholders.

The Council of Europe is looking for a maximum of 6 providers (provided enough tenders meet the criteria indicated below) in order to support the implementation of the project activity.

In the framework of the action, we are looking for the providers for the provision of service of teaching Serbian language as a non-mother tongue in primary schools in Bujanovac and Presevo.

The goal is to contribute to better social cohesion in the municipalities of Bujanovac and Presevo, through improving the knowledge of the Serbian language among students who study in the Albanian language.

The provider will perform the duties of teaching assistant in the subject Serbian as a non-mother tongue, for which the VII degree is required, including:

1. providing support to teachers in creating and conducting classes;
2. contributing to motivating and encouraging students' interest in learning the Serbian language;
3. development and application of appropriate additional teaching materials in agreement with teachers;
4. application of innovative methods in teaching, including the use of information and communication technology in teaching;
5. participation in trainings and workshops for the purpose of professional development;
6. regular reporting on the course and results of work in the classroom;
7. Participation in testing students on knowledge of Serbian as a non-mother tongue.

### C. 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;

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<sup>2</sup> This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

- 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.

### C. 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>3</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;
- 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;
- have no residence in the Republic of Serbia at the time of submitting the bid;
- 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*

- Nationality of the Republic of Serbia;
- University degree in humanities, philology, pedagogy, psychology, or any related field **or** equivalent working experience;
- Demonstrated ability to work in multi-cultural environments, and demonstrated analytical, research and reporting skills,
- Excellent communication and interpersonal skills;
- Excellent drafting skills;
- Excellent written and oral Serbian; knowledge of Albanian will be considered as an asset;
- ICT skills: sound computer skills of standard tools in office applications.

#### *Award criteria*

- Quality of the offer (70%), including:
  - Capacity to meet deadlines;
  - Capacity to meet technical requirements.
- Financial offer (30%).

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

Multiple tendering is not authorised.

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<sup>3</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.

#### D. NEGOTIATIONS

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

#### E. DOCUMENTS TO BE PROVIDED

- A completed and signed copy of the **Act of Engagement**<sup>4</sup> (See attached);
- A detailed CV demonstrating clearly that the tenderer fulfils the eligibility criteria;
- A scanned copy of a valid photographic proof of identity (e.g. passport), for natural persons only (including from owners and executive officers of legal persons);
- A list of all owners and executive officers, for legal persons only;
- For legal persons, registration documents or other official documents proving ownership and control of the Tenderer;
- Contact details of three referees/recent employers.

**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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<sup>4</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.