

# TENDER FILE / TERMS OF REFERENCE

(Competitive bidding procedure / Framework Contract)

## Purchase of communication and visibility services

[Ref. FC/2020/GED/VAW/AZE/BH4731/03]

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

The Council of Europe is currently implementing and until 31 December 2021 a Project on "Raising awareness of the Istanbul Convention and other gender equality standards in Azerbaijan. In that context, it is looking for a maximum of 6 Providers for the provision communication and visibility services in Azerbaijan to be requested by the Council on an as needed basis, in compliance with the Council of Europe visual charter and applicable visibility guidelines and the ordering procedure defined in the Framework Contract

### 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 €5,000 for intellectual services) and €55,000 tax exclusive.**

The tenderer must be a legal person except consortia.

Tenders shall be submitted **by email only** (with attachments) **to the email address indicated in the table below, with the following reference in subject: Communication and visibility services - Azerbaijan.** 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 4 (four) 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: Communication and visibility services - Azerbaijan**

Type of contract ▶	Framework contract
Duration ▶	Until 31 December 2021
Deadline for submission of tenders/offers ▶	<b>08 November 2020</b>
Email for submission of tenders/offers ▶	<a href="mailto:Sandra.veloy-mateu@coe.int">Sandra.veloy-mateu@coe.int</a> ; <a href="mailto:Parvana.Bayramova@coe.int">Parvana.Bayramova@coe.int</a>
Email for questions ▶	<a href="mailto:Parvana.Bayramova@coe.int">Parvana.Bayramova@coe.int</a>
Expected starting date of execution ▶	23 November 2020

### B. EXPECTED DELIVERABLES

#### Background of the Project

<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 currently implementing the project "Raising awareness of the Istanbul Convention and other gender equality standards in Azerbaijan". The project is running from 1 July 2020 to 31 December 2021. It aims to raise awareness on the Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) and other gender equality standards in Azerbaijan, in order to strengthen domestic legislation and policies and to align them with European standards. The Istanbul Convention is widely recognised as one of the main legal standards and the most comprehensive international treaty to tackle violence against women and domestic violence (VAW/DV), which is a serious violation of the human rights of women.

To achieve that, the project will co-operate with the Azerbaijani authorities through three main fields of action: legislative and policy frameworks, awareness-raising activities and capacity-building of government officials. In addition, this project will aim to provide support to the Azerbaijani authorities in their path towards signature and ratification of the Istanbul Convention.

The Council of Europe is looking for six Providers (provided enough tenders meet the criteria indicated below) in order to support the implementation of the project with a particular expertise on communications and visibility. The providers will be required to provide communication and visibility services in close co-operation with the project team, and all final products and designs shall be approved by the Council of Europe before considering them complete. All graphic design services and published materials should be developed in compliance with the Council of Europe's graphic charter and PGGII communication guidelines.

This Contract is currently estimated to cover up to 15 activities to be held by 31 December 2021. 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 budget of the project amounts to 500,000 Euros and the total amount of the object of present tender **shall not exceed 55,000 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
<b>Lot 1</b> – Communication, visibility and public relations services, including media relations	3
<b>Lot 2</b> - Multimedia/video and graphic design services	3

Lot 1 concerns services in the field of media relations - photo and video coverage of the public events distribution of media advisories and press releases, identifying and promoting success stories within the programme, ensuring media coverage of the events, media monitoring, establishing co-operation with media, etc.

Lot 2 concerns services in the field of preparation of creative solutions for awareness raising materials as part of project activities, production of multimedia materials and graphic design services.

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:

Under Lot 1:

- Media monitoring reporting after visibility events organised under the project; the report on media monitoring prepared in English, containing a press digest and the relevant statistics;
- Photo and video coverage of the public events upon request (including editing of videos);
- Prepare and distribute media advisories and press releases cleared by the European Union and Council of Europe staff on project-related events, and finding opportunities for the project team/experts to participate in radio, TV programmes, etc.;
- Ensure media attendance and coverage of the events organised;
- Identify programme success stories that can highlight the impact of the project and promote those through media/public relations events/written interviews/feature stories/short filmed subtitled interviews/infographics/social media, etc.

Under Lot 2:

- Create visual and video materials for project activities, such as awareness-raising campaigns, including preparation of the synopses of materials, necessary filming/photo shooting, subtitling, post-production, etc.;
- Produce multimedia materials for promotion through social media and other channels (short videos, gifs, short animations, etc);
- Provide graphic design services for awareness- raising campaigns – for infographics, results-based factsheets, etc.;
- Design and manage surveys, during the event (on substance topics, with the support of organisers), pre- and post- events.

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 the field of expertise object of the present Framework Contract.

If contracted by the Council of Europe, the deliverables shall be provided personally by the persons identified in the offer of the Provider whose CVs have been presented to the Council of Europe (See section E. below), in accordance with the terms as provided in the present Tender File and Act of Engagement.

In addition to the orders requested on an as needed basis, the Provider shall keep regular communication with the Council to ensure continuing exchange of information relevant to the project implementation. This involves, among others, to inform the Council as soon as it becomes aware, during the execution of the Contract, of any initiatives and/or adopted laws and regulations, policies, strategies or action plans or any other development related to the object of the Contract (see more on general obligations of the Provider in Article 3.1.2 of the Legal Conditions in the Act of Engagement).

Unless otherwise agreed with the Council, written documents produced by the Provider shall be in English (see more on requirements for written documents in Articles 3.2.2 and 3.2.3 of the Legal Conditions in the Act of Engagement).

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. Tenders proposing fees above the exclusion level indicated in the Table of fees will be **entirely and automatically** excluded from the tender procedure.

The Council will indicate on each Order Form (see Section See Section D below) the global fee corresponding to each deliverable, 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 4 (four) 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*

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<sup>2</sup> It must strictly respect the fees indicated in the Act of Engagement. In case of non-compliance with these fees, the Council of Europe reserves the right to terminate the Contract with the Provider, in all or in part.

(by signing the Act of Engagement, 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;
- 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](http://www.sanctionsmap.eu)).

*Eligibility criteria (for both lots)*

- The Provider must be a registered company specialised in communications, public relations and/or marketing or graphic design services;
- The Provider must have at least 3 years of experience in the field of communications/journalism/public relations and/or marketing, implementation of awareness-raising campaigns or graphic design services;
- The Provider must have at least 3 professionals with at least 3 years of experience each in the field of communications/journalism/public relations/marketing, graphic design services, who would be involved in implementing tasks requested under this tender;
- Capacity to design audio-visual materials (short films, infographics, etc);
- Capacity to reach out to and co-operate with the media in Azerbaijan;
- Solid knowledge of English - level C1 (based on the Common European Framework of Reference for Languages) and Azerbaijani

*Award criteria (for both lots)*

Quality of the offer (70%), including:

- Quality of recent examples of similar campaigns and products;
- Capacity to meet the requirements set in the CoE graphic charter and the PGGII communications guidelines included in the call;
- Capacity to meet deadlines;
- Established relations with media in Azerbaijan;
- Capacity to adapt to the context and to work on human rights issues and gender equality issues.

Financial offer (30%).

Tenderers can apply for one or both lots.

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<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 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).

## 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

- A completed and signed copy of the **Act of Engagement**<sup>4</sup> (See attached);
- A list of all owners and executive officers, for legal persons only;
- Proof of compliance with the eligibility criteria, e.g.:
  - **registration documents**,
  - list and examples of at least **two samples of work** and their date and language of production,
  - detailed **CVs** of engaged professionals, preferably in Europass Format,
  - **list of media** the tenderer has previously co-operated with, etc.;
- A short company **CV** or **website**.

**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.**

**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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<sup>4</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.