**TENDER FILE / TERMS OF REFERENCE**

**(Competitive bidding procedure / Framework Contract)**

**Purchase of communication, promotion, and production services**

The Council of Europe is currently implementing until 30 April 2024 a Joint Project with the European Union on a Transnational History Education and Co-operation Laboratory (known as HISTOLAB). In that context, it is looking for Provider(s) for the provision of communication, promotional, and production services to be requested by the Council on an as needed basis.

1. 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[[1]](#footnote-1), 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 **framework 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 or consortium of natural and/or legal person.

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 – HISTOLAB Communications.** 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 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: Questions on HISTOLAB Communications Tender**

|  |  |
| --- | --- |
| **Type of contract ►** | Framework contract |
| **Duration ►** | Until 30 April 2024 |
| **Deadline for submission of tenders/offers ►** | **24 January 2023** |
| **Email for submission of tenders/offers ►** | **HISTOLAB@coe.int** |
| **Email for questions ►** | HISTOLAB@coe.int |
| **Expected starting date of execution ►** | 01 February 2023 |

1. EXPECTED DELIVERABLES

**Background of the Project**

HISTOLAB is a joint project between the European Union and the Council of Europe that focuses on the potential for evolution in history education, and shines a light on innovative initiatives in research, academia, and teaching practices. It embraces the need for transformation in education practices and explores how new tools, teaching strategies and/or approaches can improve, rather than impede, progress in this field.

The European Innovation Days in History Education is the annual event for HISTOLAB, the first of which will be held on 8-10 March 2023. It brings together teachers and other practitioners such as, academics, researchers, junior professionals, as well as students all in the field of history education to engage with one another on ideas previously submitted through an open call, or by attending the side events organised by the HISTOLAB core partners and the Council of Europe’s Observatory on History teaching in Europe (OHTE). The HISTOLAB project is implemented in all 46 members states of the Council of Europe.

The Council of Europe is looking for one or two Providers (provided enough tenders meet the criteria indicated below) in order to support the implementation of the joint project with particular expertise on filming and film editing, production of goodies and other communication services.

This Contract is estimated to cover preparation of report infographics, pre-event communication, and post-event communication for the European Innovation Days in History Education, as well as other miscellaneous communication tasks related to the activities of the Observatory. **The period of work is estimated to run between January 2023 and April 2024 (included). 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 project and could be prolonged in 2024.

**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 |
| **Lot 1:**  **Production of printed material**   * Design and develop 2 roll ups * Printing of the HISTOLAB leaflet (A5 4 pages – folded A4, sufficient paper quality and weight) based on design provided by the HISTOLAB team. * Developing 10 to 15 infographics adapted for social media (Facebook and Twitter) based on data sets provided by the HISTOLAB team (English) | 2 |
| **Lot 2:**  **Video production**   * One day presence of filming crew in the European Innovation Days 2023 - Brussels (travel and subsistence) * Filming and producing a video capturing the general atmosphere of the event (2 to 3 minutes, English subtitles) * Producing 8 interviews with the recipients of the HISTOLAB award (2-3 minutes in length, English subtitles) * Developing a specific explanatory video for the HISTOLAB Digital Hub (2-3 minutes, English subtitles). | 2 |
| **Lot 3:**  **The European Innovation Days in History Education**   * Production of goodies (200 tote bags, 200 notebooks, 200 pens, 200 portable coffee cups – please provide lump sum) * Designing and producing of trophies for 2 categories of awards - to be handed during the HISTOLAB award ceremony (estimated 5 trophies per category – total of 10 trophies). | 2 |

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 provide the deliverables listed in the Act of Engagement (See Section A – Terms of reference). This list is considered exhaustive.

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 for the lot concerned.

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).

1. 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.

The Council will indicate on each Order Form (see Section D below) the number of units ordered, calculated on the basis of the unit fees, as agreed by this Contract.

1. 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 2 (two) 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[[2]](#footnote-2) (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.

1. ASSESSMENT

*Exclusion criteria and absence of conflict of interests*

(by signing the Act of Engagement, you declare on your honour not being in any of the below situations)**[[3]](#footnote-3)**

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;
* 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*

* At least three years of work experience and demonstrated ability in the field of work of the chosen lot.

*Award criteria*

* Quality of the offer (60%), including:

- Experience in doing work related to the deliverables of this contract.

- Capacity to meet the deadlines.

- Capacity to communicate in English

- Diplomacy

- Added-value of the organisation.

* Financial offer (40%).

Multiple tendering is not authorised.

1. NEGOTIATIONS

The Council reserves the right to hold negotiations with the bidders in accordance with Article 20 of Rule 1395.

1. DOCUMENTS TO BE PROVIDED

* **A completed and signed copy of the** **Act of Engagement[[4]](#footnote-4)** (See attached);
* A complete portfolio of the company, demonstrating clearly that the tenderer fulfils the eligibility criteria;
* 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.**

**\* \* \***

1. The activities of the Council of Europe are governed by its [Statute](https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=0900001680306052) 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](https://search.coe.int/intranet/Pages/result_details.aspx?ObjectId=090000168094853e). [↑](#footnote-ref-1)
2. It must strictly respect the fees indicated in the Financial Offer attached to the original Provider’s tender as recorded by the Council of Europe. In case of non-compliance with the fees as indicated in the original Provider’s tender, the Council of Europe reserves the right to terminate the Contract with the Provider, in all or in part. [↑](#footnote-ref-2)
3. 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-3)
4. 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. [↑](#footnote-ref-4)