



TENDER FILE / TERMS OF REFERENCE

(Restricted consultation procedure / Framework Contract)

Provision of Communication and Public Relation Services for Horizontal Facility Actions in Montenegro

The Council of Europe is currently implementing a joint European Union /Council of Europe Horizontal Facility for the Western Balkans and Turkey (Horizontal Facility), which will be completed in April 2019. Currently there are 6 actions implemented under the Horizontal Facility in Montenegro. In view of implementing the Horizontal Facility communication and visibility plan, the Council of Europe Programme Office in Podgorica is looking for Providers for the provision of communication and public relation services to be requested on an as needed basis (See Section A of the Act of Engagement).

A. TENDER RULES

This specific tender procedure aims at concluding a **framework contract** for the provision of deliverables described in the Act of Engagement (See attached). A tender is considered valid for 120 calendar days as from the closing date for submission. The selection of tenderers will be made in the light of the criteria indicated below. All tenderers will be informed in writing of the outcome of the procedure.

- B. The tenderer must be either a natural person, or a duly registered company ((hereinafter referred as the "Provider") under sole proprietorship of a natural person, or equivalent, provided that the signatory of the Act of Engagement is individually liable for all obligations undertaken by the entity, and is the owner of the moral rights in any creations of the entity. If contracted by the Council of Europe, the signatory of the Act of Engagement shall provide the deliverables personally, in accordance with the terms as provided in the current Tender File, Act of Engagement and future Order Forms (see Section D below on ordering procedure).
- C. Tenders shall be submitted **by email only** (with attachments) **to the email address indicated in the table below, with the following reference in subject: Provision of Communication and Public Relations Services for Horizontal Facility Actions in Montenegro.** Tenders addressed to another email address **will be rejected.**
- D. The general information and contact details for this procedure are indicated on this page. You are invited to use the CoE Contact details indicated below for any question you may have. **All questions shall be submitted at least 5 (five) working days before the deadline for submission of the tenders and shall be exclusively addressed to the email address indicated below with the following reference in subject: Provision of Communication and Public Relations Services for Horizontal Facility Actions in Montenegro.**

Type of contract ▶	Framework contract
Duration ▶	Until 30 April 2019
Deadline for submission of tenders/offers ▶	07 October 2018
Email for submission of tenders/offers ▶	field-finance.podgorica@coe.int
Email for questions ▶	field-finance.podgorica@coe.int
Expected starting date of execution ▶	15 October 2018

B. EXPECTED DELIVERABLES

Background of the Project

The Council of Europe Programme Office in Podgorica is looking for a **maximum of 4 Providers** in order to support the implementation of the project [Horizontal Facility for the Western Balkans and Turkey \(Horizontal Facility\)](#). The Horizontal Facility is a joint initiative of the European Union (EU) and the Council of Europe (COE) for South East Europe and Turkey, representing a key instrument for promoting joint EU and COE standards and values to a wider target audience.

The Horizontal Facility is being implemented in six beneficiaries, namely Albania, Bosnia and Herzegovina, "the former Yugoslav Republic of Macedonia", Kosovo, Montenegro and Serbia, while Turkey will benefit from legal analyses/advice through the Expertise Co-ordination Mechanism. The implementation will take place over three years (May 2016-April 2019) and will focus on three themes:

1. Ensuring justice;
2. Fighting corruption, economic crime and organised crime;
3. Combating discrimination and protecting the rights of vulnerable groups.

The initiative pursues a two-fold approach:

1. Technical cooperation, based on recommendations of the COE monitoring bodies, which are of importance in the EU enlargement process. The format of the technical cooperation is outlined in operational activity plans called Tri-Annual Plans of Action (hereinafter, TAPAs), which have been designed to reflect the needs in each of the respective beneficiaries, with each TAPAs containing a number of Actions under each of the three themes.

2. The Expertise Co-ordination Mechanism, which foresees the provision of COE legislative expertise and policy advice in response to requests from the aforementioned beneficiaries.

There are 6 actions implemented under the Horizontal Facility in Montenegro, namely:

1. [Action against Economic Crime Montenegro \(AEC-MNE\)](#);
2. [Fighting Ill-treatment and Impunity and Enhancing the Application of the ECtHR Case-law on National Level \(FILL\)](#);
3. [Enhancing human rights protection for detained and sentenced persons in Montenegro](#);
4. [Accountability of the Judicial System in Montenegro](#);
5. [Strengthen integrity and combat corruption in higher education](#);
6. [Fostering a democratic school culture](#).

The Horizontal Facility has communication guidelines which underpin its effective implementation. They provide the staff engaged in the implementation of the respective actions with a clearly defined framework for ensuring that appropriate information is communicated to appropriate audiences using the most efficient communication channels.

The communication guidelines have five objectives:

1. to raise awareness of the actions as well as the Expertise Co-ordination Mechanism;
2. to provide regular and up-to-date information to different target groups;
3. to communicate the results and achievements of the Horizontal Facility to a wider audience;
4. to share good practices in the region for further interventions at regional level;
5. to increase the accountability of relevant institutions and donors toward beneficiaries and citizens.

The communication under the Horizontal Facility will promote the benefits and expected positive effects of the actions and will explain to target groups how and why the actions of the Horizontal Facility will improve and enhance their quality of life.

In order to facilitate the implementation of the Horizontal Facility communication guidelines and its plan in Montenegro, the Council of Europe Programme Office in Podgorica is looking for a maximum of 4 Providers with special expertise communication and public relation services.

The Providers are expected to deliver coordination services related to oral and written communications services, in close cooperation with the team of the Council of Europe Programme Office in Podgorica, for an estimate of 100 working days, distributed until 30 April 2019. This estimate is for information only and shall not constitute any sort of contractual commitment on the part of the COE. The contract may potentially represent a higher or lower number of working days, depending on the evolving needs of the Organisation.

Scope of the Framework Contract

1. Provide daily press clipping of print, TV and online media based on predefined keyword tracking. The Providers will send the daily press clipping by e-mail every day in the morning by 9:00h until the end of the contracting period. The Council of Europe Office in Podgorica will have the access to the transcript, as well as to the original newspaper article or video file;
2. Monitor the report of COE public events after each public event organised by the Council of Europe Programme Office in Podgorica the Providers will send a report on English language containing a press digest and the following statistic (the number of published media advisories, the list of media where the media advisory was published, the number of published press releases and the list of media where the press releases was published);
3. Ensure an access to a digital media database which contains all print, media, and TV articles;
4. Photo and media coverage of the Council of Europe public events upon request;
5. Prepare and distribute media advisories and press releases cleared by COE staff. Liaise with media as necessary in order to achieve better media coverage in Montenegro;
6. Facilitate the Horizontal Facility Actions' staff in identifying and preparing relevant public relation events, tools and messages;
7. Identify project success stories highlighting the impact of the action – to be promoted through media contacts, public relations events, written interviews/stories/ short filmed interviews containing subtitles on English and Montenegrin /photos/ infographics to be used on website, social media and newsletter and distributed to media, to all national stakeholders, international organisations in Montenegro, civil society organisations;
8. Develop contacts with key beneficiaries communication officers to create channels for the multiplication of messages;
9. Maintain close contacts and co-ordinate with the communication officer in ODGP and relevant contacts in the Directorate of Communication in Strasbourg.

In terms of **quality requirements**, the pre-selected Providers must ensure, *inter alia*, that:

- The services are provided to the highest professional/academic standard;
- Any specific instructions given by the COE – whenever this is the case – are followed.

In addition to the orders requested on an as needed basis, the Provider shall keep regular communication with the Council to ensure continuing the exchange of information relevant to the project implementation.

Unless otherwise agreed with the Council, written documents produced by the Providers shall be in English or Montenegrin (see more on requirements for written documents in Articles 3.2.2 and 3.2.3 of the Legal Conditions in the Act of Engagement).

C. FEES

Tenderers are invited to indicate their fees, by completing and sending the table of fees, as attached in Section A to the Act of Engagement. These fees are final and not subject to review..

The COE will indicate on each Order Form (see Section D below) the number of units ordered

and the global fee corresponding to each deliverable, calculated on the basis of the unit fees, as agreed by this Contract.

D. HOW WILL THIS FRAMEWORK CONTRACT WORK? (ORDERING PROCEDURE)

Once this consultation and the subsequent selection are completed, you will be informed accordingly. Deliverables will then be delivered on the basis of Order Forms submitted by the COE to the selected Providers, by post or electronically, on an as needed basis (there is therefore no obligation to order on the side of the COE).

For each Order, the COE will choose from the pool of pre-selected tenderers the Provider who demonstrably offers best value for money for its requirement when assessed – for the Order concerned – against the criteria of:

- quality (including as appropriate: capability, expertise, past performance, availability of resources and proposed methods of undertaking the work);
- availability (including, without limitation, capacity to meet required deadlines and, where relevant, geographical location);
- and price

Each time an Order Form is sent, the selected Provider undertakes to take all the necessary measures to send it signed to the COE within 2 (two) working days after its reception. If a Provider is unable to take an Order or if no reply is given on his behalf within that deadline, the COE may call on another Provider using the same criteria, and so on until a suitable Provider is contracted.

Providers subject to VAT

The Provider, **if subject to VAT**, shall also send, together with each signed Form, a quote¹ (Pro Forma invoice) in line with the indications specified on each Order Form, and including:

- the Service Provider's name and address;
- its VAT number;
- the full list of services;
- the fee per type of deliverables (in the currency indicated on the Act of Engagement, tax exclusive);
- the total amount per type of deliverables (in the currency indicated on the Act of Engagement, tax exclusive);
- the total amount (in the currency indicated on the Act of Engagement), tax exclusive, the applicable VAT rate, the amount of VAT and the amount VAT inclusive .

Signature of orders

An Order Form is considered to be legally binding when the Order, signed by the Provider, is approved by the COE, by displaying a COE's Purchase Order number on the Order, as well as by signing and stamping the Order concerned. Copy of each approved Order Form shall be sent to the Provider, to the extent possible on the day of its signature.

¹ It must strictly respect the fees indicated in the Act of Engagement. In case of non-compliance with these fees, the Council of Europe reserves the right to terminate the Contract with the Provider, in all or in part.

E. ASSESSMENT

Exclusion criteria and absence of conflict of interests

(by signing the Act of Engagement, you declare on your honour not being in any of the below situations)²

Tenderers shall be excluded from participating in the tender procedure if they:

- have been sentenced by final judgment on one or more of the following charges: participation in a criminal organisation, corruption, fraud, money laundering;
- are in a situation of bankruptcy, liquidation, termination of activity, insolvency or arrangement with creditors or any like situation arising from a procedure of the same kind, or are subject to a procedure of the same kind;
- have received a judgment with res judicata force, finding an offence that affects their professional integrity or serious professional misconduct;
- do not comply with their obligations as regards payment of social security contributions, taxes and dues, according to the statutory provisions of their country of incorporation, establishment or residence;
- are or are likely to be in a situation of conflict of interests.

Eligibility criteria

- 7 years of public and private and/or non-profit sector experience with special focus on communication and public relations, media and visibility or similar ;
- Proven experience in producing communication supports, including info graphics, images, videos;
- Experience in the use of social media for public information/advocacy.

Award criteria

Quality of the offer (70%), including:

- The methodology proposed;
- Previous experience of working with international organisations shall be an advantage;

Financial offer (30%).

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

F. DOCUMENTS TO BE PROVIDED

- A completed and signed copy of the Act of Engagement (See attached);
- A detailed CV, preferably in Europass Format, demonstrating clearly that the tenderer fulfils the eligibility criteria, for natural person only;
- A detailed list of previous clients/assignments, for legal persons only;
- 3 reference letters with contact details of referees, for natural and legal persons ;
- Registration documents, for legal persons only;
- A document describing the methodology proposed.

**All documents shall be submitted in English, failure to do so will result in the exclusion of the tender.
If any of the documents listed above are missing, the tender will not be considered.**

The COE reserves the right to reject a tender if the scanned documents are of such a quality that the documents cannot be read once printed.

² The Council of Europe reserves the right to ask tenderers, at a later stage, to supply an extract from the record of convictions or failing that an equivalent document issued by the competent judicial or administrative authority of the country of incorporation, indicating that the first three above listed exclusion criteria are met, and a certificate issued by the competent authority of the country of incorporation indicating that the fourth criterion is met.

