

## TENDER FILE / TERMS OF REFERENCE

(Restricted consultation procedure / One-off contract)



### Procurement of furniture for eleven prisons of Armenia within PGG Project “Strengthening health care and human rights protection in prisons in Armenia”

The Council of Europe Office in Yerevan (hereafter, Council of Europe) is currently implementing and until 31/12/2018 the Project “Strengthening health care and human rights protection in prisons in Armenia”, funded within the European Union and Council of Europe Partnership for Good Governance. In that context, it is looking for a Provider for the procurement of furniture for use in eleven Armenian prisons (See Section A of the Act of Engagement).

#### 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 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. All tenderers will be informed in writing of the outcome of the procedure.

The tenderer must be a legal person, consortia are not accepted.

Tenders shall be submitted **by email only** (with attachments) **to the email address indicated in the table below, with the following reference in subject: Restricted consultation\_Health care in Armenian prisons\_procurement\_one-off contract\_7**. Tenders addressed to another email and /or sent after the **22 June 2018, 18.00 local time** 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: Restricted consultation\_Health care in Armenian prisons\_expertise\_one-off contract\_3**

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 ►	22 June 2018
Email for submission of tenders/offers ►	<a href="mailto:prisonhealthcare.Armenia@coe.int">prisonhealthcare.Armenia@coe.int</a>
Email for questions ►	<a href="mailto:prisonhealthcare.Armenia@coe.int">prisonhealthcare.Armenia@coe.int</a>
Expected starting date of execution ►	06 July 2018

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

## B. EXPECTED DELIVERABLES

The selected tenderer will be required to supply, deliver and install (as necessary) the medical equipment to the eleven Armenian prisons.

Full details of the expected deliverables are described in **Section A of the Act of Engagement** (See attached).

## 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 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);
- 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 .

## D. ASSESSMENT

*Exclusion criteria and absence of conflict of interests*

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

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*

Tenderers shall demonstrate that they fulfil the following criteria:

1. Tenderer is a registered legal person specialised in production and/or supply of furniture;
2. Tenderer has the financial, technical, and production capability necessary to perform the contract;
3. Tenderer has been engaged in the supply of similar goods/services and has completed at least one (1) contract in supply of furniture with a total budget of at least 2 million AMD from 1 January 2017 to 1 May 2018.

*Award criteria*

- Quality of the offer (30%), including:
  - Technical Offer (coverage of required technical needs) (20%)
  - Warranty period (10%)
- Financial offer (70%).

Multiple tendering (submission of several bids by the same company) is not authorised.

## E. DOCUMENTS TO BE PROVIDED

Tenderers are invited to submit:

1. A completed and signed copy of the Act of Engagement<sup>3</sup> (See attached)
2. For tenderers subject to VAT only: a quote, describing their financial offer, in line with the requirements of section C of the Tender File (see above);
3. Registration documents;
4. A Financial and Technical Proposal of furniture to be supplied in accordance with Act of Engagement and Annex I and Annex II (including details of the manufacturer), including:
  - a) Detailed cost estimate for furniture and price for delivery and installation to 11 addresses indicated in the Annex III. The estimate to be done in in AMD, without VAT;
  - b) Proposed warranty period that should not be less than one (1) year;

<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.

<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.

5. **Proof of a track record of relevant and/or similar experience:** documents proving that the Tenderer has completed at least one (1) contract in supply of furniture with a total budget of at least 2 million AMD from 1 January 2017 to 1 May 2018.
6. A document from serving bank(s) certifying the **absence of collection order** on company's accounts;

**All documents shall be submitted in English, failure to do so will result in the exclusion of the tender.**

All tenderers will submit copies of the original supporting documents (5 and 6) accompanied by translation in English, if the document is not provided in this language.

**If any of the documents listed above are missing, the tender will not be considered.**

**The Council of Europe 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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