

TENDER FILE / TERMS OF REFERENCE

(Competitive bidding procedure / Framework Contract)

Purchase of "Supporting to further modernisation of Court Management in Georgia" Phase II Contract N° CEPEJ_Local Pool_ BH9374



The Council of Europe is currently implementing for a period until 31/12/2026 the Project "Supporting to further modernisation of Court Management in Georgia Phase II". In that context, it is looking for Provider(s) for the provision of intellectual services at local level, indicated in this tender file and respective Act of Engagement (see section A of the Act of Engagement) to be requested by the Council 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 €6,000 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 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 person

Tenders shall be submitted **by email only** (with attachments) **to the email address indicated in the table below, with the following reference in subject: CEPEJ Tender Pool.** 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: CEPEJ Tender Pool.**

Type of contract ▶	Framework contract
Duration ▶	Until 31 December 2027
Deadline for submission of tenders/offers ▶	21 November 2025 23h59 Tbilisi Time
Email for submission of tenders/offers ▶	cepej.georgia@coe.int
Email for questions ▶	ask.cepej.georgia@coe.int
Expected starting date of execution ▶	1 December 2025

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 European Commission for the Efficiency of Justice (CEPEJ) is a Council of Europe body established in 2002 for improving the quality and efficiency of the European judicial systems and strengthening the court users' confidence in such systems. In collaboration with the Council of Europe Office in Georgia, CEPEJ is currently implementing a project titled "Support to further modernisation of court management in Georgia: phase II." The project is aimed at enhancing the efficiency and quality of the justice system by using CEPEJ's tools and methodology.

The main objective of the project is to improve the quality and efficiency of the justice system in Georgia by focusing on modernising court management. The project will seek to accomplish this objective by providing support for judicial statistics, judicial time management, court management and to improving quality of judicial services. Moreover, the project also concentrates on specific areas such as mediation.

By offering assistance to Georgia, CEPEJ is committed to promoting the rule of law and supporting the development of efficient and robust justice system. The project is a significant step towards achieving this goal and will contribute to the advancement of the justice system in Georgia.

The Council of Europe is looking for a maximum of 24 Providers (provided enough tenders meet the criteria indicated below) to support the implementation of the project with a particular expertise in the fields indicated below under the lots.

This Contract is currently estimated to cover up to 26 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 550. 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: Evaluation, judicial statistics, time management	7
Lot 2: Quality of justice and Building Skills and Competences of Justice Professionals	10
Lot 3: Mediation	7

Lot 1 concerns consultancy services related to the evaluation of the performance and functioning of the justice system, including efficiency aspects linked to time management at both institutional and court levels. It also covers relevant data collection and analysis supported by appropriate IT tools and the use of key performance indicators. The experts will provide technical support to national judicial authorities and court staff in developing and implementing practical tools and methodologies for analysing and improving time management in courts, with a view to formulating strategies and specific actions.

Lot 2 consultancy services relating to the evaluation of the **quality of the judiciary** and courts and formulation of strategies to improve the quality of judicial services with the development and implementation of various concrete tools for the policy makers and for the courts. This concerns for example developing guidelines and capacity-building and professional development activities for judges, judicial assistants, court managers and court staff, human resources, judicial communication with media and the public, quality of judicial decisions, quality of jurisdictional debate in civil and administrative matters, optimisation of the workload of judges and court staff, evaluation of judges and court staff, organisation and accessibility of court

premises, role of experts in judicial proceedings, satisfaction surveys for court users; access to justice, court security, trainings for court staff and other professionals, etc.

Lot 3 concerns consultancy services relating to the development, adaptation and implementation of mediation tools to support mediation stakeholders (including judges, court staff, and lawyers) and policy makers in improving the recourse and quality of mediation. This concerns for example activities related to training in mediation, access to mediation, awareness-raising of judges, judicial assistants, clerks, and lawyers, as well as piloting innovative approaches to offering mediation services, etc.

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 advice, opinions and expertise: assessments, needs analyses, identification of challenges; mapping of good practices, legal opinions, reports and recommendations;
- Contribute to the capacity building of project beneficiaries: tailor-made assistance, advice, training, training of trainers and other forms of support; provision of tools and methodologies for the implementation of priority reforms aimed at developing new capacities and skills;
- Peer-to-peer exchanges: round tables / expert working groups, workshops, seminars, conferences;
- Provide, as appropriate, presentations and explanations on the CEPEJ's tools and methodology and on the means of their implementation at different levels with a view to improving the efficiency and quality of justice;
- Participate in the selection, definition and analysis of qualitative and quantitative indicators on the functioning and efficiency, quality or access to justice (as appropriate) of the judicial system and specific courts.
- Participate in missions in Georgia, visits to institutions and courts, meetings and exchanges with justice sector stakeholders, including judges and judicial staff.

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).

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 A below) the global fee corresponding to each deliverable, calculated on the basis of the unit fees, as agreed by this Contract.

A. 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 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;
- 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.

Delivery

Each deliverable has to be accompanied by the filled-out AI tool questionnaire which is appended to this document.

B. 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;

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.

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).

- 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

The eligibility criteria determine the conditions for participating in a procurement procedure and define the essential requirements that each bidder must comply with. Bidders shall demonstrate that they fulfil the following criteria:

Eligibility criteria	Document/s to be submitted
<u>Education</u> : University degree [1st cycle or higher] in one of the following fields: law, public administration, political science, statistics, mathematics, social science, psychology, information technologies or a related field	CV
<u>Work experience</u> : At least 5 (five) years of experience in the field related to the objectives of the action carried out in Georgia or abroad	CV
<u>Specific thematic expertise</u> : confirmed expertise related to LOT1, 2 and/or 3 as evidenced by the information included in the supporting documents	CV Samples of previous work
<u>Language skills</u> : At least mother-tongue level of Georgian and excellent command of English (minimum B2 CEFR level).	CV

The above eligibility criteria will be assessed **on the basis of the documents listed in the table and, where relevant, on the basis of other supporting documents** listed in Section G.

For legal persons only: legal persons are requested to include in their bids the profiles of **a maximum of 2 (two) natural persons** proposed to be assigned to the contract. The status of each natural person included in the bid must be specified, and in particular whether they are employees or subcontractors. **Each natural person included in the bid will be assessed against the above eligibility criteria.** The Council reserves the right not to accept the inclusion in the contract of persons who do not meet the eligibility criteria or to reject a bid entirely if no profiles met the eligibility criteria.⁴

⁴ If awarded a contract, legal persons undertake to entrust the execution of order forms only to the persons approved by the Council for inclusion in the contract. If, during the period of validity of the contract, it becomes necessary to replace one or more of the persons included in the contract, the legal persons undertake to assign to the contract only persons who satisfy the eligibility criteria above and to inform the Council without delay.

Award criteria

The award criteria aim at assessing the quality of a bid in order to **identify the bid/s offering the best value for money**. Eligible bids will be assessed against the following award criteria:

Award criteria	Document/s to be submitted
<p>Lot 1: Evaluation and Judicial Statistics, Time Management Quality of the Offer (80 points), including:</p> <ul style="list-style-type: none"> • Extent and relevance of the bidder's professional experience in the field relevant to the lot (25 points) • Quality and relevance of the bidder's expertise (25 points) • Language skills (10 points) • Experience in working at the international level and/or with international organisations will be considered an advantage (20 points) 	<p>CV Samples of previous work</p>
<p>Financial offer (20 points)</p>	<p>Completed and signed Act of Engagement</p>
<p>Lot 2: Quality of Justice and Capacity Building of Justice Professionals Quality of the Offer (80 points), including:</p> <ul style="list-style-type: none"> • Extent and relevance of the bidder's professional experience in the field relevant to the lot (25 points) • Quality and relevance of the bidder's expertise (25 points) • Language skills (10 points) • Experience in working at the international level and/or with international organisations will be considered an advantage (20 points) 	<p>CV Samples of previous work</p>
<p>Financial offer (20 points)</p>	<p>Completed and signed Act of Engagement</p>
<p>Lot 3: Mediation Quality of the Offer (80 points), including:</p> <ul style="list-style-type: none"> • Extent and relevance of the bidder's professional experience in the field relevant to the lot (25 points) • Quality and relevance of the bidder's expertise (25 points) • Language skills (10 points) • Experience in working at the international level and/or with international organisations will be considered an advantage (20 points) 	<p>CV Samples of previous work</p>
<p>Financial offer (20 points)</p>	<p>Completed and signed Act of Engagement</p>

The above award criteria will be assessed based on the bidder's capacity, as outlined in the supporting document, or on the basis of a consolidated assessment of the combined capacity of all eligible profiles or consortium members if the bid is submitted by a legal person or a consortium.

Additional rules applicable to the submission and assessment of the bids

The bidders' attention is drawn to the following additional rules governing the assessment of the bids:

- Unless expressly provided otherwise in the tender documents, a bidder may not submit more than one bid for the same procurement procedure. Bidding for more than one lot – where a contract is divided into lots – is allowed;
- In the same procurement procedure, natural person may not submit a bid on his/her own behalf and, at the same time, be included in a bid submitted by a legal person or a consortium. In such cases, the Council of Europe reserves the right to exclude the bid submitted by the natural person from the procurement procedure;
- In the same procurement procedure, a legal person may not submit a bid and, at the same time, be a member of a consortium also bidding under the same procurement procedure. In such cases, the Council of Europe reserves the right to exclude the bid submitted by the legal person from the procurement procedure.

Multiple tendering is not authorised.

C. NEGOTIATIONS

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

D. DOCUMENTS TO BE PROVIDED

- **One** completed and signed copy of the Act of Engagement;⁵
- A list of all owners and executive officers, for legal persons only;
- All the documents listed above, under Section E, necessary for the assessment of the bid under the eligibility and award criteria
- A detailed CV, preferably in Europass Format, demonstrating clearly that the tenderer fulfils the eligibility criteria;
- A letter of motivation highlighting their professional experience in carrying out similar activities and possible awareness of the tools of the Council of Europe and the CEPEJ in the field of justice. The cover letter should also specify the working languages (English).

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.

Documents may be submitted via file sharing services such as WeTransfer, Dropbox, OneDrive, etc.). In this case, the link must mandatorily remain active for at least 30 days after the deadline for the submission of the bids. Failure to ensure this may lead to the bid being excluded from the procurement procedure.

The Council reserves the right to reject a tender if the scanned documents are of such a quality that the documents cannot be read.

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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.