

# TENDER FILE / TERMS OF REFERENCE

(Competitive bidding procedure / Framework Contract)



## Purchase of Design and Printing Services under the Project "Promoting Media Professionalism and Freedom of Information in Azerbaijan (PRO-M-FEX)"

### Contract N° PRO-M-FEX-03-2026

The Council of Europe is currently implementing and until *31 December 2026* will implement a Project on Promoting Media Professionalism and Freedom of Information in Azerbaijan – PRO-M-FEX. In that context, it is looking for Provider(s) for the provision of design and printing services 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 €6,000 for intellectual services) and €171,000 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 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 consortium of natural and/or legal person.

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 – PRO-M-FEX – Design and Printing.** 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, in English, 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 – PRO-M-FEX – Design and Printing**

Type of contract ▶	Framework Contract
Duration ▶	Until 31 December 2026
Deadline for submission of tenders/offers ▶	<b>31 March 2026</b> 16h00 (Strasbourg time)
Email for submission of tenders/offers ▶	<b>tenderbaku@coe.int</b>
Email for questions ▶	<b>tenderbaku@coe.int</b>
Expected starting date of execution ▶	10 April 2026

#### B. EXPECTED DELIVERABLES

##### Background of the Project

The Council of Europe is currently implementing until 31 December 2026 will implement a Project on Promoting Media Professionalism and Freedom of Information in Azerbaijan PRO-M-FEX.

<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](#).

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 design and printing of books and other relevant awareness raising materials.

This Contract is currently estimated to cover up to 3 activities, to be held by 31 December 2026. 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 amount of the object of present tender **shall not exceed 171 000 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.

## 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
Lot 1: Publication design services	3
Lot 2: Printing services	3

Lot 1 concerns designing of textbooks, guidebooks and other relevant materials, as well as provision of ISBN per book.

Lot 2 concerns printing of textbooks, guidebooks and other relevant materials.

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).

## Scope of the Framework Contract

Throughout the duration of the Framework Contract, pre-selected Providers may be asked to provide the deliverables listed in the Act of Engagement (See Section A – Terms of reference). This list is considered exhaustive.

### 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 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).

## Pooling

For each Order, the Council will choose from the pool of pre-selected tenderers for the relevant lot 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 submitting a tender, 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, 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 an actual, potential or perceived conflict of interest; a conflict of interests arises where any person has a personal interest which is such as to influence, or appear to influence, the impartial and objective exercise of their responsibilities under this procedure. A personal interest includes any advantage to themselves, their relatives or personal relationships (including based on political or national affinity), business or financial interests or any other interest shared with another party. If tenderers have any personal interests that are relevant to this tender procedure, **they must fully disclose these in a separate document submitted with the tender;**
- are retired Council of Europe staff members or are staff members having benefitted from an early departure scheme;

<sup>2</sup> It must strictly respect the fees indicated in the Financial Offer attached to the original Provider's tender as recorded by the Council of Europe. In case of non-compliance with the fees as indicated in the original Provider's tender, 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;
- 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 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;
- 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.

### *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 a registered company specialised in designing and printing of publication materials	A list of all owners and executive officers, for legal persons only; CV of a maximum of 2 persons assigned to this contract
Having sufficient speed of operations to cope with the workload	Table with indication of how many days will be required for execution of each task from the moment of the approved order form receipt
Proven track record of designing and publishing different brochures, books, booklets and other publication materials as listed in the Act of Engagement (See Section A – Terms of reference)	Electronic samples of previous work

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 G.

**For legal persons only:** legal persons are requested to include in their bids the profiles of **a maximum of 2** 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.<sup>4</sup>

**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 a maximum of 2 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.<sup>5</sup> For a consortium to be validly constituted, at least two consortium members must satisfy the eligibility criteria.

### *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 (60 points), including: <ul style="list-style-type: none"> <li>○ Quality of publications produced by the provider, as evidenced by the example publications provided (30 points)</li> </ul>	Electronic samples of previous work;

<sup>4</sup> 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.

<sup>5</sup> 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.

<ul style="list-style-type: none"> <li>○ Number of days required for execution of each of the tasks listed in the Act of Engagement (See Section A – Terms of reference) (30 points)</li> </ul>	Table with indication of how many days will be required for execution of each task from the moment of the approved order form receipt.
Financial offer (40 points)	Completed and signed Act of Engagement

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.

*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:

- 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;
- The Council reserves the right to reject any bid if, in its sole judgment, the financial offer is abnormally low or high. The Council may request clarification from the bidder before making its determination.

## 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

- **One** completed and signed copy of the Act of Engagement;<sup>6</sup>
- A list of all owners and executive officers, for legal persons only;
- All the documents listed above, under Section E, necessary for the assessment of the bid under the eligibility and award criteria;
- CV of a maximum of 2 persons assigned to this contract;
- Examples of publication design (scanned, PDF format or links) of designed and printed publication materials made during last two years
- 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.**

**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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<sup>6</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.