

TENDER FILE / TERMS OF REFERENCE (Competitive bidding procedure / One-off contract)

Purchase of consultancy services on development and implementation of the training programme: Management of Working Performance of Employees in LSGs



Contract N° 4708/2020/42

The joint EU/CoE programme "Human Resources Management in local self-government" - phase 2 (2018 -2021) is based on the achievements and challenges of the Programme "Human Resources Management in local self-government" phase 1 (2016-2017) implemented by the Council of Europe in cooperation with programme partners: the Ministry of Public Administration and Local Self-government and Standing Conference of Towns and Municipalities. The programme "Human Resources Management in local self-government"- phase 2 is also built on the implementation of the Strategy of Public Administration Reform in the Republic of Serbia Action Plan and in accordance with the European Charter of Local Self-Government's principles, which provides a solid basis for setting-up strong and stable local authorities in the country. The Programme addresses the most relevant issues of human resources management (HRM) and human resource development (HRD) at local self-government level in the Republic of Serbia, which are prescribed in the Law on employees in autonomous provinces and local self- government units, the Law on salaries in autonomous provinces and local self-government units and the Law on National Academy for Public Administration.

The Program is financed by the European Union (EU) and the Council of Europe (CoE) and is implemented by the Council of Europe in cooperation with the following project partners: Ministry of Public Administration and Local Self-Government and Standing Conference of Towns and Municipalities, who are implementing activities in line with their scope of work. The program started on 19 December 2018 and it will be completed on 19 December 2021.

The overall objective of the Programme is to support Serbian administration to effectively meet requirements and conditions deriving from the accession negotiations and successfully manage overall EU integration and pre-accession assistance geared towards EU membership, focusing on key areas of human resources management (HRM) and human resource development (HRD) in local public administration.

The programme is linked to two main components/expected outputs (EO) and four specific tasks (ST):

EO 1: Strengthened HRM function at local level

- **ST 1.1:** Improved legal and procedural HRM framework at national and local level in accordance with planned reforms.
- **ST 1.2:** Increased effectiveness of the HRM system in local administrations.

EO 2: Strengthened human resources development system at local level.

- **ST 2.1:** Training Framework for professional development of local administration more effective and coordinated
- **ST 2.2:** Increased LSG capacities in selected priority areas of local competences and management capacities of local leaders

Within the Programme activity 1.2.2 „Development, standardisation and implementation of the Municipal Support Packages in 50 local self – governments“, LSGs recognised the importance for strengthening their knowledge in the field of working performance management and proposed the implementation of the training on this topic.

In that context, the Programme is looking for **two Providers to develop and deliver a one-day training programme on the topic: Management of Working Performance of Employees in LSGs in the form of Webinar. All deliverables will be considered as joint working effort provided by both providers.** (See Section A of the Act of Engagement).

The same (one-day) training programme is to **be conducted twice for representatives of 50 LSGs. The maximum number of participants per day, i.e. per training, is up to 50 persons from different LSGs**, which already participate in the implementation of the activity 1.2.2. Full technical support for the implementation of the training in Webinar form will be provided by programme partner – the Standing Conference of Towns and Municipalities (SCTM).

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 Europe¹, 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 either a natural person, or 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: Management Working Performance – Consultancy Services.** 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: Management Working Performance – Consultancy Services.**

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 ▶	27 November 2020
Email for submission of tenders/offers ▶	Lsg.serbia@coe.int
Email for questions ▶	Lsg.serbia@coe.int
Expected starting date of execution ▶	7 December 2020

B. EXPECTED DELIVERABLES

The expected deliverables are described in **Section A of the Act of Engagement** (See attached).

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;
- 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.

¹ 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.](#)

D. ASSESSMENT

Exclusion criteria and absence of conflict of interests

(by signing the Act of Engagement,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;
- 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).
- are public servants employed at central, local or provincial level.

Eligibility criteria

- University degree in Social Sciences;
- General understanding of the Human Resources Management at local and central administration in accordance with the relevant legal framework;
- Minimum two years of working experience in implementation of the trainings for public servants at central and/or local level.

Award criteria

- Quality of the offer (90%), including:
 - Extensive knowledge and understanding of the Provisions of the Law on employees in Autonomous Provinces and Local Self - Government units and its implementation in practise;
 - Working experience in implementation of the trainings for local and/or central public servants on the topics relevant for appraisal working procedure, working performance of employees and human resources management in general at central and/or local level;
- Financial offer (10%).

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

Multiple tendering is not authorised.

E. NEGOTIATIONS

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

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 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).

F. DOCUMENTS TO BE PROVIDED

Tenderers are invited to submit:

- **A completed and signed copy of the Act of Engagement³ (See attached)**
- 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 persons only;
- CV demonstrating clearly that the tenderer fulfils the above listed eligibility criteria;
- A Motivation letter (maximum 2 pages), describing how the tenderer meets the eligibility and award criteria

All documents shall be submitted in English or Serbian 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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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.