**TENDER FILE / TERMS OF REFERENCE**

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

**Purchase of international consultancy services in the framework of the joint EU/CoE Project “Supporting an efficient national mechanism of recognition of refugees’ qualifications” in Italy**

The Council of Europe is currently implementing the joint EU/CoE Project “Supporting an efficient national mechanism of recognition of refugees’ qualifications” in Italy. In that context, it is looking for Providers for the provision of international consultancy services 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, 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: Tender – Supporting recognition of refugees’ qualifications in Italy – International consultancy.** 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 -** **Supporting recognition of refugees’ qualifications in Italy – International consultancy**

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| --- | --- |
| **Type of contract ►** | Framework contract  |
| **Duration ►** | Until 31 August 2024 |
| **Deadline for submission of tenders/offers ►** | ~~06 October 2022~~ **Extended to 16 October 2022** |
| **Email for submission of tenders/offers ►** | italy.refugees.qualifications@coe.int |
| **Email for questions ►** | italy.refugees.qualifications@coe.int |
| **Expected starting date of execution ►** | 16 October 2022 |

1. EXPECTED DELIVERABLES

**Background of the Project**

Since 2018, Italy has participated in the Council of Europe’s [European Qualification Passport for Refugees (EQPR)](https://www.coe.int/en/web/education/recognition-of-refugees-qualifications) project and has adapted the EQPR methodology to the Italian context to facilitate the evaluation and recognition of refugee qualifications. However, to date, the methodology has been applied mostly in the academic sector, and there is a need for mainstreaming it to the other relevant public institutions in order to facilitate its use for non-academic ends.

The Project “Supporting an efficient national mechanism of recognition of refugees’ qualifications” in Italy, co-funded by the European Union via the Technical Support Instrument and implemented by the Council of Europe in cooperation with the European Commission from September 2022 to August 2024, aims to improve the mechanism of recognising qualifications contributing to an improvement of the integration of beneficiaries of international protection.

The joint EU/CoE Project will support Italy in its efforts to improve the capacity of the public administration bodies to process applications for recognising refugees’ qualifications, even in cases of scarcely or non-documented academic files, and to increase pathways for refugees with qualifications in regulated professions.

More specifically, the joint EU/CoE Project will develop policy recommendations for improving the national legislative and policy frameworks, an analytical framework for coordination and involvement of national stakeholders, a report on the comparative analysis with related initiatives at European level (e.g., the EQPR) and a report on the capacity building and awareness raising activities on the EQPR methodology among Italian public authorities.

The Council of Europe is looking for a maximum of 65 Providers (provided enough tenders meet the criteria indicated below) in order to support the implementation of the project with a particular expertise on the recognition of qualifications and on the EQPR methodology.

This Contract is currently estimated to cover up to 15 activities, to be held by 31 August 2024. 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 555,556 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 international 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: Carrying out research, drafting of reports and documents, contribution to roundtables, seminars, trainings, and of capacity-building activities. | 15 |
| Lot 2: Assessment of refugees’ qualifications based on the EQPR methodology | 50 |

Lot 1 concerns the conduction of research, the drafting of reports and documents, and the contribution to roundtables, seminars, trainings, and of capacity-building activities (see below for more details).

Lot 2 concerns the assessment of refugees’ qualifications based on the EQPR methodology. Within this lot, several tenderers might be selected at the same time to perform the same task as the EQPR methodology requires that two different evaluators compose one team in order to assess refugee’s qualifications.

The international selected provider(s) might be asked to cooperate with local selected provider(s) in order to deliver specific tasks.

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:

Under Lot 1:

* Conduct research and draft analytical reports (situational analysis, research on good practices from other countries, etc.).
* Develop policy documents.
* Prepare training modules and training materials, including on the EQPR methodology.
* Participate and contribute to the organisation and to the conduct of conferences, focus groups, round-tables, seminars, trainings, working group meetings, workshops, consultation meetings and other relevant events with national stakeholders, including moderating/facilitating discussions and delivering presentations.
* Deliver capacity building activities for national stakeholders.

Under Lot 2:

* Assess refugee’s qualifications based on the EQPR methodology.

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.

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 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 quote[[2]](#footnote-2) (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-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 retired Council of Europe staff members or are staff members having benefitted from an early departure scheme;
* 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*

* At least 5 years of professional experience in providing policy and/or capacity building support in the field of recognition of qualifications (**for Lot 1**).
* For the lot 2, being trained on the EQPR methodology or having already assessed refugee’s qualifications based on the EQPR methodology.
* Excellent command of the English language (at least level C1 of the Common European Framework of Reference for Languages (CEFR) for the Lot 1 and excellent command of the English or French language (at least level C1 of the Common European Framework of Reference for Languages (CEFR) for the Lot 2

*Award criteria for the Lot 1:*

* Quality of the offer (90%), including:
	+ Relevant experience at international level of the tenderer in the thematic area covered by this call (50%);
	+ Knowledge of the European Qualifications Passport for Refugees (EQPR) methodology and/or previous cooperation experience with international organisations, government bodies and other relevant national institutions in CoE member States (20%);
	+ Proven experience in developing policy and methodological documents, web-based consultancies and/or in developing and delivering capacity building activities (20%).
* Financial offer (10%).

*Award criteria for the Lot 2:*

* Quality of the offer (90%), including:
	+ Previous experience with assessments of refugee’s qualifications based on the European Qualifications Passport for Refugees (EQPR) methodology (80%);
	+ Completed training on the EQPR methodology (20%).
* Financial offer (10%).

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-4)** (See attached);
* A detailed CV (for natural persons), preferably in Europass Format, or a portfolio (for legal persons and consortia of legal and/or natural persons), demonstrating clearly that the tenderer fulfils the eligibility criteria;
* A list of all owners and executive officers, for legal persons only;
* Motivation letter describing how the tenderer meets the award criteria and the requirements of the expected service, including the description of examples of relevant previous work (see Section B above), max.2 pages.

**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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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. 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-2)
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). [↑](#footnote-ref-3)
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-4)