

TENDER FILE / TERMS OF REFERENCE (Competitive bidding procedure / One-off contract)

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Purchase of the consultant services for the provision of conducting ToT on Good Governance aligned with the CoE LAP Module 1 – Good Local Governance. [Contract N° 4708/2021/59]

The Council of Europe is currently implementing a joint EU/CoE programme "Human Resources Management in local self-government" - phase 2 (2018 -2021), which is based on the achievements and challenges of the Programme "Human Resources Management in local self-government" phase 1 (2016-2017) implemented by the Council of Europe in cooperation with the programme partners Ministry of Public Administration and Local Self-government and Standing Conference of Towns and Municipalities. The programme "Human Resources Management in local self-government" - phase 2 (the Programme) is also built on the implementation of the Strategy of Public Administration Reform in the Republic of Serbia Action Plan and in accordance with the European Charter of Local Self-Government's principles, which provides a solid basis for setting-up strong and stable local authorities in the country. The Programme addresses the most relevant issues of human resources management (HRM) and human resource development (HRD) at local self-government level in the Republic of Serbia, which are prescribed in the Law on employees in autonomous provinces and local self- government units, the Law on salaries in autonomous provinces and local self-government units and the Law on National Academy for Public Administration.

The Program is financed by the European Union (EU) and the Council of Europe (CoE) and is implemented by the Council of Europe in cooperation with the following project partners: Ministry of Public Administration and Local Self-Government and Standing Conference of Towns and Municipalities, who are implementing activities in line with their scope of work. The program started on 19 December 2018 and it will be completed on 19 December 2021.

In that context, it is looking for two providers/trainers with international expertise, to provide services on conducting training of trainers (ToT) on Good Governance aligned with the CoE LAP Module 1 – Good Local Governance (See Section A of the Act of Engagement).

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 €55,000 tax exclusive.**

This specific tender procedure aims at concluding a **one-off 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, 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: ToT on CoE Good Local Governance.** 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 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 - ToT on CoE Good Local Governance.**

Type of contract ▶	One-off contract
Duration ▶	Until complete execution of the obligations of the parties (See Article 2 of the Legal conditions as reproduced in the Act of Engagement)

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.](#)

Deadline for submission of tenders/offers ▶	30 August 2021
Email for submission of tenders/offers ▶	Lsg.serbia@coe.int
Email for questions ▶	Lsg.serbia@coe.int
Expected starting date of execution ▶	6 September 2021

B. EXPECTED DELIVERABLES

The expected deliverables are described in **Section A of the Act of Engagement** (See attached).

C. FEES

All tenderers are invited to fill in the **table of fees** as reproduced in **Section A of the Act of Engagement**.

Tenderers **subject to VAT** shall also send **a quote (Pro Forma invoice)** on their letterhead including:

- the Service Provider's name and address;
- its VAT number;
- the full list of services;
- the fee per type of deliverables (in the currency indicated on the Act of Engagement, tax exclusive);
- the total amount per type of deliverables (in the currency indicated on the Act of Engagement, tax exclusive);
- the total amount (in the currency indicated on the Act of Engagement), tax exclusive, the applicable VAT rate, the amount of VAT and the amount VAT inclusive.

D. ASSESSMENT

Exclusion criteria and absence of conflict of interests

(by signing the Act of Engagement,² you declare on your honour not being in any of the below situations)

Tenderers shall be excluded from participating in the tender procedure if they:

- have been sentenced by final judgment on one or more of the following charges: participation in a criminal organisation, corruption, fraud, money laundering, terrorist financing, terrorist offences or offences linked to terrorist activities, child labour or trafficking in human beings;
- are in a situation of bankruptcy, liquidation, termination of activity, insolvency or arrangement with creditors or any like situation arising from a procedure of the same kind, or are subject to a procedure of the same kind;
- have received a judgment with res judicata force, finding an offence that affects their professional integrity or serious professional misconduct;
- do not comply with their obligations as regards payment of social security contributions, taxes and dues, according to the statutory provisions of their country of incorporation, establishment or residence;
- are an entity created to circumvent tax, social or other legal obligations (empty shell company), have ever created or are in the process of creation of such an entity;
- have been involved in mismanagement of the Council of Europe funds or public funds;
- are or appear to be in a situation of conflict of interest;
- 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).
- are public servants employed at central, local or provincial level in the Republic of Serbia;

Eligibility criteria

- General understanding of the Council of Europe Good governance principles;
- Proven working experience in conducting trainings including ToT on the topic related to the public administration at the local, good governance and leadership in the Council of Europe member states;
- Proven working experience in providing mentorship to trainers and appraisal of trainers' performance;

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 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).

- Excellent writing and oral skills in English.

Award criteria

Financial offer (10%)

Quality of the offer (90%), including:

- Thorough knowledge of the Council of Europe Leadership Academy Programme, preferably related to the Module 1 – Good Local Governance;
- Conduction of the Council of Europe trainings programmes on at least 3 occasions;
- Knowledge of the national legislative framework of the Republic of Serbia related to the professional development system will be considered as an asset;
- Proficiency in Serbian will be considered as an asset.

E. NEGOTIATIONS

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

F. DOCUMENTS TO BE PROVIDED

Tenderers are invited to submit:

- **A completed and signed copy of the Act of Engagement³ (See attached)**
- For tenderers subject to VAT only: **a quote, describing their financial offer**, in line with the requirements of section C of the Tender File (see above);
- A list of all owners and executive officers, for legal persons only;
- CV clearly indicating the eligibility and award criteria listed above;
- Motivation letter explaining the fulfilment of eligibility and award criteria listed above.

All documents shall be submitted in English or Serbian, 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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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.