



EUROPEAN SCHOOL MOL

Date: 11/06/2021

Annex 1: Specifications

Procedure n°: 2021/0610

Object: Counselling services for students and teachers

Type of procedure: negotiated procedure for middle value contract

Award method: best value for money

Type of contract: framework contract

Contracting authority: European School of Mol

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1. SCOPE AND DESCRIPTION OF THE PROCUREMENT

1.1. Subject: what is this call for tenders about?

The subject of this call for tender is counselling services for the European School Mol.

1.2. Lots: is this call for tenders divided into lots?

This call for tender is not divided into lots.

1.3. Description: what do we want to buy through this call for tenders (technical specifications)?

The deliverables and services that are the subject of this call for tender, including any minimum requirements, are described in detail below.

Variants to the minimum requirements in the tender specifications are not allowed. The *Contracting authority* will disregard any variants not meeting the minimum requirements described in a tender.

1.3.1. Background and objectives

This tender is launched to procure counselling services by means of a 1-year contract with an external provider, which can be extended for up to 4 years.

1.3.2. Detailed characteristics of the purchase

REQUIRED DOCUMENTATION

The supplier will be required to furnish the following documentation:	<ul style="list-style-type: none"> - A counsellor's certificate (recognised professional committee) - A pedagogical qualification - A Certificate of good conduct - Proof of a psychotherapeutic background in system therapy - Proof of experience of working with students in a school environment - Proof of experience in conflict mediation, fear of failure, socio-emotional mediation, assertiveness training,.... - Proof that services can be offered in Dutch, French and English
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REQUIRED SERVICES

The supplier will be required to provide the following services:	<ul style="list-style-type: none"> - Coaching of children and teachers - Guidance for learning disabilities such as ADD, ADHD, ASD, giftedness, dyslexia, dyspraxia - Guidance for socio-emotional problems such as feelings of rejection, coping with grief, fear of failure, low self-esteem - Guidance for behavioural problems such as truancy, inappropriate behaviour, aggressive behaviour. - Guidance of teachers and support of the beginning teacher like dealing with the difficult pupil, disputes with colleagues - Guidance for parents such as dealing with learning disabilities - Counselling of staff members with emotional problems
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	<ul style="list-style-type: none"> - Guidance on learning to learn and adapted methods in case of learning disabilities, such as stimulating the executive functions - Attend meetings as required - Attend events when parents are invited such as parent meetings, introduction days...
Organizational requirements	<ul style="list-style-type: none"> - Perform 20 hours per week and 37 weeks per year, as follows: <ul style="list-style-type: none"> o 16 hours (2 full days of 8 hours) present in the school for counseling sessions and meetings o 2 hours per week available online (by phone, Zoom meeting...) o 2 hours per week to do administrative work related to the content of the work (reporting, follow up,...)
Reporting requirements	<ul style="list-style-type: none"> - Keeps a record of each meeting and, if requested, the person in charge at school can have access to it, respecting the rules of professional secrecy. - Report at the agreed time the names of the students seen, teachers, etc.

1.4. Place of performance: where will the contract be performed?

The services will be delivered to the following location & online:
European School Mol, Europawijk 100, 2400 Mol, Belgium

1.5. Nature of the contract: how will the contract be implemented?

The procedure will result in the conclusion of a framework contract. A framework contract establishes a mechanism for future repetitive purchases by the *Contracting authority* to be awarded in the form of purchase orders. The signature of a framework contract does not impose an obligation on the *Contracting authority*.

1.6. Volume and value of the contract: how much do we plan to buy?

An indicative estimate of the volumes to be ordered over the whole duration of the framework contract is 138,000 EUR. These volumes are estimates only and there is no commitment as to the exact quantities to be ordered. The actual volumes will depend on the quantities which the *Contracting authority* will order through specific contracts. In any case the *framework contract ceiling*, i.e. the maximum amount to be spent under the framework contract, shall not be exceeded.

1.7. Duration of the contract: how long do we plan to use the contract?

The contracts resulting from the award of this call for tenders will be concluded for at most 48 months. The details of the initial contract duration and possible renewals are set out in the Draft contract.

2. GENERAL INFORMATION ON TENDERING

2.1. Legal basis: what are the rules?

This call for tenders is governed by the provisions of:

The *Contracting authority* has chosen to award the contract resulting from this call for tenders through a negotiated procedure of middle value art. 164 (1) (d).

2.2. Rules on access to procurement: who may submit a tender?

Participation in this tender is limited to those companies that have been invited.

To enable *the Contracting authority* to verify the access, each tenderer must fill in the form Entity legal provided for in Annex 4 of the invitation.

For tenderers established in the United Kingdom:

Please be aware that following the entry into force of the EU-UK Withdrawal Agreement* on 1 February 2020 and in particular Articles 127(6), 137 and 138, the references to natural or legal persons residing or established in a Member State of the European Union are to be understood as including natural or legal persons residing or established in the United Kingdom. UK residents and entities are therefore eligible to participate under this call.

*Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community

- [the Financial regulation of the European Schools](#) and
- [Regulation \(EU, Euratom\) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union](#) (the Financial Regulation)².

3. EVALUATION AND AWARD

The evaluation of the tenders that comply with the submission conditions will consist of the following elements:

- Check if the tenderer has access to the tender;
- Verification of non-exclusion of tenderers on the basis of the exclusion criteria;
- Selection of tenderers on the basis of selection criteria;
- Verification of compliance with the minimum requirements defined in the Tender specifications;
- Evaluation of tenders on the basis of the award criteria.

The *Contracting authority* will evaluate the abovementioned elements in the order that it considers to be the most appropriate. If the evaluation of one or more elements demonstrates that there are grounds for rejection, the tender will be rejected and will not be subjected to further full evaluation.

The unsuccessful tenderers will be informed of the ground for rejection without being given feedback on the non-assessed content of their tenders. Only tenderer(s) for whom the verification of all elements did not reveal grounds for rejection can be awarded the contract.

The evaluation will be based on the information and evidence contained in the tenders and, if applicable, on additional information and evidence provided at the request of the *Contracting authority* during the procedure.

² Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193 of 30.07.2018, p.1).

For the purposes of the evaluation related to exclusion and selection criteria *the Contracting authority* may also refer to publicly available information, in particular evidence that it can access on a national database free of charge.

The contracting authority may award the contract on the basis of the initial offer without negotiation.

3.1. Exclusion criteria

The objective of the exclusion criteria is to assess whether the tenderer is in any of the exclusion situations listed in Article 136(1) of the Financial Regulation.

As evidence of non-exclusion each tenderer needs to submit with its tender a “Declaration on Honour” in the model available in **Annex 2**. The declaration must be signed by an authorised representative of the entity providing the declaration.

The initial verification of non-exclusion of tenderers will be done on the basis of the submitted declarations. The documents mentioned as supporting evidence in the Declaration on Honour need to be provided whenever requested and where this is necessary to ensure the proper conduct of the procedure within a deadline given by the Contracting authority³.

Please note that a request for evidence in no way implies that the tenderer has been successful.

3.2. Selection criteria

The objective of the selection criteria is to assess whether the tenderer has the legal, regulatory, economic, financial, technical and professional capacity to perform the contract.

The selection criteria for this call for tenders, including the minimum levels of capacity, the basis for assessment and the evidence required, are specified in the following subsections.

Tenders submitted by tenderers not meeting the minimum levels of capacity will be rejected.

When submitting its tender each tenderer shall declare on honour that it fulfils the selection criteria for the call for tender. The model Declaration on Honour available in **Annex 2** shall be used.

The initial assessment of whether a tenderer fulfils the selection criteria will be done on the basis of the submitted declaration(s).

³ The obligation to provide the supporting evidence will be waived in the following situations:

- if such evidence can be accessed by the *Contracting Authority* on a national database free of charge, in which case the economic operator shall provide *the Contracting authority* with the internet address of the database and, if needed, the necessary identification data to retrieve the document;
- if there is a material impossibility to provide such evidence.

⁴ The obligation to provide the supporting evidence will be waived in the following situations if such evidence can be accessed by the *Contracting Authority* on a national database free of charge, in which case the economic operator shall provide the *Contracting authority* with the internet address of the database and, if needed, the necessary identification data to retrieve the document.

The subsections below specify which selection criteria evidence must be provided with the tender or may be requested later, at any time during the procurement procedure⁴. In any case, to the extent that there is no ground for a waiver, the evidence must be provided, upon request and within a deadline given by the Contracting authority. The evidence must be provided in accordance with the applicable basis for assessment of each criterion: in case of a consolidated assessment – only by the *involved entities* who contribute to the fulfilment of the criterion, and in case of individual assessment – by each *involved entity* to whom the criterion applies individually.

3.2.1. Legal and regulatory capacity

Tenderers do not need to prove specific legal and regulatory capacity to perform the contract.

3.2.2. Economic and financial capacity

The evidence of economic and financial capacity does need not be provided with the tender but may be requested by the Contracting authority at any time during the procedure. Please note that a request for evidence in no way implies that the tenderer has been successful.

3.2.3. Technical and professional capacity

Tenderers must comply with the following selection criteria in order to prove that they have the necessary technical and professional capacity to perform the contract.

Criterion	
The tenderer must prove experience in the field of counselling services.	
Minimum level of capacity	Qualification & relevant experience
Evidence	<ul style="list-style-type: none"> - A counsellor's certificate (member of a recognised professional committee) - A pedagogical qualification - A Certificate of good conduct

3.3. Compliance with the minimum requirements of the Tender specifications

By submitting a tender a tenderer commits to performing the contract in full compliance with the terms and conditions of the procurement documents for this call for tender. Particular attention is drawn to the minimum requirements specified in Section 1.3 of these specifications and to the fact that tenders must comply with applicable data protection, environmental, social and labour law obligations established by Union law, national legislation, collective agreements or the international environmental, social and labour conventions listed in the Directive 2014/24/EU. The minimum requirements shall be observed throughout the entire duration of the contract. Compliance with these requirements is mandatory and cannot be subject to any assumptions, limitations, conditions, or reservations on the part of a tenderer.

Tenders that are not compliant with the applicable minimum requirements shall be rejected.

3.4. Award criteria

The objective of the award criteria is to evaluate the tenders with a view to choosing the most advantageous tender in terms of value for money.

Tenders will be evaluated on the basis of the following award criteria and their weighting:

Cr.	Description	Points	Weight
1	<p><u>General assessment of relevant experience</u> Service providers are rated based on the proof of experience and references provided. The offer with the best references receives the maximum score per section. The subsequent offers are awarded 2 points less each time.</p> <ul style="list-style-type: none"> • Proof of a psychotherapeutic background with training in and experience with systemic therapy • Proof of experience of working with students in a school environment • Proof of experience in conflict mediation, fear of failure, socio-emotional mediation, assertiveness training,.... • Proof that services can be offered in Dutch, French and English 	10 10 10 10	60
2	<p><u>Price</u> The rate per hour, covering all the requirements set out in the Tender Specifications. Prices should be inclusive of all costs incurred by the Tenderer. The offer with the best prices receives the maximum score per section. The subsequent offers are awarded 2 points less each time.</p>	10	40
	TOTAL POINTS	50	100

3.5. Award (ranking of tenders)

Tenders shall be ranked according to the best price-quality ratio in accordance with the formula below:

$$\text{Cr. 1} * \text{Weight Cr. 1} + \text{Cr. 2} * \text{Weight Cr. 2} = \text{Total score}$$

The contract shall be awarded to the tender ranked first, which complies with the Tender Specifications and is submitted by a tenderer having access to procurement, not in an exclusion situation and fulfilling the selection criteria.

4. FORM AND CONTENT OF THE TENDER

4.1. Form of the tender: how to submit the tender?

Tenders are to be submitted according to the instructions stipulated in the Invitation to tender letter.

Make sure you prepare and submit your tender early enough to ensure it is received by the submission deadline specified in the invitation. A tender received after this deadline will be rejected.

4.2. Content of the tender: what documents to submit with the tender?

The documents to be submitted with the tender are:

- Your technical offer duly filled in and signed by an authorised representative.
- ANNEX 2: The declaration on honour related to the exclusion and selection criteria duly filled in and signed by an authorised representative
- ANNEX 4: Legal Entity form
- ANNEX 5: Your financial offer duly filled in and signed by an authorised representative

Each document must be signed by an authorised representative of the tenderer.

The following requirements apply to the technical and financial offer:

Technical offer

The technical offer must provide all the information needed to assess the compliance with Section 3.4 of these specifications and the award criteria. Tenders deviating from the minimum requirements or not covering all the requirements may be rejected on the basis of non-compliance and not evaluated further.

Financial offer

A complete financial offer. For this purpose, the Financial Model in Annex 5 shall be completed and duly signed. In case of discrepancies between different documents, only the amount indicated in the financial offer will be considered.

The financial offer shall be:

- expressed in euros. Tenderers from countries outside the euro zone have to quote their prices in euro. The price quoted may not be revised in line with exchange rate movements. It is for the tenderer to bear the risks or the benefits deriving from any variation.
- quoted free of all duties, taxes and other charges, i.e. also free of VAT. The tenderer may indicate the amount of VAT but it must be shown separately. In Belgium, European schools are exempt from VAT through exemption No 450, Article 42, §3 paragraph 1st, 4° of the VAT-code.

5. *PROCESSING OF PERSONAL DATA*

Any personal data included in or relating to the TENDER, including its implementation, shall be processed in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC. Such data shall be processed solely for the purposes of the monitoring of the tender by the data controller.

Tenderers or any other person whose personal data is processed by the data controller in relation to this contract has specific rights as a data subject under Regulation (EU) 2016/679, in particular the right to access, rectify or erase their personal data and the right to restrict or, where applicable, the right to object to processing or the right to data portability.

Should tenderers or any other person whose personal data is processed in relation to this contract have any queries concerning the processing of its personal data, it shall address itself to the data controller: Ms. Pérez Blanco (mol-director@eursc.eu).

They may also address themselves to the Data Protection Officer of the data controller. They have the right to lodge a complaint at any time to the European Data Protection Supervisor.

Details concerning the processing of personal data can be requested from the data controller.