

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

**Purchase of services on conducting sociological research
for the SC "National Public Broadcasting Company"
(UA:PBC)**



Contract N° 4756/2020/39

The Council of Europe is currently implementing a Project "EU and Council of Europe working together to support freedom of media in Ukraine" (hereinafter – the Project) which aims to enhance the role of media and the public broadcaster in particular as an instrument for consensus building in the Ukrainian society. Thus, the Project is providing expert and technical support to the Stock Company "National Public Broadcasting Company of Ukraine" (hereinafter – UA:PBC) aiming to increase the skills to produce high-quality programming and content.

In that context, it is looking for a Provider for the provision of services on conducting sociological research for UA:PBC aiming to assess the perception of UA:PBC by audience (See Section A of the Act of Engagement).

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 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 **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 private entrepreneur or 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: 4756/2020/39**. 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_4756/2020/39**

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 ▶	01 October 2020
Email for submission of tenders/offers ▶	Iryna.ostapa@coe.int
Email for questions ▶	Iryna.ostapa@coe.int
Expected starting date of execution ▶	10 October 2020

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](#).

B. EXPECTED DELIVERABLES

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**. 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 Project is registered at the Ministry of Economy, Commerce and Agriculture of Ukraine as a project of international technical support (registration card No. 4260). **The Project is exempted from VAT payment** according to the Article 3 of the Framework Agreement between the Government of Ukraine and Commission of the European Union "Activities financed by the European Union partially or fully are exempted from taxes, custom fees or any other fees of similar nature".

Services should be invoiced VAT excluded, unless the Council requests otherwise.

D. ASSESSMENT

Exclusion criteria and absence of conflict of interests

(by signing the Act of Engagement,² 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;
- 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

- legal person duly registered in accordance with the Ukrainian legislation, except consortia, having legal grounds to provide sociological services;
- at least 2 years of experience in providing sociological researches using face-to-face methods.

Award criteria

- **Quality of offer** (80%), including proposed timeline, sample, technical and human resources to provide the requested services;
- **Financial offer** (20%).

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

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 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).

Tenderers are invited to submit:

- **A completed and signed copy of the Act of Engagement³ (See attached)**
- A list of all owners and executive officers, for legal persons only;
- **Professional profile** in the form of official letter (stamped and signed) demonstrating clearly that the tenderer fulfils the eligibility criteria and having brief translation of registration documents in English;
- **Registration documents** (scanned copy of the originals in Ukrainian);
- **Technical proposal describing**
 - a) Timeline of the sociological research;
 - b) Sample of the sociological research;
 - c) Technical and human resources to provide the requested services;
 - d) Training of the interviewers to be carried out before conducting the research.

All documents shall be submitted in English (with only exception to registration document which can be submitted in Ukrainian with brief summary translation into English – name of the company, date of registration, types of economic activity which can be legally provided), 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.

All documents should be submitted either in PDF or in MS Word (DOC/DOCX) format. 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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³ 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.