

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

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Nº 9154/2024/07

Purchase of IT equipment and software with delivery for four recipients

The Council of Europe is currently implementing a Project on "Facilitating access to human right and essential services for IDPs and returnees at the community level" in the framework of the Council of Europe Action Plan for Ukraine: Resilience, Recovery and Reconstruction 2023-2026. The project aims to improve access to human rights and basic services for internally displaced persons and returnees to Ukraine.

In that context, the Project is looking for a Provider with a comprehensive expertise for the provision of IT equipment and software with delivery.

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 Europe¹, the Organisation shall invite to tender at least three potential providers for any purchase between €2,000 (or €6,000 for intellectual services) and €171,000 tax exclusive.**

This specific tender procedure aims at concluding a **one-off contract** for the provision of deliverables described in the Technical Requirements (Appendix I). A tender is considered valid for 180 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 or consortia of legal and/or natural persons.

Tenders shall be submitted **by email only** (with attachments) **to the email address indicated in the table below, with the following reference in subject: Tender – 9154/2024/07.** 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 - 9154/2024/07.**

Type of contract ▶	One-off contract
Duration ▶	Until complete execution of the obligations of the parties (See Article 2 of the Contract)
Deadline for submission of tenders/offers ▶	23:59 CET 16 March 2025
Email for submission of tenders/offers ▶	Internally.Displaced.Persons@coe.int
Email for questions ▶	Internally.Displaced.Persons@coe.int
Expected starting date of execution ▶	26 March 2025

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 1395 of 20 June 2019 on the procurement procedures of the Council of Europe](#).

A. EXPECTED DELIVERABLES

The expected deliverables are described for each lot in **the Technical Requirements** (See Appendix I).

B. FEES

All tenderers are to submit a financial offer indicating their fees (see Appendix II APPLICANT'S PROFILE AND FINANCIAL OFFER).

Tenderers subject to VAT shall also indicate:

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

Should the Provider be willing to further break down its financial offer, it is invited to do so on a separate sheet, attached to the other supporting documents.

Payment of the Provider's fees will be in accordance with the following:

- advance payment: up to 50% of total sum in Euros;
- final payment - the remaining sum in Euros within 60 calendar days after submission of the invoice subject to the acceptance of the Deliverable(s) described in the Financial offer by the recipient and the Council of Europe.

C. HOW WILL THIS ONE-OFF CONTRACT WORK?

Once this consultation and the subsequent selection are completed, you will be informed accordingly.

Deliverables will then be carried out in compliance with the description of deliverables as provided in Appendix I –Technical Requirements. The Provider will be responsible for providing any deliverable before the deadline(s) fixed in Article 10.1 of the Contract (Appendix I).

The CONTRACT is the document formalising the consent of the Parties to be bound by the LEGAL CONDITIONS, which are the legal provisions which will be applicable between the Council of Europe and the selected Provider.

D. ASSESSMENT

Exclusion criteria and absence of conflict of interests

(by signing the **Declaration of Agreement**, 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, terrorist financing, terrorist offences or offences linked to terrorist activities, child labour or trafficking in human beings;
- 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 an entity created to circumvent tax, social or other legal obligations (empty shell company), have ever created or are in the process of creation of such an entity;
- have been involved in mismanagement of the Council of Europe funds or public funds;
- are or appear to be in a situation of conflict of interest;

² The Council of Europe reserves the right to ask tenderers, at a later stage, to supply the following supporting documents:

- 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 and sixth above listed exclusion criteria are met;
- A certificate issued by the competent authority of the country of incorporation indicating that the fourth criterion is met;
- For legal persons, an extract from the companies register or other official document proving ownership and control of the Tenderer;
- For natural persons (including owners and executive officers of legal persons), a scanned copy of a valid photographic proof of identity (e.g. passport).

- are retired Council of Europe staff members or are staff members having benefitted from an early departure scheme;
- are currently employed by the Council of Europe or were employed by the Council of Europe on the date of the launch of the procurement procedure;
- have not fulfilled, in the previous three years, their contractual obligations in the performance of a contract concluded with the Council of Europe leading to a total or partial refusal of payment and/or termination of the contract by the Council of Europe.
- are subject to restrictive measures applied by the United Nations Security Council or the European Union. In the case of legal persons, the restrictive measures imposed on the tenderer's owner(s) or executives will also exclude the tenderer from participating in this tender procedure
- are or if their owner(s) or executive officer(s), in the case of legal persons, are included in the lists of persons or entities subject to restrictive measures applied by the European Union (available at www.sanctionsmap.eu).

Eligibility criteria

Tenderers should demonstrate that they fulfil the following criteria for all lots:

- are registered as a legal entity or a private entrepreneur which is authorised to supply IT equipment and software;
- have at least 2 years of experience in the supply and installation of IT equipment and software.

Award criteria

Quality of the offer (60%), including:

(i) Quality of the IT equipment and software proposed – compliance with technical requirements in specification indicated in Appendix I to the Contract; the producer of equipment should have sustainable reputation and competitive advantage on the market; all items must have warranty from the producer; additionally, provider is expected to give 12 months guarantee with on-site intervention if needed (50%);

(ii) Timeframe for the delivery of equipment (10%). Expected date of delivery within - one month from the date of signing the contract by the Council of Europe

- Financial offer (40%).

Multiple tendering is not authorised.

F. NEGOTIATIONS

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

G. DOCUMENTS TO BE PROVIDED

Tenderers are invited to submit:

- Completed and signed copy of Applicant's profile and their financial offer (Appendix II);
- Completed and signed copy of the Declaration of Agreement (Appendix III);
- Registration documents for legal persons.
- A list of all owners and executive officers, for legal persons only;

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 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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