

## TENDER FILE / TERMS OF REFERENCE (Competitive bidding procedure / One-off contract)

### Purchase of services for the development of a website

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

The Council of Europe is currently implementing the Project **Promoting European standards in the audio-visual regulation of the Republic of Moldova**, until December 2021. The Project works in close partnership with relevant public authorities and civil society in order to advance improvements in the audio-visual regulation of the Republic of Moldova. One of the Project's aims is to enhance and diversify the content provided by the National Public Broadcaster, Teleradio-Moldova through the development of digital radio station for children within TRM. The radio station will be available on a series of communication channels, including via an interactive website. In this context, the Project is looking for a Provider for the provision of services to **develop a website which meets the Business Requirements of this project (Annex I)**

#### A. TENDER RULES

This tender procedure is a competitive bidding procedure. **In accordance with Rule 1395 of the Secretary General of the Council of Europe on the procurement procedures of the Council of Europe<sup>1</sup>, the Organisation shall invite to tender at least three potential providers for any purchase between €2,000 (or €5,000 for intellectual services) and €55,000 tax exclusive.**

This specific tender procedure aims at concluding a **one-off 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. Each lot will be awarded to the Provider providing the best value for money for the lot concerned, on the basis of the award criteria indicated below. All tenderers will be informed in writing of the outcome of the procedure.

The tenderer must be either a natural person, or a duly registered company 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 present Tender File and Act of Engagement.

The tenderer must be either a natural person, or a legal person except consortia.

Tenders shall be submitted **by email only** (with attachments) **to the email address indicated in the table below, with the following reference in subject: CoE - Tender offer for website development.** Tenders addressed to another email address **will be rejected.**

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: Questions – Tender offer for website development.**

Type of contract ▶	One-off contract
Duration ▶	Until complete execution of the obligations of the parties (See Article 2 of the Legal conditions as reproduced in the Act of Engagement)
Deadline for submission of tenders/offers ▶	<b>25 March 2021</b>
Email for submission of tenders/offers ▶	<a href="mailto:ana.chiriac@coe.int">ana.chiriac@coe.int</a>
Email for questions ▶	<a href="mailto:ana.chiriac@coe.int">ana.chiriac@coe.int</a>
Expected starting date of execution ▶	05 April 2021

<sup>1</sup> The activities of the Council of Europe are governed by its [Statute](#) and its internal Regulations. Procurement is governed by the Financial Regulations of the Organisation and by [Rule 1395 of 20 June 2019 on the procurement procedures of the Council of Europe](#).

## B. EXPECTED DELIVERABLES

The expected deliverables are described in **Section A of the Act of Engagement and Annex I (Business Requirements)** (See attached).

Please note that each lot concerns a different series of deliverables. Tenderers may tender for one, all or several lots.

## C. FEES

All tenderers are invited to fill in the **table of fees** as reproduced in **Section A of the Act of Engagement**.

Tenderers **subject to VAT** shall also send, for each lot, **a quote (Pro Forma invoice)** on their letterhead 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);

## D. 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)<sup>2</sup>

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:*

- **For lot 1** - Proven track record of at least 3 years' experience in the development of websites, including for international and/or development or media organisations.
- **For lot 2** - Proven track record of at least 3 years' experience in the development of websites, including for international and/or development or media organisations.

*Award criteria*

### For lot 1:

- Quality of the offer (60%), including:
  - Samples of websites for media, development and/or international organisations developed by the Provider (up to 3 samples);
  - Capacity to undertake and finalise the task by **28<sup>th</sup> of May 2021** (based on a plan and timeline of the provision of expected deliverables).
- Financial offer (40%).

[For Consultancy ONLY: The Council reserves the right to hold interviews with eligible tenderers.]

### For Lot 2:

- Quality of the offer (60%), including:
  - Samples of websites for media, development and/or international organisations developed by the Provider (up to 3 samples);
  - Capacity to undertake and finalise the task by **28<sup>th</sup> of May 2021** (based on a plan and timeline of the provision of expected deliverables).

<sup>2</sup> 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.

- Financial offer (40%).

[For Consultancy ONLY: The Council reserves the right to hold interviews with eligible tenderers.]

Multiple tendering is not authorised.

#### E. NEGOTIATIONS

The Council reserves the right to hold negotiations with the bidders in accordance with Article 20 of Rule 1395.

#### F. DOCUMENTS TO BE PROVIDED

Tenderers are invited to submit:

- **A completed and signed copy of the Act of Engagement<sup>3</sup> (See attached)**
- **For tenderers subject to VAT only: a quote, describing the financial offer, in line with the requirements of Section C of the Tender File (see above)**
- **Registration documents, for legal persons only (Certificate of Registration)**
- **CV of the consultants/company staff who will undertake the website development task**
- **A portfolio with similar projects undertaken (up to 3 samples)**
- **Plan and Timeline of the provision of expected deliverables.**

**All documents shall be submitted in English (with the exception of registration documents and/or website samples) failure to do so will result in the exclusion of the tender.**

**If any of the documents listed above are missing, the Council of Europe reserves the right to reject the tender.**

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

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<sup>3</sup> The Act of Engagement must be completed, signed and scanned in its entirety (i.e. including all the pages). The scanned Act of Engagement may be sent page by page (attached to a single email) or as a compiled document, although a compiled document would be preferred. For all scanned documents, .pdf files are preferred.