



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

Purchase of services on web design and development of the online learning and awareness raising platform about elections of the Central Election Commission of Ukraine

Within the framework of the Action Plan for Ukraine 2018 – 2021, the Council of Europe is currently implementing a two-phases project on “Supporting the transparency, inclusiveness and integrity of electoral practice in Ukraine” (hereinafter – ‘the Project’).

Given constant and frequent changes of the Ukrainian legislation, often on the eve of respective elections, upon the request of the Central Election Commission of Ukraine (CEC) – Project main national partner, the Council of Europe is going to support the development and launch of the permanent CEC online learning and awareness raising platform about elections (“the CEC online Platform”). In that context, it is looking for a Provider for the provision of consultancy services on web design and development of the online learning and awareness raising platform about elections of the Central Election Commission of Ukraine (see Section A of the Act of Engagement).

A. TENDER PROCEDURE 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 €150,000 tax exclusive.**

This specific tender procedure aims at concluding a **one-off contract** for the provision of deliverables described in the Act of Engagement and Appendix I thereto (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 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: TENDER_DEVELOPMENT_ONLINE_PLATFORM.** 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 Council of Europe 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_DEVELOPMENT_ONLINE_PLATFORM.**

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| 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 ▶ | 19 July 2020 |
| Email for submission of tenders/offers ▶ | REPU@coe.int |
| Email for questions ▶ | REPU@coe.int |
| Expected starting date of execution ▶ | 22 July 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**.

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 to be provided;
- 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,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.

Eligibility criteria

- legal person except consortia;
- previous experience in the field of web design and web development in Ukraine.

Award criteria

- Quality of the offer (70%), including:
 - (35%) professional portfolio and relevance of the tenderer's previous experience in the field of web design and web development, previous experience in web developing and programming of online educational platforms would be an asset;
 - (35%) technical proposal (technical and human resources to be assigned to provide the requested services in full; methods of undertaking the work).
- Financial offer (30%).

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:

² 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.

- **A completed and signed copy of the Act of Engagement³ (see attached)**
- 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);
- Registration documents (scanned copy of originals in Ukrainian and/or English);
- A detailed professional portfolio in English, demonstrating clearly that the tenderer fulfils the eligibility criteria;
- List of and links to websites/ online platforms/ applications to download etc. previously developed by the tenderer;
- Technical proposal to undertake the work (including description of technical and human resources (particularly, CVs of the suggested personal to be involved in the activity) to be assigned for the provision of the requested services in full, demonstrating that the tenderer is able to provide the service according to the requirements described in Appendix I to the Act of Engagement – Technical assignment (see attached); proposed methods of undertaking the work.

All documents shall be submitted in English, except scanned copies of the original registration documents to be submitted in Ukrainian, 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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³ The Act of Engagement must be completed, signed, scanned in its entirety (i.e. including all the pages) and sent as a compiled document. For all scanned documents, .pdf files are preferred.