

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

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Technical assistance in organisation of the international conference "Adversarial trial and equality of arms in criminal proceedings", in co-operation with the Supreme Court of the Republic of Kazakhstan, on 8-9 December 2022 in Astana, Kazakhstan.

The Council of Europe is currently implementing a Council of Europe and European Union Joint Project "Promote Efficient Functioning of State Institutions and Public Administration". The project aims to promote efficient functioning of state institutions and public administration in accordance with European and other international standards in the Central Asia partner countries (Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan). Venice Commission is implementing the project in the framework of the Joint EU/Council of Europe Central Asia Rule of Law Programme, which aims to reinforce human rights, rule of law and democracy in Central Asian partner countries in accordance with European and other international standards by offering assistance to reform processes, based on a demand-driven approach.

In that context, it is looking for a provider for organisation of the international conference "Adversarial trial and equality of arms in criminal proceedings", in co-operation with the Supreme Court of the Republic of Kazakhstan on 8-9 December 2022 in Astana, Kazakhstan.

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. Organisation will publish the tender on the website of the Central Asia Rule of Law Programme: <https://pjp-eu.coe.int/en/web/central-asia>.**

For information purposes only, the total budget of the project for cost of conferences is 188,915 Euros and the total amount of the object of present tender **shall not exceed 55,000 Euros VAT 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.

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 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 file"**. 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) 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 Central Asia Rule of Law Programme"**.

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 ▶	08 November 2022
Email for submission of tenders/offers ▶	CARoL@coe.int
Email for questions ▶	CARoL@coe.int
Expected starting date of execution ▶	15 November 2022

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).

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;
- 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

- be a legal person except consortia.

Award criteria

- Quality of the offer (20%), including:
 - level of experience in providing similar services Section A of the Act of Engagement.
- Financial offer (80%), including:
 - Total price of the contract,
 - Cancellation policy for accommodation and meals for participants.

One Tenderer can send up to three applications with the proposal to organise the seminar in different hotels.

E. NEGOTIATIONS

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

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 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).

F. DOCUMENTS TO BE PROVIDED

Tenderers are invited to submit:

- **A completed and signed copy of the Act of Engagement (see attached);**
- **A letter with the following information** (can be provided in the Russian language):
 - **the cancellation policy of the hotel for accommodation and meals;**
 - **a list of online or hybrid activities organised from 2019 to 2022;**
- A list of all owners and executive officers, for legal persons only;

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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