**TENDER FILE / TERMS OF REFERENCE**

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

Purchase of NATIONAL consultancy SERVICES in the areas of violence against women AND domestic violence IN TURKEY

The Council of Europe is currently implementing (until May 2022) a Project on “*Fostering a comprehensive institutional response to violence against women and domestic violence in Turkey*”. In that context, it is looking for Provider(s) for the provision of national consultancy services in the areas of violence against women and domestic violence in Turkey 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-1), 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 **framework 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 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, 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: “Call for Provision of National Consultancy Services in the Areas of Violence against Women and Domestic Violence in Turkey”.** 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: “Call for Provision of National Consultancy Services in the Areas of Violence against Women and Domestic Violence in Turkey”.**

|  |  |
| --- | --- |
| **Type of contract ►** | Framework contract  |
| **Duration ►** | Until 31 May 2022 |
| **Deadline for submission of tenders/offers ►** | **22 May 2020** |
| **Email for submission of tenders/offers ►** | **ankara.office@coe.int** |
| **Email for questions ►** | ankara.office@coe.int |
| **Expected starting date of execution ►** | 25 May 2020 |

1. EXPECTED DELIVERABLES

**Background of the Project**

The Council of Europe Project “*Fostering a comprehensive institutional response to violence against women and domestic violence in Turkey*” is implemented under the [Horizontal Facility](https://www.coe.int/en/web/programmes/horizontal-facility) for the Western Balkans and Turkey II (2019-2022), a joint programme between the European Union (EU) and the Council of Europe (CoE). The project aims at strengthening institutional mechanisms in Turkey to co-ordinate and effectively apply the standards of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (hereinafter the Istanbul Convention) and developing knowledge and skills of key authorities responsible for preventing and combating violence against women and domestic violence.

Based on recommendations stemming from the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) and the Committee of the Parties to the Istanbul Convention[[2]](#footnote-2), the project will contribute to the following areas that have been identified together with the public authorities based on their needs and priorities for the forthcoming years:

* Strengthening pre-service and in-service training for legal and law enforcement professionals, including the police and gendarmerie, and for support service providers.
* Strengthening inter-agency co-operation and multi-disciplinary approaches to cases of violence against women.
* Further strengthen the capacities of judicial support officials working in judicial interview rooms (“*Adli Görüşme Odaları*”) and Judicial Support and Victim Services’ Departments (“*Adli Destek ve Mağdur Hizmetleri Müdürlükleri*”).
* Increasing awareness of relevant ministries and public officials on administrative data, data collection and analysis of data on violence against women.

The project partners are the Ministry of Family, Labour and Social Services, Ministry of Justice,
Ministry of Interior, including the Police and Gendarmerie, Justice Academy of Turkey and European Union Delegation to Turkey. The project also co-operates with different state institutions at central and local level, as well as international and non-governmental organisations working in the field of combating and preventing violence against women and domestic violence and gender equality.

The Council of Europe is looking for a maximum of 24 Provider(s) (provided enough tenders meet the criteria indicated below) in order to support the implementation of the project with a particular expertise in the areas defined under the Lots below.

This Contract is currently estimated to cover up to 40 assignments to be held by the end of May 2022. 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 800 000 Euros and the total amount of the object of present tender **shall not exceed 55,000 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:** Provision of technical advice and capacity development of **support services** to effectively address the needs of victims in cases of violence against women and domestic violence by using victim-centred and multi-disiplinary approaches (e.g. multi-agency cooperation, data collection, etc.) | 7 |
| **Lot 2:** Provision of technical advice and capacity development of **law enforcement** and administrative authorities under the Ministry of Interior on preventing and combating violence against women and domestic violence, including effective protection of victims, investigation of cases and holding perpetrators accountable (e.g. risk assessments, data collection, etc.). | 7 |
| **Lot 3:** Provision of technical advice, capacity developmentand training activities for **legal professionals** (judges and prosecutors) on violence against women and domestic violence, including tutoring of a developed online HELP (Human Rights Education for Legal Professionals) course on violence against women. | 7 |
| **Lot 4:** **Editing and checking legal and gender terminology** of publications, training materials, guidelines and other documents developed by the Project on the topic of combating violence against women and domestic violence. | 3 |

**Under Lot 1 -** Provision of technical advice and capacity development of **support services** provided by social service experts working in SONIMs, shelter houses etc. under the Ministry of Family, Labour and Social Services and by judicial support officers (psychologists, social service workers, etc.) under the Ministry of Justice to effectively address the needs of victims in cases of violence against women and domestic violence.

This lot includes e.g. reviewing, updating and developing training curriculum, courses and materials, conducting trainings, developing guidelines/checklists and recommendations for officials providing support services for victims of violence against women. These might cover areas, such as pyscho-social support to victims, interview techniques, multi-agency cooperation and data collection.

**Under Lot 2 -** Provision of technical advice and capacity development of **law enforcement** and administrative authorities under the Ministry of Interior on prevention of violence against women, protection of victims and investigation of cases to hold perpetrators accountable.

This lot includes e.g. reviewing, updating and developing training curriculum, courses and materials, conducting trainings, developing guidelines/checklists, institutional tools and recommendations for law enforcement officials on topics, such as risk assessments, multi-agency cooperation and data collection.

**Under Lot 3** – Provision of technical advice, capacity development and training activities for **legal professionals** (judges and prosecutors) on violence against women and domestic violence, including tutoring a developed online HELP (Human Rights Education for Legal Professionals) course on violence against women and domestic violence.

This lot includes e.g. reviewing, updating and developing training curriculum, courses and materials, conducting trainings (face-to-face and online), developing recommendations for legal professionals. The HELP course tutoring includes adaptation of the standard online course into a national context, tutoring course participants through the course and reporting the course results.

**Under Lot 4 -**Editing and checking legal and gender terminology of publications, related documents, handbooks and training materials, developed and/or translated into Turkish by the Project on the topics of preventing and combating violence against women and domestic violence by using gender-inclusive language.

The Council will select the abovementioned number of Provider(s) per lot, provided enough tenders meet the criteria indicated below. Tenderers are invited to indicate which lot(s) 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:

* provide technical advice to relevant public authorities responsible for preventing and combating violence against women and domestic violence in line with European standards and promising practices;
* develop professional tools and materials such as registration forms, guidelines, protocols, checklists, etc.;
* conduct needs assessment studies and draw up on recommendations on training needs;
* revise and develop training programmes, materials/modules for different professional groups legal professionals (judges and prosecutors), law enforcement officers (police and gendarmerie), administrative authorities (governors or sub-governors) and support service providers on preventing and combating violence against women and domestic violence;
* conduct specialised trainings, including training-of-trainers, for key professionals responsible for dealing with cases of violence against women and domestic violence;
* tutor a developed on-line HELP training course on violence against women for legal professionals;
* support, supervise and monitor cascade trainings for further dissemination and sustainability;
* participate, moderate and contribute to expert working groups, workshops, seminars, round tables and conferences, deliver presentations;
* develop awareness-raising materials on the relevant topics of the project;
* monitor and evaluate project activities and outputs.

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.

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 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[[3]](#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)**[[4]](#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;
* 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;
* are or if their owner(s) or executive officer(s), in the case of legal persons, are included in the lists of persons or entities subject to restrictive measures applied by the European Union (available at [www.sanctionsmap.eu](http://www.sanctionsmap.eu)).

*Eligibility criteria*

Tenderers shall demonstrate that they fulfil the following criteria (to be assessed on the basis of all supporting documents listed in Section F). These minimum criteria apply to each person(s) whose CV is provided:

* Minimum 5 years of professional experience in the areas of the Project as relevant to the lot(s) applied for;
* University degree in Law, Public Policy, Social Sciences, Social Work, Gender Studies, Political Sciences, Psychology, Media and Communications, Statistics or in other relevant fields;
* Fluency in Turkish (preferably mother tongue level);
* Knowledge of English (at least B1 or B2 level [CEFR](https://www.coe.int/en/web/common-european-framework-reference-languages/table-2-cefr-3.3-common-reference-levels-self-assessment-grid)).

*Award criteria*

* Quality of the offer (90%), including:
	+ Thematic expertise related to violence against women and domestic violence gained from experience in drafting knowledge products such as books, articles, research and policy papers, baseline and comparative studies, desk reviews, legal advice/opinions, recommendations, handbooks, etc. and/or thematic expertise gained from experience in developing or applying methodologies, protocols, guidelines, toolkits, courses, teaching/learning materials or from carrying out trainings, etc.
	+ Drafting skills in Turkish and in English;
	+ Previous experience in the relevant type of activity and/or conducting work in international context / within international organisations.
* Financial offer (10%).

The Council reserves the right to hold interviews with eligible 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[[5]](#footnote-5)** (See attached);
* A detailed CV, preferably in Europass Format, demonstrating clearly that the tenderer fulfils the eligibility criteria;
* A list of all owners and executive officers, for legal persons only;
* A motivation letter in English (1 page maximum) highlighting the most relevant expertise regarding the lot(s) tendered for;
* At least 1 sample of previous work relevant to the lot(s) for which they apply (articles, handbooks, research analysis, policy opinions, presentations, training materials, etc.) in English or Turkish;
* Two references (contacts including phone number and e-mail address).

**All documents shall be submitted in English, 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-1)
2. <https://rm.coe.int/recommendations-of-the-committee-of-the-parties-for-turkey/pdfa/1680920060> [↑](#footnote-ref-2)
3. 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-3)
4. 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 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-4)
5. 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)