



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

### Purchase of IT and web development services Contract N° 8761/2638/11

The Council of Europe is currently implementing the project "Strengthening participatory democracy and human rights at local level in Georgia" within the Council of Europe Action Plan for Georgia 2020-2023. In that context, it is looking for Provider(s) for the provision of IT and web development services for the elaboration and/or adjustment of online courses for local authorities to be requested by the Council on an as needed basis.

#### 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, 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 - IT and web development services 8761/2638/11.** 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 7 (seven) 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 - IT and web development services 8761/2638/11**

Type of contract ▶	Framework contract
Duration ▶	Until 31 December 2023
Deadline for submission of tenders/offers ▶	<b>06 December 2022</b>
Email for submission of tenders/offers ▶	<b>Georgia.localgov@coe.int</b>
Email for questions ▶	Georgia.localgov@coe.int
Expected starting date of execution ▶	<b>09 January 2023</b>

<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 project "Strengthening participatory democracy and human rights at local level in Georgia" (2020-2023) aims to enhance human rights protection and democratic public participation at local level by strengthening institutional frameworks and by supporting local authorities and their national association in their efforts to protect and promote equal opportunities and eliminate discrimination.

The Council of Europe is looking for a maximum of 3 Provider(s) (provided enough tenders meet the criteria indicated below) in order to support the implementation of the project with a particular expertise on IT support and web development and/or adjustment of online courses for local authorities.

This Contract is currently estimated to cover up to one or more online courses development, to be held by 31 December 2023. 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 900,000 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:

- Design and/or adjust the technical aspects of an online course for local authorities and their National Association in Georgia and publish it on an open-source learning platform i.e. Moodle.
- Adapt, format, and adjust the design (including pictures) of provided source documents (up to 200 pages and slides) to insert on the open-source learning platform.
- Provide production and post-production (including recording of voiceover, provision of subtitles) of audio/video materials for the online course.
- Develop a multiple-choice testing system at the end of each online course module, as well as an electronic graduation certificate to be automatically awarded, and feedback surveys.
- Integrate the online course published on Moodle platform - or equivalent - on the website/server of the National Association of Local Authorities of Georgia (NALAG).
- Provide continuous technical support and quality assurance, including adjustments and editing during and after the testing phase of the online course.
- Provide guidance and coaching to the course administrator(s) from NALAG on technical administration of the e-course.

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 terms of **quality requirements**, the pre-selected Service Providers must ensure, *inter alia*, that:

- The services are provided to the highest professional/academic standard;
- Any specific instructions given by the Council – whenever this is the case – are followed.

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).

## 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.

The Council will indicate on each Order Form (see Section D below) the total fee corresponding to each deliverable, 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).

#### **Pooling**

For each Order, the Council will choose from the pool of pre-selected tenderers the Provider who demonstrably offers best value for money for its requirement when assessed – for the Order concerned – against the criteria of:

- quality (including as appropriate: capability, expertise, past performance, availability of resources and proposed methods of undertaking the work);
- availability (including, without limitation, capacity to meet required deadlines and, where relevant, geographical location); and
- price.

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. If a Provider is unable to take an Order or if no reply is given on his behalf within that deadline, the Council may call on another Provider using the same criteria, and so on until a suitable Provider is contracted.

#### **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:

<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 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.

- 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;
- are retired Council of Europe staff members or are staff members having benefitted from an early departure scheme;
- 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.

#### *Eligibility criteria*

- Natural person, legal person duly registered in accordance with the Georgian legislation or a duly registered company under sole proprietorship of a natural person, or equivalent, having legal grounds to provide the respective services;
- Previous and confirmed experience in designing, developing and adjusting interactive online courses for different learning management systems (at least three (3) examples).
- Demonstrated experience in designing, developing and adjusting courses on open-source learning platforms, i.e. Moodle.
- Experience in capacity development on how to manage and administer e-courses, particularly on learning platforms, i.e. Moodle, will be considered as an asset.
- Professional knowledge of Georgian and English languages.

#### *Award criteria*

- Quality of the offer (70%), including:
  - Professional portfolio (40%) – samples of previously developed interactive online training courses / educational online games and / or similar online educational / entertainment activities;
  - Technical proposal (30%) – 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 tenderers.

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

- **A completed and signed copy of the Act of Engagement<sup>4</sup>** (See attached);

<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.

- A detailed CV, preferably in Europass Format, demonstrating clearly that the tenderer fulfils the eligibility criteria;
- Registration documents, for legal persons only;
- Registration documents, for legal persons only; (scanned copy of the originals can be provided in Georgian);
- A detailed professional portfolio in English, demonstrating clearly that the tenderer fulfils the eligibility criteria;
- Samples (images, links to websites / platforms / applications, textual description etc.) of previously developed interactive online training courses / educational online games and / or similar online educational / entertainment activities;
- Technical proposal containing description of technical and human resources (including CVs of the suggested staff to be involved in the activity) to be assigned for the provision of the requested services in full; proposed methods of undertaking the work;
- Minimum three referees' contact details (including phone number and e-mail address) to prove the previous professional experience in the field of development interactive online training courses / educational online games and / or similar online educational / entertainment activities.

**All documents shall be submitted in English (except the scanned copies of the original registration documents in Georgian), 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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