

Strasbourg, 2 April 2020

T-MC(2020)41rev

TENDER FILE / TERMS OF REFERENCE

(Restricted consultation procedure / One-off contract)

Production of an awareness raising video-clip to stop the manipulation of sports competitions

To move States to effectively fight the manipulation of sports competitions, the Council of Europe is developing a communication plan that includes the production of a short video.

The Council of Europe is therefore looking for a Provider (s) for the production of a short video-clip (about 1 minute) to:

- raise awareness of the threat that the manipulation of sports competition represents for sports and society as a whole
- position its Convention on the Manipulation of sports competitions (the Macolin Convention) as the most effective tool to detect, prevent and sanction manipulation

The primary target audiences are public authorities, the sport movement, betting operators and regulators as well as law enforcement. The general public is a secondary target.

For more information, see the detailed technical specifications in Annex 1

Tender Rules

This tender procedure is a restricted consultation procedure. **In accordance with Rule 1333 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). Unless national legislation prescribes otherwise, deliverables executed on-site will be considered as performed in the country where the event takes place, and deliverables executed in writing will be considered as performed at the place where the Provider is established. 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.

All forms of natural and legal persons are accepted, including consortia. If the tenderer is a consortium, its members shall designate in their tender one party to act as a lead entity with authority to legally bind the members of the consortium jointly and severally. This shall be duly evidenced by a notarised agreement among all the member entities. The lead entity shall act for and on behalf of all member entities comprising the consortium and shall be the sole signatory of the contract on behalf of the Provider if the consortium is awarded the contract. The lead entity, as identified in the tender, shall not be changed throughout the contract duration without the prior written consent of the Council. Furthermore, neither the lead entity nor the member entities of the consortium can submit another tender, either in its own capacity; nor act as lead entity or member entity for another consortium submitting another tender. In case any member of the consortium does not conform to the exclusion criteria published in this call, the consortium shall be excluded.

Tenders shall be submitted **by email only** (with attachments) **to the email address indicated in the table below**. Tenders addressed to another email address **will be rejected**.

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 1333 of 29 June 2011 on the procurement procedures of the Council of Europe](#).

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.**

A. General information

Object of the procurement procedure ▶	Production of an awareness raising video-clip (max 1 minute) on the manipulation of sport competitions
Project ▶	Macolin Convention on the Manipulation of Sports Competitions
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 ▶	20 April 2020
Email for submission of tenders/offers ▶	sport.t-mc@coe.int
Email for questions ▶	sport.t-mc@coe.int
Expected starting date of execution ▶	24 April 2020

B. Expected deliverables

The expected deliverables are described in **Section A of the Act of Engagement** (See attached). Further details are included in the technical specifications in Annex 1.

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 in line with the requirements of **Section F of the Tender File** (See below).

Please note that the budget allocated to the production of the video-clip is €25,000 (twenty-five thousands euros) maximum, including costs related to the copyright for all elements of the video (please refer to Article 3.2.5 of the Legal Conditions (See Section C. of the Act of Engagement)).

D. 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)

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;
- 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 or are likely to be in a situation of conflict of interests.

Eligibility criteria

- Being a registered company or freelance producer experienced in the production of films / video-clips;

Only tenders submitted in English shall be deemed eligible.

Award criteria

- Quality of the offer (90%), including:
 - Qualifications of the people who will be involved in the production process of the film, and their experience in similar services
 - Quality of the creative / technical brief and relevance of the proposed methodology
 - Technical means
 - Capacity to meet the deadlines indicated in the Act of engagement.
 - Ability to work in a European / international context
- Financial offer (10%)
 - Scoring of the financial offers shall be done on the basis of the price inclusive of VAT.

The Council of Europe reserves the right to hold interviews with eligible tenderers.

Multiple tendering is not authorised.

E. Documents to be provided

Tenderers are invited to submit:

- **A completed and signed copy of the Act of Engagement²** (See attached);
- **[For tenderers subject to VAT only] A quote (i.e. a Pro Forma invoice), on the letterhead of the tenderer, in line with the applicable legislation and listing:**
 - the Provider's full name and address;
 - the VAT number of the Provider (if any);
 - the full list of deliverables;
 - the fee per deliverable (in Euros, tax exclusive);
 - the amount of VAT;
 - the total amount (in Euros, tax exclusive);
 - the total amount (VAT inclusive), and;
 - specific payment modalities requested (if any, e.g. modalities of advance payment).
- **Registration documents** of the company issued by the relevant national authority;
- **A creative / technical brief**, detailing the content and methodology proposed for the production of the film (see technical specifications, annex 1) and the technical means used;
- **A company presentation** with the recent experience (in similar services) of each person who will be involved in the production process of the film (customers and films made);
- **A zip file/internet link(s) with at least 3 recent films / video-clips produced**, if possible, in the field of sport);
- **Receptive to the Secretariat's input in the creative and logistical process**

All documents shall be submitted in English. Incomplete tenders will not be considered.

² The Council of Europe reserves the right to ask tenderers, at a later stage, to supply 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, and a certificate issued by the competent authority of the country of incorporation indicating that the fourth criterion is met.

Annex 1

Production of a video-clip calling to stop the manipulation of sports competitions Detailed technical specifications. The video-concept

Introduction

Sport brings many benefits to individuals and society. At its best, sport contributes to our health and happiness, breaking down barriers of all kinds and building trust and community spirit. Sport has also become a growing source of employment and economic profit. Unfortunately, sport is not immune to threats such as corruption.

Because of the millions of people that it mobilises, what happens in sport doesn't stay in sport. When sport is affected by corruption and cheating, this has an impact on people's trust in sport, but also in society as a whole.

To prevent, detect and sanction the manipulation of sports competitions, the Council of Europe adopted in 2014 a ground-breaking international treaty: The Convention on the Manipulation of Sports Competitions (also known as the "Macolin Convention"). For this Convention to make a difference, a maximum of States must ratify it. For States to feel compelled to ratify it, key stakeholders must be mobilised to support it.

The two main challenges are to explain the extent of manipulation of sport competitions and how the Convention can help to combat this phenomenon.

Sports can be manipulated for many reasons (for instance, to better position a club in a ranking). Manipulation of sports competitions has nevertheless acquired a worrying dimension since of the explosion of online gaming and betting. Most forms of manipulation of sports competitions (such as match fixing) are connected to betting. The huge profits it can generate has also generated a flourishing illegal betting market.

Given the increasing economic importance of sport over the last few decades, with the increased financial stakes, gains, for stakeholders and States alike, as well as the international nature of competitions, it is complicated to determine the nature of manipulations. Attempts are made, successful or unsuccessful, to alter the way a competition is played and / or its result. Rendering competitions predictable (in part or entirely) ruins the basic values of sport and the interest of fair and ethical competition. The manipulation methods used are varied as cases and investigations have proven, for example (and non-exhaustive):

- Ranging from "simple" collusion between two athletes / teams, to coercion;
- Influencing transfers in order to strengthen / weaken a team;
- Influencing athletes or sport clubs or taking over sport clubs;
- Taking advantage of clubs in difficulty to then abuse positions of power;
- Using clubs as 'shells' to carry out money laundering activities via 'transfers' between two owning clubs;
- Creating fake / ghost games, in order to permit betting to take place;
- Player agents may concretely influence the line-up of teams in order to be able to regulate and fix competitions (by force or collusion);
- Exploiting factors such as age, identity, equipment.

We, the Council of Europe, together with our partners want to raise awareness of this scourge but also offer a way to fight it. The video shall demonstrate that attacks against the integrity of sport is directly an attack against our values.

The video needs to create emotion and attachment to the way sport should be, juxtaposed to the effect that manipulation is having on these competitions. It must call all key stakeholders to act as a community through the Council of Europe Convention, in the interest of sport and society

The objective is to show the video through TV, at sports events, through social media, partner organisations websites and communication initiatives (ministries, sports clubs, federations, international organisations and institutions, like the International Olympic Committee, INTERPOL, etc.). It must talk to all those in contact with the sport environment. The video will be translated into many languages and partners will step in the campaign at different moments over the next years.

The tone

Three elements are important: Show fun in sport (positive). Bad things can happen (negative). We all can and must do something to stop manipulation (positive/empowering). The Macolin Convention and the Council of Europe itself need to be positioned as the answer. We would like to demonstrate how by bringing together key partners from the betting, sports, legal, public, etc. we are able to find a solution to fight against sports competition manipulation.

Duration and format

The production company should provide the video-clip (about 1 minute long) for distribution via Internet, social media, at meetings and conferences, etc. in either an MP3 or .mov format which would allow for the Council of Europe to modify the content at a later date (such as translations, changes of logos, etc).

Language

The video-clip should be delivered in English but take into account that it will be promoted in Europe and beyond. It should therefore be easy to translate into different languages and the material should appeal to different nationalities and cultures.

Copyrights

All copyrights of the video-clip will be transferred to the Council of Europe. They will be secured with unlimited usage, i.e. all territories and all mediums with no time restriction. The Council of Europe should be able to allow its partners to use the materials in the context of awareness raising, education, training and communication efforts (please refer to Article 3.2.5 of the Legal Conditions (See Section C. of the Act of Engagement)).

Other aspects to take into account

Customisation should be possible so that the video-clip can be adapted to national contexts, to specific organisations, etc. (possibility to introduce additional logos, websites, etc.).

Ideally, the video-clip must limit voice dialogue (favouring text or voice over) and focus on images and music (to reduce the cost of dubbing and translations/production in other languages).

Stereotypes should be avoided. The video-clip must be adapted to all sports and physical activities, from grassroots to elite sport, summer and winter sports, group and individual sports and must take into account gender and diversity issues (women/girls and men/boys, ethnic minorities, LGBT athletes, athletes with disabilities, etc.).

Please specify if the video would be created based on stock footage, original footage, animation or a combination of these.

Validation

The artistic direction for the production of the video will be undertaken by the production company. The process will include validation by the Council of Europe of the creative concept and script before production. The Council of Europe retains creative control and shall take the final decision regarding the film. It will facilitate the provider with all necessary information concerning the Organisation's graphic charter.

Deliverables and timeline

See the Act of engagement T-MC(2020)42rev