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COUNCIL OF EUROPE



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## CALL FOR TENDERS

**FOR THE PROVISION OF CONSULTANCY SERVICES ON THE INCLUSION OF ROMA AT LOCAL AND REGIONAL LEVEL IN “THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA” (ROMACTED - FACILITATORS AND EXPERTS)**

**2018AO50**

<b>Object of the procurement procedure ►</b>	Consultancy services on the inclusion of Roma at local and regional level in <b>“the former Yugoslav Republic of Macedonia”</b> (Facilitators and Experts)
<b>Project ►</b>	EU/CoE Joint Programme ROMACTED
<b>Organisation and buying entity ►</b>	Council of Europe Directorate General of Democracy Directorate of Anti-discrimination Roma and Travellers Team
<b>Type of contract ►</b>	<b>Framework Contract</b>
<b>Duration ►</b>	Until 30 April 2020 With possible extension until 30 April 2021
<b>Expected starting date ►</b>	24 September 2018
<b>Tender Notice Issuance date ►</b>	01 August 2018
<b>Deadline for tendering ►</b>	03 September 2018

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The TERMS OF REFERENCE describe what will be expected from the selected Providers.
- **The TENDER RULES** ..... 9  
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 Article 9 of 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 “THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA” (ROMACTED - FACILITATORS AND EXPERTS)**

**2018AO50**

#### **A. BACKGROUND**

The purpose of the Council of Europe/European Commission ROMACTED Programme on “Promoting good governance and Roma empowerment at local level” is to build up political will and understanding of Roma inclusion at local and regional level by building the capacity of local authorities to develop and implement plans and projects for Roma inclusion and aim to promote the integration of Roma at local level.

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

The aims of the programme are to:

- (1) 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;
- (2) empower the 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 their interests around community problem-solving);
- (3) improve and expand the institutions' commitment, capacities, knowledge and skills in working for Roma inclusion, putting into practice the concepts of good governance.

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 project. Overall, the project will target close to 60 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 6 (six) countries and Kosovo<sup>1</sup>: Albania, Bosnia and Herzegovina, Kosovo\*, Montenegro, Serbia, “the former Yugoslav Republic of Macedonia” and Turkey.

In each beneficiary, a support organisation (hereafter “Support Organisation”) will be responsible for the implementation of the ROMACTED programme, assisting the relevant Support Team consisting of a Focal Point (FP) and Facilitators (to be selected through this call for tenders) who, together with the support of Experts (to be selected through this call for tenders), will work as a team towards achieving the objectives of the ROMACTED

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<sup>1</sup> 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

methodology. 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 cooperation with, and under the monitoring of, the Project Officer based in the CoE Office and the Programme's Team based in Strasbourg.

The Support Team will be supported by a number of consultants ("Service Providers") providing expertise on various topics.

The present tendering procedure aims to select Service Providers to support the implementation of the project and is divided into four lots of consultancy services:

<b>Lot 1: Experts</b> - Consultancy services relating to Roma inclusion / social inclusion policies and practices of disadvantaged groups, intercultural communication and equality of chances	<b>10 providers</b>
<b>Lot 2: Experts</b> - 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-responsible budgeting	<b>10 providers</b>
<b>Lot 3: Experts</b> - 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 justice system, inclusive education, vocational education and employment and healthcare	<b>10 providers</b>
<b>Lot 4: Facilitators</b> - Consultancy services in one or more municipalities assigned by the Council of Europe relating to mobilisation and facilitation of the local Roma community, mediation, capacity-building of the Roma community, facilitation of the ROMACTED methodology and pedagogical tools	<b>10 providers</b>

The Council will select, through this procedure, a maximum of 10 (ten) Service Providers for each Lot provided enough offers meet the criteria indicated below.

Tenderers may tender for one or more lots, and are invited to indicate which lot(s) they are tendering for (see Section A of the Act of Engagement).

This Contract is currently estimated to cover activities to be held by 30 April 2020 with a possible extension to 30 April 2021.

For information purposes only, the total amount of the object of present tender should in principle not exceed EUR 50 000 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.

## B. EXPECTED SERVICES

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

#### **Lots 1, 2 and 3 – Experts:**

- Provide expertise to the ROMACTED management team, the Support Teams 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 4 – Facilitators:**

- 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 Joint 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 and represent the project at 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 them.

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.

## 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.

For each deliverable, and before ordering the given deliverable, the Council of Europe shall estimate the number of days required and determine the fee accordingly. However, such an estimation (of the number of days required) shall have no contractual value and shall not alter the nature of this contract which shall be deemed as deliverable-based. The fee to be paid by the Council for each deliverable will be indicated on the relevant order form(s).

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. Those expenses should be covered by the Support Organisation in **“the former Yugoslav Republic of Macedonia” during the implementation of the Programme. No extra travel, accommodation or subsistence costs will be covered by the Council within the scope of the contract.**

## 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.

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.

The Council reserves the right to order services from Services Providers in the pool established for another Lot in cases where no providers for the relevant Lot accept a particular order within the required timeframe.

The Provider, **if subject to VAT**, shall also send, together with each signed Form, a quote<sup>2</sup> (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;

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<sup>2</sup> 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.

- 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).

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. 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)

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.

*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 three years at the national and/or international level in the fields mentioned in the relevant Lot(s);
- Excellent oral and written knowledge of Macedonian (at least level C1 of the CEFR<sup>3</sup>) and a good knowledge of English (at least level A2 of the CEFR).

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;
  - 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%).

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<sup>3</sup> [http://www.coe.int/t/dg4/linguistic/Source/Framework\\_EN.pdf](http://www.coe.int/t/dg4/linguistic/Source/Framework_EN.pdf)

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

**Multiple tendering is not authorised.**

#### **F. DOCUMENTS TO BE PROVIDED**

- **Two** completed and signed copies of the Act of Engagement;<sup>4</sup>
- A detailed CV, not more than 5 pages long, demonstrating clearly that the tenderer fulfils the eligibility criteria;
- Motivation letter highlighting skills, experience and added value in the above-mentioned areas;
- 3 (three) referees' contact details.

**All documents shall be submitted in English. If any of the documents listed above are missing, the Council of Europe reserves the right to reject the tender. Submitted documents that were not requested in the tender will not be considered.**

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<sup>4</sup> 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.

# PART II – TENDER RULES

## CALL FOR TENDERS FOR THE PROVISION OF CONSULTANCY SERVICES ON ACTIVITIES ON ROMA INCLUSION AT LOCAL AND REGIONAL LEVEL IN “THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA” 2018AO50

### ARTICLE 1 – IDENTIFICATION OF THE CONTRACTING AUTHORITY

#### 1.1 Name and address

##### COUNCIL OF EUROPE

Directorate General of Democracy  
Directorate of Democratic Governance and 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 1333 of 29 June 2011 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.<sup>5</sup>

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

### ARTICLE 2 – PLACE OF PERFORMANCE AND FULFILMENT

Unless national legislations prescribe otherwise:

- Deliverables provided exclusively in writing will be considered as performed at the place where the consultant is established;
- Other deliverables will be considered as performed where the event takes place.

### ARTICLE 3 – VALIDITY OF THE TENDERS

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

### ARTICLE 4 – 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 5 – 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 6 – 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 7 – 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.

### ARTICLE 8 – 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](mailto:romacted@coe.int).

### ARTICLE 9 – MODALITIES OF THE TENDERING

Tenders must be sent to the Council of Europe, both:

- **Electronically** - only to the following address [cdm@coe.int](mailto:cdm@coe.int) with the wording “**2018AO50: “the former Yugoslav Republic of Macedonia”**” in the subject line. Tenders submitted to another e-mail account will be excluded from the procedure;

#### **AND**

- In the form of the **paper hardcopy** in A4 format (21x29.7 cm) by post, as specified below.

Tenders shall be submitted in a sealed envelope. The first sealed envelope shall be placed inside a second envelope addressed to the Tenders Board, showing the file reference number and object, as follows:

<p>COUNCIL OF EUROPE For the attention of the Tenders Board <b>CALL FOR PROVISION OF CONSULTANCY SERVICES ON ACTIVITIES ON ROMA INCLUSION AT LOCAL AND REGIONAL LEVEL IN “THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA” – 2018AO50</b> B.P. 7 F – 67075 STRASBOURG Cedex <b>FRANCE</b></p>
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Tenderers are requested to indicate their names and address on the outside envelope for identification purposes.

### ARTICLE 10 – DEADLINE FOR SUBMISSION OF TENDERS

The deadline for the submission of tenders is 03 September 2018 as evidenced by the postmark, or by the receipt of delivery provided by the dispatching company.

### ARTICLE 11 – ASSESSMENT OF TENDERS

Tenders shall be assessed in accordance with Rule 1333 of 29 June 2011 on the procurement procedures of the Council of Europe. Assessment shall be based upon the criteria as detailed in the Terms of Reference.

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<sup>5</sup> Available on the website of the Council of Europe Treaty Office:  
[www.conventions.coe.int](http://www.conventions.coe.int)

# FINAL CHECK LIST

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

- **Two** completed and signed copies of the Act of Engagement;
  - A detailed CV not more than 5 pages long, demonstrating clearly that the tenderer fulfils the eligibility criteria;
  - Motivation letter highlighting skills, experience and added value in the above-mentioned areas;
  - 3 (three) referees' contact details.
- 

## 2) HOW TO SEND TENDERS?

Tenders must be sent to the Council of Europe, both:

- **Electronically** - only to the following address [cdm@coe.int](mailto:cdm@coe.int) with the wording “**2018AO50: “the former Yugoslav Republic of Macedonia”**” in the subject line. Tenders submitted to another e-mail account will be excluded from the procedure;

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ACTIVITIES ON ROMA INCLUSION AT LOCAL AND REGIONAL  
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B.P. 7  
F – 67075 STRASBOURG Cedex  
**FRANCE**

Tenderers are requested to indicate their names and address on the outside envelope for identification purposes.

The deadline for the submission of tenders is 03 September 2018 as evidenced by the postmark, or by the receipt of delivery provided by the dispatching company.