



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

### Purchase of consultancy services based on national standards in relation to the implementation of the "Quality Education for All (Quality ED – Serbia)" project in Serbia *Contract N° BH4681/FC/2019/2*

The Council of is currently implementing and until 23 May 2022 will be implementing joint Council of Europe/European Union Horizontal Facility project "Quality Education for All (Quality Ed – Serbia)" in Serbia. In that context, it is looking for Providers for the provision of consultancy services based on national standards to be requested by the Council on an as needed basis.

#### 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 as described in the Terms of Reference below. 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, or a legal person except consortia.

Tenders shall be submitted **by email only** (with attachments) **to the email address indicated in the table below, with the following reference in subject: National consultancy services - Quality Education for All (Quality ED – Serbia).** 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: National consultancy services Quality Education for All (Quality ED – Serbia): clarifications.**

<b>Type of contract ▶</b>	Framework contract
<b>Duration ▶</b>	23 May 2022
<b>Deadline for submission of tenders/offers ▶</b>	<b>20 September 2019</b>
<b>Email for submission of tenders/offers ▶</b>	<b>kristijan.rajkovic@coe.int</b>
<b>Email for questions ▶</b>	<b>kristijan.rajkovic@coe.int</b>
<b>Expected starting date of execution ▶</b>	14 October 2019

<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](#).

## EXPECTED DELIVERABLES

### Background of the Project

Democratic institutions will work in practice only if they function within a culture of democracy. An education system which promotes such a culture fosters attitudes and behaviours that seek resolution of conflicts through dialogue, accepts that while majorities decide, minorities also have rights and considers diverse perspectives a strength rather than a threat.

Within the European Union/Council of Europe joint Horizontal Facility for the Western Balkans and Turkey Programme (phase II), which aims at assisting beneficiaries in South-East Europe to comply with the Council of Europe standards and European Union acquis in the framework of the enlargement process, the Council of Europe is implementing the Action "**Quality Education for All (Quality Ed – Serbia)**" that will do this by building upon on the achievements and results from the "Fostering a democratic school culture" project that ended in April 2019. It will seek to foster quality education by supporting schools, their communities and relevant education institutions to fight discrimination in education and to accommodate and value vulnerable children in the education system through the promotion and implementation of the [CoE Reference Framework of Competences for Democratic Culture](#). The Action also takes into account the Recommendation CM/Rec(2012)13 of the Committee of Ministers to member States on ensuring quality education by promoting inclusion and solutions to address discrimination in the education system.

The approach of the Action will be to support Serbian institutions and beneficiaries - including the Ministry of Education, Science and Technological Development, the Institute for Education Quality and Evaluation and the Institute for Education Development.

The Action is built along three lines:

- 1) **Policy** - Implement the "Recommendations to education policy makers for fostering democratic school culture in Serbia" - developed under the previous project - and to upscale these evidence-based policies recommendations nation-wide. This will include the revision and enrichment of subjects in two selected grades and incorporation of the competences for democratic culture in a way that besides the subject related outcomes, will assess the outcomes based on the Competences for Democratic Culture.
- 2) **Capacity Building** - Build capacity of schools and education professionals to adopt a democratic school culture and develop democratic competences in learners. This will include a new accredited curriculum for in-service teacher training on competences for democratic culture as well as an on-line resource pack that will be available to all teachers in Serbia through the existing professional development portal of the Institute for Education Improvement. Parents of students will also be involved through the creation of specialised manuals to develop their own knowledge of democratic education principles.
- 3) **Heightened awareness** of education professionals, schools and the wider communities of the benefits of a democratic school culture will be increased, while policy makers will be more aware of the common issues of inclusion and discrimination in the region and solutions to resolve them. A network of 20 schools established within the previous action will be reinforced with an additional 40 schools, thus 60 schools implementing a democratic culture will, *inter alia*, will be supported.

The Council of Europe is looking for a maximum of 20 Providers (provided enough tenders meet the criteria indicated below) in order to support the implementation of the project with a particular expertise on:

- Fostering a democratic culture in education based on relevant national standards and specifically the Council of Europe standards in the field of Human Rights Education and Democratic Citizenship Education as well as the Reference Framework of Competences for Democratic Culture;
- Developing textbooks, manuals, handbooks, curricula, training materials and similar, aimed at education professionals, practitioners, policy makers, parents and wider public based on national experience and in the field of Human Rights Education and Democratic Citizenship Education;

- Developing and delivering training for education professionals and policy makers, including training of trainers, based on national experience, in the field of Human Rights Education and Democratic Citizenship Education;
- Conducting analyses and evaluations, producing reports concerning education and fostering a democratic culture in education;
- Gender mainstreaming integration and promotion of gender equality in education.

This Contract is currently estimated to cover up to 80 activities, to be held by 23 May 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 900,000 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.

### Scope of the Framework Contract

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

- **Support provision of and/or independently provide grassroots capacity building** and participate in and, where applicable, facilitate conferences, seminars, workshops, roundtables, training of trainers sessions and work with schools, education professionals and other project target groups;
- **Coordinate the selected schools** in their work on implementation of CDC including, but not limited to, inception visits (coordination or delivery), reporting on the progress, coordination of smaller teams of junior experts, supervising school development plans;
- **Support provision of and/or independently provide institutional capacity building** which might involve but is not limited to:
  - devising and/or conducting workshops, trainings, roundtables, study visits
  - developing manuals, textbooks, handbooks, baseline analyses, evaluations, guidelines, recommendations,
  - revising existing in accordance with the stakeholders' needs and in line with the project desired results.
- **Support development, preparation and delivery and/or independently develop, prepare and deliver** training modules and methodological tools/materials for professionals and institutions which might involve but is not limited to development of guidelines, training curricula, handbooks, rulebooks, training materials or revise and update existing materials.
- **Develop standards and principles** of mainstreaming and promoting good practice for democratic school culture throughout Serbia;
- **Develop mechanisms and systems** that will enhance capacity of schools to remove prejudices and discriminatory approaches towards vulnerable groups;
- **Provide national and local expertise and coordination to the working groups and international experts** in the process of:
  - upgrading of the existing curriculum of selected subjects to reflect outcomes for Competences for Democratic Culture.
  - upgrading of the existing guidebooks, guidelines and other mechanisms.
- **Support the production/produce** different specialised materials based on the participants needs analysis;

- **Develop awareness raising events** on the concept, policies, practices and benefits from democratic school culture;
- **Conduct** baseline research, evaluation analyses, produce impact assessment, project and activity based evaluation, project results' and other reports;
- **Contribute** to the Steering Committee meetings.

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).]

#### A. 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 B below) the global fee corresponding to each deliverable, calculated on the basis of the unit fees, as agreed by this Contract.

#### B. 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>2</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.

### 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;
- 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*

- University degree in education, pedagogy, social sciences, political sciences or any related relevant field;
- At least 8 years professional experience at national level in areas related to human rights education, democratic citizenship, democratic culture in education, anti-discrimination and inclusive education;
- Excellent oral and written knowledge of Serbian and English (at least level C1 of the CEFR<sup>4</sup> for English), proficiency in drafting in those languages.

#### *Award criteria*

- Quality of the offer (90%), including:

<sup>2</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>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;

<sup>4</sup> [http://www.coe.int/t/dg4/linguistic/Source/Framework\\_EN.pdf](http://www.coe.int/t/dg4/linguistic/Source/Framework_EN.pdf)

- Excellent understanding of the education system in Serbia and preferably in the region;
  - Familiarity with the national legislation and standards in the area of democratic citizenship, anti-discrimination, human rights, inclusive education;
  - Familiarity with the Reference Framework of Competences for Democratic Culture;
  - Demonstrated ability to work in international, multicultural environments, and demonstrated analytical, research and reporting skills;
  - Capacity to meet the required deadlines.
- Financial offer (10%).

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

Multiple tendering is not authorised.

#### 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>5</sup> (See attached);
- A detailed CV, preferably in Europass Format, 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);
- For legal persons, registration documents or other official documents proving ownership and control of the Tenderer;
- A motivation letter in English demonstrating how the tenderer meets the criteria listed above;
- A list of all owners and executive officers, for legal persons only;
- 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.**

\* \* \*

---

<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.