

TENDER FILE / TERMS OF REFERENCE (Competitive bidding procedure)

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Purchase of IT equipment and software with delivery for the State Department of Execution of Criminal Sanctions of Ukraine and the State Agency 'Centre of Healthcare of the State Criminal Executive Service of Ukraine'

Contract № 9197/2025/03

The Council of Europe is currently implementing (18 December 2023 – 17 December 2026) a Project on "*Towards More Humane Detention Conditions and Reduced Reoffending in Ukraine (DECOPRIS)*" under the framework of the Council of Europe Action Plan for Ukraine: Resilience, Recovery and Reconstruction 2023-2026. DECOPRIS aims to enhance the protection of prisoners' rights by improving prison management practices and advancing rehabilitation efforts.

In that context, it is looking for a Provider for the provision of *IT equipment and software with delivery to 2 recipients: the State Department of Execution of Criminal Sanctions of Ukraine and the State Agency 'Centre of Healthcare of the State Criminal Executive Service of Ukraine'* (the deliverables are described in greater detail in the Appendix I - Technical Requirements).

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 €6,000 for intellectual services) and €171,000 tax exclusive.**

This specific tender procedure aims at concluding a **one-off contract** for the provision of deliverables described in the Business and Technical Requirements. A tender is considered valid for 180 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 consortia of legal and/or natural 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 – 9197/2025/03**. 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 – 9197/2025/03**

Type of contract ▶	One-off contract
Duration ▶	Until complete execution of the obligations of the parties (See Article 2 of the Contract)
Deadline for submission of tenders/offers ▶	23:59 CET 07 November 2025
Email for submission of tenders/offers ▶	PolicePrisons.Projects@coe.int
Email for questions ▶	PolicePrisons.Projects@coe.int
Expected starting date of execution ▶	21 November 2025

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](#).

B. EXPECTED DELIVERABLES

The expected deliverables are described in **the Business and Technical Requirements (See Appendix I)**.

C. FEES

All tenderers are invited to submit a **financial offer**, indicating their fees (Appendix II FINANCIAL OFFER).

Tenderers **subject to VAT** shall also indicate:

- the Service Provider's name and address;
- its VAT number;
- the full list of services;
- the fee per type of deliverables (in **Euros**, tax exclusive);
- the total amount per type of deliverables (in **Euros**, tax exclusive);
- the total amount (in **Euros**), tax exclusive, the applicable VAT rate, the amount of VAT and the amount VAT inclusive.

The bidder understands and agrees that the fees proposed shall include the full assignment of all intellectual property rights related to the deliverables.

Payment of the Provider's fees will be divided in accordance with the following:

- 50% of advance payment within 60 calendar days as from the day of the last signature of the Contract.
- 50%: within 60 calendar days upon acceptance of the final deliverables by the Council and the Recipient and on presentation of an invoice in Euros.

D. ASSESSMENT

Exclusion criteria and absence of conflict of interests

(by signing the Contract, you declare on your honour not being in any of the below situations).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 retired Council of Europe staff members or are staff members having benefitted from an early departure scheme;
- are currently employed by the Council of Europe or were employed by the Council of Europe on the date of the launch of the procurement procedure;
- have not fulfilled, in the previous three years, their contractual obligations in the performance of a contract concluded with the Council of Europe leading to a total or partial refusal of payment and/or termination of the contract by the Council of Europe
- are subject to restrictive measures applied by the United Nations Security Council or the European Union. In the case of legal persons, the restrictive measures imposed on the tenderer's owner(s) or executives will also exclude the tenderer from participating in this tender procedure.

Eligibility criteria

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 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).

Tenderers should demonstrate that they fulfil the following criteria for all lots:

- are registered as a legal entity or a private entrepreneur which is authorised to supply IT equipment and software;
- have at least 2 years of experience in the supply of IT equipment.

Award criteria

- Quality of the offer (50 %), including:
 - (i) Quality of the items proposed – compliance with technical requirements in specification indicated in Appendix I to the Contract; all items must have warranty from the producer; additionally, provider is expected to give 12 months guarantee with on-site intervention if needed (40%);
 - (ii) Timeframe for the delivery of equipment (10%). Expected date of delivery within one month from the date of signing the contract by the Council of Europe.
- Financial offer (50%).

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:

- Completed and signed copy of their Financial offer in line with the requirements of section C of the Tender File (see above) (Appendix II);
- A **completed** and **signed** copy of the **Contract**³;
- Registration documents;
- Bank certificate;
- A Completed and signed Tender proposal in English in the form of official letter on their letterhead that contains the following sections:
 - Brief description of the Tenderer's at least 2 years' experience of procurement of IT equipment and delivery of services similar to the ones requested in this Tender File;
 - Description of the proposed IT equipment, including the brand name and its specification;
 - Deadlines for the equipment delivery.
- A list of all owners and executive officers, for legal persons only;

All documents, with the exception of registration documents and bank certificate, 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.

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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.