

## TENDER FILE / TERMS OF REFERENCE (Competitive bidding procedure / Framework Contract)

### Purchase of printing design and publication services in Azerbaijan

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

[Ref. FC/2020/GED/VAW/AZE/BH4731/02]

The Council of Europe is currently implementing and until 31 December 2021 will implement a Project on "Raising awareness of the Istanbul Convention and other gender equality standards in Azerbaijan". In that context, it is looking for a maximum of 3 Providers for the provision of printing, design and publication services in Azerbaijan to be requested by the Council on an as needed basis, in compliance with the ordering procedure defined in the Framework Contract

#### 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 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 **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 either a natural person, or 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: Call for printing design and publication services - Azerbaijan.** 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 on call for printing design and publications services - Azerbaijan**

Type of contract ►	Framework contract
Duration ►	Until 31 December 2021
Deadline for submission of tenders/offers ►	<b>15 September 2020</b>
Email for submission of tenders/offers ►	<a href="mailto:Sandra.Veloy-Mateu@coe.int">Sandra.Veloy-Mateu@coe.int</a> ; <a href="mailto:Parvana.Bayramova@coe.int">Parvana.Bayramova@coe.int</a>
Email for questions ►	<a href="mailto:Parvana.Bayramova@coe.int">Parvana.Bayramova@coe.int</a>
Expected starting date of execution ►	19 October 2020

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

## B. EXPECTED DELIVERABLES

### Background of the Project

The Council of Europe is currently implementing the project "Raising awareness of the Istanbul Convention and other gender equality standards in Azerbaijan". The project is running from 1 July 2020 to 31 December 2021. It aims to raise awareness on the Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) and other gender equality standards in Azerbaijan, in order to strengthen domestic legislation and policies and to align them with European standards. The Istanbul Convention is widely recognised as one of the main legal standards and the most comprehensive international treaty to tackle violence against women and domestic violence (VAW/DV), which is a serious violation of the human rights of women.

To achieve that, the project will co-operate with the Azerbaijani authorities through three main fields of action: legislative and policy frameworks, awareness-raising activities and capacity-building of government officials. In addition, this project will aim to provide support to the Azerbaijani authorities in their path towards signature and ratification of the Istanbul Convention.

The Council of Europe is looking for three Providers (provided enough tenders meet the criteria indicated below) in order to support the implementation of the project with a particular expertise on printing, design and publication activities. The providers will be required to carry out all printing, design and publication activities in close co-operation with the project team, and all final products and designs shall be approved by the Council of Europe before considering it complete. All design and pre-print materials should be developed in accordance with all the Council of Europe and project visibility and communication requirements and Providers should propose eco-friendly options, whenever possible.

This Contract is currently estimated to cover up to 15 activities to be held by 31 December 2021. 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 budget of the project amounts to 500,000 Euros and 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 Providers may be asked to:

- Create documents in PDF format and enhanced PDF publications in line with Council of Europe and the project communication and visibility guidelines;
- Create design, layout and pre-prints for complex publications which include text, photos/images and tables in line with Council of Europe's and the project's visibility and communication guidelines;
- Design publications layouts and pre-prints including covers in line with Council of Europe's and the project's visibility and communication guidelines;
- Print out documents and publications in different format, in colour, as requested;
- Design and development of visibility material (pens, notepads, etc.);
- A soft copy of each final publication material should be required before printing in PDF/HTML format with colour print.

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

In addition to the orders requested on an as needed basis, the Provider shall keep regular communication with the Council to ensure continuing exchange of information relevant to the project implementation. This involves, among others, to inform the Council as soon as it becomes aware, during the execution of the Contract, of any initiatives and/or adopted laws and regulations, policies, strategies or action plans or any other development related to the object of the Contract (see more on general obligations of the Provider in Article 3.1.2 of the Legal Conditions in the Act of Engagement).

Unless otherwise agreed with the Council, written documents produced by the Provider shall be in English (see more on requirements for written documents in Articles 3.2.2 and 3.2.3 of the Legal Conditions in the Act of Engagement).

## **Lots**

The present tendering procedure aims to select Provider(s) to support the implementation of the project and is divided into the following lots:

Lots	Maximum number of Providers to be selected
<b>Lot 1: Printing</b> <ul style="list-style-type: none"> <li>• Printing of hand-outs for project events (from 15 to 200+ copies), A4 paper format, one-sided or double-sided, colour or black and white (specification will be given upon each request by the Project team).</li> <li>• Transfer of the printed materials to the Council of Europe Office in Baku or the venue specified by the Project team (price to be calculated per km)</li> </ul>	3
<b>Lot 2: Design and publication</b> <ul style="list-style-type: none"> <li>• Design and printing of brochures, booklets and other materials for publication (publications can consist of text, images/diagrams and tables) – A4 or A5 or A6 format, coloured -(specification will be given upon each request by the Project team); up to 1000 copies</li> <li>• Design and printing of certificates - A4 paper format, 350 gr, one-sided, laminated, coloured</li> <li>• Design and printing of banner/poster for a specific event (380cmx180cm)</li> <li>• Design of roll-up with the name and logo of the project - 200x80cm</li> <li>• Design and/or printing of project visibility material, such as pens, notepads, folders, etc. with the name and logo of the project and following CoE visibility guidelines (specification will be given upon each request by the Project team)</li> <li>• Transfer of the printed materials to the Council of Europe Office in Baku or the venue specified by the Project team (price to be calculated per km)</li> </ul>	3

The Council will select the abovementioned number of Provider(s) per lot, provided enough tenders meet the criteria indicated below. Tenderers are invited to indicate which lot(s) they are tendering for (see Section A of the Act of Engagement).

## **C. FEES**

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 **Error! Reference source not found.** below) the number of units ordered, calculated on the basis of the unit fees, as agreed by this Contract.

#### D. HOW WILL THIS FRAMEWORK CONTRACT WORK? (ORDERING PROCEDURE)

Once the selection procedure is 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).

#### Ranking

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 2 (two) working days after its reception. Orders will be addressed by priority to the first Provider on the ranking list of the tender for the relevant lot. If this Provider is unable to take the Order or if no reply is given on its behalf within the above deadline, the Council may call on the second Provider on the ranking list of the tender, and so on down the list.

#### Providers subject to VAT

The Provider, **if subject to VAT**, shall also send, together with each signed Form, a quote<sup>2</sup> (Pro Forma invoice) in line with the indications specified on each Order Form, and 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.

#### Signature of orders

An Order Form is considered to be legally binding when the Order, signed by the Provider, 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 Provider, 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)<sup>3</sup>

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;

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<sup>2</sup> 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.

<sup>3</sup> 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).

- 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](http://www.sanctionsmap.eu)).

#### *Eligibility criteria Lot 1*

- Being a registered company specialised in designing and printing of publication materials;
- Proven track record of printing black and white and colour documents.

#### *Award criteria for Lot 1*

- Quality of the offer (30%), including:
  - Numbers of days required for execution of each of the tasks listed under lot 1
- Financial offer (70%).

#### *Eligibility criteria Lot 2*

- Being a registered company specialised in designing and printing of publication materials;
- Proven track record of designing and publishing brochures, booklets, visibility materials and other materials as listed under lot 2 in the scope of the framework contract table above.

#### *Award criteria for Lot 2*

- Quality of the offer (40%), including:
  - Quality of the publications produced by the provider, as evidenced by the example publication(s) provided;
  - Numbers of days required for execution of each of the tasks listed under lot 2
- Financial offer (60%).

Tenderers can apply for one or both lots.

#### **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**

- A completed and signed copy of the **Act of Engagement**<sup>4</sup> (See attached);
- A list of all owners and executive officers, for legal persons only;
- A **work portfolio** comprising a minimum of 3 examples of previous work;
- A short company **CV** or **website**;
- Table with indication of how many days will be required for execution of each task from the moment of the approved order form receipt.

**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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<sup>4</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.