

TENDER FILE / TERMS OF REFERENCE

(Competitive bidding procedure / Framework Contract)

Purchase of national consultancy services in the area of gender equality and gender mainstreaming

Contract N° 9160-2024-01



The Council of Europe is implementing a Project on "Promoting Gender Equality in Ukraine (Pro-GE)" through 31/08/2025. In that context, it is looking for Providers for the provision of national consultancy (intellectual) services in the area of gender equality and gender mainstreaming, to be requested by the Council on an as needed basis.

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 €55,000 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 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 – Pro-GE Project – National consultancy in the area of gender equality and gender mainstreaming.** 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 – Pro-GE project – National consultancy in the area of gender equality and gender mainstreaming.**

Type of contract ►	Framework contract
Duration ►	Until 31 August 2025
Deadline for submission of tenders/offers ►	06 March 2024 23h59 CET
Email for submission of tenders/offers ►	ProGE.Ukraine@coe.int
Email for questions ►	ProGE.Ukraine@coe.int
Expected starting date of execution ►	15 March 2024

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](#).

A. EXPECTED DELIVERABLES

Background of the Project

The Council of Europe is implementing the Project "Promoting Gender Equality in Ukraine" from 1 September 2023 to 31 August 2025. The project contributes to the partnership between the Council of Europe and Ukraine to promote gender equality and equal rights for women and men, girls and boys, including during conflict and/or the post-war period. It provides technical assistance to deepen gender equality in policy development, decision-making, and service provision at national and regional levels, ensuring the gender is mainstreamed in Ukraine's work to address the long-term impact of conflict and violence. Through the Pro-GE project, the Council of Europe works to strengthen the capacities of Ukrainian officials and support civil society to promote gender equality, enhance understanding regarding European and international standards on gender equality, and support women's rights civil society organisations to promote gender equality and raise awareness of gender equality standards. The Project will draw upon an extensive network of consultants with knowledge of international and European standards and different European systems ("international consultants") and consultants with local expertise/knowledge of the domestic system in which the activities are implemented ("national consultants") to carry out its work.

The Council of Europe is looking for a maximum of 15 Providers (provided enough tenders meet the criteria indicated below) in order to support the implementation of the project with a particular expertise on awareness raising and legislation regarding gender equality, in accordance with the Lots below.

This Contract is currently estimated to cover up to 30 activities, to be held by 31/08/2025. 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 450,000 Euros and the total amount of the object of present tender **shall not exceed 30,000 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: Legal experts with the focus on gender equality	Up to 3
Lot 2: Experts specialising in issues related to gender mainstreaming	Up to 3
Lot 3: Experts in awareness raising – raising awareness of MPs, civil servants, local self-governance bodies, NGOs, media and the Ukrainian public concerning gender equality	Up to 3
Lot 4: Experts in gender-sensitive proofreading of texts translated into Ukrainian concerning both gender equality and gender mainstreaming	Up to 3
Lot 5: Experts in gender-sensitive proofreading of the texts in English concerning both gender equality and gender mainstreaming	Up to 3

Lot 1 concerns the provision of legal expertise and consultancy regarding development of publications/guidance on promoting gender equality and conducting respective potential training/roundtable.

Lot 2 concerns the provision of intellectual consultancy related to – as well as the development of publications/practical tools and conducting respective training.

Lot 3 concerns the provision of intellectual services in the area of raising awareness of MPs, civil servants, local self-governance bodies, NGOs, media, and the Ukrainian public concerning both gender equality and gender mainstreaming.

Lot 4 concerns the provision of services in gender-sensitive proofreading of texts translated into Ukrainian and concerning gender equality.

Lot 5 concerns the provision of services in gender-sensitive proofreading of texts in English and concerning gender equality.

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 to:

Under Lot 1: Legal experts with a focus on gender equality

- Work with the project team to develop and present legal publications/guidelines in relation to gender equality, gender mainstreaming and human rights;
- Conduct analyses of legal acts/policies;
- Provide legal expertise regarding gender equality standards to the project team and partners to support project activities;
- Draft analytical and evaluation expert reports and assessments, collect data and provide recommendations; Develop awareness raising materials about gender equality standards for MPs, civil servants, self-governance bodies, NGOs, media, and the Ukrainian public;
- Participate in and contribute to conferences, round tables, workshops, and other project events focused on the promotion of gender equality, including moderating and facilitating discussions, and preparing and delivering presentations.

Under Lot 2: Experts/trainers specialising in issues related to gender equality and gender mainstreaming

- Work with the project team to develop and present publications/guidelines on practical implementation of Gender Equality/gender mainstreaming tools; experts on gender in emergency/recovery or gender and artificial intelligence, or work with local and regional authorities are particularly welcomed;
- Design and deliver on-line training based on the publications and guidelines created, as well as training related preparation and assessment;
- Draft analytical and evaluation expert reports and assessments, collect data and provide recommendations;
- Represent the project and participate in events related to gender mainstreaming;
- Participate in and contribute to conferences, round tables, workshops, and other project events focused on the promotion of gender equality, including through moderating and facilitating discussions, and preparing and delivering presentations.

Under Lot 3: Experts in awareness raising – raising awareness of MPs, civil servants, local self-governance bodies, NGOs, media, and the Ukrainian public concerning both gender equality and gender mainstreaming.

- Work with the project team to develop targeted awareness raising communication strategies for representatives of government organisations/agencies responsible for promoting gender equality on a regional and local level, and the general public on a regional level in the project's target regions;
- Contribute to the design and development of visibility and informational materials for advocacy campaigns on promoting gender equality in Ukraine (concepts, slogans/messages, videos, posters, leaflets, etc.);
- Develop awareness raising materials about gender equality for MPs, civil servants, self-governance bodies, NGOs, media, and the Ukrainian public. Prepare news items/success stories/articles/press announcements/ press releases/other written materials on project activities for publishing and posting on the websites/social media platforms/in printed media, etc. (after validation from the project team)
- Participate and contribute to conferences, round tables, workshops, and other project events focused on the promotion of gender equality, including through moderating and facilitating discussions, and preparing and delivering presentations.

Under Lot 4: Experts in gender-sensitive proofreading of texts translated into Ukrainian concerning both gender equality and gender mainstreaming (experience in working on legal texts is an advantage).

- Provide professional level proofreading of project texts in Ukrainian;
- Ensure that proofread texts are gender-sensitive and that the correct, up to date, easy to understand language is used around the topic of gender;
- Considering the audience of the texts, provide the project team with suggestions of improvements to the structure and layout.

Under Lot 5: Experts in gender-sensitive proofreading of the texts in English concerning both gender equality and gender mainstreaming (native language level in EN).

- Provide professional level proofreading of project texts in English;
- Ensure that proofread texts are gender-sensitive and that the correct, up to date, easy to understand language is used around the topic of gender;
- Considering the audience of the texts, provide the project team with suggestions of improvements to the structure and layout.

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.

The consultant can be asked to participate in regular on-line or in-person meetings/conferences/webinars (via Teams or Zoom video conferencing platforms) to provide the expected deliverables.

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).

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

C. 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.]

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.

D. 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

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;

Eligibility criteria

- Tenderer should be a natural person or registered as legal person authorised to provide the relevant services in accordance with Ukrainian legislation
- A bachelor's degree related to the lot; i.e. in law, political sciences, social sciences, international relations, communications, public administration or related fields (in case of legal entities it relates to all experts to be engaged in the ordered activities and should be therefore mentioned in their CVs);
- At least 3 years of professional experience in areas related to the fields of expertise as described for each lot under the scope of the contract above (in case of legal entities it relates to all experts to be engaged in the ordered activities and should be therefore mentioned in their CVs);
- For lots 1,2,3 - experience in developing training curricula, delivering trainings, courses, materials, methodologies as well as conducting research in the thematic area related to the scope of the project (in case of legal entities it relates to all experts to be engaged in the ordered activities and should be therefore mentioned in their CVs).
- For lot 4 - experience in working on legal texts;
- For lots 1, 2, 3, 4 - excellent knowledge of the Ukrainian language (native language level);

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.

- For lots 1, 2, 3, 4 - very good written and oral command of English (at least level C1 of the Common European Framework of Reference for Languages.). For lot 5 – level C2;

Award criteria

- Quality of the offer (**80%**), including:
 - Thematic knowledge and related expertise in the sphere of gender equality: primarily the in-depth knowledge of policy, legal framework and standards in the areas of expertise (40%);
 - Relevance of the experience and competences of the tenderer in the areas covered by this call, including previous similar assignments at the local level and with international organisations and international projects (40%);
- Financial offer (**20%**)

The Council reserves the right to hold interviews with 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

For natural persons:

- **A completed and signed copy of the Act of Engagement³ (See attached);**
- A detailed CV, preferably in Europass Format, demonstrating clearly that the tenderer fulfils the eligibility and award criteria (4 pages maximum).
- A Motivation letter describing how the tenderer meets the requirements related to the fields of expertise as described under the scope of the contract above (1 page maximum).
- Portfolio of the Tenderer, including short information on the projects accomplished in at least the most recent 3 years and at least two examples of the previous work/deliverables reference/links to publications, legal reviews/analyses, reports, studies, etc. relevant to the experience the tenderer claims and produced by the natural persons allocated to the execution of the contract, of which at least one is in English to the Lot(s) the Tenderer applies for, (at least 3-5 on different types of work: the WEB LINKS to the related documents, websites or online resources. PLEASE DO NOT PROVIDE YOUR WORK EXAMPLES AS SEPARATE FILES), in particular:
 - For Lot 1 – Examples of publications worked on, reports or evaluations of workshops or roundtables, portfolio of photographs from events / sessions.
 - For Lot 2 – Examples of publications worked on, reports or evaluations of trainings delivered, portfolio of photographs from events / sessions.
 - For Lot 3 – examples of visibility activities and campaign outputs, reports or evaluations of trainings, portfolio of photographs from events / sessions.
 - For Lot 4 – Examples of gender related publications to which you contributed.
 - For Lot 5 – Examples of gender related publications to which you contributed.
- Contact information of 2 referees (full name, company/organisation, position, e-mail address and phone).

For legal persons:

- **A completed and signed copy of the Act of Engagement⁴ (See attached);**
- Registration documents;
- Description of the proposed team (CVs of professional team members/consultants expected to work on the potential project within the Lot(s) applied);
- Portfolio of the Tenderer, including short information on the projects accomplished for at least the last 3 years and at least two examples of the previous work/deliverables reference/links to publications,

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.

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reports, studies, etc. relevant to the experience the tenderer claims and produced by the natural persons allocated to the execution of the contract, of which at least one is in English to the Lot(s) the Tenderer applies for, (at least 3-5 links on different types of work: the WEB LINKS to the related documents, websites or online resources. PLEASE DO NOT PROVIDE YOUR WORK EXAMPLES AS SEPARATE FILES), in particular:

- For Lot 1 – Examples of publications worked on, reports or evaluations of workshops or roundtables, portfolio of photographs from events / sessions.
- For Lot 2 – Examples of publications worked on, reports or evaluations of trainings delivered, portfolio of photographs from events / sessions.
- For Lot 3 – examples of visibility activities and campaign outputs, reports or evaluations of trainings, portfolio of photographs from events / sessions.
- For Lot 4 – Examples of gender related publications worked on.
- For Lot 5 – Examples of gender related publications worked on.
- Contact information of 2 referees (full name, company/organisation, position, e-mail address and phone).

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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