

**TENDER FILE / TERMS OF REFERENCE**

**(Competitive bidding procedure / One-off contract)**

FOR THE PROVISION OF

ACQUIREMENT, INSTALLATION, MAINTENANCE SERVICES OF AN

E-LIBRARY AUTOMATION SYSTEM

**Ref.** **Tender-CAS2-E-Library Automation 2023**

The Council of Europe is currently implementing since March 2019, an European Union-Council of Europe Joint Project on “Strengthening the Criminal Justice System and the Capacity of Justice Professionals on Prevention of the European Convention on Human Rights Violations in Turkey” (CAS 2).

In that context, it is looking for a Provider regarding the acquirement, installation, maintenance services of an e-library for the Project’s end beneficiary, the Justice Academy of Türkiye, in accordance with the Business and Technical Requirements (Appendix I), which specifies the details of the software for the automation system and also other requirements.

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 **one-off contract** for the provision of deliverables described in this document, the Draft Contract (Appendix II) and the Business and Technical Requirements (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 consortium of legal 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: Tender-CAS2-E-Library Automation 2023.** Tenders sent after the deadline or 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 Council of Europe Contact details indicated below for any question you may have. **All questions shall be submitted at least 5 (Five) 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-CAS2-E-Library Automation 2023**

|  |  |
| --- | --- |
| **Type of contract ►** | One-off Contract |
| **Duration ►** | 3 (Three) months after contract signature |
| **Deadline for submission of tenders/offers ►** | **3 March 2023 until 18.00 TR time** |
| **Email for submission of tenders/offers ►** | **ankara.office@coe.int** |
| **Email for questions ►** | **ankara.office@coe.int** |
| **Expected starting date of execution ►** | 13 March 2023 |

1. EXPECTED DELIVERABLES

The base of the operation, expected deliverables and delivery due dates are described in the Business and Technical Requirements (Appendix I).

1. FEES

All tenderers are invited to submit a quote **(Pro Forma Invoice)** on their letterhead including:

- the Service Provider’s name and address;

- its VAT number;

- the list of deliverable types as given in the below table;

- the fee per type of deliverable (in **Euros**, tax exclusive);

- the total amount per type of deliverable (in **Euros**, tax exclusive);

- the total amount (in **Euros**, tax exclusive), the applicable VAT rate, the amount of VAT and the amount VAT inclusive;

**55.000 € is the exclusion level for this tender. That is, tenderer’s quote shall not exceed 55,000 Euros tax exclusive and tenders proposing fees above the exclusion will be entirely and automatically excluded from the tender procedure.**

**After the contract signature, Contractor can apply for an advance payment up to 30% of the contract amount.**

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| --- | --- | --- |
| **Deliverables** | **Total Price**  **EUR**  **▼** | **Exclusion level**  **EUR**  **▼** |
| Acquirement, installation, maintenance services of an e-library automation system described in the Business and Technical Specifications (Appendix I). |  | **55.000** |
| **Types of Deliverables▼ (within the overall deliverables)** |  | 55.000 EUR |
| Supply of Integrated e-Library Automation Software |  |
| Installation and Configuration of the Software |  |
| Data Migration from Existing System |  |
| Sustainability Components (Trainings, Documentation, Maintenance, Support and Warranty) |  |
| **TOTAL (Exc. VAT)** |  |  |

1. ASSESSMENT

*Exclusion criteria* (by signing the Declaration of Agreement, you declare on your honour not being in any of the below situations) [[2]](#footnote-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](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):

* is registered as a company
* has the financial capacity to perform the contract
* has the technical and professional capacity to perform the contract, including relevant qualifications and expertise of key personnel allocated to the project: strong software implementation and engineering skills, infrastructure capability, documentation management and English and Turkish language skills
* has experience in e-Library Automation System Implementation project(s), within the last 3 (three) years
* has implemented e-Library Automation Systems in at least three reference libraries of similar or larger size with the Beneficiary’s. (The reference list that has to be submitted by tenderers in line with Section F.)
* is able to meet the purpose of the contract as described in the Business and Technical Requirements (Appendix I)
* should be able to mobilize staff who could work in Ankara, Türkiye during the delivery of the service and communicate in Turkish language.

*Award criteria*

**Criterion 1**: Technical score (80%), including:

* 70% - Compliance with the Business and Technical Requirements (Appendix I);
* 10% - Submission of Technical Proposal, including Work plan/Timeline, and its compliance with the Project Implementation Period and Deliverables depicted in the Business and Technical Requirements (Appendix I).

**Criterion 2**: Financial offer (20%).

**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**
2. A completed and signed copy of the Contract (Appendix II)[[3]](#footnote-3)
3. A quote, describing the financial offer, in line with the requirements of section C of the Tender File (see above);
4. A list of all owners and executive officers;
5. Copy of the **registration certificate of the company**
6. 1 (one) answered and signed copy of the Business and Technical Requirements (Appendix I)
7. 1 (one) completed and signed copy of the Declaration of Agreement (Appendix IV);
8. **Technical Proposal** in English maximum of 40 pages presenting the tenderer’s proposal for the service delivery and information and documents required **under the Business and Technical Requirements including Work plan/Timeline, and its compliance with the Project Implementation Period and Deliverables depicted in the Business and Technical Requirements**. The information in the technical proposal must be consistent with the Business and Technical Requirements and must be signed by the tenderer.
9. A reference list of **similar e-Library Automation projects** realized / implemented, where all/some modules of the system has run in the last three years, including the name, title, organisation, contact information of the institution it refers to, the date the system was installed, the type of server and information about the system used before.
10. **Portfolio** of the team members including the CVs, which will be engaged in the Project implementation.
11. Information on product ownership or certificate of distribution and support authorisation for the proposed software.
12. Company’s **financial statements** for 2020 and 2021.

**All documents except company registration documents (if it is registered in Türkiye) and financial statements 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. 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 requirements listed above under “exclusion criteria” are met;
   * A certificate issued by the competent authority of the country of incorporation indicating that the fourth requirement is met.

   [↑](#footnote-ref-2)
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. [↑](#footnote-ref-3)