**TENDER FILE / TERMS OF REFERENCE**

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

**Provision of consultancy services in the framework of the Higher Education Programme of the Education Department in the field of Recognition of Qualifications.**

The higher education programme of the Council of Europe comprises projects related to the implementation of the Lisbon Recognition Convention, European Qualifications Passport for Refugees (EQPR) and Automatic Recognition of Qualifications. In this context, it is looking for Provider(s) for the provision of consultancy services in the field of recognition of qualifications to be requested by the Council on an as needed basis.

1. 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-2)**, 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 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 – Recognition of Qualifications in Higher Education.** 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: Higher.Education.Research@coe.int**

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| --- | --- |
| **Type of contract ►** | Framework contract |
| **Duration ►** | Until 31 December 2026 |
| **Deadline for submission of tenders/offers ►** | **21 April 2024** 23h59 CET |
| **Email for submission of tenders/offers ►** | **Higher.Education.Research@coe.int** |
| **Email for questions ►** | **Higher.Education.Research@coe.int** |
| **Expected starting date of execution ►** | 22 May 2024 |

1. EXPECTED DELIVERABLES

**Background of the Project**

In collaboration with UNESCO, the Council of Europe upholds the Secretariat duties for the Lisbon Recognition Convention (LRC), engaging with 56 Contracting Parties. The Convention's Committee, through its robust work programme, consistently generates legal documents and policy analyses aimed at bolstering the Convention's execution.

Since 1994, in partnership with UNESCO, the Council of Europe has co-managed the European Network of National Information Centres (ENIC), in tandem with the National Academic Recognition Information Centres (NARIC) network, initiated in 1984 under the auspices of the European Commission. These networks foster collaborative efforts to streamline the exchange of data on qualification recognition policies and practices. Their joint initiatives are pivotal for capacity building and engaging in consultative processes around international qualification recognition standards.

In 2023, the Council established the Working Group on Automatic Recognition of Qualifications to advise on diverse approaches and draft a proposal for a legally binding text on automatic qualification recognition.

Additionally, the Council actively champions the qualification recognition of refugees, displaced individuals, and those in similar circumstances, lacking formal documentation of their qualifications, through the European Qualifications Passport for Refugees project.

**Tender Invitation:**

The Council of Europe invites tenders from up to 30 providers, subject to meeting the specified criteria, to offer specialized support in the implementation of its qualification recognition projects.

**Contract Scope:**

This Contract is currently estimated to cover up to 30 activities, to be held by 31/12/2026. 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 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.

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

* Draft, review, and/or furnish policy or legal counsel, opinions, and recommendations pertaining to education policies, legislation, and practices in the sphere of qualifications recognition;
* Offer thematic expertise in the aforementioned domains;
* Design and develop instruments and methodologies for both formative and summative evaluations;
* Undertake and orchestrate research and desk studies, including reviews, surveys, interviews, and comparative analyses;
* Prepare analytical documents, such as evaluations, baseline studies, and gap analyses;
* Aggregate, examine, and disseminate exemplary practices;
* Compile existing evidence into briefs and actionable guidance;
* Aid in the conceptualization (including drafting of concept notes and agendas) of project activities and contribute through participation and presentation at various working/expert group assemblies, workshops, conferences, and high-level gatherings

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).

As a **general requirement** all pre-selected Service Providers must comply with the legal and regulatory norms of the Council of Europe and adhere to the principles and values it upholds.

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).

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.

Only those Providers whose score, following the assessment of the Award Criteria (see Section E below), is equivalent to or higher than **3** (three) will be selected.

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-3) (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-4)

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;
* have not fulfilled, in the previous three years, their contractual obligations in the performance of a contract concluded with the Council of Europe leading to a total or partial refusal of payment and/or termination of the contract by the Council of Europe

*Eligibility criteria*

* A Master’s degree or equivalent work experience in education, social sciences, humanities, law, public policy, political science, international relations, media and communication, data sciences, computer sciences, applied linguistics, education technologies, information, and communication technologies,
* Minimum 5 years of proven work experience in the above-mentioned areas of expertise
* Experience in drafting/developing intellectual work e.g., policy/literature reviews, policy papers/recommendations/opinions, strategy papers, scholarly articles, learning and teaching resources, books, training programmes and resources,
* Experience working as a consultant, or in an advisory capacity, with national, regional, or international institutions in the field of higher education,
* Have a good command of written and spoken English (at least C1 of the Common European Framework of Reference for Languages),
* Knowledge of Council of Europe instruments in the education and higher education field would be an asset.

*Additional eligibility criteria*

**For Individuals:**

**Nationality**: The individual must be a national of a member state of the Council of Europe. Proof of nationality, such as a passport or national identity card, will be required at the application stage.

**For Companies:**

**Registered Office Location:** The company must have its registered office, central administration, or principal place of business within a member state of the Council of Europe. Documentation proving the location of the business registration or headquarters, such as a certificate of incorporation or equivalent legal document, must be provided

*Award criteria*

* Quality of the offer (80%), including:
  + Demonstrated expertise in the fields covered by the call (80%),
  + Demonstrated experience in drafting/developing intellectual work e.g., policy/literature reviews, policy papers/recommendations/opinions, strategy papers, scholarly articles, learning and teaching resources, books (20%).
* 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-5)** (See attached);
* A detailed CV, preferably in Europass Format, demonstrating clearly that the tenderer fulfils the eligibility criteria;
* Registration documents, for legal persons only;
* A **cover letter** responding to two questions in no more than 300 words for each:
  + What is your interest in working as a consultant for the Council of Europe?
  + What expertise do you bring?

**All documents shall be submitted in English or French, 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.**

**\* \* \***

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-2)
2. 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. [↑](#footnote-ref-3)
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. [↑](#footnote-ref-4)
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-5)