

TENDER FILE / TERMS OF REFERENCE (Competitive bidding procedure / Framework Contract)

Purchase of international intellectual consultancy services in the area of child participation (BH4796/2021/1)

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

The Council of Europe is currently implementing a Council of Europe/European Union Joint Project on 'Strengthening National Child Participation Frameworks and Action in Europe' (the CP4EUROPE project) in cooperation with its 5 Partner countries (Czech Republic, Iceland, Portugal, Finland and Slovenia) until 31 March 2023. The project is being coordinated by the Council of Europe Children's Rights Division to promote and foster national and European child participation legislative and policy frameworks by supporting their assessments and the development of tools to promote child participation at national and pan-European levels. It is aimed at replicating good practices to assess the quality of child participation, developing tools to facilitate, measure and monitor child participation at national level and fostering peer exchanges within the EU and the Greater European area. In that context, the Council of Europe is looking for Providers for the provision of intellectual consultancy services in the area of child participation to be requested by the Council of Europe on an as needed basis.

A. 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 Europe¹, 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: International consultancy services on child participation.** 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 seven 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 – International consultancy services on child participation.**

| | |
|--|-----------------------------------|
| Type of contract ▶ | Framework contract |
| Duration ▶ | Until the end of the project |
| Deadline for submission of tenders/offers ▶ | 20 September 2021 |
| Email for submission of tenders/offers ▶ | childparticipation4europe@coe.int |
| Email for questions ▶ | Marine.braun@coe.int |
| Expected starting date of execution ▶ | 01 October 2021 |

¹ 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](#).

B. EXPECTED DELIVERABLES

Background of the Project

The Joint Project “**CP4 EUROPE - Strengthening National Child Participation Frameworks and Action in Europe**” aims to contribute to the promotion of children’s rights to participation at national and pan-European levels in accordance with Council of Europe standards and tools in this area. These include in particular the Council of Europe [Child Participation Assessment Tool](#) (CPAT) which has already been used in 10 countries and [the Handbook on children’s participation for professionals working with and for children](#). The main expected impact of the project is that children across Europe find multiple and innovative opportunities to participate in decision-making processes through stronger child participation mechanisms.

It is implemented over 24 months (01 April 2021- 31 March 2023) in 5 partner countries: the Czech Republic, Iceland, Portugal, Slovenia and Finland and at the European level. Deliverables at the national level will include national assessments of national mechanisms, the development of model national strategies, handbooks, checklists and training materials aimed at building capacities on collective and individual child participation. All partners of the project will support the establishment of a “Child participation leadership network”, to benefit from mutual peer support to address the challenges of child participation in various challenges.

The Council of Europe is looking for a maximum of 20 Providers in order to support the implementation of the project with a particular expertise on child participation.

This Contract is currently estimated to cover up to 10 activities per month at national and European levels, to be held by 31 March 2023. 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 961,589.00 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.

Scope of the Framework Contract

Throughout the duration of the Framework Contract, pre-selected Providers may be asked to work with CP4 partners, groups of children and/or the Council of Europe to:

- Support national assessments of legislative and policy frameworks that are carried out by Partners in Iceland, the Czech Republic and Portugal in accordance with the Child Participation Assessment Tool (CPAT);
- Support the improvement of legislation and policies in the field of child participation at national and regional level; in particular the Providers may be requested to prepare roadmaps to follow-up on priority recommendations which were formulated as a result of the CPAT assessments, prepare needs assessment of policies, strategies and action plans;
- Provide advice and support the development of innovative tools to promote and foster child participation mechanisms such as with checklists for different sectors such as justice, healthcare, social services, and for the private sector; guidelines on meaningful child-friendly communication measures;
- Review and improve Child Safeguarding Policies which are also applicable to the online environment;
- Contribute to the improvement of capacities of all professionals working with and for children on the basis in particular of the Council of Europe Handbook on children’s participation for professionals working with and for children; in particular the Providers may be requested to review and/or contribute to the preparation and piloting of training modules addressed to groups of professionals whether at national or regional level or a training module that could be adapted to national environments;
- Collect data, information and resources on good practices, including in times of the COVID-19 pandemic, to promote child participation initiatives at European and national level to feed a dedicated ‘child participation leadership network’ which will be set in an online platform and contribute to its creation;
- Contribute and support the development of tools for a campaign that could be adapted to national contexts and deployed at international level;

- Contribute to international, regional and local webinars and other events to address specific aspects related to child participation;

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).]

C. 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.

D. 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 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 3 (three) 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 quote² (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;

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.

- 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.

E. 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

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 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).

Eligibility criteria

- An advanced university degree, in law, political or social science or other relevant professional qualification with proven experience, knowledge and practical understanding of child participation;
- Minimum of 3 years professional experience working in an area related to child participation at national or international level;
- Ability to work in an international environment;
- Excellent communication skills; confirmed drafting skills and excellent spoken English at B2 level.

Award criteria

- Quality of the offer (80%), including:
 - Proven expertise and/or strong knowledge of Council of Europe standards and tools in the area of child participation;
 - In-depth knowledge of the work of other organisations working at international, regional and national level on child participation;

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).

- Experience and track record of working with children and young people on child participation initiatives;
 - Experience in international assistance project, in particular in the field of child participation.
- Financial offer (20%).

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

Multiple tendering is not authorised.

F. NEGOTIATIONS

The Council reserves the right to hold negotiations with the bidders in accordance with Article 20 of Rule 1395.

G. DOCUMENTS TO BE PROVIDED

- A completed and signed copy of the **Act of Engagement**⁴ (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;
- Motivation letter demonstrating how the tenderer meets the award criteria;
- Samples of child participation initiatives and projects in which the tenderer was involved.

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.

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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.