

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



Purchase of services for conducting an informational campaign (including services for the production, placement, publication, and distribution of informational products) for the state institution «Coordinative Centre for Legal Aid Provision» (hereinafter – the Centre), aimed at improving the visibility of the services provided by the Centre and increasing the flow of clients to the Centre

Contract № 9156_9157/2024/05

The Council of Europe in the framework of its Action Plan for Ukraine is currently implementing the Projects:

- “Strengthening judicial and non-judicial remedies for the human rights protection of the war-affected people in Ukraine” which aims to improve access to justice, human rights protection, and information for war-affected people within civil and administrative proceedings and constitutional jurisdiction as well as strengthening non-judicial human rights restoration mechanisms for IDPs and other war-affected population in Ukraine.
- “Facilitating housing solutions for the war-affected people in Ukraine” which aims to provide technical and expert support in developing sustainable housing solutions for displaced and war affected people in Ukraine through an inclusive and participatory approach, including the strong engagement of civil society, internally displaced persons (IDPs) and the war-affected people.

Within the framework of the Project's Work Plan for 2023-2024, the Council of Europe, an awareness-raising information campaign on the rights of war-affected people, access to free legal aid, and available redress mechanisms will be conducted in cooperation with the Coordination Centre for Legal Aid Provision. The Council of Europe will provide technical and expert support to national partners in developing and disseminating informational materials on national remedies and compensation schemes for housing damage for war-affected people in Ukraine.

In that context, the Council of Europe is looking for a Provider with comprehensive expertise in the provision of services for information and media campaigns. The Provider will be required to develop, promote, and post all foreseen visibility products on social and media platforms, as well as in trains, suburban buses, and on billboards (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 €6,000 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 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 – 9156_9157/2024/05_Name of your company.** 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**

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](#).

shall be submitted at least 3 (three) 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 – 9156_9157/2024/05.

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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 ► | 21 October 2024 23h59 CET |
| Email for submission of tenders/offers ► | arsen.serhiienko@coe.int |
| Email for questions ► | oleksandr.kotenko@coe.int |
| Expected starting date of execution ► | 24 October 2024 |

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**.

We kindly ask you to indicate an account opened in EUR when filling out the Act of Engagement (if such an account is available). Please also note that the **exclusion level for the financial proposal is 27 000 EUR**.

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

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

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, 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;
- 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;

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.

- 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

Tenderers should demonstrate that they fulfil the following criteria:

- Legal person duly registered in accordance with the Ukrainian legislation, having legal grounds to provide consultancy services as described in the Act of Engagement (Section A);
- Proven experience in the field of providing services for conducting an informational campaign (for at least 2 years) which demonstrate thematic knowledge, expertise, and proven experience in providing services, specific skills and capacities.

Award criteria

Quality of the offer (50%). To assess the quality of your proposal, we kindly ask you to provide, in free form, based on the deliverables defined in the Act of Engagement, a description of your proposed informational campaign. This should include both quantitative and qualitative characteristics of the results you plan to achieve within the informational campaign to enhance the visibility of the Centre's services and increase client flow.

Financial offer (50%).

The Council reserves the right to hold interviews with 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:

- **A completed and signed copy of the Act of Engagement³ (see attached).**
- **Description of your proposed informational campaign**, based on the deliverables defined in the Act of Engagement (in ENG and UKR).
- Registration documents, proving the tenderer's ability to carry out the respective types of economic activities;
- Detailed professional portfolio in English, demonstrating clearly that the tenderer fulfils the eligibility criteria.
- At least three links to the samples of previous work or other relevant documents specific to the media consultancy experience.

All documents shall be submitted in English, failure to do so will result in the exclusion of the tender. Registration documents for legal persons could be submitted in Ukrainian.

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.