**TENDER FILE / TERMS OF REFERENCE**

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

**Purchase of international consultancy services implementation of European standards in the fields of biomedicine and healthcare**

***Contract N° BH9287-2025-004***

The Council of Europe is currently implementing and until *31 December 2026* (with possible extension) will implement a Project on Protection of Human Rights in Biomedicine III. In that context, it is looking for Provider(s) for the provision of international consultancy services in line with national human rights standards in the fields of healthcare and biomedicine in Armenia to be requested by the Council on an as needed basis.

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 €171,000 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 consortium of natural and/or legal 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 – BH9287-2025-004.** 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 BH9287-2025-004․**

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| --- | --- |
| **Type of contract ►** | Framework contract |
| **Duration ►** | Until 31 December 2026 (renewable until 31 December 2027) |
| **Deadline for submission of tenders/offers ►** | **15 April 2025** **23h59 EVN time/21h59CET time** |
| **Email for submission of tenders/offers ►** | **tender.armenia.BH9287@coe.int** |
| **Email for questions ►** | tender.armenia.BH9287@coe.int |
| **Expected starting date of execution ►** | 1 May 2025 |

1. EXPECTED DELIVERABLES

**Background of the Project**

The Project on the “Protection of Human Rights in Biomedicine III” is the logical continuation of the previous two phases of the Council of Europe Project “Protection of Human Rights in Biomedicine”  implemented within the Action Plans for Armenia 2019-2022 and 2023-2026, respectively. Building upon the results achieved from the successful implementation of the first two phases, this Project intends to further support Armenian authorities to harmonise domestic legislation in the field of biomedicine and healthcare with the European standards enshrined in the Convention on the Protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine of the Council of Europe, known as the Oviedo Convention, which is the only legally binding international instrument in the area of protection of human rights in the field of biomedicine․

Based on the results and lessons learned from the previous phases of the project, this Project will provide support at policy and operational level assisting authorities to accomplish reform goals in the field of healthcare and specifically will focus on:

* Supporting national authorities in their efforts to bring the legal framework in the biomedical field in line with the European standards and namely the Oviedo Convention;
* Supporting healthcare and legal professionals to apply practices and institutional mechanisms which are better aligned with the standards enshrined in the Oviedo Convention;
* Promoting patient-centred approach in the field of healthcare;
* Promoting public dialogue on healthcare issues;
* Supporting to the integration of healthcare professionals from Karabakh region into the healthcare system in the Republic of Armenia.

The cooperation project in the area of protection of human rights in biomedicine will be carried out in line with the priorities laid down in the Council of Europe Action Plan for Armenia 2023-2026.  As stated in the Action Plan, Armenian authorities together with the Council of Europe consider enhancing human rights protection in the field of biomedicine as one of their priorities.

The Project will contribute to the following specific outcomes of the Council of Europe Action Plan for Armenia:

* Relevant legal norms and law-enforcement practices are brought into line with the principles enshrined in the Oviedo Convention;
* The overall level of human rights protection in the biomedical field is increased;
* The overall level of public dialogue on health issues is improved;
* Armenia is better prepared for the possible future ratification of the Oviedo Convention.

As part of the Council of Europe comprehensive response package to the refugee influx in Armenia, the project will continue supporting national authorities at integrating refugee healthcare professionals from Karabakh region into the healthcare system in Armenia.

The Council of Europe is looking for a maximum of number 55 Providers (provided enough tenders meet the criteria indicated below) in order to support the implementation of the project with a particular expertise on national standards in healthcare and biomedicine

This Contract is currently estimated to cover up to 80 activities to be held by 31 December 2026. 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 600 000 Euros and the total amount of the object of present tender **shall not exceed 171,000 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: European human rights standards applicable to healthcare and biomedicine, including, but not limited to the ECHR, Oviedo Convention and its Additional Protocols, recommendations of the Council of Europe in the field. | 10 |
| Lot 2: European standards in field of Ethics Committees and ethical rules applicable for healthcare professionals | 6 |
| Lot 3: European standards in the field of human rights protection in mental health services | 6 |
| Lot 4: European standards in the field of health literacy, communication and public debates on health issues | 6 |
| Lot 5: Psychological support and psychological recovery support activities | 7 |
| Lot 6: Training services on HELP Course on Human Rights in Mental Health | 20 |

Lot 1 concerns provision of expert support in implementation of European human rights standards in the field of healthcare and biomedicine in line with the European Convention on Human Rights (the ECHR), Oviedo Convention and its Additional Protocols. This support will contribute to ensuring the effective harmonisation of domestic legal framework with the European standards in the field.

Lot 2 concerns provision of expert support in implementation of European standards in the field of Ethics Committees and ethical rules applicable for healthcare professionals. This support will contribute to ensuring the further strengthening of ethics committees and promotion of professional standards of healthcare professionals.

Lot 3 concerns provision of expert support in implementation of European standards in the field of human rights protection in mental health services. This includes support on matters related to execution of relevant European Court of Human Rights (the ECtHR) judgements and effective harmonisation of domestic legal framework in the field of mental health in line with the European Standards.

Lot 4 concerns provision of expert support in implementation of European standards in the field of health literacy, communication and public debates on health issues. This includes expertise on matters related to health literacy and communication issues.

Lot 5 concerns provision of psychological support and psychological recovery support to healthcare professionals, including refugee healthcare professionals. Providers under this lot will be expected to be supporting the effective integration of refugee healthcare professionals into society.

Lot 6 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 and implementation of the relevant HELP courses. The Council will select the abovementioned number of Providers per lot, provided enough tenders meet the criteria indicated below. Tenderers are invited to indicate which lots 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- European human rights standards applicable to healthcare and biomedicine, including, but not limited to the ECHR, Oviedo Convention and its Additional Protocols, recommendations of the Council of Europe in the field.

- prepare legal and policy advice and analysis, with reference to European human rights standards, and best practice in the field of biomedicine, in order to improve the legislative and institutional frameworks in Armenia. Legal and policy advice will cover topics including but not limited to informed consent, medical secret and confidentiality, genetic testing, transplantation of organs and tissues, prohibition of financial gain, biomedical research, reproductive health rights, blood donation, end-of- life rights;

- undertake research, carry out analysis of legal texts and data, provide recommendations to support the improvement of national legislation in the field of human rights in biomedicine and healthcare in Armenia;

- participate in expert working groups, high level meetings, workshops, seminars, round tables, trainings and conferences, deliver presentations, provide written input to peer reviews;

- prepare draft legislation, draft reports, legal opinions, training modules and training materials, policy advice and other relevant documents.

Under Lot 2- European standards in field of Ethics Committees and ethical rules applicable for healthcare professionals

- prepare legal and policy advice and analysis, with reference to European standards and best practice in the areas of ethics committees and research ethics committees and ethical rules for healthcare professionals, in order to improve the legislative and institutional framework in Armenia. Legal and policy advice will cover topics including but not limited to principles and standards of ethical rules for healthcare professionals, ethical standards for ethics committees, requirements for ethics committee members;

- undertake research, carry out analysis of legal texts and data, provide recommendations to support the improvement of national legislation in the field of ethical issues in the field of healthcare in Armenia;

- participate in expert working groups, high level meetings, workshops, seminars, round tables, trainings and conferences, deliver presentations, provide written input to peer reviews;

- prepare draft legislation, draft reports, legal opinions, policy advice, training modules and training materials, and other relevant documents.

Under Lot 3- European standards in the field of human rights protection in mental health services

* prepare legal and policy advice and analysis, with reference to European standards and best practice in the areas of human rights protection in the field of mental health services, in order to improve the legislative and institutional frameworks in Armenia. Legal and policy advice will cover topics including but not limited to principles and standards of human rights protection in mental healthcare services;

- undertake specific research, carry out analysis of legal texts and data, provide recommendations to support the improvement of national legislation in the field of mental health services in the field of healthcare in Armenia;

- participate in expert working groups, high level meetings, workshops, seminars, round tables, trainings and conferences, deliver presentations, provide written input to peer reviews;

- prepare draft legislation, draft reports, legal opinions, policy advice, training modules and training materials, and other relevant documents.

Under Lot 4 – European standards in the field of health literacy, communication and public debates on health issues.

* Drafting analytical reports, assessments, gap analysis in the field of health literacy and health communication, as well as public debates on health issues.
* Participating at the workshops, conferences, high level meetings, capacity-buildings, deliver presentations.
* Preparing training modules and training materials.
* Conducting trainings/workshops.

Under Lot 5 - Psychological support and psychological recovery 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.

Under Lot 6 - Training services on HELP Course on Human Rights in Mental Health

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

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;
* are subject to restrictive measures applied by the United Nations Security Council or the European Union. In the case of legal persons, the restrictive measures imposed on the tenderer’s owner(s) or executives will also exclude the tenderer from participating in this tender procedure.

*Eligibility criteria*

Lot 1: European human rights standards applicable to healthcare and biomedicine, including, but not limited to the ECHR, Oviedo Convention and its Additional Protocols, recommendations of the Council of Europe in the field.

* 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 authorities or undertaking research or providing legal advice, legal opinions, or recommendations on human rights in the field of biomedicine with reference to relevant national standards;
* Fluency in English or French: B2 according to the European language framework or its equivalent.

Lot 2: European standards in field of Ethics Committees and ethical rules applicable for 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 or undertaking research or providing legal advice, legal opinions, or recommendations on ethics committees and ethical rules for healthcare professionals with reference to relevant national standards;
* Fluency in English or French: B2 according to the European language framework or its equivalent.

Lot 3: European standards in the field of human rights protection in mental health services

* 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 mental health with reference to relevant national standards;
* Fluency in English or French: B2 according to the European language framework or its equivalent.

Lot 4: European standards in the field of health literacy, communication and public debates on health issues

* Master’s Degree or equivalent in Public Policy 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 and/or providing recommendations on health literacy, communication and health-related public debates with reference to relevant national standards;
* Fluency in English or French: B2 according to the European language framework or its equivalent.

Lot 5: Psychological support and psychological recovery 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;
* Fluency in English or French: B2 according to the European language framework or its equivalent.

Lot 6: Training services on HELP Course on Human Rights in Mental Health

* Master’s Degree or equivalent in Law or Public Policy or Healthcare Management, or Social Sciences or Medicine;
* Minimum 3 (three) years of relevant experience in developing training modules or toolkits for authorities or undertaking research or providing legal advice, legal opinions, or recommendations on human rights in the field of mental health;
* Being certified HELP tutor;
* Fluency in English or French: B2 according to the European language framework or its equivalent.

*When a bid is submitted by a legal person, the listed requirements must be met by each natural person assigned to the contract.*

*When a bid is submitted by a consortium of natural and/or legal persons, the listed requirements must be met by each consortium member; in the case of a legal person being a consortium member, the listed requirements must be met by each natural person assigned to the contract.*

*Award criteria*

* Quality of the offer (80 points), including:
  + *Thematic and country knowledge and expertise (30 points)*
  + *Extent and relevance of work experience specific to the lot(s) applied for, as evidenced by*

*the supporting documents attached to the offer (30 points);*

* + *Specific skills and capacities (20 points), including:*
* *Research, analysis, writing, and reporting skills (10 points);*
* *Previous similar assignments with international organisations and/or public institutions (10 points).*
* 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, **For legal persons only**: a detailed CV, preferably in Europass Format, of each natural person allocated to the execution of the contract demonstrating clearly that they fulfil the eligibility criteria; **for consortia only**: a detailed CV, preferably in Europass Format, of all consortium members clearly demonstrating that they satisfy the eligibility criteria; in the case of a legal person being a consortium member a detailed CV, preferably in Europass Format, of each natural person allocated to the execution of the contract demonstrating clearly that they fulfil the eligibility criteria;
* A motivation letter in English highlighting the specific areas of expertise related to the lot(s) the tenderer is applying for;
* A sample of previous written work or training module/concept developed 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);
* HELP tutor certificate (only for Lot 6)
* Three references’ contact details (including phone number and e-mail address).
* A list of all owners and executive officers, for legal persons only;

**All documents shall be submitted in English, unless otherwise 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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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;

   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). [↑](#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)