

## TENDER FILE / TERMS OF REFERENCE

(Restricted consultation procedure / Framework Contract)

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

### ***Provision of local consultancy services in the field of governance at central and local level in Greece in the framework of the “Technical Assistance Project on Delivering Good Governance in Greece”***

The Council of Europe is currently implementing the “Technical Assistance Project on Delivering Good Governance in Greece” (“the Project”) until 31 January 2021. In that context, it is looking for Providers for the provision of local consultancy services in the field of good governance at central and local level in Greece to be requested by the Council on an as needed basis.

#### A. TENDER RULES

This tender procedure is a restricted consultation procedure. **In accordance with Rule 1333 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 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 legal person except consortia. Legal persons will be required to assign individual employees to perform tasks under the contract and may not subcontract or replace any employees without the explicit written acceptance of the Council of Europe. Should the requested deliverables be performed by a person other than the pre-approved employees or consultants, the Council of Europe reserves the right to terminate the contract.

Tenders shall be submitted **by email only** (with attachments) **to the email address indicated in the table below, with the following reference in subject: *Call for local consultancy services within the Project “Delivering Good Governance in Greece”***. 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 by 15 March 2019 and shall be exclusively addressed to the email address indicated below with the following reference in subject: *Questions – Local Consultancy - Delivering Good Governance in Greece***. The answers to the questions received will be published on the same website as the initial announcement by **20 March 2019**.

Type of contract ►	Framework contract
Duration ►	Until 31 January 2021
Deadline for submission of tenders/offers ►	26 March 2019
Email for submission of tenders/offers ►	<a href="mailto:Tender.Greece@coe.int">Tender.Greece@coe.int</a>
Email for questions ►	<a href="mailto:Tender.Greece@coe.int">Tender.Greece@coe.int</a>
Expected starting date of execution ►	01 April 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 1333 of 29 June 2011 on the procurement procedures of the Council of Europe](#).

## B. EXPECTED DELIVERABLES

### Background of the Project

The Project is of a 24-month-long duration and started on 1 February 2019. It is co-funded by the European Commission (EC) and the Council of Europe. The project is being implemented by the Centre of Expertise for Good Governance. It aims at providing policy advice and capacity-building assistance to the Greek authorities to (A) improve the allocation and execution of competences to provide emergency sheltering to victims of natural disasters; and (B) enhance service delivery through inter-municipal cooperation.

The Council of Europe is looking to establish a pool of up to 16 providers (provided enough tenders meet the criteria indicated below) in order to support the implementation of the project. Providers should be able to demonstrate knowledge and expertise in principles of democratic governance and public administration.

The present tendering procedure aims to select Providers to support project implementation and is divided into the following 2 lots:

Lots	Maximum number of Providers to be selected
Lot 1: Legal and policy advice in the areas of civil protection, public administration, local government and internal audit	8
Lot 2: Capacity-building for public authorities and/or local government units to ensure better delivery of services and strengthened institutional structures at central and local level	8

Tenders may be submitted for any or all of the lots. This Contract is currently estimated to cover up to 50 activities, to be held by 31 January 2021. 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 778,000 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:

*Under Lot 1 – Legal and policy advice in the areas of civil protection, public administration, local government and internal audit*

Where appropriate, in cooperation with international experts and under the guidance of project staff, the Provider shall:

- prepare legal and policy advice, with reference to European standards and best practice, in the areas of *civil protection, public administration, local government and internal audit*, in order to improve the legislative and institutional frameworks in Greece. Legal and policy advice will cover topics including but not limited to emergency sheltering of victims of natural disasters, internal audit, inter-municipal cooperation;
- undertake specific research, carry out analysis of legal texts and data, provide recommendations to support good governance in Greece;
- participate in expert working groups, workshops, seminars, round tables, peer to peer exchanges, study visits and conferences, deliver presentations, provide written input to peer reviews, handbooks;
- carry out stakeholder mapping, needs and impact analyses;
- prepare draft legislation, draft reports, legal opinions, policy advice and other relevant documents.

*Under Lot 2 – Capacity-building for public authorities and/or local government units to ensure better delivery of services and strengthened institutional structures at central and local level*

Capacity development activities will cover topics such as strategic planning and performance management; civil protection; internal audit; inter-municipal cooperation; civil participation; monitoring and evaluation of training programmes. Capacity development activities will promote local ownership of the processes and outputs, resulting in sustainable and replicable models that remain valid after project life-cycle.

Where appropriate, in cooperation with international experts and under the guidance of project staff, the Provider shall:

- develop and/or adapt capacity-building modules and awareness-raising materials in the field of good governance based on the corresponding toolkits of the Centre of Expertise;
- conduct training courses for public authorities at central and local level, prepare action plans, indicators and risk plans, conduct assessments, carry out needs and impact analyses;
- prepare and deliver presentations, participate in round tables, conferences, workshops and other relevant events;
- prepare draft reports and other relevant documents;
- provide guiding and mentoring towards the application of knowledge and skills acquired during the above-mentioned capacity-development activities.

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).

#### C. FEES

Tenderers are invited to indicate their unit 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 D below) the global fee corresponding to each deliverable, calculated on the basis of the unit fees, as agreed by this Contract.

#### D. HOW WILL THIS FRAMEWORK CONTRACT WORK? (ORDERING PROCEDURE)

Once this consultation and the subsequent selection are 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;

<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.

- 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.

## E. 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.

### *Eligibility criteria*

Tenderers shall demonstrate that they fulfil the following criteria (to be assessed on the basis of all supporting documents listed in Section F). These minimum criteria apply to each person(s) whose CV is provided:

#### *Lot 1: Legal and policy advice in the areas of civil protection, public administration, local government and internal audit*

- Master's Degree or equivalent in Law, Public Administration, Public Policy, Economics, Political Science, Sociology, Engineering, Civil Protection or a related field
- Minimum five years of relevant experience in undertaking specific research, providing legal advice, legal opinions, recommendations in the field of civil protection, internal audit, public administration, local government in Greece with reference to relevant international standards
- Fluency in Greek

#### *Lot 2: Capacity-building for public authorities and/or local government units to ensure better delivery of services and strengthened institutional structures at central and local level*

- Master's Degree or equivalent in Law, Public Administration, Public Policy, Economics, Political Science, Sociology, Engineering, Civil Protection or a related field
- Minimum five years of relevant experience in undertaking specific research, consolidating data, developing training modules, providing training and delivering capacity-building activities in Greece
- Fluency in Greek

### *Award criteria*

#### *Lot 1: Legal and policy advice in the areas of civil protection, public administration, local government and internal audit*

Quality of the offer (90%), including:

- Thematic knowledge and expertise, including (50%):

<sup>3</sup> The Council of Europe reserves the right to ask tenderers, at a later stage, to supply 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, and a certificate issued by the competent authority of the country of incorporation indicating that the fourth criterion is met.

- Knowledge of the legislative and operational framework on the areas of civil protection, public administration, local government and internal audit in Greece, as well as relevant international standards in the field, in particular those set by the Council of Europe;
- Experience of preparing policy and legal analysis and drafting reports and research in the areas of civil protection, public administration, local government and internal audit.
- Relevant experience, including (20%):
  - Experience of working with the Council of Europe and/or other international organisations.
- Specific skills and capacities, including (20%):
  - Knowledge of English (B1 or B2 level [CEFR](#));
  - Research, analysis, writing and reporting skills;
  - Communication and public presentation skills;
  - Adaptability and team-working skills.

Financial offer (10%).

*Lot 2: Capacity-building for public authorities and/or local government units to ensure better delivery of services and strengthened institutional structures at central and local level*

Quality of the offer (90%):

- Thematic knowledge and expertise, including (50%):
  - Knowledge and experience in capacity-building activities, development of training modules and conducting training sessions for public authorities at central and/or local levels;
  - Experience in capacity-building activities focused on strategic planning and performance management;
  - Knowledge and experience of public policy reforms in Greece.
- Relevant experience, including (20%):
  - Experience of implementing Centre of Expertise toolkits;
  - Experience of working with the Council of Europe and/or other international organisations.
- Specific skills and capacities, including (20%):
  - Knowledge of English (B1 or B2 level [CEFR](#));
  - Research, analysis, writing and reporting skills;
  - Training skills;
  - Communication and public presentation skills;
  - Adaptability and team-working skills.

Financial offer (10%).

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

**Multiple tendering is not authorised.**

#### F. DOCUMENTS TO BE PROVIDED

- A completed and signed copy of the **Act of Engagement**<sup>4</sup> (See attached);
- A detailed CV in English, preferably in Europass Format, demonstrating clearly that the tenderer fulfils the eligibility criteria. Where the tenderer is a legal person, this shall include the CV of the person(s) who will be assigned to carry out the work;
- Motivation letter in English, demonstrating experience and expertise required;
- Samples of previous work (draft legal act, legal opinion, presentation, training module, research paper, etc.) in English, if available;
- Three referees' contact details (contacts, including phone number and e-mail address);
- Registration documents, for legal persons only.

**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 tender will not be considered.**

**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>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.