



TENDER FILE / TERMS OF REFERENCE

(Restricted consultation procedure / Framework Contract)

Purchase of local consultancy services in public relations, communication and media

Contract No. BH8544/2018/11

The Council of Europe is currently implementing the Programme "Promoting a human rights compliant criminal justice system in the Republic of Moldova" (hereinafter - HRCCJ MD Programme) (Component 1). In that context, it is looking for Providers for the provision of local consultancy services in public relations, communication and media, with a specific focus on visibility and awareness-raising of the HRCCJ MD Programme activities. Services will be requested by the Council on an as needed basis.

A. TENDER RULES

This tender procedure is a restricted consultation procedure. **In accordance with Rule 1333 of the Secretary General of the Council of Europe on the procurement procedures of the Council of Europe¹, 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 **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.

The tenderer must be 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 current Tender File, Act of Engagement and future Order Forms (see Section D below on ordering procedure).

Tenders shall be submitted **by email only** (with attachments) **to the email address indicated in the table below, with the following reference in subject: Local Communication Consultant for HRCCJ MD Programme (Component 1)**. 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 3 (three) 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_Local Communication Consultant for HRCCJ MD Programme (Component 1)**.

Type of contract ▶	Framework contract
Duration ▶	Until 31 December 2018
Deadline for submission of tenders/offers ▶	28 June 2018
Email for submission of tenders/offers ▶	marina.tabarna@coe.int
Email for questions ▶	marina.tabarna@coe.int
Expected starting date of execution ▶	03 July 2018

¹ 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 1333 of 29 June 2011 on the procurement procedures of the Council of Europe](#).

B. EXPECTED DELIVERABLES

Background of the Programme

The Council of Europe is currently implementing the Programme “Promoting a human rights compliant criminal justice system in the Republic of Moldova” (hereinafter - HRCCJ MD Programme) (Component 1). The Programme pursues the overall objective to ensure higher respect for human rights and rule of law in the Republic of Moldova by assisting the national authorities to build up an effectively functioning criminal justice system in line with European human rights standards, based on the principles of humanisation, resocialisation and restorative justice.²

The Council of Europe is looking for a maximum of 3 (three) local Consultants (provided enough tenders meet the criteria indicated below) in order to provide local consultancy services in public relations, communication and media, with a specific focus on visibility and awareness-raising of the HRCCJ MD Programme activities. Services will be requested by the Council on an as needed basis.

This Framework Contract is to be concluded until 31 December 2018, with a possibility to be renewed on an annual basis and maximum until 28 February 2021.

This Contract is currently estimated to cover up to 30 activities to be held by 31 December 2018. This estimate is for information only and shall not constitute any sort of contractual commitment on the part of the Council of Europe. The Contract may potentially represent a higher or lower number of activities, depending on the evolving needs of the Organisation.

For information purposes only, the total amount of the object of present tender **shall not exceed 55,000 Euros tax exclusive** for the whole duration of the Framework Contract. This information does not constitute any sort of contractual commitment or obligation on the part of the Council of Europe.

Scope of the Framework Contract

Throughout the duration of the Framework Contract, pre-selected Consultant(s) may be asked to:

Deliverable 1: To develop the concept for the HRCCJ MD Programme's web-page

- revise the concept for the HRCCJ MD Programme's website, with respect to its design, layout and general content and provide proposals for its improvement;

Deliverable 2: To prepare communication and visibility action plans pertaining to the HRCCJ MD Programme outcomes and/or activities

- prepare short- and mid-term communication strategies and action plans on given Programme outcomes and/or activities, including and integrating inputs from the Programme team, aimed at enhancing the Programme activities' media coverage, and perception of Programme's contribution towards the implementation of the reforms by the beneficiaries and public in general;

Deliverable 3: To prepare visibility items/materials pertaining to the HRCCJ MD Programme objectives and/or activities

- participate in the HRCCJ MD Programme's activities, where necessary, and develop new and innovative visibility items/materials, such as news articles, interviews, newsletters, media alerts, press releases and other outreach items/materials etc., in order to ensure the visibility of the HRCCJ MD Programme;
- contribute to the creation of other visibility materials relevant for the HRCCJ MD Programme objectives and/or activities: leaflets, brochures, posters and other materials;
- provide his/her professional expertise in form of stylistic, editorial reviews, as to the draft texts of the visibility items/materials;
- contribute to the dissemination of visibility items/materials via media outlets and/or suggest methods for their dissemination.

Deliverable 4: To organise different awareness-raising activities pertaining to the HRCCJ MD Programme objectives and/or activities

- organise different awareness-raising activities such as press briefings and/or conferences, flashmobs, media campaigns and others, upon the request of the HRCCJ MD Programme.

The above list of expected deliverables is not considered exhaustive. The Council of Europe reserves the right to request deliverables not explicitly mentioned in the above list of expected services, but related to the field of expertise object/scope of the present Framework Contract.

The Council will order (see Section D below on ordering procedure) specific deliverables similar to the ones listed above, provided they correspond to the project implementation needs and are within the range of the competencies of the selected Provider.

In terms of **quality requirements**, the pre-selected Consultant(s) must ensure, inter alia, that:

² See more about the Programme here: <https://www.coe.int/en/web/chisinau/human-rights-in-criminal-justice>

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

C. FEES

The units of work under the present Framework Contract are time-based, i.e. daily fee.

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. Tenders proposing fees above the exclusion level indicated in the Table of fees will be **entirely and automatically** excluded from the tender procedure.

The Council will indicate on each Order Form (see Section D below) 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 Council to the selected Provider (s), by post or electronically, on **an as needed basis** (there is therefore no obligation to order on the part of the Council).

Pooling

For each Order, the Council 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 Council within 1 (one) 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 Council 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 quote³ (Pro Forma invoice) in line with the indications specified on each Order Form, and including:

- the Consultant'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 Consultant, is approved by the Council, by displaying a Council'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 Consultant, to the extent possible on the day of its signature.

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)⁴

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;

³ 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.

⁴ 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.

- 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

- A university degree in public relations, communication or in a related field;
- At least 3 years of professional experience at national level (in Moldova) in the related field;
- Excellent command of English;
- Excellent command of Romanian (native speaking level);
- A financial offer not exceeding the exclusion level set out in the Act of Engagement.

Award criteria

- Quality of the offer (70%), including:
 - Proven track record of technical expertise in the given field (writing communication/visibility action plans, news articles, media reports);
 - Professional experience in working with international organizations and civil society would be an advantage;
 - Sound understanding of justice sector reform processes and human rights in the Republic of Moldova would be an advantage;
- Financial offer (30%).

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

Multiple tendering is not authorised.

F. DOCUMENTS TO BE PROVIDED

- A completed and signed copy of the **Act of Engagement**⁵ (See attached);
- A motivation letter (up to 1 pages maximum);
- A detailed CV (up to 5 pages maximum), demonstrating clearly that the tenderer fulfils the eligibility criteria;
- 3 (three) relevant references, from previous employers or clients (name, surname, phone number or e-mail);
- Two written samples of/reference to the candidate's works similar to those expected to be done within the current assignment: one to be submitted in English and one in Romanian.

**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 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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⁵ 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.