

TENDER FILE / TERMS OF REFERENCE
(Competitive bidding procedure / One-off contract)
Contract N° CC.DGII.1016.2021

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Purchase of intellectual and project management services

The Council of Europe will implement from September 2021 until December 2022 a Project on **child consultations as part of the preparation of draft instrument(s) on parental separation and care proceedings by the Committee of Experts on the rights and the best interests of the child in parental separation and in care proceedings (CJ/ENF-ISE)**. In that context, it is looking for a Provider for the provision of intellectual and project management services (see Section A of the Act of Engagement).

A. TENDER PROCEDURE 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 €150,000 tax exclusive (for ordinary budget purchase).**

This specific tender procedure aims at concluding a **one-off contract for 2021 and 2022** 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. Tenderers are expected to apply for the full activity period (2021/2022).

The tenderer must be either a natural person, or a legal person except consortia.

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 - Child consultations CJ/ENF-ISE**. 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 Council of Europe 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 - Child consultations CJ/ENF-ISE**

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 ▶	06 September 2021
Email for submission of tenders/offers ▶	children@coe.int
Email for questions ▶	children@coe.int
Expected starting date of execution ▶	01 October 2021

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).

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 **a quote (Pro Forma invoice)** on their letterhead including:

- the Service Provider's name and address;
- its VAT number;
- the full list of services to be provided;
- 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,² you declare on your honour not being in any of the below situations)

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

- University degree or other comparable professional qualification in law, political or social sciences;
- In-depth and proven knowledge and understanding of issues related to child participation in a European context, as well as of child participation policies, mechanisms and methodologies and children's rights applied in this context;
- Demonstrated experience in implementing child participation activities and working with children of various backgrounds and level of vulnerability and communicating complex legal, political and social matters in a child-friendly manner in order to support the process in conveying key messages back and forth;
- Methodological know-how and experience in conceptualising international multi-stakeholder work processes in working in collaboration with multiple partners of various institutional backgrounds to achieve common results;
- Excellent English language speaking and drafting skills (C2), and good knowledge of French for communicating with any French-speaking delegations participating in the process (B2).

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 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.

- Availability to provide input to and/or attend the following meetings:
 - Relevant meetings of the Committee of Experts on the rights and the best interests of the child in parental separation and in care proceedings (CJ/ENF-ISE), starting with the 5th meeting on 13-14 December 2021 and other meetings to follow in 2022 (dates yet to be defined);
 - Regular exchanges (via telephone, video conference etc.) with the Secretariat and with national delegations and partners as needed;
 - Certain (online) consultations held with the children, as organised and requested by national partners.

Award criteria

- Quality of the offer (90%), including:
 - Experience in child participation activities in theory and practice, including in reaching out to children in child-friendly language, making complex legal instruments accessible for them, addressing sensitive issues in a child-friendly manner, managing children's expectations, and involving children in distant and online mode (40%);
 - Methodological know-how and experience in conceptualising complex multi-stakeholder processes in an international context and collaborating with partners of various institutional backgrounds (30%);
 - Capacity to follow the overall work programme and working methods specified in the concept note and act of engagement, by meeting all deadlines specified and providing services mainly in English (but with very good knowledge of French) (20%).
- Financial offer (10%).

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

Tenderers are invited to submit:

- **A completed and signed copy of the Act of Engagement**³ (full document to be submitted as signed and scanned PDF copy on the basis of document attached to the call);
- **A Motivation letter** describing how the tenderer meets the requirements of the call (notably in terms of expected types of deliverables described in the Act of Engagement and award criteria specified above);
- **CV(s) of the provider(s); the CVs of employees that will be assigned to the contract, for legal persons;**
- A declaration on plain paper stating that the tenderer is available to provide input to and/or attend the meetings listed under the sixth eligibility criterion above.
- For tenderers subject to VAT only: **a quote, describing their financial offer**, in line with the requirements of section C of the Tender File (see above);
- Registration documents, for legal persons only.

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.

³ The Act of Engagement must be completed, signed, scanned in its entirety (i.e. including all the pages) and sent as a compiled document. For all scanned documents, .pdf files are preferred.