**CALL FOR TENDERS**

**FOR THE PROVISION OF LOCAL CONSULTANCY SERVICES IN THE FIELD OF INTERNAL DISPLACEMENT AND THE HUMAN RIGHTS PROTECTION OF THE WAR-AFFECTED PEOPLE IN UKRAINE**

**2023/AO/45**

|  |  |
| --- | --- |
| **Object of the procurement procedure ►** | Local consultancy services in the field of internal displacement and the human rights protection of the war-affected people in Ukraine |
| **Project ►** | Projects within the Council of Europe Action Plan for Ukraine “Resilience, Recovery and Reconstruction” (2023-2026) |
| **Organisation and buying entity ►** | DGI: Directorate General Human Rights and Rule of Law  Implementation of Human Rights, Justice and Legal Co-operation Standards Department  Co-operation Programmes Division  Council of Europe Office in Ukraine |
| **Type of contract ►** | **Framework Contract** |
| **Duration ►** | Until 31 December 2024 (with possibility to prolong until 31 December 2026) |
| **Expected starting date ►** | 1 August 2023 |
| **Tender Notice Issuance date ►** | 1 June 2023 |
| **Deadline for tendering ►** | 25 June 2023 |

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● FINAL CHECKLIST 13

The FINAL CHECKLIST describes what needs to be verified by tenderers before sending the tender documents to the Council of Europe.

* **The ACT OF ENGAGEMENT** **(See Document attached)** is the document formalising the consent of the Parties to be bound by the LEGAL CONDITIONS, which are the legal provisions which will be applicable between the Council of Europe and the selected Providers. It also contains the TABLE OF FEES, which indicates the applicable fees, throughout the duration of the contract.

**HOW DOES A FRAMEWORK CONTRACT WORK?**

**Stage 1:**

**Selection** of qualified Providers through a call for tenders and signature of a framework contract with all the pre-selected Providers.

**Stage 2:**

**Order(s)** are addressed, on an as needed basis, throughout the duration of the contract, to the designated Provider(s).

**Execution** as from the date of signature of each Order, unless the Order concerned provides otherwise.

**HOW TO SUBMIT A TENDER?**

**Step 1:** Read the **TENDER FILE**

**Step 2:** Complete the **ACT OF ENGAGEMENT** andcollect therequired **SUPPORTING DOCUMENTS**, as listed in section G of the terms of reference (below).

**Step 3:** Send your **TENDER**, in accordance with the Tender Rules

**PART I –TERMS OF REFERENCE**

**CALL FOR TENDERS**

**FOR THE PROVISION OF LOCAL CONSULTANCY SERVICES IN THE FIELD OF INTERNAL DISPLACEMENT AND THE HUMAN RIGHTS PROTECTION OF THE WAR-AFFECTED PEOPLE IN UKRAINE**

**2023/AO/45**

1. **BACKGROUND**

The Council of Europe Action Plan for Ukraine “Resilience, Recovery and Reconstruction” 2023-2026 (hereinafter – the Action Plan) has been prepared in close consultation with the Ukrainian authorities, as a response to the determination and resolve of Ukraine’s authorities and people to engage in rebuilding the country. The proposed measures, based on Council of Europe and European standards, are aimed at accompanying the reconstruction process and economic recovery in Ukraine with support to strengthen the resilience of Ukrainian public institutions, to enhance democratic governance and the rule of law and to protect citizens’ fundamental rights.

The Council of Europe Office in Ukraine will implement a number of projects aimed at supporting the Ukrainian authorities in the implementation of the European Convention on Human Rights in the war and/or post-war context along with strengthening the human rights protection for internally displaced persons (hereinafter – IDPs), returnees, and other groups of the war-affected population.

The Council of Europe is looking for up to 80 Providers (provided enough tenders meet the criteria indicated below) in order to support the implementation of the projects of the Council of Europe Office in Ukraine with a particular expertise on internal displacement and the human rights protection of the war-affected people in Ukraine.

This Contract is currently estimated to cover up to 100 activities, to be held by 31 December 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 amount of the object of present tender should in principle not exceed 500 000 Euros 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.

1. **LOTS**

The present tendering procedure aims to select Providers to support the implementation of the projects of the Council of Europe Office in Ukraine is divided into the following lots:

|  |  |
| --- | --- |
| Lots | Maximum number of Providers to be selected |
| Lot 1: Access to justice for IDPs, returnees and the war-affected people. | 20 |
| Lot 2: Facilitating housing solutions for IDPs, returnees and the war-affected people. | 20 |
| Lot 3: Strengthening the capacities of key stakeholders in responding to the needs of IDPs, returnees and the war-affected people. | 20 |
| Lot 4: Promoting digital solutions and visibility in the field of the human rights protection of IDPs, returnees and the war-affected people. | 20 |

Lot 1 concerns

* access to justice for IDPs, returnees and the war-affected people in Ukraine;

Lot 2 concerns

* access to housing and property rights for IDPs, returnees and the war-affected people in Ukraine;

Lot 3 concerns

* access of IDPs, returnees and the war-affected people to rights, social and administrative services at national and local levels in Ukraine;

Lot 4 concerns

* digitalisation, visibility, rising awareness and human rights based approach for IDPs, returnees and the war-affected people in Ukraine.

The Council will select the abovementioned number of Providers per lot, provided enough tenders meet the criteria indicated below**.**

By submitting an offer in the framework of the present Call for Tenders, the Tenderer acknowledges that the persons involved in the implementation of the contract will be exposed to an increased risk of death and injury due to the ongoing war against Ukraine. The Tenderer also acknowledges that, if selected, it will carry out the implementation of the contract at its own risk.

The Tenderer confirms in addition that, if selected, it will perform systematic security assessments before implementing any activity related to the implementation of the contract. The Tenderer acknowledges that the Council of Europe does not assume any liability for the death, any injury or any damage that the Provider or persons involved in the implementation of the contract may sustain in Ukraine.

1. **SCOPE OF THE FRAMEWORK CONTRACT**

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

Under Lot 1:

* Review the national legislative and regulatory framework on the human rights protection and access to justice for IDPs, returnees and the war-affected people within civil and administrative proceedings in line with Council of Europe standards;
* Assess national policies on the human rights protection of the war-affected people as well as relevant support programmes, data collection and compensation tools for those who suffered from damage, loss or injury caused by the aggression of the Russian Federation against Ukraine;
* Support national stakeholders in elaborating of legislative amendments, regulations, and policies to facilitate access to justice, legal aid and the human rights protection for IDPs, returnees and the war-affected people in line with Council of Europe standards;
* Conduct research on judicial protection of IDPs and the war-affected people within civil and administrative proceedings - including but not limited to - property, social and labour rights, child rights as well as recognition of civil statuses;
* Provide recommendations on strengthening the capacities of the judiciary to ensure court protection of the war-affected people in line with the European human rights standards, with a focus on the case-law of the European Court of Human Rights;
* Analyse the role of the Constitutional Court of Ukraine in protecting human rights and enhancing the rule of law in the war and post-war context;
* Evaluate access to legal aid and non-judicial human rights restoration mechanisms for IDPs, returnees and the war-affected people including the Ombudsperson capacities in the respective field;
* Contribute to meetings of expert groups on legal issues related to IDPs, returnees and the war-affected population;
* Design and deliver of capacity building activities (round tables, webinars, trainings, workshops, consultations) on the rights of IDPs and the war-affected people and respective remedies;
* Proofread legal documents ensuring relevancy of legal terminology and adaptation to the Ukrainian legal vocabulary;
* Contribute to the development of learning courses and training materials on judicial and non-judicial remedies for the human rights protection for IDPs, returnees and the war-affected people with a particular focus on gender issues;
* Develop and/or proofread informational and learning products (publications, manuals, case-law compilations, leaflets, infographics etc.) on the human rights protection and access to justice for IDPs, returnees and the war-affected people.

Under Lot 2:

* Review the national legislative and regulatory framework on access to housing and property rights as well as housing solutions for IDPs, returnees and the war-affected people in line with Council of Europe standards;
* Advise national stakeholders on elaborating legislative amendments, regulations, and policies to facilitate access to housing for IDPs, returnees and the war-affected people in line with Council of Europe standards and good practices;
* Develop recommendations on the implementation of compensation/restitution tools for destroyed or damaged housing and housing solutions accessible to IDPs, returnees and the war-affected people at the domestic level;
* Advise national stakeholders and the Council of Europe staff on technical aspects of the implementation of housing solutions and reconstruction of damaged or destroyed housing in Ukraine, including on technical inspections of residential buildings, relevant technical expertise and reconstruction documentation;
* Provide expert and technical support to local communities in elaborating and implementing local housing and reconstruction programmes, housing needs assessment and fundraising for housing solutions;
* Contribute to meetings of expert groups on the housing solutions for IDPs, returnees and the war-affected people;
* Design and deliver capacity building activities (round tables, webinars, trainings, workshops, consultations) on access to housing rights and relevant housing solutions for IDPs and the war-affected people available at national and local levels;
* Proofread documents ensuring relevance of legal and technical terminology to the national legal and regulatory framework;
* Develop and/or proofread informational and learning products (publications, manuals, leaflets, infographics etc.) on housing rights and access to housing solutions for IDPs, returnees and the war-affected population.

Under Lot 3:

* Design and implement surveys including desk research, focus groups and interviews on situations of IDPs, returnees and the war-affected people;
* Carry out analysis of the capacities of institutions and organisations working with IDPs, returnees and the war-affected people;
* Provide recommendations on the advancement of policies and practices focusing on access to rights, social and administrative services for IDPs, returnees and the war-affected people at national and local levels;
* Design and deliver of capacity building activities (round tables, seminars, trainings, presentations, consultations or mentoring) for public servants, social services, legal professionals, businesses and civil society organisations;
* Design and deliver community-based actions to enhance resilience and social cohesion at the community level and promote access to rights, social and administrative services for IDPs, returnees and the war-affected people;
* Design and deliver awareness raising and advocacy activities to promote practical solutions for IDPs, returnees and the war-affected people;
* Develop and/or proofread informational and media products (publications, leaflets, brochures, news, social videos, media digests etc.) on the situations of IDPs, returnees and the war-affected people.

Under Lot 4:

* Draft clear and comprehensive specification for digital tools which will also include research and development for suitable tool on the market as well as a full users’ requirements using agile project management techniques (web-sites, mobile applications, chat-bots, online registers, databases etc) aimed to facilitate access to legal aid, services, support programmes and housing solutions for IDPs, returnees and the war-affected people in Ukraine;
* Develop and/or update and/or integrate user-friendly and visually appealing digital tools for state agencies, local authorities, and civil society organisations to disseminate useful information for IDPs, returnees and the war-affected people;
* Provide recommendations on adjusting the existing digital tools as well as national legislative and regulatory framework in the field of digitalisation and digital transformation to ensure human rights based approach for IDPs, returnees and the war-affected people in Ukraine;
* Draft terms of reference for purchasing soft- and hardware.

All digital tools to be developed and/or integrated in consultations with external stakeholders (users) along with the Directorate of Information Technology of the Council of Europe and in line with Council of Europe IT Project Management Policy and Guidelines.

* Develop and implement communication and media strategies and campaigns related to the war-affected people rights and access to services in line with Council of Europe communication strategy, Digital communication strategy, visual identity rules, and other specific requirements in consultation with the Directorate of Communications of the Council of Europe.

The above lists are 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).

1. **FEES**

Tenderers are invited to indicate their unit fees, by completing the table of fees, as attached in Section A of 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 E below) the global fee corresponding to each deliverable, calculated on the basis of the daily fees, as agreed by this Contract.

1. **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 carried out on the basis of Order Forms submitted by the Council to the selected Service Providers, 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 for the relevant lot 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[[1]](#footnote-1) (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 Service 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* (by signing the Act of Engagement, you declare on your honour not being in any of the below situations)[[2]](#footnote-2)[[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.

***Eligibility criteria***

Tenderers shall demonstrate that they fulfil the following criteria (to be assessed on the basis of all supporting documents listed in Section G):

**Lot 1 -** Access to justice for IDPs, returnees and the war-affected people.

*For natural persons*

* University degree in the field of law / political sciences / international relations / public administration / or related fields;
* At least three (3) years of proven experience in the areas of expertise described under Lot 1;
* Ability to work in Ukrainian, level C1/C2 of the Common European Framework of Reference for Languages.

*For legal persons*

* Being a registered legal entity or a private entrepreneur specialised in the field of human rights, law, legal counselling;
* At least six (6) months of experience in the areas of expertise described under Lot 1;
* University degree in the field law / political sciences / international relations / public administration / or related fields and proven experience in the respective field of expertise (for all natural persons allocated to the execution of the contract within the Tender submitted by the legal person);
* Ability to work in Ukrainian, level C1/C2 of the Common European Framework of Reference for Languages.

**Lot 2 -** Facilitating housing solutions for IDPs, returnees and the war-affected people.

*For natural persons*

* University degree in the field of construction of buildings and architecture / law / political sciences / public administration / or related fields;
* At least three (3) years of experience in the areas of expertise described under Lot 2;
* Ability to work in Ukrainian, level C1/C2 of the Common European Framework of Reference for Languages.

*For legal persons*

* Being a registered legal entity or a private entrepreneur specialised in the field of construction of buildings and architecture, law, housing solutions, legal counselling (for legal persons);
* At least six (6) months of experience in the areas of expertise described under Lot 2;
* University degree in the field of construction of buildings and architecture / law / political sciences / public administration / or related fields or related fields and proven experience in the respective field of expertise (for all natural persons allocated to the execution of the contract within the Tender submitted by the legal person);
* Ability to work in Ukrainian, level C1/C2 of the Common European Framework of Reference for Languages.

**Lot 3 -** Strengthening the capacities of key stakeholders in responding to the needs of IDPs, returnees and the war-affected people.

*For natural persons*

* University degree in law / political sciences / social sciences/ public administration / or related fields;
* At least three (3) years of experience in the field of protection, provision of services, counselling, conducting research and/or capacity building activities in the context of internal displacement in Ukraine;
* Ability to work in Ukrainian, level C1/C2 of the Common European Framework of Reference for Languages.

*For legal persons*

* Being a registered legal entity or a private entrepreneur specialised in the field of human rights, law, social protection, legal counselling;
* At least six (6) months of experience in the areas of expertise described under Lot 3;
* University degree in the field law / political sciences / international relations / public administration / or related fields and proven experience in the respective field of expertise (for all natural persons allocated to the execution of the contract within the Tender submitted by the legal person);
* Ability to work in Ukrainian, level C1/C2 of the Common European Framework of Reference for Languages.

**Lot 4 -** Promoting digital solutions and visibility in the field of the human rights protection of IDPs, returnees and the war-affected people.

*For natural persons*

* University degree in computer science, programming, IT, design, communication, journalism or related fields;
* At least three (3) years of experience in software development, programming, web-design, IT administration, graphic design, communication or related fields;
* Ability to work in Ukrainian, level C1/C2 of the Common European Framework of Reference for Languages.

*For legal persons*

* Being a registered legal entity or a private entrepreneur specialised in the field of IT, web-design / development or related fields;
* University degree in computer science, programming, communication or related fields (for all natural persons allocated to the execution of the contract within the Tender submitted by the legal person);
* At least 3 (three) years of experience in software development, programming, web-design, IT administration, graphic design, communication or related fields;
* Ability to work in Ukrainian, level C1/C2 of the Common European Framework of Reference for Languages.

***Award criteria***

**Lot 1 - Access to justice for IDPs, returnees and the war-affected people.**

* Criterion 1: Quality of the offer (80%), including:
* Relevance of the experience of the tenderer in the areas described within the specific Lot (20%);
* Development of analytical reports / research / articles in the field of human rights protection and access to justice in war and post-war context (20%);
* Experience in providing consultancy services to national authorities and/or international organisations operating in the field of human rights protection and access to justice for war-affected people (20%).
* Familiarity with the Council of Europe standards on internal displacement and armed conflict related matters (15 %);
* Proven good working level of English, level B2/C1 of the Common European Framework of Reference for Languages (5%);
* Criterion 2: Financial offer (20%).

**Lot 2 - Facilitating housing solutions for IDPs, returnees and the war-affected people.**

* Criterion 1: Quality of the offer (80%), including:
  + Relevance of the experience of the tenderer in the areas described within the specific Lot (20%);
  + Development of analytical reports / research / articles in the field of housing solutions in Ukraine and relevant international standards and country-specific practices (20%);
  + Familiarity with housing solutions and programmes in the context of war and internal displacement (20%);
  + Experience in providing services (advice) to national and local authorities and /or international organisations operating in the field of housing solutions (15%);
  + Proven good working level of English, level B2/C1 of the Common European Framework of Reference for Languages (5%);
* Criterion 2: Financial offer (20%).

**Lot 3 - Strengthening the capacities of key stakeholders in responding to the needs of IDPs, returnees and the war-affected people.**

* Criterion 1: Quality of the offer (80%), including:
* Relevance of the experience of the tenderer in the areas described within the specific Lot (20%);
* Experience in advising and providing services or recommendations at local level in the context of internal displacement (20%);
* Experience in delivering trainings, moderation, facilitation in the areas of human rights /community development / social and legal services /gender mainstreaming / public administration (20%);
* Experience in providing services to international organisations operating in the field of human rights, internal displacement, public administration, social protection, legal aid (20%);
* Criterion 2: Financial offer (20%).

**Lot 4 - Promoting digital solutions and visibility in the field of the human rights protection of IDPs, returnees and the war-affected people.**

* Criterion 1: Quality of the offer (80%), including:
  + Relevance of the experience of the tenderer in the areas described within the specific Lot (20%);
  + Proven experience in designing or programming digital tools, developing graphic design in the field of human rights, social protection, public services, housing solutions, legal aid (20%);
  + Proven experience in designing visibility materials, creating and running raising awareness campaigns on human rights and access to services for IDPs, returnees and the war-affected people in Ukraine (20%);
  + Experience in providing services to international organisations operating in the field of human rights and internal displacement (20%).
* Criterion 2: Financial offer (20%).

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

**Multiple tendering is not authorised.**

1. **DOCUMENTS TO BE PROVIDED**

* **One** **completed and signed copy of the Act of Engagement**.[[4]](#footnote-4)
* Registration documents, for legal persons and private entrepreneur (in Ukrainian with a summary translation in English);
* Relevant certificates and licenses (attorney license, language certificates, certificates of building expert, technical supervisor (for Lot 2) etc., if any;
* Up to 1 (one) A-4 page motivation letter which proves that tenderer fulfil the eligibility criteria and has experience that matches the areas mention in the relevant LOTs, including knowledge of respective language(s) (in Ukrainian with a short summary in English or in English);
* A detailed CV, demonstrated clarity that the tenderer fulfils the eligibility criteria, including knowledge of respective language(s) (in Ukrainian with a short summary in English or in English);
* For legal persons - CVs for natural persons (up to 5 people) allocated to the execution of the contract within the Tender submitted by the legal person; in Ukrainian with a short summary in English or in English;
* Up to 5 examples of previously accomplished assignments which correspond to the expected deliverables and eligibility criteria in relevant LOTs (for example, trainings conducted, documents drafted, activities organized etc., in Ukrainian or in English).

**All documents shall be submitted in English and / or Ukrainian language as indicated above, 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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# PART II – TENDER RULES

**CALL FOR TENDERS**

**FOR THE PROVISION OF LOCAL CONSULTANCY SERVICES IN THE FIELD OF INTERNAL DISPLACEMENT AND THE HUMAN RIGHTS PROTECTION OF THE WAR-AFFECTED PEOPLE IN UKRAINE**

**2023/AO/45**

**ARTICLE 1 – IDENTIFICATION OF THE CONTRACTING AUTHORITY**

* 1. **Name and address**

**COUNCIL OF EUROPE**

DGI: Directorate General Human Rights and Rule of Law

Implementation of Human Rights, Justice and Legal Co-operation Standards Department

Co-operation Programmes Division

Council of Europe Office in Ukraine

* 1. **Background**

The activities of the Organisation are governed by its Statute. These activities concern the promotion of human rights, democracy and the rule of law. The Organisation has its seat in Strasbourg and has set up external offices in about 20 member and non-member states (in Ankara, Baku, Belgrade, Brussels, Bucharest, Chisinau, Erevan, Geneva, Kyiv, Lisbon, Paris, Podgorica, Pristina, Rabat, Sarajevo, Skopje, Tbilisi, Tirana, Tunis, Warsaw, Venice and Vienna).

Council of Europe procurements are 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.

The Organisation enjoys privileges and immunities provided for in the General Agreement on Privileges and Immunities of the Council of Europe, and its Protocols, and the Special Agreement relating to the Seat of the Council of Europe.[[5]](#footnote-5).

**ARTICLE 2 – VALIDITY OF THE TENDERS**

Tenders are valid for 120 calendar days as from the closing date for their submission.

**ARTICLE 3 – DURATION OF THE CONTRACT**

The duration of the framework contract is set out in Article 2 of the Legal Conditions in the Act of Engagement.

**ARTICLE 4 – CHANGE, ALTERATION AND MODIFICATION OF THE TENDER FILE**

Any change in the format, or any alteration or modification of the original tender will cause the immediate rejection of the tender concerned.

**ARTICLE 5 – CONTENT OF THE TENDER FILE**

The tender file is composed of:

* Technical specifications/Terms of reference;
* Tender rules;
* An Act of Engagement, including the Legal Conditions of the contract.

**ARTICLE 6 – LEGAL FORM OF TENDERERS**

The tenderer must be either a natural person, a legal person.

**ARTICLE 7 – SUPPLEMENTARY INFORMATION**

General information can be found on the website of the Council of Europe: <http://www.coe.int>

Other questions regarding this specific tendering procedure shall be sent at the latest by **one week before the deadline for submissions of tenders**, in English , and shall be exclusively sent to the following address: [internally.displaced.persons@coe.int](mailto:internally.disaplced.persons@coe.int)

This address is to be used for questions only; for modalities of tendering, please refer to the below Article.

**ARTICLE 8 – MODALITIES OF THE TENDERING**

Tenders must be sent to the Council of Europe **electronically.**

**Electronic copies** shall be sent only to [cdm@coe.int](mailto:cdm@coe.int) with reference no. **2023AO45** in the subject field. Tenders submitted to another e-mail account will be excluded from the procedure.

**ARTICLE 9 – DEADLINE FOR SUBMISSION OF TENDERS**

The deadline for the submission of tenders is 25 June 2023 by 23:59 CET.

**ARTICLE 10 – ASSESSMENT OF TENDERS**

Tenders shall be assessed in accordance with Rule 1395 of 20 June 2019 on the procurement procedures of the Council of Europe. Assessment shall be based upon the criteria as detailed in the Terms of Reference.

**ARTICLE 11 – NEGOTIATIONS**

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

\* \* \*

**PART III - FINAL CHECK LIST**

1. **BEFORE SENDING YOUR TENDER, CHECK THAT IT INCLUDES:**

|  |  |  |  |
| --- | --- | --- | --- |
| **No.** | **DOCUMENTS TO BE PROVIDED** | **NAME OF THE FILE** | **NOTES** |
| **1.** | One completed and signed copy of the Act of Engagement | 2023AO45-AoE-name of the tenderer | One file in **pdf** format |
| **2.** | Registration documents, for legal persons and private entrepreneur (in Ukrainian with a summary translation in English) | 2023AO45-Registration documents-name of the tenderer-UKR | Scanned documents in **pdf** format |
| 2023AO45-Registration documents-name of the tenderer-ENG | Scanned translation of documents, certified by the tenderer, signed and stamped, in **pdf** format |
| **3.** | Relevant certificates and licenses (attorney license, language certificates, certificates of building expert, technical supervisor (for Lot 2) etc., if any | 2023AO45-Certificates -name of the tenderer-ENG | Scanned documents in **pdf** format |
| **4.** | Up to 1 (one) A-4 page motivation letter which proves that tenderer fulfil the eligibility criteria and has experience that matches the areas mention in the relevant LOTs, including knowledge of respective language(s) (for legal persons and private entrepreneurs, in Ukrainian with a short summary in English or in English) | 2023AO45-Work description-name of the tenderer | One file in **pdf** format |
| **5.** | CV, demonstrated clarity that the tenderer fulfils the eligibility criteria, including knowledge of respective language(s) (in Ukrainian with a short summary in English or in English) | 2023AO45-CV-name of the tenderer | One file in **pdf** format |
| **6.** | For legal persons - CVs for natural persons (up to 5 people) allocated to the execution of the contract within the Tender submitted by the legal person; in Ukrainian with a short summary in English or in English; | 2023AO45-CV-name of the person | One file in **pdf** format |
| **7.** | Up to 5 examples of previously accomplished assignments which correspond to the expected deliverables and eligibility criteria in relevant LOTs (for example, trainings conducted, documents drafted, activities organized etc., in Ukrainian or in English). | 2023AO45-Examples of work-name of the tenderer | Merged document in 1 (one) **pdf** file |
| **8.** | Any other document(s) demonstrated the offer of the tenderer | 2023AO45-Name of the documents-name of the tenderer |  |

1. **HOW TO SEND TENDERS?**

Tenders must be sent to the Council of Europe **electronically.**

Electronic copies shall be sent only to [cdm@coe.int](mailto:cdm@coe.int) with reference no. **2023AO45** in the subject field. Tenders submitted to another e-mail account will be excluded from the procedure.

The deadline for the submission of tenders is 25 June 2023 by 23:59 CET.

1. It must strictly respect the fees indicated in Section A of the Act of Engagement as recorded by the Council of Europe. In case of non-compliance with the fees as indicated in the Act of Engagement, the Council of Europe reserves the right to terminate the Contract with the Service Provider, in all or in part. [↑](#footnote-ref-1)
2. [↑](#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 requirements listed above under “exclusion criteria” are met;
   * A certificate issued by the competent authority of the country of incorporation indicating that the fourth requirement 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)
5. Available on the website of the Council of Europe Treaty Office: [www.conventions.coe.int](http://www.conventions.coe.int) [↑](#footnote-ref-5)