

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

**Purchase of the provision of consultancy services on open government and public ethics in the framework of the project "Strengthening democracy and building trust at local level in Ukraine"**

**Contract N° 8573/2021/77**

The Council of Europe currently implementing until 30 June 2021 the Project "Strengthening democracy and building trust at local level in Ukraine" within the Council of Europe Action Plan for Ukraine 2018-2021. In that context, it is looking for a Provider for the provision of consultancy services (see Section A of the Act of Engagement).

**A. TENDER PROCEDURE 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 **one-off contract** for the provision of deliverables described in more detail 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 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 - 8573/2021/77.** 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 Council of Europe Contact details indicated below for any question you may have. **All questions shall be submitted at least 3 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: Questions - 8573/2021/77.**

<b>Type of contract</b> ▶	One-off contract
<b>Duration</b> ▶	Until complete execution of the obligations of the parties (see Article 2 of the Legal conditions as reproduced in the Act of Engagement)
<b>Deadline for submission of tenders/offers</b> ▶	<b>27 April 2021</b>
<b>Email for submission of tenders/offers</b> ▶	<b>oleg.muzychenko@coe.int</b>
<b>Email for questions</b> ▶	oleg.muzychenko@coe.int
<b>Expected starting date of execution</b> ▶	05 May 2021

**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.**

<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.](#)

## D. ASSESSMENT

### *Exclusion criteria and absence of conflict of interests*

(by signing the Act of Engagement,<sup>2</sup> 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, 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 or are likely to be in a situation of conflict of interests.

### *Eligibility criteria*

- Legal person duly registered in accordance with the Ukrainian legislation, having legal grounds to provide consultancy services as described in the Act of Engagement (Section A);
- Proven experience in analytical researches in fields: accountability, open government, transparency and citizen participation mechanisms in local self-government of Ukraine (at least five (5) years).

### *Award criteria*

- Quality of the offer (70%), including:
  - Thematic knowledge and expertise, including relevance of previous written works to the topics and type of engagement expected (40%);
  - Technical and human resources to be assigned to provide the requested services in full in Ukrainian and English languages (30%).
- Financial offer (30%).

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.

## F. DOCUMENTS TO BE PROVIDED

Tenderers are invited to submit:

- **A completed and signed copy of the Act of Engagement<sup>3</sup> (see attached)**
- Registration documents (scanned copies in Ukrainian);
- Proposal containing a detailed description (profile) of the Tenderer and its experience in provision of the services in question, and a description of human resources (including CVs of the suggested personal to be involved in the activity demonstrating clearly that the tenderer fulfils the eligibility criteria) to be assigned for the provision of the requested services in full;
- A list of references to written works of the tenderer (with at least 2 titles), with links to the work or the work attached. Written work can be articles, studies, manuals, with relevance to the topics of this tendering;
- At list two referees' contact details (including phone number and e-mail address).

**All documents shall be submitted in English (except registration documents as stated above), failure to do so will result in the exclusion of the tender.**

<sup>2</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.

<sup>3</sup> The Act of Engagement must be completed, signed, scanned in its entirety (i.e. including all the pages) and sent as a compiled document. For all scanned documents, .pdf files are preferred.

**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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