



Tender specifications

Public services contract for providing

“Expert for Team Europe Democracy (TED) Network: Analysis of political and operational responses to shrinking civic space in partner countries: joint EU & Member States (MS) options to address challenges and increase impact”

BEL22001-10052

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1 Administrative and contractual provisions

1.1 Contracting authority

The contracting authority of this public procurement contract is Enabel, the Belgian development agency, public-law company with social purposes, with its registered office at Rue Haute 147, 1000 Brussels in Belgium (enterprise number 0264.814.354, RPM/RPR Brussels).

Enabel has the exclusive competence for the execution, in Belgium and abroad, of public service tasks of direct bilateral cooperation with the partner countries. Moreover, it may also perform other development cooperation tasks at the request of public interest organisations, and it can develop its own activities to contribute towards realisation of its objectives.

1.1.1 Contact person at Enabel during the procedure :

Name : BALDÉ MANÉ Cumba

Function : Public Procurement Officer

Address : 147, Rue Haute, 1000 Brussels (Belgium)

Tel. : +32 (0)473 85 21 34

e-mail : cumba.baldemane@enabel.be

1.1.2 Contact person at Enabel during the execution of the contract :

Name : SEBAHARA Pamphile

Function : Expert on Political and Civic Participation, Academic Networks and Civil Society – TED Secretariat (**Managing official for this public contract**)

Address : 147, Rue Haute, 1000 Brussels (Belgium)

Tel. : +32 472 03 55 50

e-mail : pamphile.sebahara@enabel.be

1.2 Rules governing the procurement contract

1. The Law of 17 June 2016 on public procurement contracts and subsequent amendments (art. 92; chapter 2 of Title 2 and Title 1 with the exception of art. 12 to 12/8 and art. 14);
 2. The Royal Decree of 18 April 2017 on the award of public contracts in the traditional sectors, and its subsequent amendments (art. 4§3; articles 6, 7 and 124);
 3. Royal Decree of 14 January 2013 establishing the general rules for the execution of public contracts, and subsequent amendments (art. 5 and art 6§5);
 4. Law of 17 June 2013 on grounds, information and remedies in relation to public contracts, certain works, supply and service contracts and concessions, and its subsequent amendments;
 5. Enabel's Sexual Exploitation and Abuse Policy - June 2019;
 6. The Enabel Policy on fraud and corruption - June 2019;
- All Belgian regulations on public contracts can be consulted on www.publicprocurement.be
- Enabel's Code of Conduct and the policies mentioned above can be consulted on Enabel's website via <https://www.enabel.be/content/integrity-desk>.

1.2.1 Derogations, clarifications and comments

The Royal Decree of January 14, 2013 establishing the general rules for the execution of public contracts (GRE) is made applicable in the context of the present contract in accordance with article 6§5 of the said GRE.

1.3 General remarks

Except when specified otherwise in the order or any related contractual document of the contracting authority, these conditions apply to public contracts for services awarded in the name and on behalf of Enabel (contracting authority).

1.4 Conformity of performance

The services must comply in all respects with the procurement documents. Even in the absence of specifications in the procurement documents, the services must comply in all aspects with good practice.

1.5 Processing of personal data by the contracting authority and confidentiality

1.5.1 Processing of personal data by the contracting authority

The contracting authority undertakes to process the personal data that are communicated to it in response to the Call for Tenders with the greatest care, in accordance with legislation on the protection of personal data (General Data Protection Regulation, GDPR). Where the Belgian law of 30 July 2018 on the protection of natural persons with regard to the processing of personal data contains stricter provisions, the contracting authority will act in accordance with said law.

PRIVACY NOTICE OF ENABEL: Enabel takes your privacy serious. We undertake to protect and process your personal data with due care, transparently and in strict compliance with privacy protection legislation.

See also: <https://www.enabel.be/content/privacy-notice-enabel> .

1.5.2 Confidentiality

The service provider and its employees are bound by a duty of reserve concerning the information which comes to their knowledge during performance of this public contract. This information may not under any circumstances be communicated to third parties without the written consent of the contracting authority. The contractor may, nevertheless, list this contract as a reference, provided that he indicates its status correctly (e.g. 'in performance') and that the contracting authority has not withdrawn this consent due to poor contract performance.

Any commercial, organisational and/or technical information (all data, including, and this without limitation, the passwords, documents, schedules, plans, prototypes, figures) that the contractor gets hold of through this public contract remain the property of the contracting authority.

1.6 Deontological clauses

In accordance with Enabel's Policy regarding sexual exploitation and abuse of June 2019 and Enabel's Policy regarding fraud and corruption risk management complaints relating to issues of integrity (fraud, corruption, sexual exploitation and abuse, etc.) must be sent to the Integrity desk via integrity@enabel.be.

Any failure to comply with one or more of the provisions of Enabel's ethical policies (<https://www.enabel.be/who-we-are/integrity/>) may lead to the termination of this contract and to the exclusion of the service provider from other public contracts for Enabel.

1.7 Subject-matter and scope of the procurement contract

1.7.1 Subject-matter of the procurement contract

This services procurement contract consists in the consultancy of an expert and is entitled « *Expert for Team Europe Democracy (TED) Network: Analysis of political and operational responses to shrinking civic space in partner countries: joint EU & Member States (MS) options to address challenges and increase impact* ». The Terms of reference are detailed in the part 2 of the Tender specifications.

Place of the performance: Enabel-Brussels or remotely.

Enabel references: BEL20005-10156.

1.7.2 Items

This contract consists of the following items :

Item 1 : Inception report.

Item 2 : Draft report on “*Political and operational responses to shrinking civic space in partner countries: joint EU & MS options to address challenges and increase impact*”.

Item 3 : PPT presentation on key findings and recommendations for the online TED WG2 meeting.

Item 4 : PPT Presentation on key findings and recommendations to the in-person meeting of the TED Steering Committee (SC).

Item 5 : Final report on “*Political and operational responses to shrinking civic space in partner countries*”, Policy Paper (4 pages) on key operational recommendations and TED WG2 meeting report.

The items described above also correspond to the deliverables requested and detailed in part 2 “Terms of reference”. They also serve as inventory items (see point 3.2 “Tender form -prices”).

1.8 Low-value public contract

In accordance with Article 92 of the law of 17 June 2016, relating to low-value public contracts, the estimated amount excluding VAT of this public contract does not reach the threshold of €30,000.00.

1.9 Unofficial publication

This procurement contract is published on the Enabel website (www.enabel.be).

The procurement documents can be consulted free of charge at the following internet address: www.enabel.be .

The tenderer is supposed to submit his tender after reading and taking into account any corrections made to the Tender Specifications that are published on the Enabel website

or that are sent to him by e-mail. To do so, when the tenderer has downloaded the Tender Specifications, it is strongly advised that he gives his coordinates to the Public procurement Officer (Mrs Cumba Baldé Mané – cumba.baldemane@enabel.be) and requests information on any modifications or additional information.

The tenderer is required to report immediately any gap, error or omission in the procurement documents that precludes him from establishing his offer.

1.10 Determination of prices

This procurement contract is a lump sum contract, meaning a contract in which a flat rate price covers the whole performance of the contract or each of the items of the inventory.

Elements included in the price

The service provider is deemed to have included in his unit and global prices any charges and taxes generally applied to services, with the exception of the value-added tax. The service provider will quote its prices in EURO, VAT excluded.

The following are in particular included in the prices:

The administrative management and secretariat ;

Insurance ;

Documentation pertaining to the services ;

The delivery of documents or of pieces related to the performance ;

Training required for operation ;

Where applicable, the measures imposed by occupational safety and worker health legislation.

1.11 Tender submission

The tenderer must use the tender form in annexe (see part 3 “Forms”). In case he does not use these forms, he is fully responsible for the perfect concordance between the documents he has used and the form.

The tender and the annexes to the tender form are drawn up in **English**.

By submitting a tender, the tenderer automatically renounces to his own general or specific sales conditions, even if these are mentioned in any of the annexes to his tender.

The tenderer submits his tender before **Wednesday 3rd of April at 9.00 am (UTC+2)** to the following e-mail addresses: cumba.baldemane@enabel.be and florina.mihalovici@enabel.be .

Tenders are submitted by e-mail and are not opened in public.

1.12 Variants and option

The tenderer may not submit a variant nor an option. Free variants and free option are forbidden. Any variant or option proposed will be discarded.

Each tenderer may submit only one tender.

1.13 Subcontractors

The fact that the contractor entrusts all or part of his commitments to subcontractors does not relieve him of liability to the contracting authority. The latter does not recognise any contractual relation with third parties.

The contractor remains, in any case, solely liable to the contracting authority.

The service provider commits to having the procurement contract performed by the persons indicated in the tender, except for force majeure. The persons mentioned or their replacements are all deemed to effectively be involved in the performance of the procurement contract. Any replacements must be approved by the contracting authority. When the contractor uses a subcontractor to carry out specific processing activities on behalf of the contracting authority, the same data protection obligations as those of the contractor are imposed on that subcontractor by contract or any other legal act.

1.14 Selection criteria

The tenderer must prove that he is sufficiently capable, from a technical point of view, to successfully perform this public procurement contract.

N°	Technical aptitude (selection criterion)	Minimum requirements
1	The tenderer must show similar assignments of services delivered over the past three years, including the amount and date as well as the public or private recipients.	<u>Documents to be provided :</u> A list of at least 2 recent missions carried out in democratic governance, human rights and development over the past three years.
2	The tenderer shall dispose or be able to dispose of experts with following profile : -Master's degree or PhD in political science, anthropology, sociology or law. -Minimum 7 years of experience in carrying out policy-oriented analysis and research in the areas of supporting civic space, political and civic participation, democratic governance and human rights. -Minimum 5 years of experience in facilitating meetings with government and international organisations officials on civic space, political and civic participation, democratic governance, and human rights. -Minimum 5 years of experience in EU and its Members States external and development cooperation policy	<u>Documents to be provided :</u> CV of the proposed expert(s) who will be used for this contract. The tenderer can propose more than one expert (maximum 3).

	<p>-Experience in preparing Policy Paper for policy makers and senior officials in the EU and in partner countries.</p> <p>-Minimum 5 years of experience in facilitating dialogue among policy makers, civil society organisations (including think tanks, research centres) and local government platforms in democratic governance or development cooperation.</p> <p>-Comfortable with collaborative and presentation tools.</p> <p>-Strong oral and writing skills in English. Knowledge of another European language relevant to the mission will be an asset.</p> <p>-Excellent analytical, programme formulation, monitoring and evaluation skills.</p>	
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Only tenders from tenderers who satisfy the selection criteria will be considered for participation in the comparison of tenders based on the award criteria set out below, insofar as these tenders are considered as regular.

1.15 Awarding criteria

The procurement contract will be awarded to the tenderer who has submitted the most economically advantageous tender, based on the following criteria :

N°	Description	Weighting
1	Price	25
<p><i>The following formula will be used: Score = $\frac{\text{Amount of the lowest tender}}{\text{Amount of the tender}} * 25$</i></p>		
2	Quality of the service	50
<p><i>To demonstrate the quality of the service, the tenderer is required to attach a methodology note to its tender in which it demonstrates the understanding of the Terms of reference, lists the countries for case studies details its strategy and timeline for carrying out its tasks. The service quality criterion contains two sub-criteria (general methodology and timeline) which will be assessed on the basis of the methodology note.</i></p>		
2.1	General methodology	42
<p><i>If, in accordance with point 2.2.1 Methodology note of the Terms of reference (see p.13), the methodology note is judged :</i></p> <ul style="list-style-type: none"> <i>- complete (The 3 elements requested are well developed) = 42 pts ;</i> <i>- partially complete (2 of the 3 elements requested are well developed) = 28 pts ;</i> <i>- incomplete (1 of the 3 elements requested is well developed) = 14 pts ;</i> <i>- None of the elements requested are developed = 0 pt.</i> 		
2.2	Timeline (accuracy and consistency of the proposed schedule)	8

<i>If the timeline is deemed precise and realistic = 8 pts</i> <i>If the timeline is deemed imprecise and/or unrealistic = 0 pt</i>		
3	Relevant experience of the assigned staff	25
<i>The quality of the profile(s) will be assessed based on relevant experience in relation to the tasks of the present contract.</i> <i>For the evaluation of this criterion, only years of experience in excess of the minimum requirements set out in the terms of reference will be considered.</i> <i>The following formula will be used: Score = $\frac{\text{Number of additional years of experience of the tender}}{\text{Highest number of additional years of experience}} * 25$</i>		
Total weighting of the awarding criteria		100

A certain value has been assigned to each criterion. Based on the evaluation of all these criteria, considering the value assigned to each, the contract will be awarded to the tenderer submitting the most economically advantageous regular tender from the point of view of the contracting authority.

Please note that if the tenderer proposes several experts who meet the minimum requirements of the terms of reference (maximum 3 experts), only one methodology note will be requested as part of the evaluation of the quality of the service. However, regarding the criterion on relevant experience, the evaluation will consist of an average of the scores obtained for each expert. Please ensure that you provide a detailed CV for each expert.

1.16 Place and duration

This mission will be carried out under the responsibility of Enabel, which undertakes to cover the fees, including all services provided by the consultant.

The mission will be carried out in Brussels or remotely **starting on April 8th, 2024, and closing the latest by July 16th, 2024.**

The tenderer must propose its own timeline, while taking into account, the starting and closing date of the mission. The timeline form part of the awarding criteria (see above).

1.17 Execution modalities

The start date, performance deadlines agreed as well as the instructions about the performance address must be strictly observed.

Any exceeding of the performance deadline, and this for whatever reason, may result by the expiry of the deadline in the application of a fine for late performance of 0.07% of the amount of the order per commenced week of delay. This fine is limited to a maximum of 10% of the total amount of the order.

In the event of excessive delay or other non-performance, the contracting authority can terminate the public contract and launch another request for price quote and have the services delivered by another provider. Any possible extra cost shall be borne by the defaulting service provider.

Any costs to which the contracting authority would be exposed and attributable to the defaulting service provider are borne by the latter and deducted from amounts owed.

1.18 Acceptance of the services

The contracting authority disposes of a maximum verification term of thirty days starting on the end date of delivery of services to be accepted and to notify the result to the service provider.

1.19 Invoicing and payment

Invoices are established in one copy and respect the stipulations given in the Purchase Order.

The invoice will be sent by e-mail to the Managing official: pamphile.sebahara@enabel.be

Invoices in due form and not disputed are paid within 30 calendar days after acceptance.

1.20 VAT exemption

Depending on the Project's Specific Cooperation Agreement under which the services are delivered, Enabel may be (yes or no) exempt from paying local VAT for the services obtained. For Belgian VAT, the place of service delivery is determining.

1.21 Insurance

The service provider is bound to take out any obligatory insurance and to take out or renew any necessary insurance for the good performance of this public contract, especially insurance covering "civil liability" and "occupational accidents", and this for the whole period of the assignment.

The service provider will send the contracting authority, upon simple demand, a copy of the insurance policies taken out by the service provider and proof of regular payment of the premiums that are borne by him.

1.22 Complaints management and competent courts

Only Belgian law applies to this public contract.

The parties commit to sincerely perform their engagements to ensure the good performance of the public contract.

In case of litigation or divergence of opinion between the contracting authority and the service provider, the parties will consult each other to find a solution. Where needed, the service provider may request mediation via e-mail to complaints@enabel.be. See <https://www.enabel.be/content/complaints-management>.

Any litigation about the orders and these contract conditions are the exclusive competence of the Brussels Courts.

2 Terms of reference

2.1 Context

The Team Europe Democracy (TED) is a global initiative launched by the European Commission (EC) and 14 Member States (MS)¹ to advance democracy and human rights globally. The TED Secretariat, managed by GIZ and Enabel, implements the TED Network as one of three pillars. The TED Network acts as an interface between EU institutions, Member States, civil society organizations (including think tanks and research centres), and local and regional government platforms to foster collaboration beyond traditional donor-beneficiary relationships.

The TED Network comprises three working groups (WG), each addressing different thematic priorities. Among these, the WG2 focuses on political and civic participation. This Working Group aims to support its members in identifying and implementing strategic as well as operational options and tools to improve related policy programming and coordination. It also aims to increase the impact of democracy support both globally² and in partner countries. One of its thematic priorities is strengthening civic space³ because of its crucial role in democratic governance processes and the mitigation of the global trend of authoritarianism and regression of space for civic engagement⁴. Civic space also has a key role in contributing towards reaching the achievement of the sustainable development goals⁵. Indeed, the shrinking of the civic space is a global concern due to its effect on local and international civil society organisations (CSOs), development organisations, and various activist groups⁶. Most importantly, civic space, and the fundamental freedoms tied to it (including freedom of expression, freedom of peaceful assembly and freedom of association) are essential elements of healthy democratic societies: elections alone are not enough.

Over the last twenty-years, EU, MS and other relevant stakeholders have launched various initiatives to support CSOs in their resilience, protection, survival, and effective advocacy in a context of regression of the freedom of expression, of assembly and space for civic engagement⁷. Although some results have been achieved, the trend indicates that civic space has continued to shrink and decline in many partner countries⁷. Many countries continue to treat civil society, human rights defenders and citizen activists as political opponents or even criminal elements, rather than legitimate contributors to public discourse, good governance and fair and equal societies.

¹ The 14 Member States are Austria, Belgium, Croatia, Czech Republic, Denmark, France, Germany, Finland, Ireland, Netherlands, Poland, Slovakia, Spain, and Sweden.

² This refers to the level of programming and coordination at HQ for the EU and Member States (MS).

³ “Civic space encompasses the legal, policy, institutional, and practical conditions required for non-governmental actors to access information, express themselves, associate, organise and participate in public life”, OECD (2022), *The Protection and Promotion of Civic Space*. OECD Publishing, Paris, <https://doi.org/10.1787/d234e975-en>, p. 11.

⁴ International IDEA, *Global State of Democracy Report 2022: Forging Social Contracts in a Time of Discontent*: <https://www.idea.int/publications/catalogue/global-state-of-democracy-2022>; I. IDEA, *Global State of Democracy Report 2023: The New Checks and Balances*: <https://www.idea.int/events/africa-launch-global-state-democracy-report-2023-new-checks-and-balances>

V-Dem Institute, *Democracy Report 2023: Defiance in the face of Autocratization*: https://www.v-dem.net/documents/29/V-dem_democracyreport2023_lowres.pdf; V-Dem, *Democracy Report 2024: Democracy Winning and Losing at the Ballot*. https://v-dem.net/documents/43/v-dem_dr2024_lowres.pdf

⁵ <https://sdgs.un.org/2030agenda>

⁶ ECDPM (2020), *Claiming back civic space: Towards approaches fit for the 2020s*, p.2.

⁷ OECD (2022), *The Protection and Promotion of Civic Space*. OECD Publishing, Paris; ECDPM (2020), *Claiming back civic space: Towards approaches fit for the 2020s?*, Maastricht; Carnegie Endowment for International Peace (2019), *Defending Civic Space: Is the International Community Stuck?*, Working Paper.

Whilst programmatic responses from the EU, its Member States and other like-minded countries have been documented, there are still notable information gaps regarding how strategies and actions factor into the overall response. This gap extends to understanding the potential added value of joint strategies and actions and how they can be operationalised. Therefore, the TED WG2 would like to assess the overall responses and best practices, mainly at country and regional level, applied by EU, MS and other relevant stakeholders (countries and/or international organisations). Drawing on insights from previous studies and research, the WG2 seeks to propose suitable financial instruments and operational options to prevent and address the regression of civic space more effectively, in countries and globally.

In this context, and in support of WG2, Enabel intends to hire an external consultant or organisation to support the WG2's work on addressing shrinking civic space through development cooperation and possibly joint actions.

2.2 Objectives, scope and expected results

The target audience of the report is the members of the TED Network, mainly the EU and the 14 Member States who launched TED initiative to improve impact of democracy support through improved coordination.

The goal of the consulting mission is to propose concrete ways forward for TED to consolidate efforts to strengthen civic space in partner countries and globally. In so doing, it will analyse the overall (diplomatic, political and especially operational) responses of the EU, MS, and other relevant stakeholders (countries and international organisations) to shrinking civic space, and identify, in light of previous studies and research, concrete options and best practices for EU and TED members to effectively respond to the current challenges of shrinking civic space. The analysis will focus on concrete experiences in partner countries, considering the range of regime contexts, from democratic to authoritarian, including hybrid regimes that fall in between these extremes.

2.2.1 Methodology note

The tenderer must submit an initial methodology note which is part of the awarding criteria.

The said note must include the following elements (1st sub-criterion) :

- Demonstration of the understanding of the Terms of reference ;
- A list of the countries for case studies and explanation of the choices ;
- A detailed strategy for carrying out the mission.

The tenderer will also propose a realistic timeline in the note (2nd sub-criterion).

2.2.2 Specific objectives of the consultancy mission

Conduct a review of best practices identified by researchers, research institutions, and policy analysts to use as a framework for analysing the concrete programming measures of the EU and MS in addressing challenges of civic space in partner countries.

Through the analytical framework, assess concrete measures implemented by the EU, MS and other international actors —either jointly or independently—in response to the shrinking civic space in partner countries over the past decade, with a particular focus

on operational support. Evaluate the effectiveness of these responses based on contextual considerations within the spectrum of democratic to authoritarian regimes.

Identify gaps in current EU and MS programming and develop recommendations for more successfully mitigating the shrinking of civic space. Focus on actions or “success stories” that can be scaled up, particularly in collaborative efforts aimed at reinforcing civic space and democratic processes.

Based on the assessment of concrete measures and best practices identified, develop response options for situations where civic space is being restricted.

These options should be developed for different regime contexts :

- Include a cost/benefit description of each response option.
- Describe the factors that impact the feasibility of each response option.
- Identify potential risks, and suggest elements for a toolbox, including funding support mechanisms and other policy tools such as templates and protocols.

Analyse how EU and the 14 TED MS can best prepare for holistic, joins responses to shrinking civic space.

2.2.3 Expected outputs

2.2.3.1 Inception report

An updated methodology note is expected in the beginning of the mission.

2.2.3.2 Draft report on “Political and operational responses to shrinking civic space in partner countries: joint EU & MS options to address challenges and increase impact”

The said report will include:

- A description of successful practices to address shrinking civic space drawn from previous studies and policy analyses.
- An assessment of how the EU and MS responses to shrinking civic space is in line with the best practices that have been previously identified.
- Examples of specific responses from the EU, MS, and other relevant international actors in addressing the closing of civic space in selected partner countries (mixing regions: Africa, Asia and South America, within the range of different contexts), with assessment of their effectiveness and the contributing factors to their success or failure based on the country’s context. This assessment will examine the nature of the responses, their application, and the ensuing impact—both positive and negative, intended and non-intended. It will also highlight associated risks. Gaps and shortcomings will be identified and presented as valuable learning experiences.
- A selection of best practices and successful programmes that have effectively enhanced civic space in contexts where civic space has been shrinking. These practices will be identified for their potential application in collaborative initiatives by the EU and the 14 TED MS.
- An outline of response options, tailored to situations where civic space is being restricted in different regime contexts. These options should be designed for joint application by the EU and the 14 TED MS where possible.

- Presentation of an overview for the EU and the 14 TED MS on how to prepare for holistic, joint responses to shrinking civic space in various regime contexts.

2.2.3.3 PPT presentation to the TED WG2 meeting: key findings and recommendations on “Political and operational responses to shrinking civic space in partner countries”

Presentation of key findings and recommendations to the online TED WG2 meeting on addressing shrinking civic space in partner countries.

2.2.3.4 PPT presentation to the in-person meeting of the TED Steering Committee (SC): key findings and recommendations on “Political and operational responses to shrinking civic space in partner countries”

Draft PPT presentation on key findings and recommendations for the in-person meeting of the TED Steering Committee (SC) in June 2024.

2.2.3.5 A policy paper and a report of the WG2 meeting on addressing shrinking civic space

The policy paper (4 pages) outlines key responses to addressing shrinking civic space through development aid and policy, emphasizing those with the potential to positively impact the civic space in partner countries, and those for which joint approaches can bring added value. It also presents response options for different regime contexts.

The selected consultant/organisation will present the analysis report to the meeting of the TED WG2 on political and civic participation in May 2024 for discussion and input. Then, he/she/they will prepare and submit the meeting report and the policy paper alongside the final analysis report.

2.3 Reports and suggested timeline

The report and the notes of the meetings will be in English in Word and PDF and be written in the format of Arial 11 for the text and 12 for titles.

Reminder: The tenderer must propose its own timeline, while considering, the starting and closing date of the mission (**starting on April 8th, 2024 and closing the latest by July 16th, 2024**). The timeline form part of the awarding criteria.

The proposed timeline for delivering key milestones is as follows:

1. Inception report : April 11th, 2024.
2. Draft report on “Political and operational responses to shrinking civic space in partner countries: joint EU & MS options to address challenges and increase impact” : **May 22nd, 2024**.
3. PPT presentation to the **in-person TED Steering Committee (SC) meeting**: key findings and recommendations on “Political and operational responses to shrinking civic space in partner countries” : **June 13th, 2024**.
4. PPT presentation to **the in-person meeting of the TED Working Group 2 (WG2)**: key findings and recommendations on “Political and operational responses to shrinking civic space in partner countries” : **June 14th, 2024**.
5. Final report, Policy Paper (4 pages) on key recommendations and TED WG2 meeting report : **July 16th, 2024**.

2.4 Expert(s) profile

To carry out the above mission, Enabel is looking for an experienced consultant or organisation with the following profile :

- Master's degree or PhD in political science, anthropology, sociology or law ;
- Minimum 7 years of experience in carrying out policy-oriented analysis and research in the areas of supporting civic space, political and civic participation, democratic governance and human rights ;
- Minimum 5 years of experience in facilitating meetings with government and international organisations officials on civic space, political and civic participation, democratic governance, and human rights ;
- Minimum 5 years of experience in EU and its Members States external and development cooperation policy ;
- Experience in preparing Policy Paper for policy makers and senior officials in the EU and in partner countries ;
- Minimum 5 years of experience in facilitating dialogue among policy makers, civil society organisations (including think tanks, research centres) and local government platforms in democratic governance or development cooperation ;
- Comfortable with collaborative and presentation tools ;
- Strong oral and writing skills in English. Knowledge of another European language relevant to the mission will be an asset ;
- Excellent analytical, programme formulation, monitoring and evaluation skills.

The tenderer can propose one expert or more (maximum 3). The proposed experts will work together as a team in order to carry out the mission.

Please note that the price form consists of 5 items based on the deliverables (see expected outputs) whether the tenderer proposes only one expert or several experts.

3 Forms

3.1 Identification form

3.1.1 Natural person

FAMILY NAME(S) ⁸ FIRST NAMES (S)	
DATE AND PLACE OF BIRTH	
IDENTITY DOCUMENT NUMBER ⁹ ISSUING COUNTRY	
PRIVATE ADDRESS POSTCODE CITY, REGION COUNTRY PRIVATE PHONE PRIVATE E-MAIL	
BUSINESS DATA	If YES, please provide business data and attach copies of the official supporting documents.
If you run your own business without a separate legal personality (e.g. sole traders, self-employed etc.) and you provide as such services to Enabel: BUSINESS NAME VAT NUMBER REGISTRATION NUMBER PLACE OF MAIN REGISTRATION COUNTRY	
DATE	SIGNATURE

⁸ As indicated on the official document.

⁹ Identity card, passport, driving license or other

3.1.2 Private/public law body with legal form

OFFICIAL NAME BUSINESS NAME (if different) ABBREVIATION	
LEGAL FORM ORGANISATION TYPE (FOR PROFIT OR NOT FOR PROFIT, NGO)¹⁰	
MAIN REGISTRATION NUMBER¹¹/SECONDARY REGISTRATION NUMBER (if applicable) PLACE OF MAIN REGISTRATION, CITY COUNTRY DATE OF MAIN REGISTRATION: DD/MM/YYYY VAT NUMBER	
ADRESS HEAD OFFICE POSTCODE, P.O. BOX, CITY COUNTRY	
CONTACT PERSON PHONE EMAIL	
DATE	SIGNATURE OF AUTHORIZED REPRESENTATIVE

¹⁰ NGO = non gouvernemental organisation, to be filled out by non profit organizations.

¹¹ registration number in the national registrar of companies. See table with corresponding dénomination by country.

3.2 Tender form – Prices

By submitting this tender the tenderer commits to performing this public contract in conformity with the Tender specifications and explicitly declares accepting all conditions listed in the request for a price quote and renounces any derogatory provisions such as his own general sales conditions.

PRICES¹²				
Description	Unit	Quantity	Unit prices in euros (VAT excluded)	Total price in euros (VAT excluded)
<u>Item 1</u> : Inception report.	report	1		
<u>Item 2</u> : Draft report on “ <i>Political and operational responses to shrinking civic space in partner countries : joint EU & MS options to address challenges and increase impact</i> ”.	report	1		
<u>Item 3</u> : PPT presentation on key findings and recommendations for the online TED WG2 meeting.	PPT presentation	1		
<u>Item 4</u> : PPT Presentation on key findings and recommendations to the in-person meeting of the TED Steering Committee (SC).	PPT presentation	1		
<u>Item 5</u> : Final report on “ <i>Political and operational responses to shrinking civic space in partner countries</i> ”, Policy Paper (4 pages) on key operational recommendations and TED WG2 meeting report.	report	1		
Total value VAT excluded				
Total value VAT included				

¹² < The tenderer is thus to have included in his unit and global prices any costs, taxes, measures and charges generally inherent to the performance of the contract, with the exception of the value-added tax. The following are in particular included in the prices:
Fees and per diems, accommodation costs, < international transportation costs, insurance costs, security costs, visa costs, communication costs, administrative and secretariat costs, photocopy and printing costs, costs for documentation of the services that can be requested by the contracting authority, the production and delivery of documents or records associated with the performance of the services, the reception costs, all costs and charges for staff and equipment needed for the performance of this public contract, the copyright fees, the purchase or leasing of third-party services needed for the performance of this public contract, < costs for intellectual property rights.

Total value VAT excluded in words :
Total value VAT included in words:

Certified true and sincere,

Done at, on

Signature :

3.3 Documents to be submitted – exhaustive list

The tenderer must attach to the tender the list of principal similar projects (min. 2) carried out in the course of the 3 last years. This list demonstrates the technical capacity of the tenderer to perform this public contract.

Description of the principal similar services	Total value	Dates of performance	Client name

The tenderer must attach to the tender, the following documents :

- CVs of the expert(s) (*selection criteria*)
- The list of similar projects (see above) (*selection criteria*) ;
- The methodology note (*awarding criteria*);
- An example of a published policy paper (*not a selection nor an awarding criteria*) ;
- Any other document requested in the Tender specifications ;
- Subcontractors' information if applicable (see below).

3.3.1 Subcontractors

Name and legal form	Address / Registered office	Subject-matter

3.4 Declaration on honour – Exclusion grounds

Hereby, I / we, acting as legal representative(s) of above-mentioned tenderer declare that the tenderer is not in any of the following cases of exclusion:

1. The tenderer nor any of his directors was found guilty following **an indefeasible judgement** for one of the following offences:
 - 1° involvement in a **criminal organisation**
 - 2° **corruption**
 - 3° **fraud**
 - 4° **terrorist offence**, offence linked to terrorist activities or incitement to commit such offence, collusion or attempt to commit such an offence
 - 5° **money laundering or financing of terrorism**
 - 6° **child labour** and other trafficking in human beings
 - 7° employment of foreign citizens under illegal status
 - 8° creation of a shell company.

The exclusions on the basis of this criterion apply for a 5-year term from the date of judgement (or the end of the offence for 7°).

2. The tenderer has failed to fulfil his obligations to **pay taxes or social security contributions**, i.e. Late payment for an amount in excess of EUR 3 000, except if the tenderer can demonstrate that a contracting authority owes him one or more unquestionable and due debts which are free of all foreseeable liabilities. These debts are at least of an amount equal to the one for which he is late in paying outstanding tax or social charges.

3. The tenderer is in **a state of bankruptcy, liquidation, cessation of activities, judicial reorganisation** or has admitted bankruptcy or is the subject of a liquidation procedure or judicial reorganisation, or in any similar situation resulting from a procedure of the same kind existing under other national regulations.

4. The tenderer or one of his directors has committed **serious professional misconduct which calls into question their integrity.**

The following are considered serious professional misconduct, among others:

- a. A breach of Enabel's Policy regarding sexual exploitation and abuse – June 2019
 - b. A breach of Enabel's Policy regarding fraud and corruption risk management – June 2019
 - c. A breach of a legal regulatory provision applicable in the country of performance of the services regarding sexual harassment on the workforce;
 - d. The tenderer The tenderer was seriously guilty of misrepresentation or false documents when providing the information required for verification of the absence of grounds for exclusion or the satisfaction of the selection criteria, or concealed this information;
 - e. Where Enabel has sufficient plausible evidence to conclude that the tenderer has committed acts, entered into agreements or entered into arrangements to distort competition.
The presence of this tenderer on one of Enabel's exclusion lists as a result of such an act/agreement/arrangement is considered to be sufficiently plausible an element.
5. When a conflict of interest cannot be remedied by other, less intrusive measures;

6. When **significant or persistent failures** by the tenderer were detected during the execution of an **essential obligation** incumbent on him in the framework of a past contract concluded with Enabel or another contracting authority, when these failures have given rise to measures as of right, damages or another comparable sanction.
Failures to respect applicable obligations regarding environmental, social and labour rights under European Union law, national law, labour agreements or international provisions on environmental, social and labour rights are considered 'significant'.
The presence of the tenderer on the exclusion list of Enabel because of such a failure serves as evidence.

7. The tenderer or one of his directors are on the lists of persons, groups or entities subject to United Nations, European Union or Belgian financial sanctions:

For the United Nations, the lists can be consulted at the following address:
<https://finances.belgium.be/fr/tresorerie/sanctions-financieres/sanctions-internationales-nations-unies>

For the European Union, the lists can be consulted at the following address:
<https://finances.belgium.be/fr/tresorerie/sanctions-financieres/sanctions-europ%C3%A9ennes-ue>

<https://eeas.europa.eu/headquarters/headquarters-homepage/8442/consolidated-list-sanctions>

https://eeas.europa.eu/sites/eeas/files/restrictive_measures-2017-01-17-clean.pdf

For Belgium: <https://finance.belgium.be/en/treasury/financial-sanctions>

8. <...>If Enabel executes a project for another funder or donor, other grounds for exclusion may be added.
- I have / we have read and understood the articles about deontology of this public contract (see 1.7.) as well as Enabel's Policy regarding sexual exploitation and abuse and Enabel's Policy regarding fraud and corruption risk management and I / we declare fully endorsing and respecting these articles.

Date :

Place :

Signature :