

European Stability Mechanism



Request for Proposal

Ref. No.: [HR/04/TS/AA/24](#)

Provision of Training Services_3 Lots:

**Lot 1: Self and Social Awareness, Self-Leading and Efficiency at Work;
Managing own and others Talent, Performance and
Development; Professional communication and knowledge
transfer.**

Lot 2: Writing skills

Lot 3: Diversity and Inclusion

02/05/2024

Contents

1	Introduction	4
1.1	The European Stability Mechanism	4
1.2	Overview of this RFP	4
1.3	Overview of the Procurement Requirement	4
2	RFP Content	5
3	The RFP Process	5
3.1.	Type of Procurement Procedure.....	5
3.2.	Eligibility, Exclusion, Selection and Award Criteria (applicable for all Lots)	6
3.3.	The ESM Contact Details	8
3.4.	Clarifications of the RFP	8
3.5.	Presentations (applicable only for Lot 1 and Lot 3)	8
3.6.	Due Diligence Elements	9
3.7.	Negotiations.....	9
3.8.	Notification of the ESM’s decision	9
3.9.	Contract Terms and Conditions	9
4	Terms and Conditions of the RFP.....	10
4.1	Rights of the ESM	10
4.2	Cost of Participating in the Procurement Process	11
4.3	Materials and Documents.....	11
4.4	Validity of the Proposal.....	11
4.5	Compliance with Law	11
4.6	Trade Name, Logo and Marks	11
4.7	Confidentiality.....	11
4.8	Involvement of/Reliance on Third Parties	12
4.9	Transfer of Undertakings	13
5	Structure of the Proposal.....	14
6	Submission of the Proposal.....	15
	Annex 1 Terms of Reference	16
	The Service Provider will issue an invoice which shall cover the Services provided during the preceding calendar month.....	20
	Annex 2 Eligibility, Exclusion Criteria, and other required information and documents	22
7	Annex 3 Selection and Award criteria.....	23
1.	Selection Criteria (applicable to all Lots)	23
1)	Economic and financial standing	23
2)	Technical or professional ability	23
3)	Authorisation and suitability to carry out the relevant professional activity.....	25

2. Award Criteria 26

Annex 4 Commercial Response..... 28

Annex 5 Draft Agreement 28

1 Introduction

1.1 The European Stability Mechanism

The European Stability Mechanism (“**ESM**”) is a permanent crisis resolution mechanism established by the euro area Member States as an intergovernmental organisation under public international law. Its purpose is to ensure the financial stability of the euro area as a whole, and of its Member States experiencing severe financing problems, by providing financial assistance through a number of instruments.

More background information about the ESM may be found on the website: www.esm.europa.eu.

Neither Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 nor Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 (as amended) apply to the ESM. The ESM procures supplies, services and works on its own behalf and for its own account pursuant to the ESM Procurement Policy as published on the ESM website. Please refer to the ESM website for more information.

1.2 Overview of this RFP

This Request for Proposal (“**RFP**”) sets out the procurement requirement and procurement process of the ESM that parties are invited to respond to. The agreement to be awarded as a result of this procurement process (“**Agreement**” or “**Contract**”) will be awarded to the Candidate whose Proposal best meets the award criteria. The Agreement will include the requirements and obligations set out in the Terms of Reference, enclosed as Annex 1, and those set out in Annex 4 of this RFP as potentially adapted and agreed, if required, between the selected Candidate and the ESM during the course of this procurement procedure.

For the purposes of this RFP, candidates who wish to participate in this procurement process are referred to as “**Candidate**” or “**Candidates**” and their response is referred to as a “**Proposal**” or “**Proposals**”.

Unless otherwise defined in this RFP, all capitalised terms used in this RFP have the meanings ascribed to them in the ESM Procurement Policy.

1.3 Overview of the Procurement Requirement

The ESM intends to establish framework agreements and contracts (jointly referred to as “**Agreements**”) with Service Providers (individually, “**Service Provider**” and collectively, “**Service Providers**”) to support the ESM with the provision of the services listed below in the terms of reference. The ESM will award one Agreement per Lot.

The ESM’s official working language is English and the Services must be provided in English.

The Agreement will be awarded for a four (4) year term.

2 RFP Content

The RFP package consists of the following documents:

No.	Document Title	Comment
1.	Request for Proposal – Core Document	This document
Annexes		
2.	Annex 1 – Terms of Reference	Below
3.	Annex 2 – Section 1: Declaration on the Exclusion Criteria, Economic, Financial, and Operating Capacity and Absence of Conflict of Interest / Non-Collusion Declaration, Annex 2 – Section 2: Section 3: Cover Certification Form / Consortium / Subcontractor letter	Attached
4.	Annex 3 – Selection and Award Criteria and response elements	Below
5.	Annex 4 – Commercial Response Annex	Attached
6.	Annex 5 – ESM Draft Agreement	Attached

3 The RFP Process

3.1. Type of Procurement Procedure

This procurement process is carried out by the ESM under a Negotiated Procedure with Full Publication in accordance with Article 9.1 (3) and Article 3 (6) of Annex 4 of the ESM Procurement Policy and is referred to in this RFP as a procurement process or a procurement procedure. Procurement Process Steps and Timelines

The ESM plans to carry out the procurement process in accordance with the steps defined in the table below. The ESM reserves, at its sole discretion, the right to vary the steps and timelines.

No.	Procurement Process Steps	Timeline
1.	Publication of the Contract Notice and the RFP	02/05/2024

No.	Procurement Process Steps	Timeline
2.	<p>Deadline for submission of clarifications/questions on the Contract Notice and the RFP (via the ESM Procurement tool)</p> <p>Note: comments about the legal terms will not be clarified during this Q&A period but with the preferred candidate at a later stage.</p>	<p>27/05/2024 11:00 hrs (local Luxembourg time)</p>
3.	<p>Response to the clarifications/questions on the Contract Notice and the RFP (via the ESM Procurement tool)</p>	<p>Regularly</p>
4.	<p>Deadline for submission of Proposals (via the ESM Procurement tool)</p>	<p>03/06/2024 11:00 hrs (local Luxembourg time)</p>
5.	<p>Presentations (applicable only for Lot 1 and 3)</p>	<p>17/06/24 to 29/06/2024</p>
6.	<p>Target notification date of the ESM's decision to advance/not advance the Candidate's Proposal</p>	<p>01/08/2024</p>
7.	<p>Negotiations completed (if applicable)</p>	<p>02/09/2024</p>
8.	<p>Agreement's target commencement date</p>	<p>16/09/2024</p>

3.2. Eligibility, Exclusion, Selection and Award Criteria (applicable for all Lots)

In order to be eligible to participate in this procurement process, Candidates must be natural or legal persons and state that they are not subject to any of the exclusion situations listed in the declarations included in Annex 2 Section 1. If such circumstances arise in the course of the procurement process, the Candidate concerned must inform the ESM without undue delay.

Candidates may submit, and if requested by the ESM will submit, evidence to demonstrate their eligibility despite the existence of grounds for exclusion. The ESM may, in its sole discretion, decide whether such evidence is satisfactory.

Candidates must comply with all eligibility and exclusion criteria to be assessed further.

ELIGIBILITY AND EXCLUSION CRITERIA – elements of the evaluation		
Eligibility and Exclusion Criteria	Duly executed declarations as requested in Annex 2 Section 1	Pass / Fail

In order to assess a Candidate's capacity to perform the contract the ESM will apply the following selection criteria (full information can be found in Annex 3 Section 1).

In the event that the Candidate submits a Proposal together with a third party/-ies and/or with subcontractor(s), the combined capacities of the Candidate and all such third party/-ies and/or subcontractor(s) will be assessed for the purpose of meeting the selection criteria.

SELECTION CRITERIA – elements of the evaluation		
Selection Criteria	Economic and financial standing	Pass / Fail
	Technical or professional ability	Pass / Fail
	Authorisation and suitability to carry out the relevant professional activity	Pass / Fail

Candidates must achieve “pass” for all “pass/fail” criteria and must comply with all eligibility, exclusion and selection criteria to be assessed further.

The Proposals submitted by the Candidates will be evaluated, in accordance with the following award Criteria (further detailed in Annex 3 section 2 and Annex 4) using both the written proposals and the presentation.

AWARD CRITERIA (applicable only for LOT 1 and LOT 3)			
QUALITY	60%	PRICE	40%
1. Availability of the Project Team and Trainers	15%	Price	
2. Training course design methodology and teaching methodology	30%		
3. Environmental and social aspects	5%		
4. Presentations	10%		
Score available	60%		40%
Total Score 100%			

Stage 1: Technical proposals of those Candidates who received less than 30 points out of 50 points (60%) will be deemed of insufficient quality and eliminated from further evaluation.

Stage 2: Only the Candidates that will receive at least 30 points will be invited to make a presentation. Candidates’ score for this quality award criteria will be added to Candidates’ score for the quality award criteria evaluated in Stage 1 to give their total final score for the quality award criteria. Candidates must achieve at least 35 out of 60 on the overall quality award criteria to have their Commercial response assessed.

Stage 3: To determine the final score, Candidates’ score for quality will be combined with their respective score for their Commercial Response and the Framework Agreement will be awarded to the Candidate whose Proposal best meets the quality/price ratio.

AWARD CRITERIA (applicable only for LOT 2)			
QUALITY	60%	PRICE	40%
1. Availability of the Project Team and Trainers	25%	Price	
2. Training course design methodology and teaching methodology	30%		

3. Environmental and social aspects	5%		
Score available	60%		40%
Total Score 100%			

Stage 1: Technical proposals of those Candidates who received less than 35 points out of 60 points will be deemed of insufficient quality and eliminated from further evaluation.

Stage 2: To determine the final score, Candidates' score for quality will be combined with their respective score for their Commercial Response and the Framework Agreement will be awarded to the Candidate whose Proposal best meets the quality/price ratio.

The Candidates' Commercial response will be evaluated according to the following formula (applicable for all lots):

$$\text{Candidate's Commercial Score} = \frac{\text{Lowest offered Estimated total cost}}{\text{Candidate's Proposed Estimated total cost}} \times \text{Maximum Price score (i.e. 40)}$$

3.3. The ESM Contact Details

All communications must be done via the [ESM Procurement tool](#). Only in case **the ESM Procurement tool does not work**, candidates will be allowed to contact ESM directly via the following email address: procurement@esm.europa.eu
Attention: Mr. Ampeglio amore

The ESM will not be bound by and the Candidate agrees not to rely upon any written or verbal statements or representations of any other persons, whether employed by the ESM or not.

3.4. Clarifications of the RFP

The process for clarifications pertaining to this RFP will be as follows:

- a) Queries can be raised via the [ESM Procurement tool](#).
- b) Queries can be raised on any matter in this RFP, including the Annexes. However, the ESM reserves the right not to answer any particular query.
- c) The ESM will endeavour to respond to all queries and issue responses in a timely and professional manner. The ESM reserves the right not to answer any queries received after the deadline for submission of the queries has passed.
- d) Subject to point e) below, responses to the queries will be published on the [ESM Procurement tool](#) if they are of relevance to all of Candidates.
- e) If the ESM receives a query from a Candidate which, in the sole discretion of the ESM, constitutes a query relevant to that Candidate only, the ESM will provide response to that Candidate only.

3.5. Presentations (applicable only for Lot 1 and Lot 3)

The candidates meeting the minimum quality threshold will be invited to make a presentation in accordance with the technical award criteria number 4 below detailed.

The ESM will coordinate the schedule of presentations promptly after the release of the RFP and the preliminary assessment of the technical proposals. These will likely occur in person at the ESM offices however if this is not feasible, presentations via video conference will also be allowed. The Candidates should ensure that qualified personnel are available during this period to present the case study and to answer questions from the ESM. Presentations are anticipated to take 45 min. for each LOT.

The ESM envisages to schedule the presentations between the 17/06/24 and 29/06/24. The ESM will contact the Candidates to arrange the meetings.

Note that no pricing information can be disclosed or discussed during the presentations.

3.6. Due Diligence Elements

In order to further ascertain the viability and acceptability of the proposal and of the Candidate, the ESM, in its sole discretion acting reasonably, reserves the right to request the preferred Candidate, and in responding to this RFP the Candidates agree to provide, make available, or facilitate verification of any information certified by the Candidate and any information the ESM deems necessary to assess any potential risks related to data protection, data location, IT security, information security and legal and regulatory matters. The ESM will review this information and assess its correctness and level of risk. In case the ESM deems, in its sole discretion acting reasonably, the level of risk as too high, the Candidate will be excluded from the procurement procedure.

3.7. Negotiations

The ESM conducts negotiations in accordance with the ESM Procurement Policy, ensuring equal treatment of all Candidates invited to participate in the negotiations.

By submitting a written proposal to this Request for Proposal, the Candidates commit themselves to respond in a timely manner to any negotiation request made by the ESM, ensure any new Proposal submitted during negotiations is more beneficial to the ESM than the previous one and acknowledge that any new Proposal submitted is legally binding for the Candidate the same as the original Proposal submitted in response to this Request for Proposal. At a minimum, for all Candidates advancing to the final evaluation stage, the ESM will request a best and final Commercial Response before determining the Candidate whose Proposal has the best price-quality ratio.

3.8. Notification of the ESM's decision

The ESM will notify in writing via the [ESM Procurement tool](#) its decision to advance or not advance the Candidate's Proposal. The notification is sent by electronic means at least fifteen (15) business days prior to the signing of the Agreement by the ESM. The Candidates whose Proposal did not advance can request, in accordance with the ESM Procurement Policy and timelines set within and in the ESM notification, a de-brief addressing the reasons for not advancing their Proposal. The de-brief will be limited to the reasons related to the unsuccessful Candidate's Proposal and will not cover any information about other Candidates' Proposals.

3.9. Contract Terms and Conditions

The ESM agreement enclosed as Annex 5 to this RFP ("**ESM Agreement**") will form the agreement between the ESM and the selected Candidate. The ESM views the ESM Agreement to be fair and balanced and expects that Candidates will agree to it without reservation. By submitting a Proposal,

Candidates accept the ESM Agreement without reservation and acknowledge that none of their own agreements, contracts or terms and conditions will apply.

If Candidates would like to propose any changes to the ESM Agreement they must provide, for each proposed change, a counter-proposal and a clear explanation why they consider the proposed change necessary as part of their Proposal by the deadline for the submission of Proposals. The ESM will not accept any change requests received after the deadline for submission of Proposals. The ESM will also not accept any substantial revisions/redrafting of the ESM Agreement. Any potential changes to the ESM Agreement, if at all possible and agreeable to the ESM, will be minimal in order to ensure equal treatment of all Candidates. For the avoidance of doubt, the ESM is not obliged to make any changes to the ESM Draft Agreement. In case the ESM deems, in its sole discretion acting reasonably, that the Candidate's change requests are not acceptable and the contract negotiations have failed, the Candidate will be excluded from the procurement procedure.

4 Terms and Conditions of the RFP

4.1 Rights of the ESM

By submitting a Proposal, Candidates confirm that they have taken note and accepted all terms and conditions of this RFP.

The ESM reserves the right, at its sole discretion and in exceptional circumstances, to accept Proposals received after the deadline for submission of Proposals.

After the ESM opens Proposals, it may request Candidates to submit, supplement, clarify or complete information or documentation which is or appears missing, incomplete, inconsistent or erroneous within an appropriate time limit. The ESM reserves the right at its sole discretion to reject from further consideration any such Proposal.

The ESM reserves the right to request that Candidates provide documentary evidence in support of the statements made in their Proposal.

Any effort by the Candidate to influence the ESM in the process of examination, evaluation and comparison of Proposals may result in the rejection of the Candidate's Proposal.

The ESM may decide, at its sole discretion while respecting the general principles set forth in the ESM Procurement Policy, to cancel this procurement process in whole or in part at any time before the Agreement is signed. The cancellation does not give rise to any form of compensation for Candidates.

The ESM will ensure that the information provided by Candidates is treated and stored in accordance with the principles of confidentiality and integrity.

The ESM reserves the right at its sole discretion to disclose the contents of Proposals to its third party advisors (if applicable) who are bound by the same confidentiality and integrity obligations as the ESM.

If the ESM discovers, before the expiry of the deadline for submissions of Proposals, a lack of precision, an omission or any other type of error in this RFP, it will rectify the error and inform all Candidates in writing via the [ESM Procurement tool](#).

4.2 Cost of Participating in the Procurement Process

All costs relating to the participation in this procurement process, including in particular any costs in relation to the attendance at Presentations and of any other documents requested by the ESM and any subsequent follow-up will be borne exclusively by Candidates.

4.3 Materials and Documents

All materials and documents provided by the ESM during this procurement process will remain the ESM's property. Nothing in this RFP or in any other document issued by the ESM in connection therewith will be construed as to grant Candidates any right or license to use these documents for any purpose, except the right to use them in as much as necessary to prepare their Proposals.

All materials and documents prepared by the Candidate, once submitted to the ESM in response to this procurement process, will become the property of the ESM and, irrespective of the outcome of the procurement process, may be retained by the ESM, and, in any case, the ESM will have the right to use any concept or ideas contained therein without incurring any costs or expenses or any liability whatsoever.

4.4 Validity of the Proposal

By submitting a Proposal, Candidates acknowledge and agree that their Proposal will remain valid and legally binding for a period of 180 calendar days from the deadline for submission of Proposals.

4.5 Compliance with Law

Candidates are invited, but not bound to participate in this procurement process. Yet, the participation in this procurement process following the receipt of the RFP from the ESM implies the acceptance of the terms and conditions of the RFP and any other provisions of the RFP and any breach of these will be subject to appropriate remedies under the applicable law.

Before the Agreement enters into force, the successful Candidate undertakes to comply with all applicable laws and regulations and to obtain all relevant authorisations, permits and certificates required to provide the services described in this RFP.

Nothing in this RFP will be construed as implying a waiver, renunciation or modification by the ESM of any rights, privileges, immunities or exemptions from which ESM may benefit under the Treaty establishing the ESM or any applicable laws.

4.6 Trade Name, Logo and Marks

The ESM logo, covers, page headers, custom graphics, icons, other design elements and other words or symbols used to identify the description of the procurement requirement described are either trademarks, trade names or service marks of the ESM and its licensors, or are the property of their respective owners. These marks may not be copied, imitated or used, in whole or in part, without the explicit prior written consent of the ESM.

4.7 Confidentiality

All documents and information provided by the ESM in connection with this RFP constitute Confidential Information within the meaning of this section.

If the Candidate considers that any part of its Proposal or other documents/information submitted to the ESM include Confidential Information within the meaning of this section it must clearly mark such parts of Proposal or other documents/information as 'confidential'.

Candidates are advised that their participation in this procurement process constitutes Confidential Information except for the announcement by the ESM of the successful Candidate on the ESM website in accordance with Article 9.17 (3) of the Procurement Policy.

Except if required in a judicial or administrative proceeding, or if it is otherwise required to be disclosed by any law or regulation, or where information is already in the public domain, the ESM or the Candidate will (a) not disclose the Confidential Information, (b) take all reasonable measures to preserve the confidentiality and avoid disclosure, dissemination or unauthorised use of Confidential Information, and (c) not use such Confidential Information for any purpose other than as is necessary in connection with this RFP. Confidential Information does not include information which (a) was known to the ESM or the Candidate prior to receiving the information from the Candidate or the ESM; (b) becomes rightfully known to the ESM or the Candidate from a third-party source not known to the ESM or the Candidate (after diligent inquiry) to be under an obligation to the Candidate or the ESM to maintain confidentiality; (c) is or becomes publicly available through no fault of or failure to act by the ESM or the Candidate; or (d) has been developed independently by the ESM or the Candidate or authorised to be disclosed by the Candidate or the ESM. Confidential Information may only be shared with third parties (e.g. contractors) that have a need to know the Confidential Information in relation to this procurement process and provided that such third parties comply with the confidentiality obligations provided in this section.

In addition, if the Candidate has signed an ESM confidentiality undertaking the Candidate agrees to comply with all obligations set forth in such confidentiality undertaking. If there is a conflict between such confidentiality undertaking and this RFP, the confidentiality undertaking will prevail.

4.8 Involvement of/Reliance on Third Parties

If the Candidate intends to involve a third party in the supply of the services offered to the ESM the Candidate has to ensure that any such third party is bound by the requirements set forth in this RFP.

If a Candidate submits its Proposal as part of a consortium with a third party/third parties, such Candidate must provide as part of its Proposal:

- a) a clear description of the proposed consortium, its organisational hierarchy and structure, the names of all consortium members and the roles, activities and responsibilities of the consortium leader and each consortium member;
- b) a document authorising the consortium leader to act on behalf of the consortium member(s) (consortium declaration);
- c) a written undertaking from the consortium member(s) confirming that it/they will place, at the consortium leader's disposal, the resources necessary for the performance of the Contract. The written undertaking must be signed by an authorised representative of each such consortium member; and
- d) information on whether the consortium will form a legal entity and if yes, details of the actual or proposed percentage shareholding within such legal entity and other official documents confirming existence of such legal entity. If not, full details of the proposed consortium arrangement including submission of an executed consortium agreement.

If a Contract is awarded to a consortium, all consortium members will be jointly and severally liable towards the ESM for all obligations arising of or resulting from the Contract.

If a Candidate considers any changes in the consortium structure it must immediately notify the ESM in writing via the [ESM Procurement tool](#). The composition of a consortium (including the roles,

activities and responsibilities of the consortium leader and each consortium member) cannot be modified or members of the consortium cannot be exchanged, whether during the course of this procurement process or during the term of the Contract, without the prior written consent of the ESM.

If a Candidate intends to subcontract some of the services offered to the ESM to a third party, the Candidate must provide as part of its Proposal:

- a) a clear description of the proposed subcontracting arrangement, in particular which tasks the Candidate intends to subcontract and their volume or proportion, the name(s) of the proposed subcontractor(s) and its/their roles, activities and responsibilities; and
- b) a document signed by a subcontractor stating its intention to collaborate with the Candidate should the Candidate be awarded a Contract.

If a Candidate subcontracts some of the services under the Contract to subcontractors, it will nevertheless remain fully liable towards the ESM for the performance of such services and responsible for the Contract as a whole. The ESM will have no direct legal commitments with the subcontractor(s).

Where the information provided to the ESM indicates that subcontractor(s) is/are to play a significant role in delivering the services offered to the ESM, any changes to the proposed subcontractors must be notified immediately to the ESM. Candidates cannot exchange or replace the subcontractors or modify the nature of the subcontracting arrangement (including the subcontracted tasks, their volume or proportion), whether during the course of this procurement procedure or during the term of the Contract, without the prior written consent of the ESM.

Moreover, any additional subcontractor(s) which was/were not assessed by the ESM during this procurement procedure may only be appointed if the ESM's has given its prior written consent.

4.9 Transfer of Undertakings

The Candidates acknowledge and accept the possibility that if they are awarded the Contract, the Contract may in some cases trigger the application of the relevant provisions of Luxembourg law or of a collective labour agreement regarding transfers of undertakings, in particular, but not limited to, Articles L.127- 1 to L.127-6 of the Luxembourg Labour Code as amended from time to time (collectively the "Regulations"). Consequently, the Candidates acknowledge and accept the possibility that if they are awarded a Contract the staff employed by the existing service provider performing the services to the ESM (the "Employees") may, if necessary, be taken over and/or transferred automatically, by the virtue of the Regulations.

The Candidates are therefore invited, if deemed appropriate and if not already included in the procurement documents, to request the ESM to provide any necessary information regarding the Employees. The ESM reserves the right to answer questions at a later stage of the procurement procedure if deemed appropriate in the ESM's sole discretion.

Should the Regulations be applicable, the existing service provider and the successful Candidate will fully comply with all of their obligations under the Regulations and will take all necessary steps to facilitate the takeover and/or transfer of the Employees. Any discussions regarding potential takeover and/or transfer of the Employees will be directly between the existing service provider and the successful Candidate. All the costs incurred by the successful Candidate in relation to the application of the Regulations will be borne solely by such Candidate and will not give rise to any financial compensation from the ESM and will not affect in any way the financial proposal submitted by the successful Candidate.

5 Structure of the Proposal

Candidates may submit a Proposal for one Lot or more Lots.

When preparing Proposals, Candidates should observe the following:

- All documents must be submitted in English.
- Any deviations from the specified requirements of this RFP that cannot be satisfied by the Candidate, should be clearly identified in the Proposal.
- In some cases, page/word limits may be specified. Any response exceeding the specified limits may be disregarded beyond that limit.
- Answers should be as concise as possible, complete and comprehensive.
- The ESM does not wish to receive any marketing or other promotional materials.
- All digital copies of the Proposal should be submitted in compliance with the following guidelines:
 - a) One file per section as described in the “Proposal Structure” table below.
 - b) Any supporting or additional files should be clearly named.
 - c) All files should be named clearly with a sequential number and relevant file name.
 - d) All files should be provided in a standard non-editable format, such as PDF.

Proposal Structure			
#	Section	Template and instructions	Document format
1.	Cover Certification Form Upload in the ESM Procurement tool under: TECHNICAL ENVELOPE	Candidates are requested to provide completed, dated and signed by a duly authorised representative Annex 2 Section 2.1 – “Cover Certification Form”	Fully scanned copy with signature in PDF
2.	Declaration on the Candidate’s Exclusion Criteria, Economic, Financial and Operating Capacity and Absence of Conflict of Interest Upload in the ESM Procurement tool under: TECHNICAL ENVELOPE	Candidates are requested to submit completed, dated and signed declaration, signed by a duly authorised representative Annex 2 Section 1.1 – “Declaration on the Candidate’s Exclusion Criteria, Economic and Financial Capacity and Absence of Conflict of Interest”)	Fully scanned copy with signature in PDF
3.	Non-Collusion Declaration Upload in the ESM Procurement tool	Candidates are requested to submit completed, dated and signed by a duly authorised representative Annex 2 Section 1.2 – “Non-Collusion Declaration”	Fully scanned copy with signature in PDF

	under: TECHNICAL ENVELOPE		
4.	Selection Criteria Upload in the ESM Procurement tool under: TECHNICAL ENVELOPE	Candidates are requested to address the requirements under the selection criteria listed in Annex 3 section 1	Fully scanned copy with signature in PDF
5.	Technical Proposal Upload in the ESM Procurement tool under: TECHNICAL ENVELOPE	Candidates are requested to address the requirements under the quality award criteria listed in Annex 3 section 2 in compliance with the Terms of Reference provided in Annex 1.	Fully scanned copy with signature in PDF
6.	Commercial Proposal Upload in the ESM Procurement tool under: FINANCIAL ENVELOPE	Candidates are requested to address the requirements under the price award criteria listed in Annex 4 in compliance with the Terms of Reference provided in Annex 1.	Fully scanned copy with signature in PDF and an writable Excel version

Forms to fill in	Candidate (including Consortium Lead)	Consortium members	Key Subcontractors
Declaration on Eligibility Annex 2 1.1	To be completed	To be completed	N/A
Declaration of Non-Collusion Annex 2 1.2	To be completed	To be completed	N/A
Cover Certification form Annex 2 2.1	To be completed	N/A	N/A
Consortium declaration Annex 2 2.2	To be completed	To be completed	N/A
Subcontractor commitment letter Annex 2 2.3	N/A	N/A	To be completed

These forms must be uploaded in the **ESM Procurement tool** under the TECHNICAL ENVELOPE.

6 Submission of the Proposal

Proposals must be submitted in the **ESM Procurement tool** no later than by the “**Deadline for submission of Proposals**” specified at point No. 4 of the **Procurement Process Steps and Timelines** table in Section 3.2 of this RFP.

Only Proposals received through these means will be accepted.

Annex 1 Terms of Reference

1 **BACKGROUND**

Established in 2012, the European Stability Mechanism (“ESM”) is an intergovernmental organisation under public international law, based in Luxembourg. The ESM is a crisis resolution mechanism with the mission to provide financial assistance to euro area countries experiencing or threatened by severe financing problems. In terms of balance sheet, the ESM is amongst the world's largest IFIs, such as the European Investment Bank (EIB), the International Monetary Fund (IMF), the World Bank Group (WBG), the International Bank for Reconstruction and Development (IBRD) and the European Central Bank (ECB).

With a current staff contingent of approximately 220 full-time members coming from all over the world, the ESM operates in keeping with a lean model. As a crisis resolution mechanism, a culture of true teamwork, healthy resilience, and a pragmatic and flexible approach is essential at the ESM. The ESM is a multicultural organisation which also strongly believes in the creative power achieved when people from different backgrounds, nationalities, cultures, and genders are united in their efforts.

Since its establishment, the ESM has been continuously building its operations. In order to further support its perspectives of growth and its future role, the ESM is looking for assistance from external specialised (expert) Service Providers for the design and delivery of soft skills instructor-led training services (“Training”). The target group of all ESM members of staff, including the management population. The ESM is seeking Service Providers with experience working in international/multicultural environments within private companies and/or public organisations of a similar size.

The ESM’s official working language is English. Therefore, all those involved in the provision of the services, including the proposed trainers, are required to be highly proficient in both written and verbal English. In addition, for the avoidance of doubt, all administrative matters with the successful Candidates, with whom the ESM will sign framework agreements as a result of this procurement procedure, will also be conducted in English.

In this context, the ESM intends to conclude framework agreements also called “Contract(s)” with up to three Selected Providers for the provision of training services. The Lots are specified below and cover each of the following Training Areas:

Lot 1: Self and Social Awareness, Self-Leading and Efficiency at Work; Managing own and others Talent, Performance and Development; Professional communication and knowledge transfer.

Lot 2: Writing skills.

Lot 3: Diversity and Inclusion

2 DETAILED DESCRIPTION OF SERVICES AND DELIVERABLES

Description of the required Services or Deliverables:

The Service Provider will perform the following Services and provide the following Deliverables to the ESM.

Lot 1 – Self and Social Awareness, Self-Leading and Efficiency at Work

Services provided under this lot shall cover learning programmes on:

- Know your strengths, self-assessment;
- Positive and growth mind-set;
- Interpersonal communication;
- Stress management;
- Dealing with uncertainty and change;
- Mental health awareness;
- Mindfulness;
- Resilience;
- Multicultural awareness;
- Leading meetings;
- Time and priorities management/ personal efficiency;
- Taking minutes and notes;
- Mind mapping;
- Telework efficiency;
- Working in hybrid environment.
- ESM Core competencies for new joiners;
- How to prepare for your year-end performance reviews (including self-assessment of goals and behaviors);
- How to prepare performance reviews for your team members;
- Giving and receiving feedback;
- Interviewing skills;
- Change management;
- Coaching skills;
- Motivating and developing others;
- Preparing for Career Management Meetings.
- Facilitation and moderation skills in face-to-face and in virtual environments;
- Train-the-trainer for face-to-face and virtual environments;
- Public speaking in face-to-face and in virtual environments;
- Storytelling;
- Persuasion and Influencing skills;
- Presentation skills in face-to-face and virtual environments;
- Project Management;
- Protocol and Etiquette.

Lot 2 – Writing skills

Services provided under this lot shall cover learning programmes on:

- Writing efficient e-mails;
- Note writing/ Business reports;
- Writing a business case;
- Blog writing.

Lot 3 – Diversity and Inclusion

Services provided under this lot shall cover learning programmes on:

- Unconscious bias;
- How to build psychological safety;
- Women Leadership;
- Becoming an ally.

The selected Service Providers will deliver all the services covered in the respective Lot. Please note, the subjects listed under each lot above are non-exhaustive and only for illustration purposes and can be updated upon evolving business needs.

Description of the Services (applicable to all Lots):

i. Methodology of Training courses and/or programmes

Working within a highly diverse hybrid environment in continuous change and dealing with multiple stakeholders requires sound behavioral capabilities. The ESM therefore seeks training experts with a professional level of pedagogical expertise and communication skills that will ensure the transmission of their knowledge and their know-how, enabling members of staff to meet their personal development objectives.

The ESM is seeking Service Providers who can design and deliver both individual and team Instructor-Led Training courses and/or programmes. The requirements as specified in this Section apply to all Lots unless otherwise indicated.

Selected Service Providers will be required to provide the following services:

- Conduct a needs analysis with HR and key stakeholder(s) prior to each Training course and/or programme to decide and align on the objectives, content, and pedagogical approach.
- Design and/or adapt specific Training courses and/or programmes to the ESM needs. The Service Provider is also expected to develop learning paths upon ESM request.
- Deliver tailor-made Training courses and/or programmes in response to specific needs for each Lot. This includes blended learning, content, structure, pedagogical methods and tools.
- Develop all necessary learning materials (including any on-line resources if applicable). All relevant learning materials need to be distributed to all participants by the Service Provider or provided in a digital form upon agreement with the ESM.
- Proactively monitor, give advice and assist in improving the quality, relevance or range of the Training courses and/or programmes provided to members of staff by the Service Provider in the light of evaluations they receive after conducting courses and/or programmes. The Service Provider may also be asked, for certain subjects, to develop and/or correct tests or knowledge assessments before and/or after the learning activity, to measure its impact.

Currently self-paced e-learning or virtual classroom-based training are the main formats used at the ESM. The Service Provider must have a catalogue of existing (readily-available) courses which are suitable for in-person or via virtual classroom training

delivery in the institution. The Candidates must be able to cover all topics listed under each relevant Lot.

ESM welcomes the full use of new and emerging trends in learning and development to enable members of staff and the institution to gain the maximum return on the time invested. Therefore, for each Training Area, based on identified objectives and target audience needs, a set of learning activities such as blended learning, peer exchange, webinars, facilitating communities of practice and support to other forms of informal learning, could be offered in addition to classroom based learning.

Here below the estimated number of training courses planned in Q3-Q4 2024:

Lot 1: Self and Social Awareness, Self-Leading and Efficiency at Work; Managing own and others Talent, Performance and Development; Professional communication and knowledge transfer: 6

Lot 2: Writing skills: 2.

Lot 3: Diversity and Inclusion: 1

However, these numbers are indicative and can be increased/decreased based on the actual needs of the ESM.

ii. General Service Requirements

Here below a list of general service requirements:

- Target audience: all members of staff, including management;
- All Trainings must be delivered in English. When preparing teaching material and delivering Training, Service Providers must allow for the fact that English is not the mother tongue of most of the participants;
- The ESM may offer Training courses and/or programmes for individual members of staff, specific groups, or all members of staff;
- The size of the groups will generally be between 6 to 12 members of staff, the number may vary depending on the subject and learning needs of the participants (e.g., a lunchtime bite-size session on a subject could be considered for a larger group);
- The duration of a course will generally be between 0.5 to 3 days, this can vary according to the specific needs of the audience. Short (90 min) learning sessions are also in scope for these assignments.
- The Training courses and/or programmes will normally take place at the ESM premises in Luxembourg (and occasionally at other venues upon ESM's request) but also in virtual classrooms via Teams or other suitable online tools for delivery.

iii. Nature of the target audience

ESM members of staff come from very diverse national, educational and cultural backgrounds, have strong expertise, and have different levels of mastery when it comes to soft skills competencies. Training design and delivery should therefore take into account the wide range of needs that the Training participants may have.

iv. Deliverables

The Service Provider will be required to submit the following Deliverables by the corresponding dates (the “Delivery Dates”) set out in Table below.

Name of Deliverable	Description	Format	Delivery date
Number 1: Design, development, adaptation of training courses/programmes	Courses outline, training agenda, communication materials for participants, preparatory or feedback surveys, self-assessment questionnaires, etc	MS word, PDF, PPT, online platforms, or any other suitable format	Upon request from ESM, throughout the life of the contract
Number 2: Delivery of training courses/programmes	Scheduling and delivery of training programmes for individuals or groups selected by ESM	In-person or in virtual classrooms	Upon request from ESM, throughout the life of the contract

3 PAYMENT TERMS (applicable to all Lots)

The Service Provider will issue an invoice which shall cover the Services provided during the preceding calendar month.

Expenses:

Fees are inclusive of any expenses incurred by the Service Provider in connection with the Services provided under this Framework Agreement and/or any Contracts signed under this Framework Agreement, including but not limited to, any travel expenses (transport, accommodation etc.), any fees related to the cost of the Framework Agreement, the quality control, and any other ancillary expenses. Please refer to art 5.3 of the Contract

4 TRAINERS’ PROFILE / MANAGEMENT OF A CONTRACT (applicable to all Lots)¹i. General requirements:

The Service Provider will provide a team of trainers with experience in working in an international context. They must also possess a high level of competence in the field of soft skills training in general and in the field of the specific Training they are asked to develop and facilitate.

In the training approaches used, in their attitude, and in the content of the Training delivered, the trainers must respect and promote the values of the ESM, in particular: ease with uncertainty; making a difference; creativity; teamwork; excellence; respect; health and wellbeing; and diversity and inclusion. The trainers must perform the services with upmost professional integrity.

ii. Specific Minimum Requirements:

Trainer: Each trainer must have an University degree and a minimum of 6 years of relevant experience in the applicable Lot;

Account Manager:

The Service Provider will designate at least one dedicated person (account manager) to the ESM who will be the main contact point for the ESM when it comes to the account management.

iii. Annual meetings

The account manager will conduct formal reviews with the ESM on an annual basis. Such annual meetings will include a review of the Services conducted since the last meeting, updates on KPIs/SLA performance via dashboard reporting, spend and cost review (financial performance vs. budget), marketplace overview, trend analysis, opportunity analysis, improvement opportunities, and provision of new initiatives and systems which may be of benefit to the ESM.

The Service Provider's account manager will conduct formal reviews with the ESM once per each Contract year in the first month of the subsequent Contract year. During such annual meetings the Parties will review and discuss topics related to the Service Provider's contractual performance, process improvement etc. in the preceding Contract year and future improvement opportunities.

iv. Performance Reporting:

Following each training course held, Service Providers are expected to seek feedback from the participants and use such feedback to produce a quality report (the "Quality Report") in order to control the quality of the training. Follow up and provision of post-training assistance to the participants might be required. Within 10 working days following each training course held, Service Providers shall provide HR with the Quality Report by e-mail which shall include a copy of all feedback sheets received from the participants. If deemed necessary, Service Providers shall identify structural issues related to the training course in collaboration with HR and shall take remediation actions.

v. Environmental and social aspects

In order to protect the environment, the Selected Providers are expected to avoid printing materials and making use of online services as much as possible. Commercial goods, such as pens, etc should not be sent or handed over to the ESM.

5 ADMINISTRATIVE ARRANGEMENTS (OFFICE SPACE, LAPTOPS ETC.)

The Services will be conducted both at the ESM's premises and remotely and the Service Provider will report to HR-Talent Management representative designated in writing by ESM.

Annex 2 Eligibility, Exclusion Criteria, and other required information and documents

1. Eligibility and Exclusion Criteria

- 1.1 Declaration on eligibility
- 1.2 Non-Collusion Declaration

Note: See the separate document with the above declarations

2. Other Required Information and Documents

- 2.1 Cover certification form
- 2.2 Consortium declaration
- 2.3 Subcontractor commitment letter

Note: See the separate document with the above declarations

7 Annex 3 Selection and Award criteria

1. Selection Criteria (applicable to all Lots)

As part of their Proposal, Candidates are requested to address each item/question below and supply the requested evidence in the correspondingly named and numbered way.

The selection criteria apply to the Candidate as a whole, i.e. a consolidated assessment of the combined capacities of all involved entities will be carried out.

Please note that for the purpose of the evaluation of the Proposals, the ESM will assess the responses provided to the items set out below in this Section 2.

1) Economic and financial standing

Candidates must comply with the following selection criteria in order to prove that they have the necessary economic and financial capacity to perform the Contract.

Item Number	Selection Criteria	Requirements	Evidence
1.	The Candidate must prove sufficient past revenue.	Annual, global revenue of at least 200.000 euros for Lot 1 and Lot 2 and 100.000 euros for Lot 3 in each of the last two completed financial years generated from the provision of services similar to the services set out in Annex 1 to this RfP.	A signed self-attestation from the Candidate. No specific template is requested by the ESM.

2) Technical or professional ability

Candidates must comply with the following selection criteria in order to prove that they have the necessary technical or professional ability to perform the Contract.

Item Number	Selection Criteria	Requirements	Evidence
1.	The Candidate must prove experience in the field of training services.	<ol style="list-style-type: none"> 1) At least 3 years of relevant experience in the provision of services similar to the services set out in Annex 1 to this RfP. 2) During the last 3 years, the Candidate must have designed and facilitated tailor-made training courses and/or programmes related to the Lots applied for at least: <ul style="list-style-type: none"> • 3 international public or private organisations, EU institutions or international financial institutions; and • 2 organisations of around 100 to 250 employees operating in fast-paced, multilingual, and multicultural environment. 	<ol style="list-style-type: none"> 1) A signed self-attestation from the Candidate confirming the ability to fulfil the requirements set out under this item. No specific template is requested by the ESM. 2) The response shall be concise and limited to one page per example (max 5 pages in total) and must include at minimum the following: <ul style="list-style-type: none"> - A description of client entity (size, type of entity, location). - The name of client entity, if possible. - Number of training days on specific courses and/or programmes provided to the client. - Training objectives and a detailed course outline. - Any other relevant information (e.g. training evaluation, course sample, etc.).
2.	The Candidate must be able to provide a team of trainers in accordance with the RFP requirements.	<ol style="list-style-type: none"> 1) The Candidate must be able to provide Trainers who have a high level of proficiency in written and spoken English (“Very good” to “Excellent”). 2) Each Trainer made available by the Candidate to the ESM must have a minimum of 6 years of relevant experience and university degree in the applicable Lot. 	<ol style="list-style-type: none"> 1) A signed self-attestation from the Candidate confirming the ability to fulfil the requirements set out under this item. No specific template is requested by ESM. 2) Detailed CVs of the team members proposed. The ESM recommends submitting the CVs in the EU CV format.

3) Authorisation and suitability to carry out the relevant professional activity.

Candidates must comply with the following selection criteria in order to prove that they have the necessary authorisation and suitability to perform the Contract.

Item Number	Selection Criteria	Evidence
1)	The Candidate must prove that they have legal capacity to perform the Contract and the regulatory capacity to pursue the professional activity necessary to carry out the services subject to this procurement process.	Copy of a proof of enrolment in a relevant trade or professional register.

2. Award Criteria

In their technical responses, Candidates should refer to the quality award criteria and instruction numbers before providing their answers.

The Candidates' technical response should then be sent to the ESM as a separate PDF attachment along with the other documents requested (see Section 5 'Structure of the Proposal').

In responding to the Award Criteria, Candidates should explain clearly how they can fulfil ESM's requirements and whether they can even add some value.

- **Technical Award Criteria (applicable only for LOT 1 and LOT 3)**

Quality	60%
Criteria 1: Availability of the Project Team and Trainers and project management aspects	15 %
<ol style="list-style-type: none"> 1) Provide a clear explanation about the composition of your team, who does what, subcontractors involved and/or consortium members (if applicable). 2) Explain how you will ensure that trainers will be available to work with the ESM, when required. 3) Describe communication aspect and risks associated to the implementation of the services. 	
Criteria 2: Methodology Proposed	30 %
<ol style="list-style-type: none"> 1) Detail your methodologies for training design and teaching related to the topics and different levels as per the requirements set in the terms of reference. Explain the needs analysis processes, tools, average hours required for each level, classroom and innovative learning activities, quality assurance, feedback collection and evaluation, you use to ensure you provide training services that are fit for purpose. 	
Criteria 3: Environmental and social aspects	5%
<ol style="list-style-type: none"> 1) Provide a description about the mechanisms you have in place to ensure that environmental and social aspects are respected in accordance with the market standards. 	
Criteria 4: Presentation _ Case Study	10%
<ol style="list-style-type: none"> 1) During the presentation each eligible Candidate will provide first a short introduction of the company and the team proposed for this assignment Candidates are also expected to provide during the presentation a short 15-20 min demonstration session of one training course (own choice) existing in their readily available offer. The following elements will be assessed: the understanding of the institutional context of the ESM; key challenges and learning objectives; and the degree to which the course delivery is dynamic, interactive and promotes exchanges among participants. 	
Price	40%
Total	100%

- **Technical Award Criteria (applicable only for LOT 2)**

Quality	60%
Criteria 1: Availability of the Project Team and Trainers and project management aspects	25 %
<ol style="list-style-type: none"> 1) Provide a clear explanation about the composition of your team, who does what, subcontractors involved and/or consortium members (if applicable). 2) Explain how you will ensure that trainers will be available to work with the ESM, when required. 3) Describe communication aspect and risks associated to the implementation of the services. 	
Criteria 2: Methodology Proposed	30 %
<ol style="list-style-type: none"> 1) Detail your methodologies for training design and teaching related to the topics and different levels as per the requirements set in the terms of reference. Explain the needs analysis processes, tools, average hours required for each level, classroom and innovative learning activities, quality assurance, feedback collection and evaluation, you use to ensure you provide training services that are fit for purpose. 	
Criteria 3: Environmental and social aspects	5%
<ol style="list-style-type: none"> 1) Provide a description about the mechanisms you have in place to ensure that environmental and social aspects are respected in accordance with the market standards. 	
Price	40%
Total	100%

Annex 4 Commercial Response

See attached.

Annex 5 Draft Agreement

See attached.