

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

Purchase of information technology equipment for the Ministry of Education, Science and Technological Development in the framework of the Horizontal Facility action "Promotion of Diversity and Equality in Serbia" Contract N° BH4674/2022/9



The Council of Europe is currently implementing and until 31 December 2022 will be implementing the joint European Union and Council of Europe Horizontal Facility (HF 25) action on Promotion of Diversity and Equality in Serbia. In that context, it is looking for a Provider for the provision of information technology equipment for the Ministry of Education, Science and Technological Development (the deliverables are described in greater detail in the Technical Specifications – Appendix I).

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 I). 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: **HF25 tender – IT equipment**. 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 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: Question – HF25 tender for IT equipment**

Type of contract ►	One-off contract
Duration ►	Until complete execution of the obligations of the parties (See Article 2 of the Contract)
Deadline for submission of tenders/offers ►	05 April 2022
Email for submission of tenders/offers ►	tenders.antidiscrimination@coe.int
Email for questions ►	tenders.antidiscrimination@coe.int
Expected starting date of execution ►	30 April 2022

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](#).

B. EXPECTED DELIVERABLES

The expected deliverables are described in **the Technical Specifications** (See Appendix I).

C. FEES

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

Tenderers **subject to VAT** shall also send a **quote (Pro Forma invoice)** on their letterhead including:

- the Service Provider's name and address;
- its VAT number;
- the full list of services;
- the fee per type of deliverables (in Serbian dinars, tax exclusive);
- the total amount per type of deliverables (in Serbian dinars, tax exclusive);
- the total amount (in **Serbian dinars**), 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 following exclusion level will be **entirely and automatically** excluded from the tender procedure.

Purchase of the equipment listed in the Technical Specifications (Appendix I)	Exclusion level
	55,000 EUR

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).²

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 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

- Being a registered company specialised in IT equipment retail;
- Minimum annual turnover of 2.000,000 RSD;
- Proven ability to provide new, non-refurbished IT equipment;

² 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).

- Proven success in the realisation of at least two contracts related to delivery and installation of IT equipment in the last three years.

Award criteria

- Quality of the offer (30%), including:
 - Technical specification of IT equipment proposed by the tenderer
 - Capacity to meet delivery deadlines and install equipment
 - Relevance of the previous professional experience
- Financial offer (70%).

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 Contract³ (Appendix II)**
- A completed and signed copy of the Declaration of Agreement (Appendix IV)
- A quote, describing their financial offer, in line with the requirements of section C of the Tender File (see above);
- A detailed technical proposal describing the technical specifications of the IT equipment offered, in accordance with the requirements laid down in the Technical Specifications (Appendix I);
- Two letters of recommendation or equivalent proving previous respect for deadlines;
- Two references from previously delivered satisfactory services (within the last three years);
- Financial statement certifying minimum annual turnover in amount of 2.000,000 RSD;
- Registration documents;
- A statement from the manufacturer that the offered IT equipment is new and non-refurbished;
- A list of all owners and executive officers, for legal persons only;

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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³ 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.