**TENDER FILE / TERMS OF REFERENCE**

**(Competitive bidding procedure / Framework Contract)**

**Purchase of international consultancy services for strengthening institutional capacity and strategic communication development in the field of justice in the Republic of Moldova.**

***Contract N°* 4979/2025/56**

The Council of Europe is currently implementing the Project on “Support to the justice reform in the Republic of Moldova”, running from 27 May 2023 to 26 November 2026. In that context, it is looking for Provider(s) for the provision of international consultancy services focused on strengthening the institutional capacity and strategic communication development in the field of justice in the Republic of Moldova to be requested by the Council on an as needed basis.

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-2), 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 **framework contract** for the provision of deliverables described in the Act of Engagement (See attached). 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 either a natural person, a legal person or consortium of natural and/or legal person.

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 - 4979/2025/56.** 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 Council of Europe 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 - Tender - 4979/2025/56.**

|  |  |
| --- | --- |
| **Type of contract ►** | Framework contract |
| **Duration ►** | Until 26 November 2026 |
| **Deadline for submission of tenders/offers ►** | **14 October 2025** 23h59 CET |
| **Email for submission of tenders/offers ►** | **justice.reform@coe.int** |
| **Email for questions ►** | **justice.reform@coe.int** |
| **Expected starting date of execution ►** | 01 November 2025 |

1. EXPECTED DELIVERABLES

**Background of the Project**

The European Union and the Council of Europe Joint Project on “Support to the justice reform in the Republic of Moldova” (the Project) is a national project for the Republic of Moldova. The Project is implemented from 27 May 2023 to 26 November 2026.

The project objective is to ensure that the justice reform is implemented in line with European standards resulting in a fair delivery of justice to the public.

The expected results of the Project are:

1. The Justice Sector Reform Strategy is further implemented, and the legal framework is more in line with European standards and commitments.
2. The judicial and prosecutorial self-governing bodies exercise their competences to select, appoint, promote, transfer, suspend and remove judges and prosecutors in an effective, objective and transparent manner in line with European standards.
3. The National Institute of Justice provides enhanced judicial training for judges and prosecutors through improved curricula and internal processes allowing for a more transparent and impartial selection of new judges and prosecutors and for better training capacities, in line with the 2022 TAIEX recommendations.
4. Constitutional justice is enhanced through increased legal capacities of members and staff of the Constitutional court and increased accessibility of Constitutional Court rulings via a new database.

The Project beneficiaries are the Ministry of Justice, the Superior Council of Magistracy, the Superior Council of Prosecutors, the National Institute of Justice and the Constitutional Court.

The Council of Europe is looking for a maximum of 10 (ten) Provider(s) to support the implementation of the project with a particular expertise on strengthening the institutional capacity and strategic communication development in the field of justice in the Justice in the Republic of Moldova.

This Contract is currently estimated to cover up to 20 activities, to be held by 26 November 2026. 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 2 700 000 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.

**Lots**

The present tendering procedure aims to select Provider(s) to support the implementation of the project and is divided into the following lots:

|  |  |
| --- | --- |
| Lots | Maximum number of Providers to be selected |
| Lot 1: Strategic communication and awareness raising on justice-related matters | 5 |
| Lot 2: European Union Law | 5 |

**Lot 1** concerns support to development of communication strategies; strengthening the capacity on the issues of communication; identification of the needs and preparation of the needed visualization materials, including but not limited to leaflets, brochures, brand book etc. in the justice sector in the Republic of Moldova.

**Lot 2** concerns enhancing knowledge of judges and prosecutors on issues related to EU law, primarily with focus on introduction to the legal system of the EU and the principles governing the adoption, interpretation, application and enforcement of EU law, as well as the EU *aquis* and the national implementation and transposition of EU law. Participation in and expert contribution to working group meetings, roundtables, trainings, seminars, workshops, expert consultations, mentorship programmes, including through moderating/ facilitating discussions, coordinating groups of professionals; developing and delivering thematic presentations.

The Council will select the abovementioned number of Provider(s) per lot, provided enough tenders meet the criteria indicated below. Tenderers are invited to indicate which lot(s) they are tendering for (see Section A of the Act of Engagement).

**Scope of the Framework Contract**

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

Under Lot 1:

* Analysis of the existing communication strategies of the project beneficiary and identify possible gaps and needs in this respect, including training needs.
* Contribution to the development of communication strategies of the project beneficiary and/or support in the implementation of the communication strategies.
* Develop and conduct trainings, seminars and other educational activities on the methods of communication, interaction with mass media, preparation of articles and press releases, communication in crisis situations, conflict prevention in communication, etc. for the designated staff of the project beneficiary.
* Develop information campaigns on justice-related matters, including the development of the dissemination materials (in print or electronic format).
* Prepare visualization materials, including but not limited to leaflets, brochures, informational stands, video and audio products, etc. for the needs of the project beneficiary.

Under Lot 2:

* Analysis/assessment of the legislation (laws, draft laws, bylaws, other normative acts), policies (e.g., strategies, action plans, policy documents, etc.) as well as their implementation in practice (including impact assessments, analysis of court practice, analysis of the practice of the judicial and prosecutorial self-governing bodies, etc.) with a view of their compliance with the European Union Law.
* Delivery of the respective thematic expertise in the form of legal opinions, assessments, analytical notes, research, reports and other similar formats.
* Contribution to the development of information and guiding materials/manuals/instructions in the respective thematic area.
* Development and delivery of training courses for judges, prosecutors and other legal professionals.
* Participation in and expert contribution to working group meetings, roundtables, trainings, seminars, workshops, expert consultations, mentorship programmes, including through moderating/facilitating discussions, coordinating groups of professionals; developing and delivering thematic presentations.

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 for the lot concerned.

In terms of **quality requirements**, the pre-selected Service Providers must ensure*, inter alia*, that:

* The services are provided to the highest professional/academic standard.
* Any specific instructions given by the Council – whenever this is the case – are followed.

If contracted by the Council of Europe, the deliverables shall be provided personally by the persons identified in the offer of the Provider whose CVs have been presented to the Council of Europe (See section E. below), in accordance with the terms as provided in the present Tender File and Act of Engagement.

In addition to the orders requested on an as needed basis, the Provider shall keep regular communication with the Council to ensure continuing exchange of information relevant to the project implementation. This involves, among others, to inform the Council as soon as it becomes aware, during the execution of the Contract, of any initiatives and/or adopted laws and regulations, policies, strategies or action plans or any other development related to the object of the Contract (see more on general obligations of the Provider in Article 3.1.2 of the Legal Conditions in the Act of Engagement).

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).

1. 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.

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.

1. 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 for the relevant lot 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 quote[[2]](#footnote-3) (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.

**Delivery**

Each deliverable has to be accompanied by the filled-out AI tool checklist which is appended to this document.

1. 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]](#footnote-4)**

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*

The eligibility criteria determine the conditions for participating in a procurement procedure and define the essential requirements that each bidder must comply with. Bidders shall demonstrate that they fulfil the following criteria:

Lot 1

|  |  |
| --- | --- |
| Eligibility criteria | Document/s to be submitted |
| Education: University degree in journalism, communication, human rights, public administration or other field relevant to communication. | CV |
| Work experience: At least 5 years of experience in developing /implementing communication strategies for public institutions, and/or local NGOs, International Organisations, private entities; developing materials, such as visibility items, posters, leaflets, videos in the field of justice, human rights, social matters important for the public; developing and delivering trainings and coaching on communication issues. | CV |
| Specific thematic expertise: confirmed expertise in strategic communications field as evidenced by the information included in the supporting documents. | CV  Samples of previous work |
| Language skills: Excellent oral and written Romanian, CEFR level C2 | CV  Samples of previous work |

Lot 2

|  |  |
| --- | --- |
| Eligibility criteria | Document/s to be submitted |
| Education: University degree in one law, human rights or other field relevant for the expertise needed. | CV |
| Work experience: At least 5 years of experience in providing assessment/ analysis of legal documents; drafting regulations, guidelines; conducting trainings, including on legal reasoning and drafting, for justice sector actors. | CV |
| Specific thematic expertise: confirmed expertise in law as evidenced by the information included in the supporting documents. | CV  Samples of previous work |
| Language skills: - Excellent oral and written English, CEFR level C1-C2;   * Excellent oral and written Romanian, CEFR level C1-C2 is desirable | CV  Samples of previous work |

The above eligibility criteria will be assessed **on the basis of the documents listed in the table and, where relevant, on the basis of other supporting documents** listed in Section G.

**For legal persons only**: legal persons are requested to include in their bids the profiles of **a maximum of 5** natural persons proposed to be assigned to the contract. The status of each natural person included in the bid must be specified, and in particular whether they are employees or subcontractors. **Each natural person included in the bid will be assessed against the above eligibility criteria**. The Council reserves the right not to accept the inclusion in the contract of persons who do not meet the eligibility criteria or to reject a bid entirely if no profiles met the eligibility criteria.[[4]](#footnote-5)

**For consortia only**: each consortium member **will be assessed against the eligibility criteria above**. Consortium members who are legal persons are requested to provide the profiles of a maximum of 5 natural persons proposed to be assigned to the contract. The status of each natural person included in the bid must be specified, and in particular whether they are employees or subcontractors.

**Each natural person included in the bid submitted by a consortium – whether as an individual consortium member or as a natural person attached to a legal person – will be assessed against the above eligibility criteria**. The Council reserves the right not to accept the inclusion in the contract of persons who do not meet the eligibility criteria or to reject a bid entirely if no profiles meet the eligibility criteria.[[5]](#footnote-6)

*Award criteria*

The award criteria aim at assessing the quality of a bidin order to **identify the bid/s offering the best value for money**. Eligible bids will be assessed against the following award criteria:

|  |  |
| --- | --- |
| Award criteria | Document/s to be submitted |
| Quality of the offer (70 points), including:   * Expertise of the tenderer in the areas covered by this call (30 points); * Previous similar assignments with international organisations (30 points); * Language skills (10 points); | * Detailed CV   - At least 3 (three) samples of a study/analysis/publication developed by Provider in the similar area |
| * Financial offer (30 points); | Completed and signed Act of Engagement |

The above award criteria will be assessed based on the bidder’s capacity, as outlined in the supporting document, or on the basis of a consolidated assessment of the combined capacity of all eligible profiles or consortium members if the bid is submitted by a legal person or a consortium.

*Additional rules applicable to the submission and assessment of the bids*

The bidders’ attention is drawn to the following additional rules governing the assessment of the bids:

* The Council reserves the right to hold interviews with prima facie eligible tenderers;
* Unless expressly provided otherwise in the tender documents, a bidder may not submit more than one bid for the same procurement procedure. Bidding for more than one lot – where a contract is divided into lots – is allowed;
* In the same procurement procedure, natural person may not submit a bid on his/her own behalf and, at the same time, be included in a bid submitted by a legal person or a consortium. In such cases, the Council of Europe reserves the right to exclude the bid submitted by the natural person from the procurement procedure;
* In the same procurement procedure, a legal person may not submit a bid and, at the same time, be a member of a consortium also bidding under the same procurement procedure. In such cases, the Council of Europe reserves the right to exclude the bid submitted by the legal person from the procurement procedure.

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**

* **One** completed and signed copy of the Act of Engagement;[[6]](#footnote-7)
* A list of all owners and executive officers, for legal persons only;
* A detailed CV in Word/PDF format, in English, demonstrating clearly that the tenderer fulfils the eligibility criteria (4 pages maximum); for legal persons and consortia, detailed CVs of all natural persons proposed to be assigned to the contract;
* At least three examples of previous work/deliverables, either by attaching or by including the link to publications, legal assessments, analyses, reports, studies, presentations, videos, etc. (ensure that the links are valid and that the deliverable(s) is accessible, downloadable and may be opened in its entirety) relevant to the experience the tenderer claims (in Romanian and/or English).

**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.**

**Documents may be submitted via file sharing services such as WeTransfer, Dropbox, OneDrive, etc.). In this case, the link must mandatorily remain active for at least 30 days after the deadline for the submission of the bids. Failure to ensure this may lead to the bid being excluded from the procurement procedure.**

**The Council reserves the right to reject a tender if the scanned documents are of such a quality that the documents cannot be read.**

**\* \* \***

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-2)
2. It must strictly respect the fees indicated in the Financial Offer attached to the original Provider’s tender as recorded by the Council of Europe. In case of non-compliance with the fees as indicated in the original Provider’s tender, the Council of Europe reserves the right to terminate the Contract with the Provider, in all or in part. [↑](#footnote-ref-3)
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 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). [↑](#footnote-ref-4)
4. If awarded a contract, legal persons undertake to entrust the execution of order forms only to the persons approved by the Council for inclusion in the contract. If, during the period of validity of the contract, it becomes necessary to replace one or more of the persons included in the contract, the legal persons undertake to assign to the contract only persons who satisfy the eligibility criteria above and to inform the Council without delay. [↑](#footnote-ref-5)
5. If awarded a contract, consortium members who are legal persons undertake to entrust the execution of order forms only to the persons approved by the Council for inclusion in the contract. If, during the period of validity of the contract, it becomes necessary to replace one or more of the persons included in the contract, consortium members who are legal persons undertake to assign to the contract only persons who satisfy the eligibility criteria above and to inform the Council without delay. [↑](#footnote-ref-6)
6. 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. [↑](#footnote-ref-7)