

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



Purchase of services for design of the Brandbook and creation of the National Preventive Mechanism Interactive map for the Ombudsperson's Office in Ukraine to be done in the framework of the Joint Project "European Union and Council of Europe working together to strengthen the Ombudsperson's capacity to protect human rights".

Contract N° 4757/2021/35

The Council of Europe is currently implementing 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". The Project's general aim is to enhance the Ombudsperson's operational 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).

To build an effective communication and strengthen the Ombudsperson's Office interaction with the population, public institutions, expert and civil society by means of the modern technologies and active usage of the Ombudsperson's Office website, there is a need to create a Brandbook for the Ombudsperson's Office to shape its identity and representation both digitally and offline as well as to develop the NPM interactive map of all places of deprivation of liberty existing in Ukraine as a practical tool to be done in line with the newly elaborated brand stylistics of the Ombudsperson Office.

The Brandbook should serve as a visual and conceptual background for the Ombudsperson's Office website, visibility materials and communication activities representing in stylistically unified format all components/directions of the Ombudsperson mandate. Whereas the NPM interactive map should be done in a format of a geographic information system about all places of deprivation of liberty with their subsequent visualization on the map of Ukraine, supplemented by the basic information on these places including the status of the NPM recommendations' implementation.

The contracted Provider will closely work with the Ombudspersons Office to assess the needs and identify objectives to further develop a concept of the unique Ombudsperson's Office brand identity to improve perception of the Ombudsperson institution by the population, generate engagement of its target audience and increase awareness among stakeholders about the Ombudsperson's mandate including specific NPM activities.

In that context, the Project is looking for a Provider for the rendering services on design and development of the Ombudsperson's Office Brandbook and the NPM interactive map.

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 €5,000 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 Technical Specifications (See Appendix 1). 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 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 4757/2021/35_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 CoE Contact details indicated below for any question you may have. **All questions shall be**

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.](#)

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: Tender 4757/2021/35_Question

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 ▶	20 December 2021
Email for submission of tenders/offers ▶	dgi-coordination@coe.int
Email for questions ▶	dgi-coordination@coe.int
Expected starting date of execution ▶	22 December 2021

B. EXPECTED DELIVERABLES

The expected deliverables and the technical specification of each item are described in Technical Specifications (See Appendix I).

C. FEES

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

A quote (proforma invoice) shall include:

- the Service Provider's name and address;
- its VAT number;
- the full list of services
- the fee per type of deliverables (tax exclusive).
- the total amount per type of deliverables (tax exclusive)
- timeframe for delivering the service

Prices are to be indicated in UAH without VAT. 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 Act of Engagement will be invoiced VAT excluded unless the Council requests otherwise.

D. ASSESSMENT

Exclusion criteria and absence of conflict of interests

(by signing the **Declaration of Agreement (Appendix IV)**, 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;

- 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 interests;
- 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

- Legal person except consortia with an appropriate type of economic activity;
- At least 3 years of experience in the sphere of strategic communication, brand creation and related activities (experience of consultations provision, development and execution of SMM/digital marketing campaigns, PR-campaigns, designing branding strategies for public and private institutions and others, including graphic design and digital, interactive maps creation).
- Demonstration of campaigns for public authorities proven by samples of/links to previously developed branding strategies and the results of their practical implementation;
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Award criteria

- Quality of the offer (60%), including:
 - technical resources of the company required for design of the branding strategy; description of methods of undertaking the specifics of work; 20%
 - timeframe – meeting the deadline for the deliverables; 20%
 - prior experience working with state institutions and public offices; 20%
- Financial offer (40%).

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 Contract (Appendix I)**
- A quote, describing their financial offer, in line with the Appendix I
- Registration documents for legal persons (including those showing economic activities that the company is authorized to carry out)
- A list of all owners and executive officers, for legal persons only;
- **Declaration of agreement (Appendix IV)**

Contract and Declaration of agreement shall be submitted in English, other documents can be submitted in 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.