**CALL FOR TENDERS**

for the provision of IT services: development of the CASE MANAGEMENT SOFTWARE AND supplying of ACCOMPANYING HARDWARE

**2023/AO/51**

|  |  |
| --- | --- |
| **Object of the procurement procedure ►** | DEVELOPMENT OF THE CASE MANAGEMENT SOFTWARE AND SUPPLYING OF ACCOMPANYING HARDWARE |
| **Project ►** | PREVENTING MONEY LAUNDERING AND TERRORISM FINANCING IN SERBIA |
| **Organisation and buying entity ►** | Council of Europe  DG I Rule of Law and Human Rights  Department Action against Crime  Economic Crime and Cooperation Division |
| **Type of contract ►** | **One-off contract** |
| **Duration ►** | Until complete execution of the obligations of the parties (See Article 2 of the Contract) |
| **Expected starting date ►** | 01 July 2023 |
| **Tender Notice Issuance date ►** | 15 May 2023 |
| **Deadline for tendering ►** | 15 June 2023 |

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This Tender File contains:

* [**The TERMS OF REFERENCE** 3](#_Toc445392375)

The TERMS OF REFERENCE describe what will be expected from the selected Providers.

* [**The TENDER RULES** 5](#_Toc445392376)

The TENDER RULES explain the procedure through which the tenders will be submitted by the tenderers and assessed by the Council of Europe.

* **The CONTRACT (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 Provider/s.
* **The TECHNICAL SPECIFICATION FOR THE PROCUREMENT OF A CASE MANAGEMENT SYSTEM (see document attached)**
* **The DECLARATION OF AGREEMENT (see document attached)**
* **The MODEL ACT OF ACCEPTANCE (see document attached)**

**HOW DOES A ONE-OFF CONTRACT WORK?**

**Selection** of one qualified Provider through a call for tenders and signature of a One-off contract with the selected Provider.

**Execution** as from the date of signature of the contract, unless the contract provides otherwise.

**HOW TO SUBMIT A TENDER?**

**Step 1:** Read the **TENDER FILE**

**Step 2:** Complete and sign the **CONTRACT** andcollect therequired **SUPPORTING DOCUMENTS**, as listed in section F of the terms of reference (below).

**Step 3:** Send your **TENDER**, in accordance with the Tender Rules

**PART I –TERMS OF REFERENCE**

**CALL FOR TENDERS**

**for the provision of IT services: development of the CASE MANAGEMENT SOFTWARE AND supplying of ACCOMPANYING HARDWARE**

**2023/AO/51**

1. **Background**

The Council of Europe is currently implementing a Project on Preventing Money Laundering and Terrorist Financing in Serbia. The Swedish International Development Cooperation Agency and the Council of Europe signed an agreement on the funding of the project “Preventing Money Laundering and Terrorist Financing in Serbia” in December 2019.The project aims at supporting Serbia in addressing systemic deficiencies and difficulties to combatting money laundering and financing of terrorism (ML/FT) by focusing on specific segments of the prevention and enforcement system where such issues have been identified.

The aim of this activity is to support the implementation of a comprehensive IT support system for the main lines of work within the Ministry of Interior (MoI), related to the financial investigation processes, in line with identified needs. This encompasses the development of a case management software and procurement of the necessary hardware equipment.

The Council of Europe is looking for one Provider (provided at least one tender meets the criteria indicated below) to develop and implement a software solution for case management and deliver the accompanying hardware equipment.

The MoI of Serbia will be the final owner of those deliverables.

1. **OBJECT AND SCOPE OF THE TENDERING PROCEDURE**

The present tendering procedure is divided into the following lots:

|  |
| --- |
| Lots |
| Lot 1: Development of a case management software |
| Lot 2: Provision of the hardware |

Lot 1 concerns development of the Case Management Software for supporting police business processes as well as the installation, testing and other supporting activities to ensure the functioning and use of the system as described in the Technical Specifications.

Lot 2 concerns delivery of hardware equipment (desktops and scanners) compatible with the requirements of the case management software, as described in the Technical Specifications.

The services required under each lot are described in detail in the **Technical Specification for the Procurement of a Case Management System for Supporting Police Business Processes Related to Combating Money-Laundering and Terrorism-Financing (Appendix I).**

Please note that each lot concerns a different set of deliverables. Tenderers may tender for one lot only, all or for both lots.

1. **FEES**

In accordance with Section F., tenderers are invited to submit a **quote** (**Pro Forma invoice**), on their letterhead, indicating their fees, as well as complete the relevant fields in the Contract (Annex I). These fees are final and not subject to review.

Such a quote shall include:

- 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.

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

1. **HOW WILL THIS One-OFF CONTRACT WORK?**

Once this consultation and the subsequent selection are completed, you will be informed accordingly. Deliverables will then be carried out in compliance with the description of deliverables as provided in Section B (above) and in the **Technical Specification for the Procurement of a Case Management System for Supporting Police Business Processes Related to Combating Money-Laundering and Terrorism-Financing**. The Provider will be responsible for providing any deliverable according to the deadline(s) fixed in Draft Contract, which is **10 months** for Lot 1 starting from award of the contract and 3 months for Lot 2 starting from the award of the contract.

1. **ASSESSMENT**

*Exclusion criteria* (by signing the Contract and the Declaration of Agreement, you declare on your honour not being in any of the below situations) [[1]](#footnote-1)

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;
* 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 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*

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

Lot 1:

* The legal person/consortium (including all legal persons in a consortium) must be registered in a member state of the Council of Europe.
* Have at least 2 years of experience in designing and implementing information systems in public administration or judiciary.
* Have at least 3 references for successful implementation of relevant projects in previous 5 years.
* The supplier must have procedures and rules to guarantee the quality of project management and the handling of confidential information that it will possess during the implementation of the project. To meet this requirement, the supplier must be certified for the ISO 9001 and 27001 quality management system.
* Have at least 5 full-time experts or experts, with the following expertise:
  + At least one employee with an expert level of knowledge to install and configure the platform on which the offered software solution would work. Official certification, e.g. MCSE/MCSA, Red Hat RHCSA/RCSE, etc. will have priority in the evaluation.
  + At least one architect/expert for the data warehouses.
  + At least 3 full-time senior developers.
  + At least one senior database administrator for the offered solution (Microsoft, Oracle, IBM, etc.).
  + At least one project management professional with a PMP, Prince or similar certification.
  + At least one software testing (QA) expert.

Lot 2

* At least three years of experience in the provision of similar services.
* Proper fulfilment of minimum three similar orders on delivering, installing, configuring IT systems during the last three years.
* Minimum annual average turnover of EUR 80,000 (or equivalent in other currency) during the last three years (2020, 2021, 2022).
* License on the original equipment manufacturing and proposed solutions, or an authorisation that the tenderer is a dealer/partner/reseller of the proposed solution in Serbia, including the authority to sell, upgrade, supply, service and maintain the proposed solution.

*Award criteria*

* Criterion 1: Quality of the bid (70%), including:
  + Technical proposal according to the needs described in this bid (40%)
  + Qualifications and references of Service Provider (20%)
  + Capacity to meet the required deadlines (10%).
  + Official certification will be considered an advantage in the bid evaluation process.
* Criterion 2: Financial criteria (30%), including:
  + Financial quote submitted by the bidder.

**Multiple tendering is not authorised.**

1. **DOCUMENTS TO BE PROVIDED**

* A **completed** and **signed** copy of the Contract (see document attached)[[2]](#footnote-2), indicating for which lot/s the tenderer is tendering for and the fees;
* A **completed** and **signed** copy of the **Declaration of Agreement (see document attached);**
* A list of all owners and executive officers, for legal persons only (including all legal persons in a consortium);
* Registration documents for legal persons;
* A quote, describing their financial offer, in line with the requirements of section C of the Tender File (see above);
* 3 (three) referees' contact details;
* Copies of certificates for the ISO 9001 and ISO 27001 **(for Lot 1 exclusively)**
* CVs of employees that will be assigned to the execution of the contract; **(for Lot 1 exclusively)**
* **Cover Page (including the following information):** Name of the applying company/organization; Name of responsible official from applicant’s organization; Address, phone, email; Account information where payment could be made.
* **Executive Summary of the project description**
* **Organisational Description (maximum three pages):** This section shall provide a brief history of organisation, current status of ownership (privately held, publicly held, etc.), legal registration information, staffing structure, staff credentials, ICT projects implemented, name and contact information of other current and/or previous funder(s). It should also emphasise experience of similar work and include 3 references of implementation of similar projects;
* **Project Description** and more specifically:

1. **filled in Table 1 (for Lot1) and/or Table 2** (**for Lot 2)** - in the Annex I and Annex II of Technical Specifications (general functional requirements and specific functional requirements);
2. **Detailed implementation methodology** of the ICT project defining the concrete actions for its implementation: concept should be in line with the Technical Specifications and acceptance of requirements as stipulated in the Technical Specifications.
3. **Detailed timeframe for the project implementation,** in line with the deadlines stipulated by the Draft Contract,which should not exceed 10 months for development of the case management system (Lot 1) and 3 months for delivery of the hardware (Lot2).

* **Proof of the annual turnover in the past 3 years (for Lot 2 exclusively)**

**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.**

**\* \* \***

# PART II – TENDER RULES

**CALL FOR TENDERS**

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**2023/AO/51**

**ARTICLE 1 – IDENTIFICATION OF THE CONTRACTING AUTHORITY**

* 1. **Name and address**

**COUNCIL OF EUROPE**

Directorate General of Human Rights and Rule of Law

Information Society and Action against Crime Directorate

Action against Crime Department

Economic Crime and Cooperation Division

* 1. **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, 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]](#footnote-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 contract is set out in Article 2 of the Contract.

**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:

* Terms of reference and the **Technical Specification for the Procurement of a Case Management System for Supporting Police Business Processes Related to Combating Money-Laundering and Terrorism-Financing**
* Tender rules;
* The Contract
* The Declaration of Agreement
* The Model Act of Acceptance

**ARTICLE 6 – LEGAL FORM OF TENDERERS**

The tenderer must be a legal person or consortia of legal and/or natural persons.

**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 **one week before the deadline for submissions of tenders**, in English, and shall be exclusively sent to the following address: [contact.econcrime@coe.int](mailto:contact.econcrime@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.**

**Electronic copies** shall be sent only to [cdm@coe.int](mailto:cdm@coe.int) with reference no. **2023AO51** in the subject field. 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 15 June 2023 by 23:59 CET.

**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.

\* \* \*

**FINAL CHECK LIST**

1. **BEFORE SENDING YOUR TENDER, CHECK THAT IT INCLUDES:**

* A completed and signed copy of the Contract[[4]](#footnote-4) indicating for which lot/s the tenderer is tendering for and fees
* A completed and signed copy of the Declaration of Agreement
* A list of all owners and executive officers, for legal persons only (including all legal persons in a consortium)
* Registration documents for legal persons
* A quote, describing their financial offer, in line with the requirements of section C of the Tender File (see above)
* 3 (three) referees' contact details
* CVs of employees that will be assigned to the contract **(for Lot 1 exclusively)**
* **Cover Page (including the following information):** Name of the applying company/organization; Name of responsible official from applicant’s organization; Address, phone, email; Account information where payment could be made
* **Executive Summary**
* **Organisational Description (maximum three pages):** This section shall provide a brief history of organisation, current status of ownership (privately held, publicly held, etc.), legal registration information, staffing structure, staff credentials, ICT projects implemented, name and contact information of other current and/or previous funder(s). It should also emphasise experience of similar work and include 3 references of implementation of similar projects
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2. **Detailed implementation methodology** of the ICT project defining the concrete actions for its implementation: concept should be in line with the Technical Specifications and acceptance of requirements as stipulated in the the Technical Specifications
3. **Detailed timeframe for the project implementation,** which should not exceed 10 months for development of the case management system (Lot 1) and 3 months for delivery of the hardware (Lot 2)

* **Proof of the annual turnover in the past 3 years (for Lot 2 exclusively)**

1. **HOW TO SEND TENDERS?**

Tenders must be sent to the Council of Europe **electronically.**

Electronic copies shall be sent only to [cdm@coe.int](mailto:cdm@coe.int) with reference no. **2023AO51**in the subject field. Tenders submitted to another e-mail account will be excluded from the procedure.

The deadline for the submission of tenders is 15 June 2023 by 23:59 CET.

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 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). [↑](#footnote-ref-1)
2. The Contract must be completed, signed and scanned in its entirety (i.e. including all the pages). The scanned Contract 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. [↑](#footnote-ref-2)
3. Available on the website of the Council of Europe Treaty Office: [www.conventions.coe.int](http://www.conventions.coe.int) [↑](#footnote-ref-3)
4. The Contract must be completed, signed and scanned in its entirety (i.e. including all the pages). The scanned Contract 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. [↑](#footnote-ref-4)