

TENDER FILE / TERMS OF REFERENCE (Competitive bidding procedure / Framework Contract)

Purchase of social media management services in the field of combating discrimination and hate speech

Contract N°BH4676/2021/2

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

The Council of Europe is currently implementing a Project on "Promotion of diversity and equality in the Western Balkans". In that context, it is looking for Provider(s) for the provision of social media management services in the field of combating discrimination and hate speech to be requested by the Council on an as needed basis.

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 €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 either a natural person, or a duly registered company under sole proprietorship of a natural person, or equivalent, provided that the signatory of the Act of Engagement is individually liable for all obligations undertaken by the entity, and is the owner of the moral rights in any creations of the entity. If contracted by the Council of Europe, the signatory of the Act of Engagement shall provide the deliverables personally, in accordance with the terms as provided in the current Tender File, Act of Engagement and future Order Forms (see Section D below on ordering procedure).

Tenders shall be submitted **by email only** (with attachments) **to the email address indicated in the table below, with the following reference in subject: HF45 social media manager.** 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: HF45 questions social media manager**

Type of contract ▶	Framework contract
Duration ▶	Until 23 May 2022
Deadline for submission of tenders/offers ▶	14 February 2021
Email for submission of tenders/offers ▶	tenders.antidiscrimination@coe.int
Email for questions ▶	tenders.antidiscrimination@coe.int
Expected starting date of execution ▶	22 February 2021

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

Background of the Project

The Council of Europe is currently implementing a Project on "Promotion of diversity and equality in the Western Balkans", which is part of the "Horizontal Facility for the Western Balkans and Turkey II", a joint programme of the Council of Europe and the European Union aiming at supporting South East Europe and Turkey to comply with European standards. The project is focused on supporting beneficiaries in the region on countering hate speech and hate crime; promoting and protecting rights of LGBTI persons; strengthening anti-discrimination institutions/mechanisms and coordination in line with standards of the Council of Europe, notably the recommendations of the European Commission against Racism and Intolerance (ECRI).

In that context, a regional campaign against hate speech was launched in December 2020. The campaign aims at addressing the public on the danger of hate spreading within societies, including by using testimonials from the region - well known for their responsible use of social media, public intake on diversity, engagement on equality.

The Council of Europe is looking up to five providers (provided enough tenders meet the criteria indicated below) in order to support the implementation of the regional campaign with a particular expertise on management of social media tools in the field of combating discrimination and hate speech.

This Contract is currently estimated to cover up to 20 activities, to be held by 23 May 2022. 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 Organisation.

For information purposes only, the total budget of the project amounts to 400.000 Euros and the total amount of the object of present tender **shall not exceed 55,000 Euros tax exclusive** for the whole duration of the Framework Contract. This information does not constitute any sort of contractual commitment or obligation on the part of the Council of Europe.

Scope of the Framework Contract

The providers will contribute to managing the social media accounts dedicated to the campaign 'Block the hatred. Share the love.' in co-operation with the Council of Europe staff, in line with European Union/Council of Europe Horizontal Facility Visibility Guidelines. The channels are Facebook and Instagram pages, as well as Twitter account.

Throughout the duration of the Framework Contract, pre-selected Providers may be asked to:

- prepare a social media plan for the upcoming month, including setting of the baseline and achievable targets in terms of the reach and growth of the pages (to be provided within the last week of the month for the upcoming month);
- prepare a strategy aimed at increasing followers, as well as overall reach and visibility of the social media accounts;
- ensure posting and promotion of the key messages and infographics of the regional campaign provided by the Council of Europe staff
- prepare additional posts related to the implementation of the campaign at beneficiary/ies level, based on the material shared by the COE staff;
- ensure circulation of video messages by the campaign ambassadors and other testimonials (e.g. COE and EU staff, authorities, CSOs and other partners of the campaign) as provided by CoOE staff;
- ensure interaction with other COE, EU, ambassadors and other stakeholders' social media pages, notably when it comes to team events/activities focused on combating hate speech;
- set up live events for ambassadors to interact with followers, in co-operation with COE staff, discussing hate speech in their personal experience;
- boost posts in each of the platforms;
- report about the social media performance.

The social media plans, as well as suggested social media posts will be cleared by the COE staff before being implemented. The provider will ensure commitment to the subject of the campaign, which is about combating hate speech in the Western Balkans, and the values of promoting diversity, equality and respect

which underpin the campaign and the activities of the European Union and the Council of Europe in the field of anti-discrimination.

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.

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).

C. 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. Tenders proposing fees above the exclusion level indicated in the Table of fees will be **entirely and automatically** excluded from the tender procedure.

The Council will indicate on each Order Form (see Section D below) the global fee corresponding to each deliverable, calculated on the basis of the unit fees, as agreed by this Contract.

D. 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 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 quote² (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.

² It must strictly respect the fees indicated in the Act of Engagement. In case of non-compliance with these fees, the Council of Europe reserves the right to terminate the Contract with the Provider, in all or in part.

E. 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

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;
- 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).

Eligibility criteria

- Excellent knowledge of english, oral and written;
- At least three years of experience in managing social media accounts;
- Out of which one on human rights, anti-discrimination and/or hate speech related.

Award criteria

- Quality of the offer (80%), including:
 - Quality of the sample products proposed (notably social media posts, strategy) - 50%;
 - Evidence of social media pages managed - 20%;
 - Level of English of samples - 10%.
- Financial offer (20%).

Multiple tendering is not authorised.

F. NEGOTIATIONS

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

G. DOCUMENTS TO BE PROVIDED

- A completed and signed copy of the **Act of Engagement**⁴ (See attached);
- A detailed CV, preferably in Europass Format, demonstrating clearly that the tenderer fulfils the eligibility criteria;
- A list of all owners and executive officers, for legal persons only;
- Links to the social media pages managed;
- A sample of a social media strategy and of social media posts produced.

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 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).

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.

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.

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