

TENDER FILE / TERMS OF REFERENCE (Competitive bidding procedure / One-off contract)

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Purchase of "Development of training programmes for Sectoral Continual Professional Development Programme (SCPDP) 2021 for local government employees" [Contract N° 4708/2020/41]

The Council of Europe is currently implementing a Joint European Union and Council of Europe Programme "Human Resources Management in Local Self Government – phase 2". In that context, it is looking for a Provider for the provision of "Development of training programmes for Sectoral Continual Professional Development Programme (SCPDP) 2021 for local government employees" (See Section A of the Act of Engagement).

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 **one-off 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. Each lot will be awarded to the Provider providing the best value for money for the lot concerned, on the basis of the award 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 duly registered company under sole proprietorship of a natural person, or equivalent, provided that the signatory of the Act of Engagement is individually liable for all obligations undertaken by the entity and is the owner of the moral rights in any creations of the entity. If contracted by the Council of Europe, the signatory of the Act of Engagement shall provide the deliverables personally, in accordance with the terms as provided in the present Tender File and Act of Engagement.

Tenders shall be submitted **by email only** (with attachments) **to the email address indicated in the table below, with the following reference in subject: "Development of SCPDP 2021"**. 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: "Development of SCPDP 2021"**

Type of contract ►	One-off contract
Duration ►	Until complete execution of the obligations of the parties (See Article 2 of the Legal conditions as reproduced in the Act of Engagement)
Deadline for submission of tenders/offers ►	21 August 2020
Email for submission of tenders/offers ►	lsg.serbia@coe.int
Email for questions ►	lsg.serbia@coe.int
Expected starting date of execution ►	27 August 2020

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

The expected deliverables are described in **Section A of the Act of Engagement** (See attached). Please note that each lot concerns a different series of deliverables. Tenderers may tender for one, all or several lots.

C. FEES

All tenderers are invited to fill in the **table of fees** as reproduced in **Section A of the Act of Engagement**.

Tenderers **subject to VAT** shall also send, for each lot, **a quote (Pro Forma invoice)** on their letterhead 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.

D. 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)²

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 public servants employed at central, local or provincial level;
- 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

For lot 1:

- University degree in law, political science, economy or the related field OR equivalent 15 years' relevant work experience;
- Minimum 3 years professional experience in the field of public procurement;
- Proven track record in developing training programmes;
- Good communication and presentation skills.
- Proficiency in Serbian and English language.

For lot 2:

- University degree in law, political science, economy or the related field OR equivalent 15 years' relevant work experience;
- Minimum 3 years professional experience related to the field of public health;
- Proven track record in developing training programmes;
- Good communication and presentation skills.

² 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).

- Proficiency in Serbian and English language.

For lot 3:

- University degree in law, political science, economy or the related field OR equivalent 15 years' relevant work experience;
- Minimum 3 years professional experience in the field of inspectorates;
- Proven track record in developing training programmes;
- Good communication and presentation skills.
- Proficiency in Serbian and English language.

Award criteria

For lot 1:

- Quality of the offer (90%), including:
 - Experience in analysing legal and strategic documents related to public procurement, including e-procurement/public procurement online platforms;
 - Experience with implementing and/or monitoring public procurement in the Republic of Serbia;
 - Specific knowledge of legislative framework related to public procurement (namely, the new Law on Public Procurement 2019 and the changes it brings in terms of e-procurement);
 - Experience in developing training programmes, preferable in the area of public procurement.
- Financial offer (10%).

[For Consultancy ONLY: The Council reserves the right to hold interviews with eligible tenderers.]

For Lot 2:

- Quality of the offer (90%), including:
 - Experience in analysing legal and strategic documents related to public health at the local level;
 - Experience with implementing and/or monitoring and/or analysing public health policies in the Republic of Serbia;
 - Specific knowledge of legislative framework related to public health and its implications at the local government level in Serbia;
 - Experience in developing training programmes, preferable in the area of public health.
- Financial offer (10%).

[For Consultancy ONLY: The Council reserves the right to hold interviews with eligible tenderers.]

For Lot 3:

- Quality of the offer (90%), including:
 - Experience in analysing legal and strategic documents related to inspectorates;
 - Experience in working directly with inspectorates;
 - Experience in analysis of primary and delegated responsibilities of local self-governments (experience in analysing/assessing the relationship between central and local inspectorates);
 - Specific knowledge of legislative framework related to the work of inspectorates (namely, the Law on Inspection Oversight; familiarity with other related umbrella laws is desirable: the Law on General Administrative Procedure and the Law on Administrative Disputes), as well as sector-specific laws related to transport inspectorates at the local level;
 - Experience in developing training programmes, preferable in the area of traffic inspectorates.
- Financial offer (10%).

[For Consultancy ONLY: The Council reserves the right to hold interviews with eligible tenderers.]

Multiple tendering is not authorised.

E. NEGOTIATIONS

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

F. DOCUMENTS TO BE PROVIDED

For all lots, tenderers are invited to submit:

- A completed and **signed copy of the Act of Engagement**³ (See attached)
- For tenderers subject to VAT only: a quote, describing the financial offer, in line with the requirements of Section C of the Tender File (see above)
- A list of all owners and executive officers, for legal persons only
- **CV (no longer than 4 pages);**
- **Motivation letter (no longer than 2 pages)** showing the understanding of the scope of this programme assignment and of the abovementioned award criteria.

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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³ 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.