

TERMS OF REFERENCE DIPLOMATIC AND EXECUTIVE TRAININGS FOR SOUTH AMERICA UNDER EU POLICY AND OUTREACH PARTNERSHIP

LIC-02/2017

CONTRACT SPECIFICATIONS

1. BACKGROUND INFORMATION

The Organization of Ibero-american States for Education, Science and Culture (hereafter OEI), is an international organization whose 22 members are the Spanish and Portuguese speaking countries of America and Europe.

OEI's purpose is to promote cooperation among Latin American countries in the field of education, science, technology and culture, in a context of comprehensive development, democracy and regional integration, being a bridge between America and Europe.

In the framework of the tender procedure EuropeAid/137414/DH/SER/MULTI, OEI signed with the European Union a service contract for the project "EU Policy and Outreach Partnership - Brazil and South America "in force from August the first 2016. Under the implementation of this contract, OEI proceeds to publish the current tender procedure for the subcontracting of the Component 2: The Diplomatic and Executive Trainings.

The EU Policy and Partnership Outreach programme consists of a series of Public Diplomacy activities to be implemented in Argentina, Brazil, Colombia, Peru, Chile and Uruguay to further develop EU's soft power by enhancing widespread understanding and visibility of the EU and its role on the world scene.

A set of activities will be designed in order to reach the objectives and to engage specific stakeholders and target groups over the medium to long term. The peculiarities and specificities of the different countries have to be taken into consideration when designing the activities, while keeping in mind the economy of scale of the initiative.

2. OBJECTIVE, PURPOSE & REQUESTED SERVICES

2.1 Overall Objective

The overall objective of the project of which this contract will be a part is as follows:

Support the implementation of EU Foreign Policy objectives by strengthening the EU's ability to engage with different audiences and stakeholders in third countries through Public Diplomacy.

The purposes of this contract are as follows:

a) To further develop EU's soft power by enhancing widespread understanding and visibility of the EU and its role on the world scene, through public diplomacy and outreach activities

on issues relevant to the bilateral relations with Argentina, Brazil, Colombia, Peru and possibly other countries in South America.

b) To support and strengthen the effectiveness of the EU's foreign policy and other initiatives through Public Diplomacy activities;

c) To raise awareness of the EU's foreign policy goals and to positively influence the perception of the EU as an active and effective player on a global level through Public Diplomacy activities.

2.2 Scope of the work

2.2.1 Contract description

The Contract Authority request the design and implementation of eight diplomatic trainings and eight executive trainings to be delivered during 2018 and 2019 in Argentina, Brazil, Colombia, Chile, Peru and Uruguay on European Union topics and issues in coordination with the local National Diplomatic Institutes.

2.2.2 Purpose

The purposes of this contract are as follows:

a) To further develop EU's soft power by enhancing widespread understanding and visibility of the EU and its role on the world scene, through public diplomacy and outreach activities on issues relevant to the bilateral relations with Argentina, Brazil, Colombia, Peru, Chile and Uruguay.

b) To support and strengthen the effectiveness of the EU's foreign policy and other initiatives through Public Diplomacy activities;

c) To raise awareness of the EU's foreign policy goals and to positively influence the perception of the EU as an active and effective player on a global level through Public Diplomacy activities.

2.2.3. Results to be achieved by the Contractor

a) Improve the knowledge, perception and image of the EU in the target countries;

b) Strengthen EU engagement on priority areas with opinion-makers, decision takers, leaders, and politicians of the target countries;

c) Strengthen EU soft power and influence in its bilateral relations with target countries;

d) Increase mutual understanding and learning between EU and target countries on EU policies in priorities areas.

2.3 Services to be provided

- The contractor will be responsible for designing the courses described in these terms of reference, hiring the experts and delivering the courses.

- The contractor must work in close cooperation with the Diplomatic Institutes in the six countries according to their specific requirements.

- The contractor designs tailored seminars for diplomats, public sector officials and politicians that will be organized according to the requirements of the Diplomatic Institutes and the target audiences in the six countries.

- The contractor must design and implement rigorous academic and training activities; providing a unique and challenging multi-cultural and multilingual learning environment; creating and promoting networks and associations; offering a forum and a public space for debate and analysis of European issues.
- The contractor suggest an innovative methodology provided by trainers, professors and speakers invited to give the training courses adopting an interactive approach, leaving enough time for the discussions and the exchange of opinions between the participants and the lecturers.
- The contractor designs the activities taking into account its institutional and academic nature and the history and the acquis of the EU diplomacy.
- Availability of the best professors and speakers, experts from European and international institutions and other professionals working in the different relevant sectors addressed in the program, guaranteeing the relevance of the topics and the space to share good practices.
- The contractor must report after the delivery of each product following the templates, platforms and/or instructions of the Team Leader of the project and the Contracting Authority.

Component 1: Diplomatic training

Where a 3/5 days course is offered to the National Diplomatic Institutes (ex. *Rio Branco Institute* for Brazil, *Academia Diplomática Augusto Ramírez Ocampo* for Colombia, *ISEN* for Argentina, *Academia Diplomática del Perú Javier Pérez de Cuéllar*, *Academia Diplomática de Chile Andrés Bello* and *IASE* for Uruguay).

The training programme will be developed specifically for the needs of the local diplomats and will focus on the EU (possible topics: European integration and the decision-making process, the EU legal order, internal market and economics, EU internal policies and EU external policies).

The courses should be delivered by top-quality professors specialized in EU affairs.

A total of 8 diplomatic trainings should be designed and delivered as is follows:

- 1 for Chile: first half 2018
- 1 for Uruguay: first half 2018
- 1 for each country: Brazil, Argentina, Colombia, Peru, Chile and Uruguay: first half 2019.

Component 2: *Executive training*

Where the EU offers 1/2 days training on specialized EU topics to Government officials at federal level, policymakers, decision-makers, journalists and the business community. The training will be provided through executive style training (concise, accessible and directly applicable) which is highly interactive.

The choice of the topic and the trainer will be of the utmost importance for the course to be attractive to the target group. This will allow for specific outreach and promotion of EU policies and good practices.

A total of 8 executive trainings should be designed and delivered as follows:

-1 for Chile: first half 2018

- 1 for Uruguay: first half 2018

- 1 for each country: Brazil, Argentina, Colombia, Peru, Chile and Uruguay: first half 2019.

2.4 Location

Argentina, Brazil, Colombia, Chile, Peru and Uruguay

2.5 Target Groups

Key stakeholders: policy makers, opinion-makers/ influencers, civil servants, diplomats, media and, where appropriate, universities.

3. CONTRACTING AUTHORITY

The Contracting Authority is the OEI, represented by its Secretary General.

4. MAXIMUM BUDGET

EUR 190.000 (all taxes included)

CONDITIONS OF PARTICIPATION

5. ELIGIBILITY

Participation is open to all legal persons participating individually who fulfill the selection criteria. Participation is also open to international organizations.

No more than one application can be submitted by a legal person.

In the event that a legal person submits more than one application, all applications in which that person has participated will be excluded.

6. SUBCONTRACTING

Subcontracting is not allowed.

7. TIMETABLE

7.1 Deadline for requesting clarifications from Contracting Authority

8th January 2018

7.2 Deadline for submitting tenders (and password 1 and 2)

15th January 2018 (18:00h Madrid (Spain) time)

7.3 Deadline for submitting password 3

18th January 2018

7.4 Notification of award

26th January 2018

7.5 Period for appeals

29th to 31th January 2018

7.6 Definitive notification of award (if apply)

9th February 2018

7.7 Contract signature

15th February 2018

7.8 Start date of the contract

21th February 2018

7.9 Period of implementation of tasks

The services will be extended as late as the contractor has fully and satisfactory completed all the services. Initially the period of implementation is 24 months, without prejudice to possible temporary extensions due to the delay of some of the expected products.

The OEI reserves the right to terminate the contract at any time in case of not being satisfied with the requested services.

8. APPLICATION

8.1 Deadline for receipt of applications

18:00h Madrid (Spain) time on 15 January 2018.

All the applications submitted after this deadline will be automatically excluded from the participation in the award procedure.

8.2 How applications may be submitted

The candidate will send **three separate e-mails** with digital files **1, 2 and 3**, in **PDF** format, and protected by a **restricted access code**. The codes for access (passwords) will be sent in separate e-mail.

All documentation must be sent to the following email address: concertacion@oei.es before the submission deadline.

The **passwords** to Access to these files will be send in the following dates:

- **Password for files nº 1 y 2:** the same day of the application (before the submission deadline).
- **Password for file nº 3:** it must be send on **January the 18th 2018**.

The following information shall appear in body of the message of the first 3 e-mails (those containing digital files 1, 2 and 3.No need for those about passwords):

- Name of the tender procedure and number of reference.
- Name of the candidate
- Number of registration or ID of the candidate.
- Full name of who is signing the application and on which quality, f.e. as the legal representative, etc.
- Contact person.
- Address, telephone number, and e-mail.
- In the subject of the e-mail: indication whether is the administrative, technical or economic proposal.

8.3 Additional information before the deadline for submitting tenders

Tenderers may submit questions in writing to the following e-mail address concertacion@oei.es until **8 January 2018**, specifying the publication reference and the contract title.

The Contracting Authority has no obligation to provide clarification after this date.

The Contracting Authority will provide additional information either answering requests or by its own initiative publishing the clarification on its website in the following link:

<http://www.oei.es/Contrataciones/Suministros>

Any tenderer seeking to arrange individual meetings with the Contracting Authority and/or the government of the partner country and/or the European Commission and/or the involved EU Delegations concerning this contract during the tender period may be excluded from the tender procedure.

SELECTION AND AWARD CRITERIA

9. CONTENT OF TENDERS

Offers, all correspondence and documents related to the tender exchanged by the tenderer and the Contracting Authority must be written in **English**.

Supporting documents furnished by the tenderer may be in another language, provided they are accompanied by a translation into the language of these Terms of reference.

For the purposes of interpreting the tender, the language of the procedure has precedence.

The tender must comprise of a Technical offer and a Financial offer, which must be submitted According to clause 8.

The tender when presenting a proposal on the current tender procedure is unconditionally accepting these terms of reference as been a binding part of the future contract.

9.1 Requirements

The following requirements criteria will be applied to candidates.

A. E-MAIL N° 1 - ADMINISTRATIVE AND JUSTIFICATIVE DOCUMENTATION -

This email must contain:

a) Legal Entity Dossier

The tender must provide justificative documentation about:

- Proof of its **legal status and its full capacity to act**, which can be accredited by: document of constitution, bylaws or founding act, etc. These documents must include its internal regulations and rules and the proof of its appropriate **registration** according to their national law after its legal status or nature.

- **Duly authorized signature**: an official document (statutes, power of attorney, notary statement, etc.) proving that the person who signs on behalf of the company/joint venture/consortium is duly authorized to do so.

b) Declaration of honor on exclusion criteria

As part of the application form, candidates must submit a signed declaration, included in the standard application form, to the effect that they are not in any of the exclusion situations listed in the Annex II.

At the moment the contract is awarded, the successful candidate will be requested of:

Documentary proof or statements required under the law of the country in which the company is established, to show that it is not in any of the exclusion situations listed in AnnexII.

This evidence, documents or statements must be dated, no more than 1 year before the date of submission of the tender. In addition, a statement must be furnished stating that the situations described in these documents have not changed since then.

If the nature of your entity is such that it cannot fall into the exclusion situations and/or cannot provide the documents indicated above (for instance, national public administrations and international organizations), please provide a declaration explaining this situation.

The Contracting Authority may waive the obligation of any candidate or tenderer to submit the documentary evidence referred to above if such evidence has already been submitted for the purposes of another procurement procedure, provided that the issue date of the documents does not exceed one year and that they are still valid. In this case, the candidate or tenderer must declare on his/her honor that the documentary evidence has already been provided in a previous procurement procedure and confirm that his/her situation has not changed.

The tenderer is free to submit the documentary proof (detailed in Annex II) of the Declaration of honor on exclusion criteria in envelope 1 at the moment of the presentation of its proposal to speed up the possible signature of contract.

c) Selection Criteria

1. Economic and financial capacity of candidate:

- 1) The annual turnover of the tenderer must exceed than the maximum annualized budget of the contract (the minimum annual turnover requested cannot be less than twice the estimated annual value of the contract, except in duly justified cases, explained and described in the submitted proposal).
- 2) The current ratio (current assets/current liabilities) in the last year for which accounts have been closed must be at least 1.

2. Professional capacity of candidate: the reference period which will be taken into account will be the last 3 years from submission deadline

- 3) Availability of a group of at least 10 professors, lecturers, speakers, consultants and/or experts working to date for the candidate in areas related to this contract.
- 4) At least 50% of the candidate's staff working in areas related to the contract is permanent.

3. Technical capacity of candidate: the reference period which will be taken into account will be the last 5 years from submission deadline

- 5) The candidate has provided in the past five years services under at least 3 contracts (the candidate's proportion being at least of EUR 170.000 for its services in each

project) in fields related to this contract (see **clause 2**) in the public sector which were implemented at any moment during the reference period: 15/01/2013-15/01/2018.

- 6) The candidate has and/or is working on at least one project in Latin America, with a budget of at least EUR 170.000, in fields related to this contract (see **clause 2**), of which at least 50% have been already implemented.
- 7) The candidate has and/or is working on at least 2 projects in the areas related to the contract implemented in at least 3 different countries in Latin America.
- 8) The candidate has the experience and the capacity to provide the training services required in English and Spanish. Portuguese will be evaluated as an asset.

The projects the candidate could refer to may have started or be completed at any time during the reference period but they do not necessarily have to have started and be completed during that period, nor do they have to be implemented during the entire period. Candidates/tenderers are allowed to refer either to projects completed within the reference period (although started earlier) or to projects not yet completed. In the first case the project will be considered in its whole if proper evidence of performance is provided (statement or certificate from the entity which awarded the contract, proof of final payment). In case of projects still on-going only the portion satisfactorily completed during the reference period although started earlier will be taken into consideration. This portion will have to be supported by documentary evidence (similarly to projects completed) also detailing its value. If a candidate/tenderer has implemented the project in a consortium, the percentage that the candidate/tenderer has successfully completed must be clear from the documentary evidence, together with a description of the nature of the services provided if the selection criteria relating to the pertinence of the experience have been used.

Documentary evidence of the financial and economic capacity (f.i. financial statements, audits, balance sheets or extracts from closed balance sheets, etc.) as well as the **professional capacity** (f.i. a **list** of professors, speakers with name and fields of specialization (3); a statement of the average annual manpower of the service provider in the last 3 years with the % permanent staff related to the nature of the present contract(4), etc.) **and technical** (f.i. submission of references: country, overall value, proportion carried out by the candidate, name of the client, origin of funding, dates and description of the action) is requested according for the selection criteria specified above.

The contracting authority reserves the right to request a **certificate of good implementation** of all the submitted references or some of them.

The tenderer is free to submit the certificates of good implementation as documentary proof in envelope 1 at the moment of the presentation of its proposal to speed up the possible the signature of contract.

Participants who do not meet all of the selection criteria established in the previous points will be automatically excluded from the award procedure.

B. E-MAIL Nº 2 – TECHNICAL OFFER -

The technical offer must include the following information:

1. Introduction and Rationale

- Any comments you have on the Terms of Reference for the successful execution of activities, in particular regarding the objectives and expected results, thus demonstrating the degree of understanding of the contract. Your opinion on the key issues related to the achievement of the contract objectives and expected results.
- An explanation of the risks and assumptions affecting the execution of the contract.

2. Strategy

- An outline of the approach suggested for contract implementation.
- A list of the proposed activities you consider necessary to achieve the contract objectives.
- Inputs and outputs.

3. Backstopping: team and experts

- Proof of having access to a pool of experts specialized in the different areas or priorities described in the clause 2.
- The same list provided to proof the professional capacity mentioned above would be enough to cover this technical requirement.

4. Timetable of work

- The timing, sequence and duration of the proposed tasks, taking into account travel time.
- The identification and timing of major milestones in executing the contract, including an indication of how the achievement of these would be reflected in any reports, particularly those stipulated in the Terms of Reference.

In no case economic data or information of this kind must appear (neither guidelines nor examples, etc.) in the technical offer as these will be grounds for exclusion of the proposal as a whole.

C. E-MAIL Nº 3 – FINANCIAL OFFER -

The Financial offer must be presented in **Euros** and following the template included in the Annex 1.

9.2 Award Criteria

Best price-quality ratio. See clauses 10, 11, 12.

9.3 Rectification period

The Evaluation Committee, once verified that the applications have been presented in a timely manner, will check that each candidate has submitted all the required documentation.

If the committee observes any defects or omissions in the submitted documentation, the candidate(s) in question will be notified in writing, granting a term of no more than **2 days** (from the sending of the e-mail of notification) for him/them to rectify or correct the document(s) under the notice of definitive exclusion of the tender procedure if, within the term granted, he/they do not proceed to the rectification of the documentation.

In this case, the candidates that are notified must send the requested documentation. Subsequently the Evaluation Committee will meet again to decide on the final acceptance of the tenderers in view of the corrections/rectifications received.

EVALUATION OF TENDERS

10. EVALUATION PROCESS

This procurement procedure follows OEI's own procedures and internal rules, according to it, an Evaluation Committee will be nominated.

The quality of each technical offer will be evaluated in accordance with the award criteria (Clause 12). The best value for money is established by weighing technical quality against price on an 80/20 basis.

No other award criteria will be used. The award criteria will be examined in accordance with the requirements indicated in these Terms of Reference.

- The scores awarded to the technical offers are multiplied by a coefficient of 0.80 and
- The scores awarded to financial offers are multiplied by a coefficient of 0.20.

11. OPENING AND EVALUATION OF FINANCIAL OFFERS

Upon completion of the technical evaluation, the e-mail 3 containing the financial offer for tenders that were not eliminated during the technical evaluation will be opened (i.e. those with an average score of 80 points or more).

Tenders exceeding the maximum budget available for the contract will be eliminated.

The Evaluation Committee will open all the financial offers on January the 19th 2018 at 10:00h (Madrid, Spain time) in OEI HQ.

Any arithmetical errors are corrected without penalty to the tenderer.

12. EVALUATION

The evaluation process will be divided into 3 stages:

EVALUATION AND TECHNICAL SCORE

The technical evaluation will be carried out by the Evaluation Committee (EC) based on the following evaluation grid:

EVALUATION GRID	MAXIMUM
INTRODUCTION & RATIONALE	20
STRATEGY	40
BACK-UP: TEAM AND EXPERTS	20
TIMETABLE OF WORK	20
TOTAL TECHNICAL OFFER	100

The technical evaluation will be carried out on the maximum basis of 100 points according to the evaluation grid.

Those candidates who obtain an average of less than 80 points will automatically be excluded from the process due to not obtaining the minimum technical compliance required.

The technical score will be found by the following formula:

Technical score = (average score of the technical offer being evaluated / average score of the best technical offer) x 100.

EVALUATION AND FINANCIAL SCORE

The EC proceeds to perform the economic evaluation using the following formula:

Financial Score = (lowest total fees / total fees) X 100.

OVERALL SCORE (Final Score)

In this stage the EC will proceed to weigh the scores resulting from applying the formula of the technical score and the formula of the financial score:

Technical score X 80% + Economic score X 20% = Final score

The candidate who obtains the highest score when applying this formula will be the winning candidate.

13. AWARD OF THE CONTRACT

The contract will be awarded within a maximum period of fifteen days from the opening of tenders. The estimated date for the notification of award is 26th January 2018 (clause 7.4).

The successful tenderer will be informed in writing that its tender has been accepted.

The other tenderers will, at the same time as the notification of award is submitted, be informed in writing that their tenders were not accepted, including an indication of the relative weaknesses of their tender by way of a comparative table of the scores for the winning tender and the unsuccessful tender.

14. APPEALS

Tenderers believing that they have been harmed by an error or irregularity during the award process may file a complaint in the following 3 working days after the notification.

The complaint will be sent to the Contracting Authority, who will endeavor to investigate the complaint and respond within 5 working days; if the tenderer is not satisfied with the answer received, he may refer to the OEI's Legal Department in the following 3 working days.

The complaint shall be substantiated and its sole subject shall not be to obtain a second evaluation for no reason other than the complainant disagrees with the final award decision.

15. SIGNATURE OF CONTRACT

Within 15 days from the day after the definitive award notification, the contract already signed by the Contracting Authority will be sent to the selected tenderer who shall sign and date the contract and return it to the Contracting Authority.

Failure of the selected tenderer to comply with this requirement may constitute grounds for annulling the decision to award the contract. In this event, the Contracting Authority may award the tender to another tenderer or cancel the tender procedure.

The contract will be private, being competent the civil jurisdiction of Spain.

16. PERIOD DURING WHICH TENDERS ARE BINDING

Tenderers are bound by their tenders for 90 days after the deadline for submitting tenders or until they have been notified of non-award. In exceptional cases, before the period of validity expires, the Contracting Authority may ask tenderers to extend the period for a specific number of days, which may not exceed 40.

The selected tenderer must maintain its tender for a further 60 days. This further period of 60 days is added to the validity period irrespective of the date of notification.

17. OWNERSHIP OF TENDERS

The Contracting Authority retains ownership of all tenders received under this tendering procedure. Consequently, tenderers do not have the right to have their tenders returned to them.

No costs incurred by the tenderer in preparing and submitting the tender are reimbursable. All such costs must be borne by the tenderer.

18. PAYMENT SCHEME

Payments will be made after the completion of each of the activities and after the presentation of the corresponding invoice.

The concrete details will depend on the organization and methodology proposed by the tenderer and the timetable of work approved by the Contracting Authority.

ANNEX I
FINANCIAL OFFER

FINANCIAL OFFER

Mr./Mrs.....
of legal age, national of..... and with I.D. number
 on behalf of the
 Company/Organization....., with
 headquartered at, and Tax Identification Number
for the purpose of participating in the tender:

**DIPLOMATIC AND EXECUTIVE TRAININGS FOR SOUTH AMERICA UNDER
EU POLICY AND OUTREACH PARTNERSHIP**

Call by the Organization of Ibero-American States, states the following:

Commits itself to perform the service to which he/she tenders, subject to the requirements and conditions demanded, for the price of:

Fee.....Euros
 VAT.....Euros
 Total.....Euros

(It is mandatory to display the fees and VAT separately. The submission without disaggregating both concepts is a cause of exclusion of the economic offer.

The undersigned declares to be bound by his/her financial offer for 60 days after the deadline for submitting tenders or until they have been notified of non-award.

(Place, date and signature of the tender)

Signature:

ANNEX II

DECLARATION OF HONOUR ON EXCLUSION CRITERIA

The undersigned [*full name of the person*], representing:

the following legal person: Full official name: Official legal form: Statutory registration number: Full official address: VAT registration number: ('the person')
--

SITUATION OF EXCLUSION CONCERNING THE PERSON

	YES	NO
1) declares that the above-mentioned person is in one of the following situations:		
a) it is bankrupt, subject to insolvency or winding up procedures, its assets are being administered by a liquidator or by a court, it is in an arrangement with creditors, its business activities are suspended or it is in any analogous situation arising from a similar procedure provided for under national legislation or regulations;	<input type="checkbox"/>	<input type="checkbox"/>
b) it has been established by a final judgement or a final administrative decision that the person is in breach of its obligations relating to the payment of taxes or social security contributions in accordance with the law of the country in which it is established, with those of the country in which the contracting authority is located or those of the country of the performance of the contract;	<input type="checkbox"/>	<input type="checkbox"/>
c) Having committed misrepresentation on making the declaration of honor or when providing any other information related to its capacity and solvency.	<input type="checkbox"/>	<input type="checkbox"/>

- DOCUMENTARY PROOFS AND EVIDENCES-

At the moment the contract is awarded, upon request and within the time limit set by the contracting authority, the person must provide the following evidence concerning the person itself and concerning the legal person which assume unlimited liability for the debt of the person:

For the situation described in point (a) or (b), production of recent certificates issued by the competent authorities of the State concerned are required.

These documents must provide evidence covering all taxes and social security contributions for which the person is liable, including for example, VAT, company tax (legal persons only) and social security contributions.

Where any document described above is not issued in the country concerned, it may be replaced by a sworn statement made before a judicial authority or notary or, failing that, a solemn statement made before an administrative authority or a qualified professional body in its country of establishment.

This evidence, documents or statements must be dated no more than 1 year before the date of submission of the tender and must be valid on that date.

The undersigned declares that the above-mentioned person is able to provide the necessary supporting documents listed in the relevant sections of the tender specification.

The above-mentioned person may be subject to rejection from this procedure if any of the declarations or information provided as a condition for participating in this procedure prove to be false.

Full name:

Date:

Signature: