

TENDER FILE / TERMS OF REFERENCE (Competitive bidding procedure / Framework Contract)

Purchase of consultancy services for the Intercultural Cities Programme (ICC): systemic design



Contract N° DAD-ADD/ICC(2021)01

The Council of Europe is implementing the Intercultural Cities Programme (ICC) since 2008. This is a capacity-building programme that supports public authorities across Europe and beyond in implementing the participative design, execution and evaluation of diversity and inclusion strategies. These strategies mobilise political leaders, policy officials, professionals, businesses and civil society towards a model of integration called Intercultural integration.

Intercultural integration is a policy framework for achieving cohesion, equality and prosperous development in culturally diverse societies. Its underlying principles are equality of rights and opportunities, diversity advantage, and positive interaction, framed by respect and dignity for all as individuals entitled to rights, freedom and responsibilities, and the understanding that building inclusive societies requires openness to change. Intercultural integration policies seek to reinforce intercultural interaction as a means of building trust and strengthening the fabric of the community.

The public authorities participating in the programme (mainly cities) receive support in re-designing their policies and re-shaping their governance structures and processes to reflect the pluralistic identity of the society and turn diversity from a stumbling block into a steppingstone.

In that context, it is looking for Provider(s) with expertise in the areas of inclusive integration and diversity management for the provision of consultancy services in systemic design, to be requested by the Council of Europe on an as needed basis.

Based on needs, this Contract might be used also by other Units or Divisions within the Anti-discrimination Department.

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 €5,000 for intellectual services) and €150,000 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 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.

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: ICC call for tenders: systemic design.** 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: Question for ICC call for tenders: 2021 systemic design.**

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](#).

Type of contract ▶	Framework contract
Duration ▶	Until 15 March 2023
Deadline for submission of tenders/offers ▶	01 March 2021
Email for submission of tenders/offers ▶	intercultural.cities@coe.int
Email for questions ▶	intercultural.cities@coe.int
Expected starting date of execution ▶	15 March 2021

B. EXPECTED DELIVERABLES

Background of the Project

The Intercultural Cities (ICC) is a capacity-building and policy development programme developed by the Council of Europe to support local authorities to design inclusive integration policies and strategies based on the application of a diversity management model called Intercultural Integration.

Systemic design integrates systems thinking and human-centred design. It intends to develop methodologies and approaches that help to integrate systems thinking with design towards sustainability at environmental, social and economic level. It is a pluralistic initiative where many different approaches are encouraged to thrive and where dialogue and organic development of new practices is central.

The Council of Europe is looking for a maximum number of 5 Provider(s) (provided enough tenders meet the criteria indicated below) in order to support the implementation of the programme with a particular expertise on the area of systemic design.

This Contract is currently estimated to cover up to 12 activities to be held by 15 March 2026. 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 144.000 (One hundred and forty four thousand) Euros and the total amount of the object of present tender **shall not exceed 150,000 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.

Scope of the Framework Contract

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

- Prepare and conduct interviews and surveys of the target groups identified by the Council of Europe to assess their needs, available resources, policies and actions, and provide an analysis of the state of play with regards to the objectives to be met via the systemic design approach;
- Prepare tailor-made systemic design workshops or other activities using the systemic design approach on topics identified by the Council of Europe.
- Prepare the documentation for these events and activities, including events' programmes and relevant working materials (tailored-made to the target group's needs)
- Deliver written reports on the workshop's conclusions in a comprehensive, easy-to-understand, and visually appealing way. The reports should include a summary of the state of play prior to the workshop; the challenges at stake; the solutions found to address them; a roadmap for implementation and recommended follow-up actions.

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.
- The ability of the Provider to carry out the above-mentioned workshops and activities in languages other than English will be an advantage (indicative languages possibly useful: Italian, Spanish, Portuguese, Greek, Ukrainian, Polish).

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).]. The workshops or other activities carried out by the Provider may take place with interpretation between English and one or more languages.

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. 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 unit fees, 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 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);

² It must strictly respect the fees indicated in the Act of Engagement. In case of non-compliance with these fees, the Council of Europe reserves the right to terminate the Contract with the Provider, in all or in part.

- 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

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;
- 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.

Eligibility criteria

- Minimum 2 years' experience conducting similar tasks to those listed above;
- Excellent command of the English language, both written and spoken (C2 level of the Common European Framework of Reference for Languages);

Award criteria

- Quality of the offer (90%), including:
 - Previous experience in systemic design, identifying gaps in systems, orienting towards systemic thinking and solutions, and providing analytical reporting (40%);
 - Proposed methods of undertaking the work (20%);
 - Sound and proven professional experience in the field of urban policy research, design and/or development, and in providing policy advice to public authorities. Specific expertise in inclusive integration and equality will be an asset (30%);
 - Proven knowledge of Council of Europe standards and other relevant international standards in the field of inclusive integration, equality and human rights will be an asset (10%).
- Financial offer (10%).

The Council reserves the right to hold interviews with eligible 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.

³ The Council of Europe reserves the right to ask tenderers, at a later stage, to supply 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, and a certificate issued by the competent authority of the country of incorporation indicating that the fourth criterion is met.

G. DOCUMENTS TO BE PROVIDED

- A completed and signed copy of the **Act of Engagement**⁴ (See attached);
- A detailed CV of staff that would undertake the work;
- 3 (three) referees' contact details;
- Client portfolio;
- Examples of previous work carried out in the fields similar to this call for tender;
- Registration documents, for legal persons only;
- An overview of a previous project successfully delivered in the field of this call for tender.

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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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.