

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



**Purchase of educational and awareness-raising services, development and conducting of trainings on the rights of children affected by the war in Ukraine, and development of response mechanisms to support children left without care.**

***Contract N° BH8804.2022.05***

The Council of Europe is currently implementing a Project Combating violence against children in Ukraine, Phase III as a follow-up action to the previous Council of Europe projects Combating violence against women and children (2017/DG II/VC/3800) implemented in 2017-2018, and Combating violence against children in Ukraine, Phase II (2020/DGII/VC/1813) implemented in 2020-2021.

The Phase III aims to support authorities, professionals and civil society to prevent and protect children from violence and sexual exploitation and abuse, including in the digital environment. This support is particularly important for Ukraine in the context of the adoption of the new national legislation aimed at the effective implementation of the Council of Europe Convention on the Protection of children against sexual exploitation and sexual abuse (Lanzarote Convention), to which Ukraine is a party since 2012. In February of 2021, Verkhovna Rada of Ukraine, in conformity with the recommendations of the Lanzarote Committee adopted the Law of Ukraine "On Amending some Legislative Acts of Ukraine Concerning the Implementation of the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention)" (Nº 1256-IX, came into force 17.03.2021). In accordance with Priority Adjustments to the Ukrainian Action Plan and due to military aggression of Russian Federation the Project workplan was adopted accordingly and foresees the provision of educational and awareness-raising services on the rights of children affected by the war in Ukraine.

The war caused an acute crisis in the field of child protection. Children are now at significant risk of being separated from their families and may be exposed to violence, abuse or sexual exploitation. In addition, many children have experienced extremely traumatic events and need safety, stability and psychological support.

A serious problem is also the lack of information about children who left without care as a result of Russia's military aggression. Each case should be documented and an assessment of the needs of the child and the host family should be carried out to provide the child with the help and support needed.

In that context, it is looking for a Provider to provide services on educational and awareness-raising services, development and conducting of trainings on the rights of children affected by the war in Ukraine, and development of response mechanisms to support children left without care. (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 Europe<sup>1</sup>, 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 a legal person or consortia of legal and/or natural persons.

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<sup>1</sup> 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](#).

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 - Awareness-raising**. 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 - Awareness-raising**

<b>Type of contract ▶</b>	One-off contract
<b>Duration ▶</b>	Until complete execution of the obligations of the parties (See Article 2 of the Legal conditions as reproduced in the Act of Engagement)
<b>Deadline for submission of tenders/offers ▶</b>	<b>17 August 2022</b>
<b>Email for submission of tenders/offers ▶</b>	<b>children.ukraine@coe.int</b>
<b>Email for questions ▶</b>	<b>children.ukraine@coe.int</b>
<b>Expected starting date of execution ▶</b>	22 August 2022

## 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**.

## 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)<sup>2</sup>

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.

*Eligibility criteria For Lot 1*

- Minimum 3 years of experience in the areas related to in providing of educational and awareness-raising campaigns on the rights of children, developing and conducting trainings, webinars or other educational events for professionals.
- For legal person and private entrepreneurs: The tender must be registered in the relevant field of activity, and should have not less than 3 years of experience;

*For Lot 2*

- Minimum 3 years of experience in the areas related to the providing of services for vulnerable children, including children left without care, assessing their needs and needs of host families.
- For legal person and private entrepreneurs: The tender must be registered in the relevant field of activity, and should have not less than 3 years of experience in.

*Award criteria*

### For lot 1:

- Quality of the offer (80%), including:
  - Professional experience of the organisation, and staff allocated to the project, in the field of preventing sexual abuse and trafficking of minors, including implementation of similar activities relevant to the lot (40%);
  - Relevance and quality of examples (e.g. draft informational and methodical materials, training curriculums or modules recently produced, awareness-raising materials) provided or referred to by the tenderer in the field of preventing sexual abuse and trafficking of minors, including previous similar assignments with international organisations and/or government authorities (40%).
- Financial offer (20%).

<sup>2</sup> 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 Lot 2:**

- Quality of the offer (80%), including:
  - Professional experience of the organisation, and staff allocated to the project, in the field of collecting information and development of response mechanisms for children left without care (40%);
  - Relevance and quality of examples (e.g. draft reports on data collection, guidelines for support of children without care recently produced) provided or referred to by the tenderer in the field of support, accompaniment and registration of children left without care, including previous similar assignments with international organisations and/or government authorities (40%).
- Financial offer (20%).

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**

Tenderers are invited to submit:

- **A completed and signed copy of the Act of Engagement<sup>3</sup> (See attached)**
- Registration documents, including those proving their ability to carry out the respective types of economic activities or non-profit activities;
- Organisation profile, including description of its experience in the fields relevant to the lots;
- The CV of each staff member who shall be allocated to the execution of the contract should be submitted;
- At least two unedited examples (may be provided in the organisation profile, or attached) of the previous works/deliverables reference/links to publications, reports, studies, etc. relevant to the experience the tenderer claims.

**All documents shall be submitted in English (except registration documents/examples of the previous works/deliverables reference/links to publications, reports, studies, etc. that could be submitted in Ukrainian), 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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<sup>3</sup> 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.