

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

Purchase of IT services for the development of an e-learning course for public servants on the implementation of the Law on Access to Information of Public Interest *Contract N° BH 9281/2025/23*



The Council of Europe is currently implementing a Project on "Advancing Media Freedom in the Republic of Moldova", (January 2025 – December 2028). The project aims to further support strengthening freedom of expression and capacity of the audiovisual regulator, public broadcaster, ongoing institutionalized efforts of Moldovan authorities in countering information disorder, improving media literacy, strengthening the society's resilience against disinformation campaigns as well as implementation of legislation on access to information.

In that context, it is looking for a Provider for the provision of IT services for the development of the e-learning course for public servants on the implementation of the Law on Access to Information of Public Interest, with SCORM-Compliant Format for Moodle (MLearn Platform), based on finalised material (PowerPoint based, in Romanian) (See Technical Requirements in Appendix 1).

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 €6,000 for intellectual services) and €171,000 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 – e-Learning course.** 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 – e-Learning course.**

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 ►	04 December 2025 23h59 CET
Email for submission of tenders/offers ►	mediaproject@coe.int
Email for questions ►	mediaproject@coe.int
Expected starting date of execution ►	12 December 2025

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 **the Technical Requirements** (See document attached – Appendix 1).

The expected deadline for this activity (along with the delivery of all specified deliverables outlined in the technical requirements) is 13 February 2026.

C. FEES

All tenderers are invited to submit **a quote (Pro Forma invoice)** on their letterhead, indicating their fees.

Tenderers **subject to VAT** shall also send including:

- the Service Provider's name and address;
- its VAT number;
- the full list of services;
- the fee per type of deliverables (in **Euros**, tax exclusive);
- the total amount per type of deliverables (in **Euros**, tax exclusive);
- the total amount (in **Euros**), tax exclusive, the applicable VAT rate, the amount of VAT and the amount VAT inclusive.

Should the Provider be willing to further break down its financial offer, it is invited to do so on a separate sheet, attached to the other supporting documents.

The bidder understands and agrees that the fees proposed shall include the full assignment of all intellectual property rights related to the deliverables.

D. ASSESSMENT

Exclusion criteria and absence of conflict of interests

(by signing the Contract, you declare on your honour not being in any of the below situations²)

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;
- 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;
- are subject to restrictive measures applied by the United Nations Security Council or the European Union. In the case of legal persons, the restrictive measures imposed on the tenderer's owner(s) or executives will also exclude the tenderer from participating in this tender 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;
- 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).

Eligibility criteria

The eligibility criteria determine the conditions for participating in a procurement procedure and define the essential requirements that each bidder must comply with. Bidders shall demonstrate that they fulfil the following criteria:

Eligibility criteria	Document/s to be submitted
Being legally registered as a company and authorized to provide software development and IT integration services	Registration documents for legal persons
Having experience in designing and production of e-learning content, with successfully completed at least 2 projects in the last 4 years (2022-2025), preferably using technologies such as HTML5, CSS3, JavaScript, and an authoring tool (e.g., Articulate Storyline, iSpring, or equivalent)	Description of 2 similar projects implemented (Portfolio and CVs of designated team)
Demonstrating experience in projects hosted on MCloud or similar cloud environments, ensuring compliance with government ICT standards	Portfolio

The above eligibility criteria will be assessed **on the basis of the documents listed in the table and, where relevant, on the basis of other supporting documents** listed in Section F.

For legal persons only: legal persons are requested to include in their bids the profiles of natural persons proposed to be assigned to the contract. The status of each natural person included in the bid must be specified, and in particular whether they are employees or subcontractors. **Each natural person included in the bid will be assessed against the above eligibility criteria.** The Council reserves the right not to accept the inclusion in the contract of persons who do not meet the eligibility criteria or to reject a bid entirely if no profiles met the eligibility criteria.³

For consortia only: each consortium member **will be assessed against the eligibility criteria above.** Consortium members who are legal persons are requested to provide the profiles of natural persons proposed to be assigned to the contract. The status of each natural person included in the bid must be specified, and in particular whether they are employees or subcontractors.

Each natural person included in the bid submitted by a consortium – whether as an individual consortium member or as a natural person attached to a legal person – will be assessed against the above eligibility criteria. The Council reserves the right not to accept the inclusion in the contract of persons who do not meet the eligibility criteria or to reject a bid entirely if no profiles meet the eligibility criteria.⁴

Award criteria

The award criteria aim at assessing the quality of a bid in order to **identify the bid/s offering the best value for money.** Eligible bids will be assessed against the following award criteria:

Award criteria	Document/s to be submitted
Quality of the offer (70 points), including: - Experience working with technology and domain expertise such as HTML5, CSS3, JavaScript, and an authoring tool (e.g., Articulate Storyline, iSpring, or equivalent) (30 points); - Experience level of the tenderer and quality of similar projects implemented in the past (including experience with MLearn.gov.md) (20 points); - Compliance of the technical proposal with the requirements specified in the technical specifications and the ability of the tenderer to deliver and support within the set timeline (20 points)	Documents demonstrating relevant development experience Technical and timeline proposal
Financial offer (30 points)	Completed and signed Financial Offer (quote, proforma invoice)

The above award criteria will be assessed based on the bidder's capacity, as outlined in the supporting document, or on the basis of a consolidated assessment of the combined capacity of all eligible profiles or consortium members if the bid is submitted by a legal person or a consortium.

³ If awarded a contract, legal persons undertake to entrust the execution of order forms only to the persons approved by the Council for inclusion in the contract. If, during the period of validity of the contract, it becomes necessary to replace one or more of the persons included in the contract, the legal persons undertake to assign to the contract only persons who satisfy the eligibility criteria above and to inform the Council without delay.

⁴ If awarded a contract, consortium members who are legal persons undertake to entrust the execution of order forms only to the persons approved by the Council for inclusion in the contract. If, during the period of validity of the contract, it becomes necessary to replace one or more of the persons included in the contract, consortium members who are legal persons undertake to assign to the contract only persons who satisfy the eligibility criteria above and to inform the Council without delay.

Additional rules applicable to the submission and assessment of the bids

The bidders' attention is drawn to the following additional rules governing the assessment of the bids:

- For Consultancy services ONLY: The Council reserves the right to hold interviews with prima facie eligible tenderers;
- Unless expressly provided otherwise in the tender documents, a bidder may not submit more than one bid for the same procurement procedure. Bidding for more than one lot – where a contract is divided into lots – is allowed;
- In the same procurement procedure, natural person may not submit a bid on his/her own behalf and, at the same time, be included in a bid submitted by a legal person or a consortium. In such cases, the Council of Europe reserves the right to exclude the bid submitted by the natural person from the procurement procedure;
- In the same procurement procedure, a legal person may not submit a bid and, at the same time, be a member of a consortium also bidding under the same procurement procedure. In such cases, the Council of Europe reserves the right to exclude the bid submitted by the legal person from the procurement procedure.

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 IN PDF FORMAT

- **One** completed and signed copy of the **Contract**;⁵
- Registration documents for legal persons (in English and/or in Romanian);
- A list of all owners and executive officers, for legal persons only;
- A quote, describing their financial offer, in line with the requirements of section C of the Tender File (see above);
- Technical Proposal in English presenting the tenderer's proposal for the service delivery and information required under the Technical Requirements. The information in the technical proposal must be consistent with the Technical Requirements and must include at least information regarding stages of production, timelines, workflow and staff involved;
- Description of similar projects realized/implemented, in English, indicating the contract scope, contract duration, contract value and contract references (preferably not longer than two A4 pages);
- Portfolio of the company (preferably no longer than two A4 page) and the CVs of the team members, which will be engaged in the Project implementation, in English, proposed to be assigned to the contract.

All documents shall be submitted in English (except for registration and technical documents), 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.

Documents may be submitted via file sharing services such as WeTransfer, Dropbox, OneDrive, etc.).

In this case, the link must mandatorily remain active for at least 30 days after the deadline for the submission of the bids. Failure to ensure this may lead to the bid being excluded from the procurement procedure.

The Council reserves the right to reject a tender if the scanned documents are of such a quality that the documents cannot be read.

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⁵ 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.