

TENDER FILE / TERMS OF REFERENCE

(Restricted consultation procedure / One-off contract)

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Purchase of IT services aimed at further development of the e-database of medical files in the framework of the Joint Programme of the European Union and the Council of Europe “Further support to the penitentiary reform in Azerbaijan [Contract N°8/2018]

The Council of Europe is currently implementing the Joint Project of the Council of Europe and the European Union on “Further support to penitentiary reform in Azerbaijan” aiming to assist Azerbaijani authorities to more closely align its prison healthcare services and management of prisons with the respective European standards and best practices. In that context, it is looking for a Provider for the provision of IT services aimed at further development of the e-database of medical files (See Section A of the Act of Engagement).

A. 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). 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 present Tender File and Act of Engagement.

Tenders shall be submitted **by email only** (with attachments) **to the email address indicated in the table below, with the following reference in subject: Procurement for prison medical files database**. 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: Procurement for prison medical files database**

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 ►	01 June 2018
Email for submission of tenders/offers ►	PolicePrisons.Projects@coe.int
Email for questions ►	PolicePrisons.Projects@coe.int
Expected starting date of execution ►	15 June 2018

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](#).

B. EXPECTED DELIVERABLES

The expected deliverables are described in **Section A of the Act of Engagement** (See attached).

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 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 .

D. ASSESSMENT

Exclusion criteria and absence of conflict of interests

(by signing the Act of Engagement,² 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

- at least 5 years of experience in designing and developing of electronic databases and/or IT tools, preferably in the area of medical data processing;
- at least 3 years of experience in providing training on electronic database management (for users and operators);
- the tenderer should have completed at least two (2) contracts in developing of electronic databases and relevant training with a budget of at least 10.000 € from 1 January 2015 to 31 January 2018;
- the Tenderer has provided IT services during at least the three years prior to the deadline for submission of tenders;
- the Tenderer is authorized to provide relevant IT services in line with any requirements of applicable national law (if applicable);
- the Tenderer has a branch office in Baku and is able to provide maintenance service (support for the database and the changes they will introduce) for one year after the completion of work.

Award criteria

- Technical quality: coverage of required technical needs and appropriateness for use in the prisons, timeline, involved staff and provision of after-installment maintenance (60%)
- Quality of the proposed training plan and involved staff (10%)
- Financial offer (30%).

Multiple tendering is not authorised.

E. DOCUMENTS TO BE PROVIDED

Tenderers are invited to submit:

- **A completed and signed copy of the Act of Engagement³ (See attached)**
- For tenderers subject to VAT only: **a quote, describing their financial offer**, in line with the requirements of section C of the Tender File (see above);
- Registration documents, for legal persons only;
- A statement of interest;
- A list of the projects and services for software and hardware solutions delivered during the past 3 years, possibly including references to the total values of contracts, dates, and details of the recipients, whether public or private;
- Proof for the completion and acceptance of the services provided;

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.

³ 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.

- Letters of reference from previous clients, attesting to their experience in the field in question;
- The educational and professional qualifications of the staff proposed to work on the development of the database and the delivery of training (in CVs);
- A statement of their average annual workforce or the number of relevant staff employed during the past 3 years;
- Proof of registration/licensing/authorization to trade medical equipment, where required by national law.

A **technical offer** including the following:

- The work plan responding to the requirements detailed in the Technical Specifications, and outlining the methodology intended to be used;
- The timeline required for completion of each task mentioned in the Technical Specifications;
- The resources to be used, including the experience of staff/consultants to be assigned to the execution of the contract (qualifications, professional experience, geographical experience if relevant, language skills etc.);
- After-update support to the use and operation of the database;
- Training plan and outline and/or list of training manuals for the use of the database.

Financial offer:

- The financial offer shall provide the budget (in a table format) per deliverable;
- Details of any request for a deposit, with the amount/ percentage should be clearly indicated and fully justified

The language of the submitted tender shall be English or French. All tenderers will submit copies of the original supporting documents accompanied by an unofficial translation in English or in French, if the document is not provided in one of these two languages. Failure to do so will result in the exclusion of the tender.

If any of the documents listed above are missing, the tender will not be considered.

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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