

Questions/Answers – Tender 2023AO57

Questions received	Answers
<p>1. Is it possible for an institution to apply to this new tender if it already has an ongoing framework contract (n° [...]) as a result of Tender 2021AO29?</p>	<p>1. Natural persons, legal persons or consortia with which the Council of Europe has concluded framework contract as a result of the tender procedure 2021AO29 can apply to the present call for tenders 2023AO57.</p> <p>The framework contracts established under the procedure 2021AO29 will remain valid.</p>
<p>2.a. If [x number] of [individuals] want to put together a “joint application” do we need to do it as a company or can we put in a joint application?</p> <p>2.b. If you do accept joint applications do we complete the application as a natural person or a legal person?</p>	<p>2.a. Pursuant to ARTICLE 6 – LEGAL FORM OF TENDERERS of the 2023AO57 Tender file (page 9, PART II – TENDER RULES), the tenderer must be either a natural person, a legal person or consortia of legal and/or natural persons.</p> <p>In the case of several individuals wishing to apply jointly, in line with the above quoted Article the application can be made as a legal person or as a consortium. The eligibility criteria for legal persons and consortia shall apply.</p> <p>In the case of the consortium, the requirements of Article 10 of the Act of Engagement shall be applicable.</p> <p>2.b. Per above explanation.</p>
<p>3.a. If the tenderer has proven expertise in only few issues under a Lot, how can it highlight this? Is it sufficient to specify the expertise in the motivation letter (i.e expertise under Lot 1, issues No. 1, 7 and 9 supported by CV and other explanatory statements in the motivation letter)?</p> <p>3.b. If the applicant does not have a repository of documents it has written in English/French on the specific issues falling under the scope of the Lots, can it submit a sample of an English/French text covering other legal issues?</p>	<p>3.a. Pursuant to Section G. – DOCUMENTS TO BE PROVIDED of the 2023AO57 Tender file (page 8), the motivation letter shall indicate the areas of expertise of the tenderer for the lot(s) tendered for.</p> <p>3.b. In line with Section G. -DOCUMENTS TO BE PROVIDED of the 2023AO57 Tender file, a tenderer is eligible to submit at least one sample of a recently drafted English or French text. Samples are then subject to assessment in line with Award criteria, in particular Criterion 2 (quality of sample deliverables recently produced by tenderer) listed in Section F.- Assessment of the 2023AO57 Tender file.</p>

<p>4. In the item "Registration documents, for legal persons only", please provide a list of documents that must be sent when applying for participation.</p>	<p>4. Depending to the applicant's situation, a copy of an official document(s) (for example, an extract from a company /commercial register) validating the legal existence of an entity and providing identification information.</p>
<p>5.a. Regarding fulfilment conditions for university degree in law and written and spoken fluency in English (Level C1/C2 on CEFR), is it necessary to submit a proof that we have graduated from the university as well as proof of the required level of knowledge of English language, as an attachment to the application?</p> <p>5.b. Regarding the fulfilment requirement of at least one sample of a English text recently drafted by the tenderer, should a copy of the text needed to be sent for each individual area of expertise or just one for several areas for which we are applying?</p>	<p>5.a. There is no need to submit copies of university degrees or language certificates. Information about education and language proficiency can be indicated in the CV or the motivation letter. Only the documents listed under Section G. DOCUMENTS TO BE PROVIDED need to be submitted.</p> <p>5.b. There is no requirement as to the number of areas of expertise to be covered in the sample text. The text will be used to assess the bid against the relevant criteria listed under Section F. ASSESSMENT.</p>
<p>6. Further clarifications on whether we would be suitable to apply as 'consortium', being a civil society organisation. We would have a group of staff members involved in the application for the tender, with a central coordinator.</p>	<p>6. A civil society organisation can apply either as a legal person or consortia of natural persons.</p> <p>If the civil society is registered, the relevant registration documents and other information pursuant to Section G. DOCUMENTS TO BE PROVIDED need to be submitted.</p> <p>In the case of the consortium, the requirements of Article 10 of the Act of Engagement shall be applicable.</p>

<p>7.a. 500 Euro daily fee - How will the daily fee be calculated if several experts of the company will work together on the project?</p> <p>7.b. Motivation letter – should it be written one general motivation letter for all lots or separately for each lot?</p> <p>7.c. At least one sample of an English text recently drafted by the tenderer; the legal persons shall submit one such sample for each person assigned to the execution of the contract – could you please clarify what kind of texts are required: articles, blogs, consultations or just texts on the subject of the tender?</p> <p>7.d. Referees – could we provide more than three referees?</p>	<p>7.a. As a legal entity the company as a whole should indicate the applicable daily fee. The daily fee is a unit in itself regardless of the number of consultants assigned. The exact fees for each deliverable will be fixed once agreed on in an Order Form (see Article 4.1 “Ordering” of the Legal Conditions).</p> <p>7.b. It is sufficient to submit one motivation letter for all applicable Lots.</p> <p>7.c. This includes but is not limited to text of study, research, expert opinion, legislative or policy review, article etc. authored by the tenderer.</p> <p>7.d. Three references are sufficient, however a tenderer can provide additional references if it wishes to do so.</p>
<p>8.a. One of the requirements for submission is 'CVs of persons assigned to the execution of the contract'. Could you please kindly let me know how many CVs we are required to submit?</p> <p>8.b. It isn't clear if there are page limits or word count limits for any part of the submission so could you please let me know page limits and/or word counts for all the different submission requirements? (E.g. word count/ page limit of the CVs, sample of text etc)</p>	<p>8.a. There is no limitation or requirement as to the number of the CVs to be submitted. The legal person can decide how many individuals it wants to assign to the framework contract, by also taking into account the applicable eligibility criteria. However, the tender’s requirement is for that CVs are to be provided for all those individuals that the legal person decides to assign to the execution of the contract.</p> <p>8.b. There is no page limit or word count limit for the submissions.</p>

<p>9.a. In Section G under “Documents to be Provided”, the call for proposal states that one of the documents needed is a “motivation letter demonstrating the tenderer’s understanding of the Council of Europe needs.” Could you clarify what the page limit is for this motivation letter?</p> <p>9.b Also, in Section G under “Documents to Provided”, the call for proposal states that one of the documents needed is “3 (three) professional referees' contact details”. With regards to the three references, are you expecting three references per expert/CV provided or three references for the company?</p>	<p>9.a. There is no page limit for the motivation letter.</p> <p>9.b. Three references for the company are acceptable. As indicated in 7.c. above, additional references can be provided if a tenderer wishes to do so.</p>
<p>10.a. What statutory documents do we need to submit to participate in the tender?</p> <p>10.b. Would be enough sending of a Charter only?</p> <p>10.c. The document "ECCD_2023_AE.TB.FC. (with lots) for EU funds" contains a requirement to indicate its proposed fees on a daily fee basis. Fees for our products and services are provided only based on a yearly subscription. We do not offer our products and do not provide services for a few days.</p> <p>10.d. So, should we just divide our products and services cost on 356 days to get daily fees (in order to indicate it in that document)?</p> <p>10.e. And do we understand correctly that products and services will be purchased and used on a yearly basis only?</p>	<p>10.a. Please refer to Question/Answer 4. above.</p> <p>10.b. As above.</p> <p>10.c. The present Tender 2023AO57 is for intellectual services and does not relate to the purchase of products or subscription services. The services are requested on the basis of specific needs.</p> <p>10.d. The suggested approach is not in line with the rules of this Tender.</p> <p>10.e. As explained above.</p>
<p>11. My question relates to the requirement to submit at least one sample of an English or French text recently drafted by the tenderer. Could you please provide details concerning the confidentiality policy that will be applied to such documents? Specifically, I would appreciate confirmation that texts received from tenderers will be treated with confidentiality and will be used exclusively for assessing the quality of sample deliverables. This is important as tenderers' sample deliverables may not have been public and could have been drafted for specific government beneficiaries, or belong to intellectual property rights of another organisation.</p>	<p>11. In accordance with Rule No. 1395 of 20 June 2019 on the procurement procedures of the Council of Europe, the Secretariat members involved in procurement procedures shall protect the confidentiality of the information imparted by the potential suppliers and bidders.</p>

<p>[...] Therefore, I would greatly appreciate your confirmation on the confidentiality approach applied to safeguard the sensitive nature of sharing written materials.</p>	
<p>12. Please advise if Ukraine is a part of the mentioned above Call for tenders and if Ukrainian firms, which meet criterias of the Call for tenders, are eligible to participate in the tender.</p>	<p>12. The present Tender 2023AO57 is an international public call for tenders and the Ukrainian firms may apply subject to the applicable eligibility criteria.</p>