

TENDER FILE / TERMS OF REFERENCE

(Competitive bidding procedure / Framework Contract)

Purchase of intellectual services for combating hate speech in sport



The Council of Europe is implementing until June 2024 the European Union – Council of Europe joint Project on “Combating Hate Speech in Sport”. In that context, it is looking for Providers to be requested by the Council of Europe on an as needed basis, to support public authorities and the main sport stakeholders in France, Germany, Greece, Italy, Montenegro, Spain to develop strategies within a human rights framework and raise awareness through the #Sport IS Respect campaign.

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: Tender - combating hate speech in sport.** 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 - Tender intellectual services for combating hate speech in sport.**

Type of contract ▶	Framework contract
Duration ▶	Until 30 June 2024
Deadline for submission of tenders/offers ▶	11 December 2023 12.00 PM CET (noon)
Email for submission of tenders/offers ▶	sport@coe.int
Email for questions ▶	sport@coe.int
Expected starting date of execution ▶	01 January 2024

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 project, co-funded by the European Union and the Council of Europe and implemented by the Council of Europe's Sport Division from 1 January 2022 to 30 June 2024 aims to combat hate speech in sport by providing technical assistance to public authorities in France, Germany, Greece, Italy, Montenegro, Spain and the main sport stakeholders to develop comprehensive strategies within a human rights framework. The three phases of the project are:

- Setting up an online resource centre providing relevant information on existing tools to combat hate speech in sport, and identifying measures to prevent, counter, report and remedy hate speech.
- Providing guidance leading to the adoption of national strategies to combat hate speech in sport involving all key stakeholders in the partner countries.
- Designing, implementing and evaluating the "Sport IS Respect" campaign, including training and tools to strengthen the stakeholders' capacity to play their part in preventing and combating hate speech in sport.

The Council of Europe is looking for a maximum of 10 Providers per lot (provided enough tenders meet the criteria indicated below) in order to support the implementation of the project with a particular expertise in developing strategic approaches with governments and sport stakeholders, designing and implementing campaigns to raise awareness regarding the power of sport for positive changes through the promotion of human rights.

This Contract is currently estimated to cover up to 10 activities per category or lot, to be held by end of June 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 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 Contracts. 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 Providers to support the implementation of the project and is divided into the following lots:

Lots	Maximum number of Providers to be selected
Lot 1: Development of strategies with governments, stakeholders, NGOs	10
Lot 2: Developing a funding mechanism for the implementation of the strategy and the campaign, with governments, stakeholders, NGOs	10
Lot 3: Design a sport campaign, awareness raising trainings and their implementation with governments, stakeholders, NGOs	10

Lot 1 concerns the development of strategies with governments, stakeholders, NGOs to address the causes, prevent, and combat hate speech in sport, including punitive and rehabilitation measures for offenders. A guide for developing the strategic approach will be prepared and technical assistance will be provided to above-mentioned countries for the preparation of strategies.

Lot 2 concerns developing a funding mechanism for the implementation of the strategy and the campaign to raise awareness of the impact of hate speech in sport. The services will be provided to the above-mentioned countries.

Lot 3 concerns the design and implementation of the campaign to raise awareness regarding the power of sport for positive changes, promoting human rights. This includes:

- designing a guide for the campaign for participating countries and European partners, with guidelines for campaign athletes-ambassadors and guidelines for stakeholders.

- developing a training programme targeting public, non-governmental and private sport stakeholders, with a special component for primary and secondary schools.

The Council of Europe will select the abovementioned number of Providers 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:**

- Perform desk and field research, including through questionnaires, focus groups, surveys, and stakeholders' consultations as contributions to the research, concept, planning, policy briefs for developing the strategic approach
- Write expert opinions, methodology, templates and model documents, resulting in National Action Plans, National Platform meetings, assessment and recommendation for the draft strategic approach. This will include new documents as well as revisions to existing documents
- Prepare and deliver presentations, participate in workshops and online events, design and facilitate 3 workshops, when advice and support is needed for cooperation between stakeholders to address hate speech in sport
- Provide input for the project online platform content related to the strategy

Under **Lot 2:**

- Perform desk and field research, including through questionnaires, focus groups, surveys, and stakeholders' consultations for drafting the strategy funding guidelines methodology
- Conduct needs' assessment, mapping and review of existing legislation and systems in place for funding in the countries participating in the project
- Draft recommendations for a sustainable funding mechanism in consultation with partner countries
- Prepare and deliver presentations, participate in workshops and online events, design and facilitate workshops
- Provide input for the project online platform content related to strategy and campaign funding

Under **Lot 3:**

- Design the campaign to raise awareness regarding the power of sport for positive changes, promoting human rights, specific to the targeted country
- Design the campaign guide for the participating countries and European partners, with guidelines for campaign athletes-ambassadors and guidelines for stakeholders
- Develop the training curriculum targeting public, non-governmental and other sport stakeholders
- Prepare the educational materials with a special component for primary and secondary schools
- Prepare with the partner countries the plan for trainings implementation
- Provide input for the project online platform content related to the trainings

The above list is not considered exhaustive. The Council of Europe reserves the right to request deliverables not explicitly mentioned in the above list of expected services, 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 of Europe – 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.

The Council of Europe 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 of Europe 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 of Europe 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 of Europe 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.

E. ASSESSMENT

Exclusion criteria and absence of conflict of interests

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.

(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 retired Council of Europe staff members or are staff members having benefitted from an early departure scheme;
- have not fulfilled, in the previous three years, their contractual obligations in the performance of a contract concluded with the Council of Europe leading to a total or partial refusal of payment and/or termination of the contract by the Council of Europe;
- 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

Tenderers shall demonstrate that they fulfil the following criteria (to be assessed on the basis of all supporting documents listed in Section G)

Eligibility criterion common to all lots

- University Degree in Public Administration, Public Policy, Economics or a related field (minimum bachelor levels),
- Oral and written English at the level C1 of the Common European Framework of Reference for Languages

Additional eligibility criteria for Lot 1:

- Minimum five years of relevant experience at international and/ or national level in providing policy advice for strategy drafting, providing expert recommendations in consultation with stakeholders, negotiation skills;

Additional eligibility criteria for Lot 2:

- Minimum five years of relevant experience at international and/ or national level in providing policy advice for funding, providing expert recommendations to governments, NGOs, sport clubs, negotiation skills;

Additional eligibility criteria for Lot 3:

- Minimum five years of relevant experience at international and/ or national level in leading campaigns and providing training needs assessments, consolidating data, developing training modules in consultation with sport stakeholders, providing training or delivering capacity-building activities targeting different sport stakeholders, good track of impactful work with youth.

Award criteria

- Quality of the offer 80%, including:

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).

Lot 1**Thematic knowledge and related experience (40%):**

- Knowledge of the Council of Europe principles, relevant norms, standards and recommendations in the field of sport and combating hate speech (10%)
- Specific knowledge of the sports competitions, disciplinary/administrative sanctions specific to the sports world and preventing hate. Experience in addressing the causes of hate speech in sport. This may come from academic background, professional background, desk research, projects conducted in recent years (10%)
- Knowledge of the relevant international standards related to addressing the respect of human rights in sport in particular those set by the Council of Europe and the European Union. Profound understanding of the values of respecting human rights (10%)
- Knowledge and understanding of the legislative, administrative systems and policy frameworks dedicated to sport (10%)

Level and relevance of the capacities of the tenderer (40%):

- Research, analysis and reporting skills (10%)
- Specific experience and competence working with Ministries (sport, education, interior, justice), sport stakeholders, sport clubs, NGOs working at grassroot level, sponsors, media (10%)
- Writing skills: Proven experience in delivering policy advice based on Council of Europe standards and/or capacity-building activities for sport actors based on key documentation. Ability to express concepts concisely, adapted to the target audience (10%)
- Oral presentation skills (experience using power point and other software), good communication and teamwork skills (10%)

Lot 2**Thematic knowledge and related experience (40%):**

- Knowledge of the Council of Europe relevant principles, norms, standards and recommendations in the field of sport and combating hate speech (10%)
- Knowledge of the relevant international standards related to addressing the respect of human rights in sport in particular those set by the Council of Europe and the European Union. Profound understanding of the values of respecting human rights(10%)
- Knowledge and understanding of the legislative, administrative systems and policy frameworks dedicated to sport. Experience in addressing the causes of hate speech in sport(10%)
- Knowledge of the funding mechanisms available for sport projects (10%)

Level and relevance of the capacities of the tenderer (40%):

- Research, analysis and reporting skills (10%)
- Specific experience and competence working with Ministries (sport, education, interior, justice), sport stakeholders, sport clubs, NGOs working at grassroot level, sponsors, media (10%)
- Writing skills: Proven experience in delivering policy advice based on Council of Europe standards and/or capacity-building activities for sport actors based on key documentation. Ability to express concepts concisely, adapted to the target audience (10%)
- Oral presentation skills (experience using power point and other software), good communication and teamwork skills (10%)

Lot 3**Thematic knowledge and related experience (40%):**

- Knowledge of designing sport and education campaigns adapted to different target audiences (10%)
- Knowledge of developing training modules and educational materials (10%)
- Knowledge of the Council of Europe and the European Union relevant principles, norms, standards and recommendations in the field of sport and combating hate speech, addressing the respect of human rights. Experience addressing the causes of hate speech in sport (10%)

- Specific knowledge of campaigns and trainings to raise awareness for combating hate addressing youth, primary and secondary schools stakeholders. Profound understanding of the values of respecting human rights (10%)

Level and relevance of the capacities of the tenderer (40%):

- Specific experience and competence working with Ministries (sport, education), sport stakeholders (athletes, coaches, referees, sport managers, fans), sport clubs, NGOs working at grassroots level (schools, teachers), sponsors, media (10%)
- Writing skills: Proven experience in delivering policy advice based on Council of Europe standards and/or capacity-building activities for sport actors based on key documentation. Ability to express concepts concisely, adapted to the target audience (10%)
- Oral presentation skills (experience using power point and other software), good communication and teamwork skills (10%)
- Research, analysis and reporting skills (10%)

Financial offer applicable to all lots (20%)

The Council of Europe reserves the right to hold interviews with 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 PROVIDED⁴

- **A completed and signed copy of the Act of Engagement⁵** (See attached);
- A detailed CV, preferably in Europass Format, demonstrating clearly that the tenderer fulfils the eligibility criteria; legal persons and consortia need to supply the CVs of the employees that would be assigned to the tasks under this framework contract;
- **A motivation letter** demonstrating clearly that the tenderer fulfils the eligibility and award criteria and including a short description of the methodology proposed;
- Registration documents, list of all owners and executive officers, for legal persons only;
- **Example of a recent deliverable** (2020-2023) in a related activity, for example a ppt presentation, report, policy paper or training material.

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 In word, PDF

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.