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

Purchase of the communication services relating to the awareness raising campaign on Alternative Dispute Resolution (ADRR) procedures and on the Center for Alternative Dispute Resolution (CADR)

Under the framework of the joint European Union and the Council of Europe programme "Horizontal Facility for the Western Balkans and Turkey 2019 - 2022", the action "Accountability and professionalism of the judicial system in Montenegro", is being implemented. The action is aimed at supporting the Montenegrin authorities to further enhance professionalism, accountability and the overall quality of service of the judicial system of Montenegro.

The action's goal is, *inter alia*, to raise awareness and the reliance on Alternative Dispute Resolution possibilities in Montenegro and the related institution, Centre for Alternative Dispute Resolution (CADR). In that context, the action will support the CADR in implementing the raising awareness campaign. The Provider will create and implement the campaign about the ADR possibilities, the CADR and the emblematic cases suitable for ADR. The campaign will be also designed to provide general guidance to the public about the actions to access the ADR in Montenegro. Therefore, the action is looking for a Provider for the provision of communication services relating to the public awareness raising campaign on ADR mechanisms and its benefits (See Section A of the Act of Engagement).

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 Act of Engagement (See attached). 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 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: HF 6 – Awareness raising campaign.** 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: Questions: Awareness raising campaign – HF6.**

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 ►	31 January 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](#).

Email for submission of tenders/offers ▶	justice.montenegro@coe.int
Email for questions ▶	justice.montenegro@coe.int
Expected starting date of execution ▶	1 April 2022

Background information

Under the joint European Union and the Council of Europe programme "Horizontal Facility for the Western Balkans and Turkey 2019-2022", the action "Accountability and professionalism of the judicial system in Montenegro" will implement an awareness raising campaign on accessibility of Alternative Dispute Resolution Services in Montenegro. Besides that, the aim is to educate the public about the ways to access the ADR and the dedicated institution, the CADR and to be able to recognise the legal cases/disputes appropriate for ADR procedures. CADR is the central institution for ADR in Montenegro and one of the main action beneficiary institutions.

CADR was first established as the Mediation Center, in 2012 by a decision of the Government of Montenegro, based on the Law on Mediation, adopted in 2005 and amended in 2012. It was established as an independent organisation, with the status of a legal entity for the purpose of performing professional and administrative tasks related to mediation. With the adoption of the Law on Alternative Dispute Resolution in July 2020, the Mediation Center was transformed into the Center for Alternative Dispute Resolution (CADR).

The headquarters of the Center is in Podgorica. The Center may have organisational units in other places in Montenegro.

The campaign will be financed through joint European Union and Council of Europe programme, under the "Horizontal Facility for the Western Balkans and Turkey 2019-2022".

Partners: The campaign will be developed / implemented in close co-operation with action beneficiary: the Center for Alternative Dispute Resolution of Montenegro.

Timeframe: April – June 2022

Aim: To raise public awareness on availability of ADR itself and the legal possibilities provided through it, in Montenegro, and to draw citizens' attention and provide basic guidance on extrajudicial settling possibilities.

Content of the campaign: The Communication/PR Agency is invited to propose the concept, the Detailed plan of the campaign and to design/implement/produce the deliverables of the campaign. The campaign should include, but will not be limited to the following elements:

1. **General part**
 - a. **Plan of the Campaign** with strategic remarks and operational planning
 - b. **Visual identity (including the slogan, hashtags, etc.) of the campaign**, in Montenegrin in accordance with the visibility requirements of the joint European Union and Council of Europe programmes.
 - c. **Book of Standards** related to the Visual Identity, in accordance with the Standards related to the joint European Union and Council of Europe programmes.
2. **Print materials** (might include, but not limited to, in accordance with the Plan of the Campaign)
 - a. **5 to 7 Billboards** with formats appropriate for chosen locations
 - b. **500 Leaflets plus 20 branded self-standing desk consoles for leaflets**
3. **Video**
 - a. **5 Short videos for Social media platforms** (maximum duration 30 seconds each)
 - b. **CADR institutional video presentation** (from 5 to 10 minutes),
4. **Social media**
 - a. **Valorisation activities related to the existing social media accounts of the CADR**, consideration of establishing new social media platforms in accordance with the needs that may arise in the process. This deliverable includes a set of **Social media recommendations** for chosen social media platforms.
 - b. **Social media plan and recommendations** for each account/social media channel, containing the minimum content placement schedule and standards, recommendations and basic guidance elements for Social media manager of the CADR
 - c. Set of creative elements such as **images, visuals, infographics to be used** during the Campaign - at least 10 visuals, 5 infographics, plus the 5 videos mentioned in 3a. and adapted in a proper format for usage in a chosen social media channel/s.
5. **Public Relations**

- a. **3 TV appearances** of CADR or in general ADR related personalities which include the overall support (define and agree with the journalist and media outlet, help the production, prepare the speakers) for the occasion.

B. EXPECTED DELIVERABLES

The expected deliverables are described in **Section A of the Act of Engagement** (See attached).

C. FEES

All tenderers are invited to fill in the **table of fees** as reproduced in **Section A of the Act of Engagement**.

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 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.

D. ASSESSMENT

Exclusion criteria and absence of conflict of interests

(by signing the Act of Engagement,² 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, 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 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

- The provider must be a registered company specialised in the field of designing and implementing similar public awareness campaign with at least 3 years of continuous operation in the relevant field;
- The Provider must have the financial, technical and professional capacity to perform the contract, including at least 3 professionals with at least 5 years of experience each in the field of communications/journalism/public relations/marketing, who would be involved in implementing tasks requested under this tender;
- The Provider must have capacity to design (and/or to outsource the design of) audio – visual materials (shot films, social media materials, etc);

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 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).

- The Provider must have minimum 3 years of proven professional experience in the field of printing and graphic design, production and sale of printing material;
- The Provider must have capacity to reach out to and cooperate with the media in Montenegro.

Award criteria

- Quality of the offer (90%), including:
 - Proposed concept of the awareness raising campaign, including for online campaign, along with detailed timeframe with description of the services to be performed and the deliverables provided during the implementation period (1 April – 30 June 2022);
 - Proposed slogan of the campaign;
 - Proposed concept of short videos;
 - Quality of recent examples of similar campaigns and products.
- Financial offer (10%).

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 Act of Engagement³ (See attached)**
- For tenderers subject to VAT only: **a quote, describing their financial offer**, in line with the requirements of section C of the Tender File (see above);
- 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 similar products and their date and languages of production, references, CVs of engaged professionals, list of media the tenderer has previously co-operated with, etc).
- Proposed campaign concept, including for online campaign, with detailed explanation of the proposed activities and a sample visual materials to be used on social media platforms;
- Proposed slogan of the campaign in Montenegrin and English languages;
- A visual portfolio with a sample of recent examples of similar campaigns and products;

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.

* * *

³ 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.