

CALL FOR TENDERS

FOR THE PROVISION OF PRINTING, PUBLISHING AND RELATED SERVICES

FA/4757/2020/9

Object of the procurement procedure ►	Provision of the printing services to the Joint EU/Council of Europe Project "European Union and Council of Europe working together to strengthen the Ombudsperson's capacity to protect human rights"
Project ►	Joint EU/Council of Europe Project "European Union and the Council of Europe working together to strengthen the Ombudsperson's capacity to protect human rights", PMM ID 2205, BH 4757
Organisation and buying entity ►	Council of Europe Council of Europe Office in Ukraine Joint EU/Council of Europe Project "European Union and the Council of Europe working together to strengthen the Ombudsperson's capacity to protect human rights", PMM ID 2205, BH 4757
Type of contract ►	Framework Agreement
Duration ►	Until 09 July 2021, or until the end date of the Project in case of its prolongation
Expected starting date ►	17 August 2020
Tender Notice Issuance date ►	06 August 2020
Deadline for tendering ►	13 August 2020

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The TENDER RULES explain the procedure through which the tenders will be submitted by the tenderers and assessed by the Council of Europe.
- **The ACT OF ENGAGEMENT (See Document attached) is the document formalising the consent of the Parties to be bound by the LEGAL CONDITIONS, which are the legal provisions which will be applicable between the Council of Europe and the selected Providers throughout the duration of the agreement.**

HOW DOES A FRAMEWORK AGREEMENT WORK?

STAGE 1:

PRE-SELECTION of qualified Providers through a call for tenders and signature of a framework agreement with all the pre-selected Providers.

STAGE 2:

COMPETITIVE PROCEDURES (CALL-OFFS) are organised among the pre-selected Providers each time a need arises.

EXECUTION as from the date of signature of each Call-off, unless the Call-off concerned provides otherwise.

HOW TO SUBMIT A TENDER?

STEP 1: Read the **TENDER FILE**

STEP 2: Complete the **ACT OF ENGAGEMENT** and collect the required **SUPPORTING DOCUMENTS**, as listed in section F of the terms of reference (below).

STEP 3: Send your **TENDER**, in accordance with the Tender Rules (see below)

PART I –TERMS OF REFERENCE

CALL FOR TENDERS FOR THE PROVISION OF PRINTING, PUBLISHING AND RELATED SERVICES FA/4757/2020/9

A. BACKGROUND

The Council of Europe is currently implementing Component 2 “European Union and Council of Europe working together to strengthen the Ombudsperson’s capacity to protect human rights” of the Joint EU/Council of Europe Project “European Union and Council of Europe working together to strengthen the protection of human rights”. The Project’s general aim is to strengthen the Ombudsperson’s institutional capacity in the areas of personal data protection and prevention of human rights violations in places of deprivation of liberty via efficient realisation of the National Preventive Mechanism (NPM).

Within the framework of the Project it is planned to produce publications (handbooks, reports, brochures etc.), as well as various informational and visibility materials such as leaflets, infographics, certificates etc.

The Council of Europe is looking for 3 (three) Providers (provided that there are sufficient tenderers satisfying the criteria indicated below) in order to support the implementation of the project with a particular expertise on full cycle printing services, including but not limited to pre-printing services (text editing, proofreading, layout design etc.) and printing services (bindings of various types, lamination, paper folding etc.) .

This Agreement is currently estimated to cover up to 15 activities, to be held by 9 July 2021 (or by the end date of the Project in case of its prolongation). This estimate is for information only and shall not constitute any sort of contractual commitment on the part of the Council of Europe. The Agreement may potentially represent a higher or lower number of activities, depending on the evolving needs of the Organisation.

The total amount of the object of present tender should in principle not exceed 55 000 Euros, a maximum threshold applicable for this procurement procedure, for the whole duration of the Framework Agreement. This information does not constitute any sort of contractual commitment or obligation on the part of the Council of Europe.

B. EXPECTED SERVICES

Throughout the duration of the Framework Agreement, pre-selected Providers may be asked to provide the following types of deliverables:

- Pre-printing services:
 - text editing and proofreading (texts in Ukrainian language on different topics, including ones with legal terminology);
 - graphic design services for the layout for covers and inside pages, including selection of color scheme, fonts, creation/adaptation of illustrative images, charts and graphs etc.
 - creation of electronic publications in PDF (or similar) format, including clickable table of content and hyperlinks, searchable content, etc.;
- Printing services:
 - digital, offset, screen printing on various types of paper in terms of thickness, size, weight, opacity etc.
 - printing in RGB or CMYK or Pantone color scheme in accordance with characteristics and requirements of a specific publication;
 - binding for publications: glued, sewn, wire, staple binding etc.
 - glossy/matte lamination;

- embossing, engraving, etc.;
- Additional services:
 - communication with the designers, communication specialists, representatives of the Project/Project stakeholders in the course of text editing and proofreading, selection of general layout design and visual aids etc.;
 - delivery of the printed items in bulk to the Council of Europe or designated address;
 - individual dispatch of the printed items to a number of designated recipients, using post or courier services;
 - storage of the printed items within the premises of the provider for an agreed duration of time in the conditions appropriate for paper materials storing, etc.

The Project may require printing/production of the following items: handbooks, reports, textbooks, booklets, leaflets, brochures, reports, newsletters, factsheets, presentations, infographics, posters, certificates etc.

All the items to be printed/produced shall comply with the visual identity of the Council of Europe and/or stakeholder institution, [Guide to the Council of Europe's publications policy](#), or any other requirement as specifically clarified by the Project in each case.

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 them.

C. FEES

Tenderers will be requested to tender, including with regard to fees, through subsequent competitive procedures (call-offs), which will be held after the signature of this agreement (see below Section D for more details about call-offs procedure).

The Project is VAT exempted in Ukraine as the joint project of the European Union and the Council of Europe registered at the Ministry of Economy of Ukraine on the basis of Cabinet of Ministers of Ukraine's Decree "On the unified system of the use and monitoring of international technical assistance" n.153 approved on 15.02.2002. Services to be provided under this Framework Agreement will be invoiced VAT excluded unless the Council requests otherwise.

D. HOW WILL THIS FRAMEWORK AGREEMENT WORK? (CALL-OFFS PROCEDURE)

Throughout the duration of this Framework Agreement, the pre-selected Providers will benefit from exclusivity, within the limits of the scope of this Agreement.

1. 1st stage: Selection and signature of the Framework Agreement

The Council of Europe will select 3 (three) Providers, provided that there are sufficient tenderers satisfying the exclusion and eligibility criteria. In case the number of eligible tenderers exceeds the maximum number of Providers to be selected, the Council of Europe reserves the right to give preference to tenderers who score the highest on the basis of the award criteria (see Section E below).

A signed copy of the Act of Engagement will be returned to the pre-selected Providers. The Framework Agreement will subsequently be considered as concluded between the Council of Europe and these pre-selected Providers.

2. 2nd Stage: Award of subsequent call-offs

Once the Framework Agreement is signed, further competitive procedures will be launched to determine which of the pre-selected Providers will provide the services.

During the execution period of the Framework Agreement, tendering procedures, referred to as “call-offs”, will be launched each time a new need for services arises. For these call-offs, only the pre-selected Providers will be invited to submit tenders.

For each call-off, the pre-selected Providers will be notified of the terms of reference, and, where relevant, additional tender rules and additional legal conditions applicable. Each notification will indicate the deadline for the submission of tenders, along with all supporting documents, taking into account the complexity of the call-off concerned. Call-off tenders received after the deadline shall not be considered.

For more information about the call-off procedure, see the applicable legal conditions (as reproduced in the Act of Engagement).

The Council reserves the right to contract with third parties if the offers presented by the pre-selected Providers do not satisfy the applicable professional standards, do not cover the entire scope of the Council of Europe’s needs or if no suitable offer is presented.

The award criteria (See Section D.3 below) will be applied to each call-off in order to identify which offer provides the best value for money.

3. Award criteria and weighting for the subsequent call-offs

- (40%) **Capacity to provide the requested services, including:**
 - technical quality of the offer: quality of the materials and efficiency of the methods of work suggested for specific publication, qualification and experience of human resources assigned for provision of specific services;
- (60%) **Financial offer**

The above criteria will be assessed on the basis of the documents identified/requested by the Council in each individual call-off.

E. ASSESSMENT (1ST STAGE OF THE FRAMEWORK AGREEMENT)

Exclusion criteria (by signing the Act of Engagement, you declare on your honour not being in any of the below situations) ¹

Tenderers shall be excluded from participating in this 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;
- 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 interest;

¹ 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 requirements listed above under “exclusion criteria” are met;
- A certificate issued by the competent authority of the country of incorporation indicating that the fourth requirement 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 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).

Eligibility criteria

Tenderers shall demonstrate that they fulfil the following criteria (to be assessed on the basis of all supporting documents listed in Section F):

- Being registered as a legal person providing printing and publishing services in accordance with the national legislation;
- 3 years of experience in providing similar services;
- sufficient technical and human resources to execute the contract.

Award criteria

If after the application of the eligibility criteria to the tenders received, there remain more Providers than the maximum number announced in this call, the Council of Europe shall proceed with a scoring of the eligible tenderers, on the basis of the following criteria:

- Criterion 1: A proven track record of delivering similar services over the past 3 years (40%)
- Criterion 2: Technical capacities (40%), including in-house technical equipment for printing, binding, laminating and related services;
- Criterion 3: Human resources (20%), including editors, proof-readers, graphic designers that can be designated for provision of services when required.

Multiple tendering is not authorised.

F. DOCUMENTS TO BE PROVIDED

- A completed and signed copy of the Act of Engagement;²
- A list of all owners and executive officers, for legal persons only;
- Registration documents (scanned copies of originals in Ukrainian);
- Tenderer's portfolio describing in detail the scope of services the tenderer provides, previous experience of provision of similar services, tenderer's technical equipment and respective technical capacities, available human resources;
- At least 5 samples of previously printed/produced publications (as photos of printed publications, files of/links to electronic publications).

Act of Engagement shall be completed in English. All other documents shall be submitted in English or Ukrainian. 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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² 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.

PART II – TENDER RULES

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ARTICLE 1 – IDENTIFICATION OF THE CONTRACTING AUTHORITY

1.1 Name and address

COUNCIL OF EUROPE

Council of Europe Office in Ukraine

Joint EU/Council of Europe Project "European Union and the Council of Europe working together to strengthen the Ombudsperson's capacity to protect human rights"

1.2 Background

The activities of the Organisation are governed by its Statute. These activities concern the promotion of human rights, democracy and the rule of law. The Organisation has its seat in Strasbourg and has set up external offices in about 20 member and non-member states (in Ankara, Baku, Belgrade, Brussels, Bucharest, Chisinau, Erevan, Geneva, Kyiv, Lisbon, Moscow, Paris, Podgorica, Pristina, Rabat, Sarajevo, Skopje, Tbilisi, Tirana, Tunis, Warsaw, Venice and Vienna).

Council of Europe procurements are 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 Organisation enjoys privileges and immunities provided for in the General Agreement on Privileges and Immunities of the Council of Europe, and its Protocols, and the Special Agreement relating to the Seat of the Council of Europe.³

Further details on the project are provided in the Terms of Reference.

ARTICLE 2 – VALIDITY OF THE TENDERS

Tenders are valid for 120 calendar days as from the closing date for their submission.

ARTICLE 3 – DURATION OF THE CONTRACT

The duration of the framework agreement is set out in Article 2 of the Legal Conditions in the Act of Engagement.

ARTICLE 4 – CHANGE, ALTERATION AND MODIFICATION OF THE TENDER FILE

Any change in the format, or any alteration or modification of the original tender will cause the immediate rejection of the tender concerned.

ARTICLE 5 – CONTENT OF THE TENDER FILE

The tender file is composed of:

- Technical specifications/Terms of reference;
- Tender rules;
- An Act of Engagement, including the Legal Conditions of the contract.

ARTICLE 6 – LEGAL FORM OF TENDERERS

The tenderer must be a legal person except consortia.

ARTICLE 7 – SUPPLEMENTARY INFORMATION

General information can be found on the website of the Council of Europe: <http://www.coe.int>

Other questions regarding this specific tendering procedure shall be sent at the latest by **three days before the deadline for submissions of tenders**, in English or Ukrainian, and shall be exclusively sent to the following address: DGI-HRImplementation@coe.int

This address is to be used for questions only; for modalities of tendering, please refer to the below Article.

ARTICLE 8 – MODALITIES OF THE TENDERING

Tenders must be sent to the Council of Europe **electronically only** to DGI-HRImplementation@coe.int. Tenders submitted to another e-mail account will be excluded from the procedure;

ARTICLE 9 – DEADLINE FOR SUBMISSION OF TENDERS

The deadline for the submission of tenders is 13 August 2020 as evidenced by the timecode of the tenderer's email.

ARTICLE 10 – ASSESSMENT OF TENDERS

Tenders shall be assessed in accordance with Rule 1395 of 20 June 2019 on the procurement procedures of the Council of Europe. Assessment shall be based upon the criteria as detailed in the Terms of Reference.

ARTICLE 11 – NEGOTIATIONS

The Council reserves the right to hold negotiations with the bidders in accordance with Article 20 of Rule 1395.

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³ Available on the website of the Council of Europe Treaty Office: www.conventions.coe.int

