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**TENDER RULES**

This document, which is not contractually binding, sets out the main elements of the procedure: the tender procedure, the documents provided by the Council of Europe, the criteria for selecting one or more providers and the constituent elements of the offers.

**It is strongly recommended that you read this document first, before starting working on your offer.**

Appendix 1 provides general information on Council of Europe calls for tenders and contracts.

|  |  |
| --- | --- |
| **Object of the procurement procedure and / or project ►** | Development of a web-based applied game learning |
| **Execution place / building ►** | Pilot Project on Digital Citizenship Education |
| **Contract(s) number(s) ►** |  |
| **Buying entity ►** | **Council of Europe**  Ankara Office |
| **Type of contract**  (see Appendix 1) **►** | Framework Contract |
| **Purchase typology ►** | IT |
| **Deadline for sending questions**  (if applicable) **►** | 28/03/2024 |
| **Deadline for tendering ►** | 15 April 2024 |
|  |  |

|  |  |
| --- | --- |
| CONTACTS\* (contacts are strictly limited during the tender period) | |
| Questions relating to the  consultation or the project | project.dce@coe.int |
| Tendering | By e-mail to [cdm@coe.int](mailto:cdm@coe.int) (the offer must be sent **to this e-mail only: no cc or any other e-mails**) |
| \*Your e-mail subject must include the contract number reference mentioned here above. | |
|  | |
| *Please note: Candidates can send their questions in case of doubts, to the e-mail (and before the deadline) indicated on page 1 of this Tender Rules. The answers provided by the Council will be posted on the dedicated MyCloud page in one document few days before the deadline. Tenderers are therefore strongly advised to check the MyCloud link, before submitting their tender, in order to double-check if any answers/clarifications have been provided by the Council.* | |

# **Identification of the contracting authority**

**THE SECRETARY GENERAL OF THE COUNCIL OF EUROPE**

Avenue de l’Europe

67075 STRASBOURG Cedex

The Council of Europe is an international Organisation with 46 member States. The activities of the Organisation are governed by its Statute. 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 the Special Agreement relating to the Seat of the Council of Europe ([link](http://www.conventions.coe.int/)).

In accordance with the Special Agreement relating to the Seat of the Council of Europe, French laws are, in principle, applicable within the premises, buildings and perimeters of the Seat of the Council of Europe. The Council of Europe has the right to issue regulations intended to facilitate, within its buildings and premises, the full exercise of its responsibilities.

# **Project description**

The action aims **to promote human rights, fundamental freedoms and democracy in schools by empowering students in their digital presence through Digital Citizenship Education (DCE) at the lower secondary level in** **Türkiye**. The action proposes a series of measures to introduce the concept of digital citizenship and its essential core competences, which are grouped under three clusters as [being online, well-being online and rights online](https://www.coe.int/en/web/digital-citizenship-education/digital-citizenship-domains%20%20) with reference to the DCE tools of the Council of Europe in education institutions in Türkiye in consultation with key stakeholders and end beneficiaries.

In the context of the project, the Council of Europe is looking for a qualified game development provider to design, develop, and launch a web-based applied **game on DCE targeting children aged 10-14 years old.**

Please refer to the objective booklet for further information on the game development and technical aspects.

The primary goal is to create an engaging and educational gaming experience that promotes digital citizenship awareness and encourages reflection. The game should be ready for launch in October 2024, with a budget of € 150.000 maximum for development, design, testing and maintenance.

Therefore, the Council of Europe is looking for one Provider (provided at least one tender meets the criteria indicated below) in order to develop such a game. This Framework Contract will take effect as from the date of its signature by both parties and is concluded until: 30/06/2025 and one year more to 30/06/2026.

# **Competitive dialogue phase**

We will select and invite the companies that fulfil the eligibility and selection criteria described in

this document to participate to a competitive dialogue that will enable us to identify the company that best fits our needs and establish the final technical specifications of the contract.

The first step will be to establish a shortlist of maximum 3 Bidders, based on the best submissions evaluated with our selection criteria, who will be invited to participate in the Competitive Dialogue sequence.

The competitive dialogue will consist of a series of meetings between the supplier and the Council.

For this first assessment, we expect a qualitative and precise offer, easy to read, with references, resources, methodologies and recommendations. At this stage we are also awaiting a proposal with an overall budget.

A more complete budget breakdown is expected for the revised final offer.

These sessions will be timed and audio recorded. Key decisions and action points will be formalized. These submissions will be assessed against the agreed evaluation criteria. Note that this will be a shorter and quicker assessment as only changes will need to be noted.

We plan to perform maybe multiple iterations to develop the final specifications. At each iteration we will reduce the number of bidders based on the best presentations using the selection criteria rating.

The CoE will decide based on the results of the previous step if a new iteration is necessary or if we can move on to the awarding phase.

Successful bidders will be awarded a contract.

The Council of Europe reserves the right not to award a contract if its specific requirements are not met.

Therefore, the entire process will take place according to the following schedule.

|  |  |
| --- | --- |
| **Phase** | **Date** |
| Run of iterations of exchange with shortlisted bidders | April 2024 |
| Contract | June 2024 |

# **Selection criteria**

The criteria are fully part of the tender process and cannot be changed after publication.

**Exclusion criteria**

**By signing the Act of Engagement, the provider declares on its honor not being in any of the below situations[[1]](#footnote-1):**

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 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](http://www.sanctionsmap.eu)).
* Declare that neither I, nor the Provider I represent, are in a situation of a conflict of interests or a potential conflict of interest in relation to this procedure. I have been notified and understand that a conflict of interests may arise, in particular, from economic interests, political or national affinities, emotional or family ties or any other type of shared relationship or interest;
* Undertake to update the Council with significant information changes within a reasonable time. Significant information changes include, but are not limited to change of legal status, ownership, name and address, loss of license of registration, filing bankruptcy, suspension or debarment by any national or local governmental agency or assimilated, inclusion in the lists of persons or entities subject to restrictive measures applied by the European Union (available at [www.sanctionsmap.eu](http://www.sanctionsmap.eu));
* Accept without any derogation all the terms of the Legal Conditions as reproduced in the present document and understand that its signature **shall constitute signature of the contract** with the Council subject to the signature of this Act by a representative of the Council.

**Eligibility criteria**

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

|  |  |
| --- | --- |
| Eligibility criteria | Supporting document to be provided |
| To be registered as a company | Copy of the **registration certificate of the company**.  Company’s **balance sheet** for 2022 and 2023. |
| Having team members (for key positions) who have excellent command of the Turkish and English language (at least level C1 of the Common European Framework of Reference for Languages (CEFR) | Certifications  Proof of level of language (Samples previous works conducted in Turkish and English will be accepted as proof of level of language) |
| Have a Portfolio of applied games, with at least 1 title that has been released to the public (or for private educational purposes) | Portfolio presentation |
| Qualifications and/or experience in game design, programming, graphic art and sound, expertise in education, specifically on pedagogical approaches adopted in digital games | Certifications, proof of similar works carried out by the provider in the same field, CVs of the team members to take part in the project, which also shows the distribution of tasks among the team members. |
| Comply with relevant data protection regulations | declaration of honor concerning compliance with our data protection policy |

**Selection criteria**

Only complete eligible tenders will be assessed by the Council of Europe.

**First Assessment Selection criteria** **(suppliers short list):**

At the end of this first step, maximum of 3 suppliers will be selected and invited to take part in the competitive dialogue.

The tenders shall be assessed by considering the following criteria for being selected to participate to the competitive dialogue:

|  |  |
| --- | --- |
| Award criteria | Weight in points  (out of 100 in total) |
| Financial criterion | **25** |
| Technical/quality criterion | **75** |
| Scenario proposal (Attractivity, originality, pedagogy) |  |
| Design, Gameplay inclusiveness |  |
| Type of platform cloud / stockage |  |
| Numbers of connection / licenses simultaneous |  |
| Planning of the project in line with the Project timeline |  |
| Total | **100** |

**Competitive Dialogue Intermediate Offer and Final Offer Selection Criteria:**

|  |  |
| --- | --- |
| Award criteria | Weight in points  (out of 100 in total) |
| Financial criterion | **40** |
| Technical/quality criterion | **60** |
| Scenario proposal (Attractivity, originality, pedagogy) |  |
| Design, Gameplay inclusiveness |  |
| Type of platform cloud / stockage |  |
| Numbers of connection / licenses simultaneous |  |
| Profiles of the team proposed for the project |  |
| Planning of the project in line with the project timeline |  |
| Total | **100** |

# **Specific information on this call for tenders**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
|  | SITE VISIT |  |  | |  | |  |
|  | **Is a site visit mandatory?** |  | | YES | |  | NO |
|  | A common visit is foreseen on: dd/mm/yyyy | | | | | | |
|  | Individual visits are organised: please contact [DGA.AO@coe.int.](mailto:DGA.AO@coe.int.) Deadline for visits: dd/mm/yyyy | | | | | | |
|  | **If there is no mandatory visit, can the provider request an individual visit?** |  | | YES | |  | NO |
|  | If **yes**, the Provider contacts [DGA.AO@coe.int](mailto:DGA.AO@coe.int) to arrange a date. | | | | | | |

|  |  |
| --- | --- |
| CONTENT OF THE CALL FOR TENDERS\* (would a Tenderer disagree with contractual clauses, its offer must include a detailed explanatory document – the Council of Europe reserves the right to reject the request). | |
|  | Act of Engagement (AE) |
|  | Specific Contractual Conditions (SCC) |
|  | Objective booklet |
|  | Supplementary General Conditions (SGC) |
|  | [General Conditions](https://rm.coe.int/council-of-europe-general-conditions-en/168095503e) (GC) |
|  | Financial Appendix(es) |
|  | Other : xxx |
|  | Tender Rules (TR) |

\* By submitting its offer, the provider fully accepts the conditions governing this call for tenders.

# **Composition of the offer**

The Tenderer undertakes that its offer includes **all the documents selected below**, as well as any other documents it deems necessary for the understanding and analysis of its tender.

**If any of the documents listed below are missing, the Council of Europe reserves the right to reject the tender.**

|  |  |
| --- | --- |
| DOCUMENTS TO BE PROVIDED | |
|  | **Completed and signed** copy of the Act of Engagement (AE)[[2]](#footnote-2) |
|  | **Completed and signed** Financial offers with details and modality of invoicing method |
|  | Other : Please provide a detailed proposal, including the game concept, some examples of the game mechanics, project planning, technical specifications, cost breakdown and team qualifications |
|  | Document(s) required to meet the eligibility criteria |
|  | Any document helping the assessment of the award criteria by the Council of Europe |
|  | Any document helping the understanding of the tender by the Council of Europe |

**By signing the Act of Engagement, the tenderer declares that he is fully acquainted with and accepts all the information and administrative and technical documents relating to the contract and to providing the services and works.**

**Appendix 1 – General information**

Typical composition, in order of prevalence, of a Council of Europe call for tenders (each tender being different, the documents may vary from one procedure to another)

|  |  |  |
| --- | --- | --- |
| Document | Description | Contractual ? |
| Act of Engagement (AE) | The future contract, completed by the provider for submitting and committing to its offer. | Yes |
| Specific Contractual Conditions (SCC) | Regroups the special conditions of the contract: additional penalties, price revision, duration, etc. | Yes |
| Technical specifications (TS) | Detailed description of what is expected during the execution of the contract. Without TS (for less complex contracts), the requirement is described directly in the Act of Engagement (Section 1). In this case, the provider might be invited to submit a detailed offer in its tender. | Yes |
| Supplementary General Conditions (SGC) | Details all the contractual conditions according to the type of contract (IT, works, etc.). The SCC complete and detail these Conditions. | Yes |
| General Conditions (GC) | The Council of Europe's procurement general conditions that apply to all contracts ([link](https://rm.coe.int/council-of-europe-general-conditions-en/168095503e)). | Yes |
| Financial Appendixes | Refer to the expected needs of the Council of Europe (TS, …) to collect financial offers from bidders. | Yes |
| Other | Planning, plans, diagrams, photos... any document provided by the Council to better specify its needs. | Yes |
| Tender Rules (TR) | The present document providing details of the procedure (deadlines, visits, questions/answers, submission of bids), the Council's expectations regarding bidders and the selection criteria. | No |

The different forms of contracts at the Council of Europe and how they work

|  |  |  |
| --- | --- | --- |
| Form of the contract  (with or without lots) | Description | Number of steps |
| One-off contract | A contract covering the needs of a specific activity or project, all of which is ordered in full at the time of the signature. Regarding lots, each lot is subject of a single separate contract. | 1 |
| Framework contract with Purchase Orders | At the end of the call for tenders, a framework contract lists the prices offered by selected provider(s) for a set of services (Price per units). The Council issues, at a 2nd step, Purchase Orders according to its needs. | 2 |
| Mixed contract | It’s a contract that includes both All-inclusive prices and Price per units for on-demand services (with Purchase Orders). | 1 or 2 |
| Framework agreement with subsequent contracts | At the end of the call for tenders, a group of providers is selected for a specific sector. In a 2nd step, and depending on its needs, the Council organises competitive procedures (also known as call-off) with the selected providers only. | 2 |

Framework contracts: additional information

|  |  |  |
| --- | --- | --- |
| Particularity | Description | Where ? |
| Multiple or Single provider(s) | The Council of Europe informs candidates whether the future contract will be awarded to one or more providers. | SCC |
| Pooling or Ranking : | If the Framework Contract is a Multiple Framework Contract, the Council of Europe will indicate to the candidates how future Purchase Orders will be awarded. | SCC |
| Pooling | Based on the criteria (eligibility, award), the Council of Europe contracts with a given number of providers (a maximum is indicated in the call for tenders) and awards its Purchase Orders to the one offering the best value for money for each need. |  |
| Ranking | Based on the criteria (eligibility, award), the Council of Europe ranks the bids and contracts with a given number of providers (a maximum is indicated in the call for tenders). Purchase Orders are awarded to the highest-ranked bidder. In the event of a its incapacity to deliver, the Purchase Order is transferred to the next ranked bidder. |  |

A typical tender procedure

|  |  |  |  |
| --- | --- | --- | --- |
| Steps | | Description | Who ? |
| 1 | Publication | The call for tenders and all necessary documents are sent to the candidates by e-mail.  or  The call for tenders is published on the Council's [website](https://www.coe.int/en/web/portal/calls-for-tender). Candidates consult the tender documents stored on dedicated MyCloud pages. | Council of Europe |
| 2 | Questions / Answers | Candidates can send their questions in case of doubts, to the e-mail (and before the deadline) indicated on page 1 of this Tender Rules. The answers  provided by the Council will be posted on the dedicated MyCloud page. | Candidate, then Council of Europe |
| 3 | Mandatory visits (or not) | The Council of Europe can arrange visits to provide additional information to providers. Providers shall confirm their wish to visit the site by e-mail according to Article 4. In the event of a mandatory visit, offers from candidates who haven’t done the visit **will be excluded**. | Candidate |
| 4 | Submission of offers | All the required documents must be sent to the e-mail specified on page 1 of this Tender Rules, **before the deadline.**  *Please note: the Council of Europe may change or clarify some documents during the tendering process. Tenderers are therefore strongly advised to check the MyCloud link, before submitting their tender, in order to double-check if any modification / clarification has been made by The Council.* | Candidate |
| 5 | Opening and  analysis of tenders | Tenders are assessed and classified according to  eligibility and award criteria. | Council of Europe |
| 6 | Clarification and/or negotiation phase(s) | *Optional*: one or more discussion phases may be requested by the Council of Europe. Depending on its needs, the Council of Europe may request a clarification and/or negotiation phase, regardless the type of call for tenders (according to Article 20 of Rule  1395). | Council of Europe |
| 7 | Award | All tenderers are informed of the Council of Europe's  award decision. | Council of Europe |

How to submit an offer?

|  |  |  |
| --- | --- | --- |
| Steps | Description | Where ? |
| 1 | Read all the documents provided with the call for tenders. | Tender documents |
| 2 | Take into consideration the eligibility and award criteria: they will be used to assess your offer. | TR |
| 3 | Complete the Act of Engagement and the Financial Appendix (if any). Unless otherwise specified, variants are authorised.  However, it is mandatory to respond to the basic offer. | AE+ Financial Appendix |
| 4 | Add all the documents requested by the Council of Europe | TR |
| 5 | Send your offer only to the e-mail address specified on page 1 of this Tender Rules, **before the deadline.**  Tenders **submitted to another e-mail account** as well as tenders **submitted after the deadline** will be excluded. | TR |

1. 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 requirements listed above under “exclusion criteria” are met;
   * A certificate issued by the competent authority of the country of incorporation indicating that the fourth requirement is met.

   [↑](#footnote-ref-1)
2. The Act of Engagement must be completed, signed manually and scanned in its entirety (i.e. including all the pages) or signed electronically (certified signature). [↑](#footnote-ref-2)