**TENDER FILE / TERMS OF REFERENCE**

**(Competitive bidding procedure / One-off contract)**

**Purchase of Trainers for Webinars under the Sectoral Special Training Programmes 2021 for Sports Inspectors**

**[Contract N° 4708/2021/46]**

The Council of Europe (CoE)is currently implementing a joint European Union (EU)/CoE Programme “Human Resources Management in local self-government” - phase 2 (2018 -2021) **(the “Programme” hereinafter)**. In that context, it is looking for a Provider for the **provision of** **Trainers for Webinars under the Sectoral Special Training Programme 2021 for Inspection Oversight in the Area of Sport** (See Section A of the Act of Engagement).

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 **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, a legal person - or consortia of legal and/or natural persons.

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 - Webinars for Sports Inspectors 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 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 - Webinars for Sports Inspectors 2021**

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| --- | --- |
| **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 ►** | 02 March 2021 |
| **Email for submission of tenders/offers ►** | LSG.serbia@coe.int |
| **Email for questions ►** | LSG.serbia@coe.int |
| **Expected starting date of execution ►** | **05 April 2021** |

1. 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.

1. 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.

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)**[[2]](#footnote-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, 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 or are likely to be in a situation of conflict of interests;
* 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)).

**Selection/engagement of civil servants and other public administration employees is subject to approval on the part of the Delegation of the European Union to the Republic of Serbia.**

*Eligibility criteria (Applicable for all lots)*

* University degree in law OR equivalent 10 years’ relevant work experience;
* Minimum 5 years professional experience in working with/working for sports inspectorates at national or local level;
* Have been accredited as trainers by the National Academy for Public Administration (NAPA)/are currently on the NAPA list of accredited trainers in the appropriate area;
* Proficiency in Serbian and English languages.

*Award criteria*

**For lot 1:**

* Quality of the offer (90%), including:
* Experience in analysing, drafting and/or implementing strategic and legal documents related to the work of sport inspection;
* Experience in working directly with inspectors at central and/or local government levels;
* Experience in conducting analysis of primary and delegated responsibilities of local self-governments (experience in analysing/assessing/understanding the relationship between duties of central and local sport inspectorates);
* Specific knowledge of legislative framework related to general inspection oversight and the work of sport 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; Law on Sport and related by-laws);
* Knowledge of administrative appeals procedures/decisions/best practices is desirable;
* Experience in conducting trainings;
* Proven knowledge related to the topic of “Conditions for Performing Sports Activities and Duties”.
* 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, drafting and/or implementing strategic and legal documents related to the work of sport inspection;
* Experience in working directly with inspectors at central and/or local government levels;
* Experience in conducting analysis of primary and delegated responsibilities of local self-governments (experience in analysing/assessing/understanding the relationship between duties of central and local sport inspectorates);
* Specific knowledge of legislative framework related to general inspection oversight and the work of sport 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; Law on Sport and related by-laws);
* Knowledge of administrative appeals procedures/decisions/best practices is desirable;
* Experience in conducting trainings;
* Proven knowledge related to the topic of “Conditions for Performing Sports Duties”.
* 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, drafting and/or implementing strategic and legal documents related to the work of sport inspection;
* Experience in working directly with inspectors at central and/or local government levels;
* Experience in conducting analysis of primary and delegated responsibilities of local self-governments (experience in analysing/assessing/understanding the relationship between duties of central and local sport inspectorates);
* Specific knowledge of legislative framework related to general inspection oversight and the work of sport 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; Law on Sport and related by-laws);
* Knowledge of administrative appeals procedures/decisions/best practices is desirable;
* Experience in conducting trainings;
* Proven knowledge related to the topic of “Public Sports Facilities”.
* Financial offer (10%).

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

**For Lot 4:**

* Quality of the offer (90%), including:
* Experience in analysing, drafting and/or implementing strategic and legal documents related to the work of sport inspection;
* Experience in working directly with inspectors at central and/or local government levels;
* Experience in conducting analysis of primary and delegated responsibilities of local self-governments (experience in analysing/assessing/understanding the relationship between duties of central and local sport inspectorates);
* Specific knowledge of legislative framework related to general inspection oversight and the work of sport 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; Law on Sport and related by-laws);
* Knowledge of administrative appeals procedures/decisions/best practices is desirable;
* Experience in conducting trainings;
* Proven knowledge related to the topic of “Health Standards for Athletes to Perform Sports Activities and Participate in Competitions”.
* Financial offer (10%).

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

**For Lot 5:**

* Quality of the offer (90%), including:
* Experience in analysing, drafting and/or implementing strategic and legal documents related to the work of sport inspection;
* Experience in working directly with inspectors at central and/or local government levels;
* Experience in conducting analysis of primary and delegated responsibilities of local self-governments (experience in analysing/assessing/understanding the relationship between duties of central and local sport inspectorates);
* Specific knowledge of legislative framework related to general inspection oversight and the work of sport 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; Law on Sport and related by-laws);
* Knowledge of administrative appeals procedures/decisions/best practices is desirable;
* Experience in conducting trainings;
* Proven knowledge related to the topic of “Sports Professions and Titles and Sports Experts”.
* Financial offer (10%).

For Consultancy ONLY: The Council reserves the right to hold interviews with eligible 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

**For all lots,** Tenderers are invited to submit:

* A completed and signed copy of the Act of Engagement[[3]](#footnote-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 addressing award criteria (no longer than 2 pages)**
* **Proof of accreditation issued by NAPA**

**All documents shall be submitted in English or Serbian, 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.**

**\* \* \***

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. 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). [↑](#footnote-ref-2)
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. [↑](#footnote-ref-3)