



CALL FOR TENDERS

FOR THE PROVISION OF OF CONSULTANCY SERVICES ON THE INCLUSION OF ROMA AT LOCAL AND REGIONAL LEVEL IN MONTENEGRO (ROMACTEDII - THEMATIC CONSULTANTS AND FACILITATORS)

2020/AO/58

Object of the procurement procedure ▶	Consultancy services on the inclusion of Roma at local and regional level in Montenegro (Thematic Consultants and Facilitators)
Project ▶	EU/CoE Joint Programme ROMACTEDII
Organisation and buying entity ▶	Council of Europe DGII Democracy (DGII) / Office of the Directorate General of Programmes (ODGP)
Type of contract ▶	Framework Contract
Duration ▶	Until 31 December 2024 With possible extension until 31 December 2025
Expected starting date ▶	01 March 2021
Tender Notice Issuance date ▶	25 November 2020
Deadline for tendering ▶	12 January 2021

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The TERMS OF REFERENCE describe what will be expected from the selected Providers.
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The TENDER RULES explain the procedure through which the tenders will be submitted by the tenderers and assessed by the Council of Europe.
- **The ACT OF ENGAGEMENT (See Document attached)** is the document formalising the consent of the Parties to be bound by the LEGAL CONDITIONS, which are the legal provisions which will be applicable between the Council of Europe and the selected Providers. It also contains the TABLE OF FEES, which indicates the applicable fees, throughout the duration of the contract.

HOW DOES A FRAMEWORK CONTRACT WORK?

STAGE 1:

SELECTION of qualified Providers through a call for tenders and signature of a framework contract with all the pre-selected Providers.

STAGE 2:

ORDER(S) are addressed, on an as needed basis, throughout the duration of the contract, to the designated Provider(s).

EXECUTION as from the date of signature of each Order, unless the Order concerned provides otherwise.

HOW TO SUBMIT A TENDER?

STEP 1: Read the **TENDER FILE**

STEP 2: Complete the **ACT OF ENGAGEMENT** and collect the required **SUPPORTING DOCUMENTS**, as listed in section F of the terms of reference (below).

STEP 3: Send your **TENDER**, in accordance with the Tender Rules

PART I –TERMS OF REFERENCE

CALL FOR TENDERS

FOR THE PROVISION OF CONSULTANCY SERVICES ON THE INCLUSION OF ROMA AT LOCAL AND REGIONAL LEVEL IN MONTENEGRO (ROMACTEDII - THEMATIC CONSULTANTS AND FACILITATORS)

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A. BACKGROUND

The Council of Europe/European Commission ROMACTEDII Programme will be a **natural follow-up to the implementation of Phase I of the ROMACTED Programme in the Western Balkans and Turkey (2017-2020)**, which will serve to consolidate and expand efforts to improve the integration of Roma populations in local communities through enhanced participation in local policymaking and implementation of local actions. ROMACTEDII will continue to assist the local authorities to integrate Roma specific dimensions/measures into the mainstream local policies, action plans related to these policies, budgets and public service delivery, thereby enhancing democratic participation and empowerment of local Roma communities.

The project pursues the following objectives: improving local democracy, accountability, inclusiveness and responsiveness towards Roma citizens and thereby improved delivery of services.

The Programme is designed to build up political will and sustained policy engagement of local authorities, to enhance democratic local governance and to build up capacity and stimulate the empowerment of local Roma communities to contribute to the design, implementation and monitoring of plans and projects concerning them through the following outcomes:

- 1) empowering Roma community - on the individual level (assisting people to practice their basic rights and to expand their capacity and skills), as well as on the community level (assisting people to get organised to voice out their interests around community problem solving, and;
- 2) improving and expanding the institutions' commitment, capacities, knowledge and skills in working for Roma inclusion, putting in practice the concepts of good governance;
- 3) contributing to preparation of the local development actions that aim to improve the quality of life for Roma and to reduce the gap between Roma and non-Roma.

Specific actions include assisting the local authorities to integrate Roma specific dimensions/measures into the mainstream local policies, budgets and public service delivery on their agenda, while enhancing the participation of the Roma citizens in the design, implementation and monitoring of those policies and projects.

The target groups of the project are local public administrations (the elected representatives and relevant officials) and the Roma communities from the selected municipalities. They are also the first short-term Beneficiary groups of the Programme. Overall, the Programme will target up to 70 municipalities in the region. The mid- to long-term beneficiaries are the Roma population and the population of the municipality in general.

Programme activities will take place in seven Beneficiaries: Albania, Bosnia and Herzegovina, Montenegro, North Macedonia, Serbia, Turkey, and Kosovo*¹.

The Council of Europe will be assisted in the implementation of the ROMACTEDII Programme in the Beneficiary by a Support Team. This Support Team will comprise a Support Organisation, Focal Point and the Thematic Consultants and Facilitators selected through this Call for Tenders. In order to achieve the objectives of the programme, the ROMACTED methodology, which is outlined in the ROMACTED Handbook available [here](#), will be followed.

For additional reading, please note that the ROMACTED methodology is a combination of the ROMED2 and ROMACT methodologies which are available online as follows: ROMED2 Guidelines for National and Local Facilitators ([here](#)) and ROMACT handbook ([here](#)).

The Support Team will work in close co-operation with, and under the instructions and monitoring of, the Project Officer based in the CoE field office and the Programme Team based in Strasbourg.

¹ This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo Declaration of Independence

Stakeholders

ROMACTEDII will target local administration and Roma communities in up to 7-8 municipalities in Montenegro, including the following seven ROMACTEDI municipalities: Bar, Berane, Bijelo Polje, Herceg Novi, Nikšić, Tivat and Ulcinj which are shortlisted to continue with the implementation of ROMACTEDII. The additional municipalities are currently being assessed.

The CoE reserves the right to add additional municipalities or to take away municipalities from this list in consultation with the EU.

Budget

For information purposes only, the total budget of the Programme amounts to 6.5 million Euros and the total amount of the object of present tender should in principle not exceed 100 000 Euros for the whole duration of the Framework Contract. This information does not constitute any sort of contractual commitment or obligation on the part of the Council of Europe.

The tenderers' attention is drawn to the fact that the agreement between the Council of Europe and the European Union, setting forth the start of the ROMACTEDII programme, has not been signed yet. Signature of the contract is expected to take place shortly and the estimated starting date of the programme is 1 January 2021. Tenderers are informed that the Framework Contract under the present Call for Tenders will only be signed with the successful tenderers if and once said agreement between the Council of Europe and the European Union is signed. The Council of Europe shall not be held liable for any damage sustained by the tenderers in connection with the above.

Lots

The present tendering procedure aims to select Provider(s) to support the implementation of the project and is divided into the following lots:

Lots	Maximum number of Providers to be selected
Lot 1: Thematic Consultants - Consultancy services relating to Roma inclusion/social inclusion policies and practices of disadvantaged groups, intercultural communication and equality of chances, including for Roma returnees. Particular expertise is required in the field of Roma returnees, Roma women, and Roma youth empowerment and participation	10 Providers
Lot 2: Thematic Consultants - Consultancy services relating to project management, project development, accessing funds (EU, such as IPA funds and other funds), project monitoring and evaluation, strategic planning, technical aspects related to implementation of the local action plans and strategies, local budgeting, development of Roma responsive budgeting, and participatory budgeting at local level	10 Providers
Lot 3: Thematic Consultants - Consultancy services relating to national and international legal aspects and regulations linked to relevant fields of the programme, such as housing and urban integration, civil registration and access to the justice system, inclusive education, vocational education and employment and healthcare	10 Providers
Lot 4: Thematic Consultants - Consultancy services relating to the development of strategies and Roma sensitive, participatory and community-based disaster risk reduction (DRR) mechanisms for post- COVID-19 recovery, and to mitigate the risk of, and overcome, natural disasters and environmental hazards	10 Providers
Lot 5: Facilitators - Consultancy services for facilitators in one or more municipalities assigned by the Council of Europe, relating to identification, mobilisation and facilitation of the local Roma community, mediation, capacity-building of the Roma community, facilitation of the ROMACTED methodology and pedagogical tools	15 Providers

The Council will select the abovementioned number of Provider(s) 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). Tenderers may tender for one or more lots.

B. SCOPE OF THE FRAMEWORK CONTRACT

Throughout the duration of the Framework Contract, pre-selected Providers may be asked to provide the following services:

Lots 1, 2, 3 and 4 – Thematic Consultants:

- Provide expertise to the ROMACTED management team, the Support Team, and the programme's stakeholders on matters and in fields falling within the scope of the relevant lot, including and not limited to: elaborating documents, research, data collection and analysis, providing feedback, proposals, coaching and training assistance and support for the implementation of programme activities;
- Prepare proposals and recommendations to the Support Team and ROMACTED management team for activities in the fields falling within the scope of the relevant lot;
- Provide training on matters falling within the scope of the relevant lot;
- Provide advice and assistance to jointly develop common plans to find proper solutions/actions in the fields of interest of the programme;
- Assist and support the development of project proposals for submission to relevant calls for funding;
- Analyse: documents and information provided by the facilitators and the local teams on matters falling within the scope of the relevant lot;
- Participate in and provide expert input to various meetings (at local, national level and regional level), among others and not limited to: meetings between the ROMACTED teams; round tables or other local and national events included within the Work Plan of the Support Team; meetings for the preparation of proposals/inputs and to contribute to the topic of meetings; working groups or implementation meetings with the aim of increasing the contribution to relevant public policies;
- Elaborate documents with the objective of strengthening the relations between the Support Team and relevant national and local actors through relevant contributions.

Lot 5 – Facilitators:

- Identify and mobilise community members to engage in a participatory process and compose the Community Action Groups (CAGs), being particularly attentive to Roma women and youth, as well as Roma returnees where applicable
- Undertake a facilitating function in relation to the implementation of project activities in one or more municipalities assigned by the Council of Europe, acting as a conduit between Roma communities and municipal authorities and identifying members to be involved in all local activities and supporting their participation;
- Draft and prepare work plan proposals for the implementation of project activities and provide input about structures, power relations and decision-making mechanisms at local level;
- Plan, organise and facilitate meetings within the relevant municipality(ies), in particular meetings of the Community Action Group (CAG), meetings with Local Administration (LA) of a given municipality, and Municipal Taskforce meetings of same, as well as other events and activities;
- Assist public institution(s) in implementing decisions and commitments;
- Draft activity reports, ensuring reporting obligations, quality of reports, uploading the reports in the online system within 7 days after the activity takes place, reviewing reports upon feedback from the Secretariat within 7 days;
- Identify needs for capacity development and technical assistance to stakeholders at local level, including local level training and coaching (CAG and LA), planning and organising training, workshops and roundtables, securing the participation of local partners/speakers and ensuring the quality and relevance of these activities, proposing improvements where necessary;
- Attend events at municipal level, such as preparatory meetings, conferences, workshops, trainings, meetings organised by local NGOs, international organisations or donor organisations;
- Research and collect information about municipal action plans/local development plans/initiatives, surveys and assessments, relevant developments in the field of social inclusion and work with vulnerable groups in the relevant municipality(ies) and other relevant developments, for the improvement, adjustment, development of ROMACTED strategy and work plans at municipal levels.

The above list is not considered exhaustive. The Council reserves the right to request deliverables not explicitly mentioned in the above list of expected services, but related to the field of expertise object of the present Framework Contract.

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 – whenever this is the case – are followed.

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 unit fees, by completing the table of fees, as attached in Section A of the Act of Engagement. These fees are final and not subject to review.

Tenders proposing fees above the exclusion level indicated in the Table of fees will be **entirely and automatically** excluded from the tender procedure.

The Council will indicate on each Order Form (see Section D below) the global fee corresponding to each deliverable, calculated on the basis of the daily fees, as agreed by this Contract.

Tenderers are informed that the daily fee they propose shall not be deemed to cover any travel, accommodation or subsistence expenses relevant for the execution of the contract. **No extra travel, accommodation or subsistence costs will be covered by the Council within the scope of the contract, unless explicitly agreed otherwise.**

D. HOW WILL THIS FRAMEWORK CONTRACT WORK? (ORDERING PROCEDURE)

Once this consultation and the subsequent selection are completed, you will be informed accordingly. Deliverables will then be carried out on the basis of Order Forms submitted by the Council to the selected Service Provider(s), by post or electronically, on **an as needed basis** (there is therefore no obligation to order on the part of the Council).

Each time an Order Form is sent, the selected Provider undertakes to take all the necessary measures to send it **signed** to the Council within 2 (two) working days after its reception.

Pooling

For each Order, the Council will choose from the pool of pre-selected tenderers 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.

If a Provider is unable to take an Order or if no reply is given on his behalf within that deadline, the Council may call on another Service 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 quote¹ (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 .

¹ It must strictly respect the fees indicated in Section A of the Act of Engagement as recorded by the Council of Europe. In case of non-compliance with the fees as indicated in the Act of Engagement, the Council of Europe reserves the right to terminate the Contract with the Service Provider, in all or in part.

Signature of orders

An Order Form is considered to be legally binding when the Order, signed by the Service 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. A 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 (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 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 F):

- Completed secondary education or demonstrated relevant experience in the fields related to the programme;
- Professional experience of at least two years at the national and/or international level in the fields mentioned in the relevant Lot(s);
- Excellent oral and written knowledge of Montenegrin (at least level C1 of the CEFR³) and a good knowledge of English (at least level A1 of the CEFR for lot 5 and B2-C1 for lots 1 to 4).

Only tenders submitted in English shall be deemed eligible.

Award criteria

- Criterion 1: Quality of the offer (70%), including:
 - Thematic knowledge and related expertise and experience in fields relevant to the appropriate Lot(s);
 - Capacity to meet the required deadlines;
 - Capacity to adapt to the context; under Lot no. 5, proven close ties with the Roma communities targeted by the project will be an asset;
 - Demonstrated understanding of the delivery of national and international technical assistance projects;
 - Demonstrated ability to work in a team, strong interpersonal and communication skills.
- Criterion 2: Financial offer (30%).

The Council reserves the right to hold interviews with eligible tenderers.

Multiple tendering is not authorised.

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 requirements listed above under "exclusion criteria" are met;
- A certificate issued by the competent authority of the country of incorporation indicating that the fourth requirement 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).

³ http://www.coe.int/t/dg4/linguistic/Source/Framework_EN.pdf

F. DOCUMENTS TO BE PROVIDED

- A completed and signed copy of the Act of Engagement;⁴
- A list of all owners and executive officers, for legal persons only;
- A detailed CV, not more than five pages long, demonstrating clearly that the tenderer fulfils the eligibility criteria;
- A motivation letter highlighting skills, experience and added value in the above-mentioned areas;
- Three contact details of referees.

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.

Submitted documents that were not requested in the tender will not be considered.

* * *

⁴ 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.

PART II – TENDER RULES

CALL FOR TENDERS

FOR THE PROVISION OF CONSULTANCY SERVICES ON THE INCLUSION OF ROMA AT LOCAL AND REGIONAL LEVEL IN MONTENEGRO (ROMACTEDII - THEMATIC CONSULTANTS AND FACILITATORS) 2020/AO/58

ARTICLE 1 – IDENTIFICATION OF THE CONTRACTING AUTHORITY

1.1 Name and address

COUNCIL OF EUROPE

Directorate General of Democracy (DGII)
Directorate of Anti-discrimination
Roma and Travellers Team

1.2 Background

The activities of the Organisation are governed by its Statute. These activities concern the promotion of human rights, democracy and the rule of law. The Organisation has its seat in Strasbourg and has set up external offices in about 20 member and non-member states (in Ankara, Baku, Belgrade, Brussels, Bucharest, Chisinau, Erevan, Geneva, Kyiv, Lisbon, Moscow, Paris, Podgorica, Pristina, Rabat, Sarajevo, Skopje, Tbilisi, Tirana, Tunis, Warsaw, Venice and Vienna).

Council of Europe procurements are 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.

The Organisation enjoys privileges and immunities provided for in the General Agreement on Privileges and Immunities of the Council of Europe, and its Protocols, and the Special Agreement relating to the Seat of the Council of Europe.⁵

Further details on the project are provided in the Terms of Reference.

ARTICLE 2 – VALIDITY OF THE TENDERS

Tenders are valid for 120 calendar days as from the closing date for their submission.

ARTICLE 3 – DURATION OF THE CONTRACT

The duration of the framework contract is set out in Article 2 of the Legal Conditions in the Act of Engagement.

ARTICLE 4 – CHANGE, ALTERATION AND MODIFICATION OF THE TENDER FILE

Any change in the format, or any alteration or modification of the original tender will cause the immediate rejection of the tender concerned.

ARTICLE 5 – CONTENT OF THE TENDER FILE

The tender file is composed of:

- Technical specifications/Terms of reference;
- Tender rules;

- An Act of Engagement, including the Legal Conditions of the contract.

ARTICLE 6 – LEGAL FORM OF TENDERERS

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 current Tender File, Act of Engagement and future Order Forms (see Section D above on ordering procedure).

ARTICLE 7 – SUPPLEMENTARY INFORMATION

General information can be found on the website of the Council of Europe: <http://www.coe.int>

Other questions regarding this specific tendering procedure shall be sent at the latest by **one week before the deadline for submissions of tenders**, in English, and shall be exclusively sent to the following address: romacted@coe.int.

This address is to be used for questions only; for modalities of tendering, please refer to the below Article.

ARTICLE 8 – MODALITIES OF THE TENDERING

Tenders must be sent to the Council of Europe **electronically**.

Electronic copies shall be sent only to cdm@coe.int with the subject **Call for Tenders MONTENEGRO ROMACTEDII 2020AO58**. Tenders submitted to another e-mail account will be excluded from the procedure.

ARTICLE 9 – DEADLINE FOR SUBMISSION OF TENDERS

The deadline for the submission of tenders is 12 January 2021.

ARTICLE 10 – ASSESSMENT OF TENDERS

Tenders shall be assessed in accordance with Rule 1395 of 20 June 2019 on the procurement procedures of the Council of Europe. Assessment shall be based upon the criteria as detailed in the Terms of Reference.

ARTICLE 11 – NEGOTIATIONS

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

* * *

⁵ Available on the website of the Council of Europe Treaty Office: www.conventions.coe.int

FINAL CHECK LIST

1) BEFORE SENDING YOUR TENDER, CHECK THAT IT INCLUDES:

- A completed and signed copy of the Act of Engagement;
- A list of all owners and executive officers, for legal persons only;
- A detailed CV, not more than five pages long, demonstrating clearly that the tenderer fulfils the eligibility criteria;
- A motivation letter highlighting skills, experience and added value in the above-mentioned areas;
- Three contact details of referees.

2) HOW TO SEND TENDERS?

Tenders must be sent to the Council of Europe **electronically**.

Electronic copies shall be sent only to cdm@coe.int with the subject **Call for Tenders MONTENEGRO ROMACTEDII 2020A058**.

The deadline for the submission of tenders is 12 January 2021.