

## TENDER FILE / TERMS OF REFERENCE (Restricted consultation procedure / One-off contract)

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

### Purchase of consultancy services for the provision of an impact assessment of the European Sports Charter and a feasibility study on the possible revision of the European Sports Charter

The Council of Europe is currently analysing the possible revision of the European Sports Charter (ESC). The Council of Europe's Enlarged Partial Agreement on Sport (EPAS) administers the ESC.

EPAS provides a platform for intergovernmental sports co-operation between the public authorities of its member states. It also encourages dialogue between public authorities, sports federations and NGOs. This contributes to better governance, with the aim of making sport more ethical, more inclusive and safer. Further information on EPAS can be found here: <https://www.coe.int/en/web/sport/epas>

In that context, it is looking for a Provider for the provision of:

- an impact assessment of the ESC;
- a feasibility study providing recommendations for a possible revision of the ESC including a draft revision of it based on the impact assessment and the feasibility study;
- two presentations:
  - on the results of the impact assessment, to be given at the meeting of the Enlarged Partial Agreement on Sport's Governing Board on 5-6 June 2019, and
  - on the feasibility study, to be given at a seminar with the Enlarged Partial Agreement on Sport's (EPAS) Governing Board in the second half of 2019.

(See Section A of the Act of Engagement)

#### A. TENDER RULES

This tender procedure is a restricted consultation procedure. **In accordance with Rule 1333 of the Secretary General of the Council of Europe on the procurement procedures of the Council of Europe<sup>1</sup>, the Organisation shall invite to tender at least three potential providers for any purchase between €2,000 (or €5,000 for intellectual services) and €55,000 tax exclusive.**

This specific tender procedure aims at concluding a **one-off contract** for the provision of deliverables described in the Act of Engagement (See attached). A tender is considered valid for 120 calendar days as from the closing date for submission. The selection of the tenderer will be made in the light of the criteria indicated below. All tenderers will be informed in writing of the outcome of the procedure.

The tenderer must be either a natural person, or a legal person except consortia.

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: Possible Revision of the European Sports Charter"**. 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: "Questions on: Tender: Possible Revision of the European Sports Charter"**

<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>24 April 2019</b>
<b>Email for submission of tenders/offers ▶</b>	<b>sport.epas@coe.int</b>

<sup>1</sup> The activities of the Council of Europe are governed by its [Statute](#) and its internal Regulations. Procurement is governed by the Financial Regulations of the Organisation and by [Rule 1333 of 29 June 2011 on the procurement procedures of the Council of Europe](#).

<b>Email for questions ▶</b>	<b>sport.epas@coe.int</b>
<b>Expected starting date of execution ▶</b>	30 April 2019

## 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**.

Tenderers **subject to VAT** shall also send **a quote (Pro Forma invoice)** on their letterhead 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.

## 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;
- 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*

- Proven track record of at least 3 years' experience in providing consultancy services in the field of sport/ sport policy matters

*Award criteria*

- Quality of the offer (90%), including:
  - Price/ quality ratio; (30%)
  - Capacity to meet the deadlines indicated in the Act of Engagement; (30%)
  - Technical/ methodological merit (30%).
- Financial offer (10%).

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

Multiple tendering is not authorised.

## E. DOCUMENTS TO BE PROVIDED

Tenderers are invited to submit:

- **A completed and signed copy of the Act of Engagement<sup>3</sup> (See attached)**
- For tenderers subject to VAT only: **a quote, describing their financial offer**, in line with the requirements of section C of the Tender File (see above);
- Registration documents, for legal persons only

<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 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.

- A company presentation – in case of natural persons submitting a tender a CV – detailing the company's prior experience (in similar services) and the experience of each person (CV) who will be involved in the project;
- A note detailing the general approach, methodology, process, work plan and timeline proposed for the requested deliverables;
- Contact details of at least 2 referees/ previous clients.

**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.**

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