**TENDER FILE / TERMS OF REFERENCE**

**(Competitive bidding procedure / Framework Contract)**

**Purchase of local consultancy services on implementation of national standards in the fields of biomedicine and healthcare**

***Contract N°*** **BH8090-2024-001**

The Council of Europe is currently implementing and until 31/12/2024will implement a Project on “Protection of Human Rights in Biomedicine II”. In that context, it is looking for Provider(s) for the provision of local consultancy services in line with national human rights standards in the fields of healthcare and biomedicine to be requested by the Council on an as needed basis.

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 €6,000 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 180 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 - BH8090-2024-001.** 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: Inquiry on Tender BH8090-2024-001․**

|  |  |
| --- | --- |
| **Type of contract ►** | Framework contract  |
| **Duration ►** | Until 31 December 2024 |
| **Deadline for submission of tenders/offers ►** | **24 March 2024** 23h59 CET |
| **Email for submission of tenders/offers ►** | **tender.armenia-bh8090@coe.int** |
| **Email for questions ►** | tender.armenia-bh8090@coe.int |
| **Expected starting date of execution ►** | 01 April 2024 |

1. EXPECTED DELIVERABLES

**Background of the Project**

“Protection of Human Rights in Biomedicine II” is implemented in Armenia within the Council of Europe Action Plan for Armenia 2023-2026. The Project aims at raising awareness on and facilitating the implementation of European human rights and ethical standards in the field of biomedicine and healthcare in the national context.

The Council of Europe is looking for a maximum number of 35 (thirty-five) Providers (provided enough tenders meet the criteria indicated below) in order to support the implementation of the project with a particular expertise on European and national standards in the field of biomedicine and healthcare.

This Contract is currently estimated to cover up to 45 (forty-five) *activities*, to be held by 31/12/2024. 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 35 000 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.

**Lots**

The present tendering procedure aims to select Provider(s) to support the implementation of the project and is divided into the following lots:

|  |  |
| --- | --- |
| Lots | Maximum number of Providers to be selected |
| Lot 1: National legal framework with regards to professional activities of healthcare professionals  | 6 |
| Lot 2: Psychological and post-war trauma support activities  | 12 |
| Lot 3: Training services on health communication and public speaking | 7 |
| Lot 4: HELP Course on Key Human Rights Principles in Biomedicine | 10 |

Lot 1 concerns provision of expert support in implementation of national standards in the context of national legal framework of professional activities of healthcare professionals. This includes expertise on matters related to legal framework mandatory for professional activities of healthcare professionals. This support will contribute to ensuring the effective integration of healthcare professionals from Karabakh region into Armenian healthcare system.

Lot 2 concerns provision of psychological and post-war trauma healing support to healthcare professionals from Nagorno Karabakh. Providers under this lot will be expected to be supporting the effective integration of healthcare professionals from Nagorno Karabakh into society.

Lot 3 concerns provision of training services on communication and public speaking on healthcare-related topics. Providers under this lot will be expected to strengthen the capacities of national authorities on communication and promotion of healthcare decisions and reforms implemented. This support will contribute to ensuring the effective promotion of public dialogue on healthcare issues.

Lot 4 concerns provision of training services within the HELP courses in accordance with the certificate of HELP tutor. Providers under this lot will be expected to be supporting the adaptation of the relevant HELP courses.

The Council will select the abovementioned number of Provider(s) 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).

**Scope of the Framework Contract**

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

Under Lot 1: National legal framework with regards to professional activities of healthcare professionals

* Drafting analytical reports (assessments, gap analysis…);
* Participating in expert working groups, high level meetings, workshops, seminars, round tables, trainings and conferences, deliver presentations, provide written input to peer reviews;
* Preparing draft legislation, draft reports, legal opinions, training modules and training materials; policy advice and other relevant documents;
* Conducting trainings/workshops.

The above-listed tasks shall be provided in cooperation with international consultants and under the guidance of project staff (where appropriate).

Under Lot 2: Psychological and post-war trauma support activities

* Drafting analytical reports (assessments, gap analysis…);
* Participating in expert working groups, high level meetings, workshops, seminars, round tables, trainings and conferences, deliver presentations, provide written input to peer reviews;
* Preparing training modules and training materials;
* Conducting trainings/workshops.

The above-listed tasks shall be provided in cooperation with international consultants and under the guidance of project staff (where appropriate).

Under Lot 3: Training services on health communication and public speaking

* Preparing training modules and training materials;
* Conducting trainings/workshops;
* Participating in expert working groups, high level meetings, workshops, seminars, round tables, trainings and conferences, deliver presentations, provide written input to peer reviews.

Under Lot 4: HELP Course on Key Human Rights Principles in Biomedicine

* Adaptation of the HELP Course;
* Conducting HELP roll-outs;
* Preparing training modules and training materials.

The above-listed tasks shall be provided in cooperation with international consultants and under the guidance of project staff (where appropriate).

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 for the lot concerned.

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.

If contracted by the Council of Europe, the deliverables shall be provided personally by the persons identified in the offer of the Provider whose CVs have been presented to the Council of Europe (See section E. below), in accordance with the terms as provided in the present Tender File and Act of Engagement.

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 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.

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.]

1. 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 for 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[[2]](#footnote-2) (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.

1. 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)[[3]](#footnote-3)

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 currently employed by the Council of Europe or were employed by the Council of Europe on the date of the launch of the procurement procedure;

*Eligibility criteria*

*Lot 1: National legal framework with regards to professional activities of healthcare professionals*

* Master’s Degree or equivalent in Law or Public Policy or Healthcare Management, or Social Sciences or Medicine;
* Minimum 5 (five) years of relevant experience in developing training modules or toolkits for national authorities and/or undertaking research and/or providing legal advice, legal opinions, or recommendations on human rights in the field of professional activities of healthcare professionals with reference to relevant national standards;
* Knowledge of the national legislation, policy in the fields of healthcare regulating professional activities of healthcare professionals;
* Native level of knowledge in Armenian;
* Knowledge of English or French on at least intermediate level: B1/2 of the Common European Framework of Reference for Languages or its equivalent).

*Lot 2: Psychological and post-war trauma support activities*

* Master’s Degree or equivalent in Psychology or Clinical psychology or Social Sciences;
* Minimum 5 (five) years of relevant experience in developing training modules or toolkits for stakeholders and/or undertaking research in psycho-sociological field;
* Native level of knowledge in Armenian;
* Knowledge of English or French on at least intermediate level: B1/2 of the Common European Framework of Reference for Languages or its equivalent).

*Lot 3: Training services on health communication and public speaking.*

* Master’s Degree or equivalent in Public Policy or Political Sciences or Healthcare Management or Social Sciences or Journalism or PR or Communication;
* Minimum 5 (five) years of relevant experience in developing training modules or toolkits for national authorities and/or undertaking research;
* Knowledge of the standards, policy in the fields of healthcare, communication;
* Native level of knowledge in Armenian;
* Knowledge of English or French on at least intermediate level: B1/2 of the Common European Framework of Reference for Languages or its equivalent).

Lot 4: HELP Course on Key Human Rights Principles in Biomedicine

* Master’s Degree or equivalent in Law or Public Policy or Healthcare Management, or Social Sciences or Medicine;
* Minimum 5 (five) years of relevant experience in developing training modules or toolkits for national authorities and/or undertaking research and/or providing legal advice, legal opinions, or recommendations on human rights in the field of professional activities of healthcare professionals with reference to relevant national standards;
* Being certified HELP tutor;
* Knowledge of the national legislation, policy in the fields of healthcare;
* Native level of knowledge in Armenian;
* Knowledge of English or French on at least intermediate level: B1/2 of the Common European Framework of Reference for Languages or its equivalent).

*Award criteria:*

* *Quality of the offer (80%), including:*
* *Thematic knowledge, expertise, and practical experience (50%);*
* *Specific skills and capacities (30%), including:*
* *Research, analysis, writing, and reporting skills;*
* *Data collection, analysis, and visualisation skills are an asset.*
* Financial offer (20%).

The Council reserves the right to hold interviews with tenderers.

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
* **A completed and signed copy of the Act of Engagement[[4]](#footnote-4)** (See attached);
* A detailed CV, preferably in Europass Format, demonstrating clearly that the tenderer fulfils the eligibility criteria in PDF format;
* Registration documents, for legal persons only;
* A motivation letter in English highlighting the specific areas of expertise related to the lot(s) the tenderer is applying for;
* HELP certificate (only for Lot 4)
* Samples of previous written work or other relevant documents specific to the lot(s) for which the tenderer is applying (if the original document is not in English, it should be accompanied with a summary in English);
* Three references’ contact details (including phone number and e-mail address).

**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. It must strictly respect the fees indicated in the Financial Offer attached to the original Provider’s tender as recorded by the Council of Europe. In case of non-compliance with the fees as indicated in the original Provider’s tender, the Council of Europe reserves the right to terminate the Contract with the Provider, in all or in part. [↑](#footnote-ref-2)
3. 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. [↑](#footnote-ref-3)
4. 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-4)