

TENDER FILE / TERMS OF REFERENCE

(Competitive bidding procedure / Framework Contract)

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Purchase of national short-term consultancy services in the areas of prison management, rehabilitation of offenders, probation, provision of health care (including mental health care) in prisons and treatment of patients in psychiatric institutions (including forensic patients)

The Council of Europe is currently implementing the Project "Further strengthening the prison and probation systems, provision of health care and treatment of patients in closed institutions in the Republic of Moldova", part of the Council of Europe Action Plan for the Republic of Moldova for 2025-2028. In that context, it is looking for Provider(s) for the provision of national short-term consultancy services in the areas of prison management, rehabilitation of offenders, probation, provision of health care (including mental health care) in prisons and treatment of patients in psychiatric institutions (including forensic patients), to be requested by the Council on an as needed basis.

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 €6,000 for intellectual services) and €171,000 tax exclusive.**

This specific tender procedure aims at concluding a **framework contract** for the provision of deliverables described in the Act of Engagement (See attached). A tender is considered valid for 180 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.

The tenderer must be either a natural person, a legal person or consortium of natural and/or legal person.

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 – CBP FSPPSH_Moldova NTL.** 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 - CBP FSPPSH_Moldova NTL.**

Type of contract ▶	Framework contract
Duration ▶	Until 31 December 2028
Deadline for submission of tenders/offers ▶	02 May 2025 23h59 CET
Email for submission of tenders/offers ▶	PolicePrisons.Projects@coe.int
Email for questions ▶	PolicePrisons.Projects@coe.int
Expected starting date of execution ▶	19 May 2025

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

Background of the Project

The Project builds on the achievements of "Strengthening the prison and probation reforms, provision of health care and treatment of patients in closed institutions in the Republic of Moldova" Project (March 2021-December 2024) and Component II of the Programme "Promoting a human rights compliant criminal justice system in the Republic of Moldova" (March 2018 – February 2021), and addresses the prison management, the provision of health care to inmates (including mental health care); the capacity of the Probation to ensure alternatives to detention and the treatment of patients in psychiatric institutions (including forensic patients).

The Project aims at further enhancing:

- ❖ the Human rights-based approach to prison management to better address vulnerabilities in detention due to overcrowding and informal hierarchies, and to support the prisoners' rehabilitation;
- ❖ the quality and access to healthcare services (including mental health care) in prisons;
- ❖ the efficiency of probation interventions and programmes;
- ❖ the rehabilitation and treatment of civil and forensic patients in psychiatric institutions, thus ensuring the transition from the medicalised model towards a model centered on patients' individual needs.

The Project activities will involve prison, probation, psychiatric institutions staff and forensic medical experts in a comprehensive and systemic manner and will provide competence building and competence verification measures across these parts of the criminal justice system.

The Council of Europe is looking for a maximum of *45* Provider(s) (provided enough tenders meet the criteria indicated below) in order to support the implementation of the project with a particular expertise in prison management, rehabilitation of offenders, provision of health care (including mental health care) in prisons and treatment of patients in psychiatric institutions (including forensic patients), and probation.

This Contract is currently estimated to cover up *80 activities* to be held by *31 January 2028*. This estimate is for information only and shall not constitute any sort of contractual commitment on the part of the Council of Europe. The Contract may potentially represent a higher or lower number of activities, depending on the evolving needs of the Organisation.

For information purposes only, the total budget of the project amounts to 2,500,000 Euros and the total amount of the object of present tender **shall not exceed 171,000 Euros tax exclusive** 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.

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: prison management and administration	10
Lot 2: rehabilitation of prisoners and offenders	10
Lot 3: Provision of healthcare services (including mental health) in prisons and treatment of patients in psychiatric institutions (including forensic patients)	15
Lot 4: probation	10

Lot 1 concerns consultancy services in one or more of the following areas: prison management, prison regimes; dynamic security, conflict prevention, pro-social modelling, working with vulnerable groups of prisoners; prevention of inter-prisoner violence and subculture; managing juveniles; prison human resources management and development, initial and continuous training of the prison staff.

Lot 2 concerns consultancy services in one or more of the following areas: progressive regimes; integrated approach to offender management; risk and needs assessment /individualised treatment and sentence execution planning; resocialisation and treatment programmes for all prisoners, including juveniles and women, and prisoners with increased vulnerability.

Lot 3 concerns consultancy services in one or more of the following areas: organisation and governance of health-care (including mental health care) in prisons; medical examination and documentation; medical ethics in prisons; training and professional development of multidisciplinary teams in prison (medical and non-medical prison staff), including the development of manuals, guidelines and Curricula for delivering training on various aspects of health care in closed environments, including mental health care; suicide and self-harm prevention; assessing the needs for medical equipment and devices in prisons; developing technical specifications for the procurement of medical equipment and devices; risk and needs assessment and patients centred, individualised treatment plans, psychosocial rehabilitation programmes and protocols for patients in psychiatric institutions; safeguards during treatment for patients; continuity of medical and social care in the community; training of prison staff on working with civil and forensic patients.

Lot 4 concerns consultancy services in one or more of the following areas: institutional development of the probation service; quality standards for probation; development and promotion of alternative measures to imprisonment, initial and continuous training of probation counsellors; integrated approach to offender management; resocialisation, rehabilitation and reintegration programmes for probationers; pre-sentence reports.

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).

Scope of the Framework Contract

Throughout the duration of the Framework Contract, pre-selected Providers may be asked, **under each of the 4 Lots** to:

- *Prepare legal opinions, legal expertise, comments, recommendations, reports on legal acts, by-laws, institutional internal rules and regulations and policy documents (drafts and in force);*
- *Conduct needs assessment on specific activities (lato sensu – training needs, piloting models of prison management etc.) and documents (lato sensu – curricula, guidelines, laws etc.);*
- *Provide technical expertise for development/use of specific tools;*
- *Provide expertise and written contributions on pilot initiatives;*
- *Participate and provide written contributions to working group drafting sessions for development of specific documents and materials on given topics;*
- *Draft strategies, action plans, policy documents on specific topics;*
- *Draft standard operational procedures;*
- *Draft training curricula, training modules and training materials, manuals, guidebooks, operational guidelines, guidelines;*
- *Deliver trainings on specific topics and based on developed training materials;*
- *Deliver presentations to the conferences, round-tables, seminars, training sessions, workshops, consultation meetings and other relevant events with national stakeholders, including through moderating/facilitating discussions;*
- *Facilitate the development of desired deliverables as related to the above and as requested by the Council of Europe;*
- *Support international short term consultants with documents (legislation, rules, modules and any relevant document) and written advice on the Moldovan background on specific topics.*

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 for the lot concerned.

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.

If contracted by the Council of Europe, the deliverables shall be provided personally by the persons identified in the offer of the Provider whose CVs have been presented to the Council of Europe (See section E. below), in accordance with the terms as provided in the present Tender File and Act of Engagement.

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 fees, by completing and sending the table of fees, as attached in Section A to the Act of Engagement. These fees are final and not subject to review. The exclusion level indicates the maximum amount of the daily fee that can be accepted under the contract. 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 fee, as agreed by this Contract.]

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

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

Pooling

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

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. 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 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 quote² (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.

Signature of orders

² It must strictly respect the fees indicated in the Financial Offer attached to the original Provider's tender as recorded by the Council of Europe. In case of non-compliance with the fees as indicated in the original Provider's tender, the Council of Europe reserves the right to terminate the Contract with the Provider, in all or in part.

An Order Form is considered to be legally binding when the Order, signed by the 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. 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 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)³

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;
- are retired Council of Europe staff members or are staff members having benefitted from an early departure scheme;
- are currently employed by the Council of Europe or were employed by the Council of Europe on the date of the launch of the procurement procedure;
- have not fulfilled, in the previous three years, their contractual obligations in the performance of a contract concluded with the Council of Europe leading to a total or partial refusal of payment and/or termination of the contract by the Council of Europe;
- are subject to restrictive measures applied by the United Nations Security Council or the European Union. In the case of legal persons, the restrictive measures imposed on the tenderer's owner(s) or executives will also exclude the tenderer from participating in this tender procedure.

Eligibility criteria

Under LOT 1:

- University degree in the relevant field (law/political studies or human rights /social studies/prison studies/ management/ human resources);
- At least 5 (five) years of professional experience in at least one of the following areas: prison management, prison regimes; dynamic security, conflict prevention, pro-social modelling, working with vulnerable groups of prisoners; prevention of inter-prisoner violence and subculture; managing juveniles; prison human resources management and development, initial and continuous training of the prison staff;
- Have an excellent knowledge of Romanian (mother tongue level) and specific knowledge of English language at a professional proficiency level B2 evidenced by supporting documents provided in the application.

Under LOT 2:

- University degree in the relevant field (psychology/ general medicine/psychiatry/prison studies/law/social sciences/political science or human rights);
- At least 5 (five) years of professional experience in at least one of the following areas: progressive regimes; integrated approach to offender management; risk and needs assessment /individualised

³ 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 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).

- treatment and sentence execution planning; resocialisation and treatment programmes for all prisoners, including juveniles and women, and prisoners with increased vulnerability.
- Have an excellent knowledge of Romanian (mother tongue level) and specific knowledge of English language at a professional proficiency level B2 evidenced by supporting documents provided in the application.

Under LOT 3:

- University degree in the relevant field (medicine/psychiatry/psychology/law/social studies and human rights/management of health care / bioengineering);
- At least 5 (five) years of professional experience in at least one or more of the following areas: organisation and governance of health-care (including mental health care) in prisons; medical examination and documentation; medical ethics in prisons; training and professional development of multidisciplinary teams in prison (medical and non-medical prison staff), including the development of manuals, guidelines and Curricula for delivering training on various aspects of health care in closed environments, including mental health care; suicide and self-harm prevention; assessing the needs for medical equipment and devices in prisons; developing technical specifications for the procurement of medical equipment and devices; risk and needs assessment and patients centred, individualised treatment plans, psychosocial rehabilitation programmes and protocols for patients in psychiatric institutions; safeguards during treatment for patients; continuity of medical and social care in the community; training of prison staff on working with civil and forensic patients.
- Have an excellent knowledge of Romanian (mother tongue level) and specific knowledge of English language at a professional proficiency level B2 evidenced by supporting documents provided in the application.

Under LOT 4:

- University degree in the relevant field (law/social sciences/psychology/political science or human rights/management /human resources);
- At least 5 (five) years of professional experience in at least one or more of the following areas: institutional development of the probation service; quality standards for probation; development and promotion of alternative measures to imprisonment, initial and continuous training of probation counsellors; integrated approach to offender management; resocialisation, rehabilitation and reintegration programmes for probationers; pre-sentence reports.
- Have an excellent knowledge of Romanian (mother tongue level) and specific knowledge of English language at a professional proficiency level B2 evidenced by supporting documents provided in the application.

Award criteria

- Quality of the offer (90 points), including:
 - Criterion 1: Knowledge of the national and regional context in the areas covered by this call (50 points);
 - Criterion 2: Relevant thematic expertise and knowledge of Council of Europe standards and recommendations in areas covered by this call (30 points);
 - Criterion 3: Previous similar assignments with international organisations (10 points);
- Financial offer (10 points).

The Council reserves the right to hold interviews with tenderers.

Multiple tendering is not authorised.

F. NEGOTIATIONS

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

G. DOCUMENTS TO BE PROVIDED⁴

⁴ **The Act of Engagement must be completed, signed and scanned in its entirety (i.e. including all the pages) in .pdf format. The entire application file should not exceed 5 MB.**

- **A completed, signed and scanned copy of the Act of Engagement** (See attached); For natural persons only: a detailed CV, preferably in Europass format, demonstrating clearly that the tenderer fulfils the eligibility criteria. For legal persons only: a detailed CV, preferably in Europass Format, of each natural person allocated to the execution of the contract demonstrating clearly that they fulfil the eligibility criteria. For consortia only: a detailed CV, preferably in Europass Format, of all consortium members clearly demonstrating that they satisfy the eligibility criteria.
- A Motivation letter demonstrating tenderer's understanding of the Council of Europe needs and describing how the tender meets the requirements described under the scope of the contract above (1 page maximum).
- Two samples of previous work/ deliverables / publications, legal assessments/analyses, reports, studies, etc. relevant to the experience the tender claims (both English and Romanian are accepted), (for natural persons) **produced by the tenderer individually**, not as part of a team or consortium; **Links are not accepted.** In case of a bid submitted by a legal person, two samples attributable to each natural person allocated to the execution of the contract. In the case of a bid submitted by a consortium, two samples for each consortium member.
- 3 (three) relevant referees contact details (name, surname, job title, organisation, phone number and e-mail).
- A list of all owners and executive officers, 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.

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