

TENDER FILE / TERMS OF REFERENCE (Competitive bidding procedure / One-off contract)

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Purchase of services on designing and conducting the sociological survey, focus groups and personal interviews for the research/study on the current state of play pertaining to electoral and political rights of national minorities, including Roma, in Ukraine within the framework of the Council of Europe project "Supporting transparency, inclusiveness and integrity of electoral practice in Ukraine".

Within the framework of the Action Plan for Ukraine 2018 – 2022, the Council of Europe is currently implementing a two-phased project on "Supporting the transparency, inclusiveness and integrity of electoral practice in Ukraine" (hereinafter – 'the Project').

Among other issues, the Project Phase II activities are focused on strengthening the protection of political and electoral rights of women and men representing national minorities, including Roma, in Ukraine. In this regard, the Project is going to conduct a research/study on the current state of play pertaining to the electoral and political rights of national minorities, including Roma, in Ukraine. The Project is looking for a Provider to provide services on designing and conducting sociological survey, focus groups and personal interviews with the representatives of national minorities, including Roma, and the representatives of national/local authorities as main components of the field research stage (see Section A of the Act of Engagement).

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 **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. Each lot will be awarded to the Provider providing the best value for money for the lot concerned, on the basis of the award criteria indicated below. All tenderers will be informed in writing of the outcome of the procedure.

The tenderer must be a legal person except consortia.

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_RESEARCH_NATIONAL_MINORITIES.** 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 3 (three) 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_ RESEARCH_NATIONAL_MINORITIES.**

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 October 2020
Email for submission of tenders/offers ▶	REPU@coe.int
Email for questions ▶	REPU@coe.int
Expected starting date of execution ▶	23 October 2020

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 **Section A of the Act of Engagement** (See attached). Please note that each lot concerns a different series of deliverables. Tenderers may tender for one, all or several lots.

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, for each lot, **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, 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;
- 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 (Applicable for all lots)

- legal person except consortia;
- previous experience in designing and conducting sociological surveys, focus groups and personal interviews in Ukraine.

Award criteria

For lot 1:

- Quality of the offer (70%), including:
 - (35%) professional portfolio and relevance of the tenderer's previous experience in designing and conducting sociological surveys in Ukraine. Previous experience of conducting surveys on election related and political participation issues, as well as national minorities issues will be an asset;
 - (35%) technical proposal (technical and human resources to be assigned to provide the requested services in full; proposed methodology of conducting the sociological survey).
- Financial offer (30%).

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

For Lot 2:

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.

- Quality of the offer (70%), including:
 - (35%) professional portfolio and relevance of the tenderer's previous experience in designing and conducting focus groups and personal interviews in Ukraine. Previous experience of conducting focus groups on election related and political participation issues, as well as national minorities issues will be an asset;
 - (35%) technical proposal (technical and human resources to be assigned to provide the requested services in full; proposed methodology of conducting the focus groups and personal interviews).
- Financial offer (30%).

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

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:

- **A completed and signed copy of the Act of Engagement³ (See attached)**
- **For tenderers subject to VAT only: a quote, describing the financial offer, in line with the requirements of Section C of the Tender File (see above)**
- Registration documents (scanned copy of originals in Ukrainian and/or English);
- A detailed professional portfolio in English, demonstrating clearly that the tenderer fulfils the eligibility criteria;
- Links to the developed analytical reports on the surveys and focus groups previously conducted;
- Technical proposal to undertake the work, including description of technical and human resources (particularly, CVs of the suggested personal to be involved in the activity) to be assigned for the provision of the requested services in full and the proposed methodology of undertaking the work.

All documents shall be submitted in English, except scanned copies of the original registration documents to be submitted in Ukrainian, 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.

* * *

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.