



CALL FOR TENDERS

FOR THE PROVISION OF THE CASE MANAGEMENT SYSTEM FOR THE DEPARTMENT FOR THE PREVENTION OF MONEY LAUNDERING AND TERRORIST FINANCING IN MONTENEGRO

2020A032 DGI/ODGP

Object of the procurement procedure ►	Purchase of a Case management System for the Department for the Prevention of Money Laundering and Terrorist Financing in Montenegro
Project ►	Action against Economic Crime in Montenegro (AEC-MNE) of EU/CoE Horizontal Facility for Western Balkans and Turkey – Phase II
Organisation and buying entity ►	Council of Europe Economic Crime and Cooperation Division
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)
Expected starting date ►	20 August 2020
Tender Notice Issuance date ►	03 July 2020
Deadline for tendering ►	30 July 2020

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The TERMS OF REFERENCE describe what will be expected from the selected Providers.
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The TENDER RULES explain the procedure through which the tenders will be submitted by the tenderers and assessed by the Council of Europe.
- **The ACT OF ENGAGEMENT (See Document attached)** is the document formalising the consent of the Parties to be bound by the LEGAL CONDITIONS, which are the legal provisions which will be applicable between the Council of Europe and the selected Providers. It also contains the TABLE OF FEES, which indicates the applicable fees, throughout the duration of the contract.

HOW DOES A ONE-OFF CONTRACT WORK?

SELECTION of one qualified Provider through a call for tenders and signature of a One-off contract with the selected Provider.

EXECUTION as from the date of signature of the contract, unless the contract provides otherwise.

HOW TO SUBMIT A TENDER?

STEP 1: Read the **TENDER FILE**

STEP 2: Complete the **ACT OF ENGAGEMENT** and collect the required **SUPPORTING DOCUMENTS**, as listed in section F of the terms of reference (below).

STEP 3: Send your **TENDER**, in accordance with the Tender Rules

PART I –TERMS OF REFERENCE

CALL FOR TENDERS FOR THE PROVISION OF THE CASE MANAGEMENT SYSTEM FOR THE DEPARTMENT FOR THE PREVENTION OF MONEY LAUNDERING AND TERRORIST FINANCING IN MONTENEGRO 2020A032 DGI/ODGP

A. BACKGROUND

Within the framework of the EU/CoE Horizontal Facility for Western Balkans and Turkey – Phase II, the Economic Crime and Cooperation Division (ECCD) of the Council of Europe is currently implementing the Action against Economic Crime in Montenegro (AEC-MNE).

Through the activity “**Available operational and IT solutions for Department for The Prevention of Money Laundering and Terrorist Financing in Montenegro (DPMLTF)**”, the Action aims to improve the management of internal processes in the DPMLTF, increase cooperation and exchange of data and information with the related institutions through modernisation and digitalisation of the process.

This will be achieved through development of the Case Management System (CMS) which should meet the following requirements and will:

- Enable DPMLTF employees to better process inspection cases and the, related data and information in a single interface
- Ensure compliance with the deadlines set out in the legislation and allowing improvement of the quality of processing of documents related to the prevention of Money Laundering and Terrorist Financing;
- Facilitate interaction between the DPMLTF and its related institutions, reducing time and cost for the exchange and processing of information;
- Facilitate interaction between the DPMLTF and other law enforcement agencies in Montenegro;
- Facilitate data collection, analysis and reporting; and
- Improve procedures and processes that represent the fundamental and frequent functions performed by DPMLTF, namely:
 - o Initiating, updating and processing cases;
 - o Data collection, processing users’ data, reporting; and
 - o Generation of statistical reports.

The subject of this procurement is the first part of the Case Management System, which will in the future allow further expansion and adaptation to changes that may occur in the legislation regulating Data Protection.

In that context, the Action is looking for a Service Provider to develop a Case management System for Department for The Prevention of Money Laundering and Terrorist Financing in Montenegro (See Section A of the Act of Engagement).

The required CMS should be developed **within 6 months** and the stages of its implementation are as follows:

- Preparation of a preliminary work plan that will be implemented in the CMS;
- Installation of a development and testing environment on the equipment of DPMLTF;
- Delivery of the CMS module for DPMLTF users;
- Configurations in the System in accordance with DPMLTF needs; and
- Deployment/ Installing, configuring and implementing the supporting infrastructure for the CMS Administrator and provide training for different levels of users.

For information purposes only, the total budget of the project amounts to 700.000 Euros.

B. EXPECTED SERVICES

The expected deliverables are described in **Section A of the Act of Engagement** and detailed Technical Specification for Procurement of a Case Management System for DPMLTF is described in the Annex (See attached).

C. FEES

Tenderers are invited to indicate their fees, by completing the table of fees, as attached in Section A of the Act of Engagement. These fees are final and not subject to review.

Providers subject to VAT

The Provider, **if subject to VAT**, shall also send, together with each signed Form, a quote¹ (Pro Forma invoice) 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 .

Should the Provider be willing to further break down its financial offer, it is invited to do so on a separate sheet, attached to the other supporting documents.

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

D. HOW WILL THIS ONE-OFF CONTRACT WORK?

Once this consultation and the subsequent selection are completed, you will be informed accordingly. Deliverables will then be carried out in compliance with the description of deliverables as provided in the Act of Engagement. The Provider will be responsible for providing any deliverable before the deadlines fixed in the Act of Engagement.

E. 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).

¹ 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.

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).

Eligibility criteria

Tenderers shall demonstrate that they fulfil the following criteria (to be assessed on the basis of all supporting documents listed in Section F):

- Company / Legal entity registered in a member state of the Council of Europe;
- At least three years of experience in design and implementation of information systems;
- At least 3 references for successful implementation of relevant projects in the previous years;
- The Supplier must have procedures and rules in order to guarantee the quality of project management and confidentiality of information, which they may access or come in possession of during project implementation. To meet this demand, the Supplier must be certified for the ISO 9001 Quality Management System.
- Sufficiently large number of fully employed experts or experts hired based on a long-term cooperation agreements or contract, as follows:
 - At least one specialist with professional level of expertise in installing and configuring operating systems ex MS Windows Server;
 - At least one specialist with architect level of expertise in configuring servers and storage equipment;
 - At least 2 experts certified by the manufacturer as a Microsoft Certified Professional Developer (MCPD), Java Developer or equivalent, with proved experience in the proposed software development tools (e.g. Windows.Net, Java or similar technologies);
 - At least 2 specialists certified by the manufacturer, with experience in administration and development of the Relational Database Management System (RDBMS) technology;
 - At least one Project Management Professional (PMP), Prince, or similar; and
 - At least one software tester specialist.

Award criteria

Criterion 1: Quality of the offer (70%), including:

- the requirements detailed in the Technical Specifications/Terms of Reference;
- the capacity of the Provider to understand the needs of the Council of Europe and to reformulate them in a clear manner;
- the methodology proposed to provide services sought;
- the work schedule proposed;
- the appropriateness of the resources used, i.e. the experience of the persons allocated to the execution of the contract (qualifications, professional experience, geographical experience if relevant, language skills etc.).

Criterion 2: Financial offer (30%)

Multiple tendering is not authorised.

F. DOCUMENTS TO BE PROVIDED

Tenderers are invited to submit:

- **Two 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 Act of the legal entity;
- A list of all owners and executive officers, for legal persons only;
- Document certifying that owners and executive officers of the Service Provider haven't been sentenced by final judgment on one or more of the following charges: participation in a criminal organisation, corruption, fraud, money laundering
- Document certifying that the Service Provider complies 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

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.

- Proof of certification for the ISO 9001 Quality Management System; and
- 3 reference letters demonstrating successful implementation of relevant projects in the previous years, containing contacts of references.

Proposals must be submitted in the following format:

The technical part shall contain the following sections:

- **A cover page** (including the following information) containing:
 - Name of the applying company/organisation;
 - Name of the responsible official from the applicant's organisation;
 - Address, phone, fax, email; and
 - Account information where the payment can be made;
- **An Executive Summary**
- **The Organisational Description** (one to three pages *maximum*): This section shall provide a brief history of the organisation, current status of ownership (privately held, publicly held, etc.), legal registration information, staffing structure, staff credentials, Information and communication technology (ICT) projects implemented, name and contact information of other current and/or previous funder(s). Description of staff credentials must be of such a nature as to clearly demonstrate compliance with the requirements listed in the corresponding eligibility criteria (number of experts, field of expertise...). It should also emphasise experience of similar work;
- **Project Description** and more specifically:
 - a. Filled in Table 1 and Table 2 (general functional requirements and specific functional requirements, chapter 2 of the Technical Specifications);
 - b. Detailed concept/methodology of the ICT project defining the concrete actions for its implementation (concept should be in line with chapters 2 – 5 of the Technical Specifications);
 - c. Acceptance of requirements as stipulated in the chapters 6-7 of the Technical Specifications.
 - d. Detailed timeframe for the all project implementation, which should not exceed 180 days.
- **Financial part** of the proposal (in an Excel sheet format) shall describe the estimated cost for ICT project in detail. The applicant shall provide a detailed budget in EUR excluding VAT. The acceptable costs should contain costs of deliverables mentioned in the Act of Engagement, divided into:
 - a. consultancy fee for software development and its maintenance;
 - b. consultancy fee for providing training; and
 - c. costs for any related hardware to make the system operational.

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.

* * *

PART II – TENDER RULES

CALL FOR TENDERS

FOR THE PROVISION OF THE CASE MANAGEMENT SYSTEM FOR THE DEPARTMENT FOR THE PREVENTION OF MONEY LAUNDERING AND TERRORIST FINANCING IN MONTENEGRO 2020AO32 DGI/ODGP

ARTICLE 1 – IDENTIFICATION OF THE CONTRACTING AUTHORITY

1.1 Name and address

COUNCIL OF EUROPE

DGI INFORMATION SOCIETY AND ACTION AGAINST CRIME DIRECTORATE

ECONOMIC CRIME AND COOPATION DIVISION

1.2 Background

The activities of the Organisation are governed by its Statute. These activities concern the promotion of human rights, democracy and the rule of law. The Organisation has its seat in Strasbourg and has set up external offices in about 20 member and non-member states (in Ankara, Baku, Belgrade, Brussels, Bucharest, Chisinau, Erevan, Geneva, Kyiv, Lisbon, Moscow, Paris, Podgorica, Pristina, Rabat, Sarajevo, Skopje, Tbilisi, Tirana, Tunis, Warsaw, Venice and Vienna).

Council of Europe procurements are 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.

The Organisation enjoys privileges and immunities provided for in the General Agreement on Privileges and Immunities of the Council of Europe, and its Protocols, and the Special Agreement relating to the Seat of the Council of Europe.⁴

Further details on the project are provided in the Terms of Reference.

ARTICLE 2 – VALIDITY OF THE TENDERS

Tenders are valid for 120 calendar days as from the closing date for their submission.

ARTICLE 3 – DURATION OF THE CONTRACT

The duration of the framework contract is set out in Article 2 of the Legal Conditions in the Act of Engagement.

ARTICLE 4 – CHANGE, ALTERATION AND MODIFICATION OF THE TENDER FILE

Any change in the format, or any alteration or modification of the original tender will cause the immediate rejection of the tender concerned.

ARTICLE 5 – CONTENT OF THE TENDER FILE

The tender file is composed of:

- Technical specifications/Terms of reference;

- Tender rules;
- An Act of Engagement, including the Legal Conditions of the contract.
- Annex I Technical Specifications
- Annex II Tripartite Act of Acceptance

ARTICLE 6 – LEGAL FORM OF TENDERERS

[*Option 3*: The tenderer must be a legal person except consortia]

ARTICLE 7 – SUPPLEMENTARY INFORMATION

General information can be found on the website of the Council of Europe: <http://www.coe.int>

Other questions regarding this specific tendering procedure shall be sent at the latest by **one week before the deadline for submissions of tenders**, in English and shall be exclusively sent to the following address: Ana.SELIC@coe.int

This address is to be used for questions only; for modalities of tendering, please refer to the below Article.

ARTICLE 8 – MODALITIES OF THE TENDERING

Tenders must be sent to the Council of Europe **electronically**.

Electronic copies shall be sent **only** to cdm@coe.int with the subject "**Call for Tenders for the provision of the case management system for Montenegrin FIU**". Tenders submitted to another e-mail account will be excluded from the procedure;

ARTICLE 9 – DEADLINE FOR SUBMISSION OF TENDERS

The deadline for the submission of tenders is **30 July 2020** as evidenced by the postmark, or by the receipt of delivery provided by the dispatching company.

ARTICLE 10 – ASSESSMENT OF TENDERS

Tenders shall be assessed in accordance with Rule 1395 of 20 June 2019 on the procurement procedures of the Council of Europe. Assessment shall be based upon the criteria as detailed in the Terms of Reference.

ARTICLE 11 – NEGOTIATIONS

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

* * *

⁴ Available on the website of the Council of Europe Treaty Office: www.conventions.coe.int

FINAL CHECK LIST

1) BEFORE SENDING YOUR TENDER, CHECK THAT IT INCLUDES:

- **Two completed and signed copies of the Act of Engagement⁵ (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);
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costs for any related hardware to make the system operational.

2) HOW TO SEND TENDERS?

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Electronic copies shall be sent only to cdm@coe.int, with the subject "**Call for Tenders for the provision of the case management system for Montenegrin FIU**". Tenders submitted to another e-mail account will be excluded from the procedure;

The deadline for the submission of tenders is **30 July 2020** as evidenced by the timestamp on the e-mail.