

## TENDER RULES

### (Competitive bidding procedure / Tripartite one-off contract)

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

## Purchase of IT equipment and software with delivery for LLC "Agency of National Unity"

|                                                   |                                                                                                           |
|---------------------------------------------------|-----------------------------------------------------------------------------------------------------------|
| <b>Organisation and buying entity ▶</b>           | <b>Council of Europe</b><br>00905                                                                         |
| <b>Council of Europe Project ▶</b>                | "Facilitating access to human right and essential services for IDPs and returnees at the community level" |
| <b>Type of procedure ▶</b>                        | <b>Competitive bidding procedure</b>                                                                      |
| <b>Type of contract ▶</b>                         | <b>Tripartite one-off contract</b>                                                                        |
| <b>Contract number or reference ▶</b>             | 00905/2026/2                                                                                              |
| <b>Contract duration ▶</b>                        | Until complete execution of the obligations of the parties                                                |
| <b>Expected starting date of implementation ▶</b> | 26/10/2026                                                                                                |

### A. CONTRACTING AUTHORITY

The Council of Europe is an international organisation with 46 member states. Its activities are governed by its [Statute](#) and its internal Regulations. Procurement activities are regulated by the Organisation's [Financial Regulations](#) and by [Rule 1395 of 20 June 2019 on the procurement procedures of the Council of Europe](#), which sets out the procedures for Council of Europe procurements.

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](#))

This tender procedure is a **competitive bidding procedure**. In accordance with Rule 1395, the Organisation shall invite to tender at least three potential providers for **any purchase between €2,000 (or €6,000 for intellectual services) and €184,000 tax exclusive**.

### B. DESCRIPTION OF THE PURCHASE

The Council of Europe is currently implementing a Project on Facilitating access to human right and essential services for IDPs and returnees at the community level (end date 31.12.2026). In that context, it is looking for a Provider for the provision of IT equipment and software with delivery (the deliverables are described in greater detail in the Business and Technical Requirements).

This specific tender procedure aims at concluding a **tripartite one-off contract** for the provision of deliverables described in the Business and Technical Requirements.

### C. LOTS

Not applicable to this tender.

### D. LIST OF TENDER DOCUMENTS

The present tender procedure comprises the following documents:

|                                     |                                                   |
|-------------------------------------|---------------------------------------------------|
| <input checked="" type="checkbox"/> | Tripartite contract, including Financial Appendix |
|-------------------------------------|---------------------------------------------------|

|                                     |                                                         |
|-------------------------------------|---------------------------------------------------------|
| <input checked="" type="checkbox"/> | These Tender Rules (TR)                                 |
| <input checked="" type="checkbox"/> | Specific Contractual Conditions (SCC)                   |
| <input checked="" type="checkbox"/> | Business and technical requirements                     |
| <input checked="" type="checkbox"/> | Supplementary General Conditions (SGC)                  |
| <input checked="" type="checkbox"/> | <a href="#">General Conditions</a> (GC)                 |
| <input type="checkbox"/>            | AI Questionnaire (To be provided with each deliverable) |
| <input type="checkbox"/>            | Other                                                   |

The Council of Europe reserves the right to amend the tender documents, not later than 5 days prior to the deadline set for sending bids, by issuing corrigenda. In this case, the tenderers shall reply on the basis of the modified documents.

No changes to the exclusion, eligibility and award criteria can be made.

Any corrigenda issued shall be part of the tender documents and shall be promptly published and/or disseminated by the same means of communication as the initial call for tenders.

Whenever the changes to the tender documents are significant, the Council of Europe shall extend the deadline for the submission of bids in order to give prospective tenderers reasonable time to take corrigenda into account in preparing their bids.

## E. TENDERING MODALITIES AND SUPPLEMENTARY INFORMATION

Tenders **must be submitted** in accordance with the instructions outlined below.

The tenderer must be a legal person or a consortium of legal and/or natural persons.

A tender is considered valid for **180 calendar days** as from the closing date for submission.

The selection of tenderers will be made in light of the criteria indicated below. All tenderers will be informed in writing of the outcome of the procedure.

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

## OPTION 2 – CLASSIC PUBLICATION – NO E-PROCUREMENT USED

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 - 00905/2026/2**. 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, in English, at least 5 (five) working days before the deadline for submission of tenders and shall be exclusively addressed to the email address indicated below with the following reference in subject: Questions - 00905/2026/2**.

|                                                    |                                                                                                |
|----------------------------------------------------|------------------------------------------------------------------------------------------------|
| <b>Deadline for submission of tenders/offers ►</b> | 13/10/2026, 18h00 (Kyiv time)                                                                  |
| <b>Email for submission of tenders/offers ►</b>    | <a href="mailto:Internally.Displaced.Persons@coe.int">Internally.Displaced.Persons@coe.int</a> |
| <b>Email for questions ►</b>                       | <a href="mailto:Internally.Displaced.Persons@coe.int">Internally.Displaced.Persons@coe.int</a> |

## F. ASSESSMENT

### Exclusion criteria

(by submitting a tender, you declare on your honour not being in any of the below situations).<sup>1</sup>

<sup>1</sup> 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, confirming that the tenderer does not fall under the first three and sixth exclusion criteria listed above;

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 an actual, potential or perceived conflict of interest; a conflict of interests arises where any person has a personal interest which is such as to influence, or appear to influence, the impartial and objective exercise of their responsibilities under this procedure. A personal interest includes any advantage to themselves, their relatives or personal relationships (including based on political or national affinity), business or financial interests or any other interest shared with another party. If tenderers have any personal interests that are relevant to this tender procedure, **they must fully disclose these in a separate document submitted with the tender;**
- 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 tenderer must comply with. Tenderers shall demonstrate that they fulfil the following criteria:

| Eligibility criteria                                                                                                                                                    | Document/s to be submitted                                                                                                                                |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>• are registered as a legal entity or a private entrepreneur which is authorised to supply IT equipment and software;</li> </ul> | <ul style="list-style-type: none"> <li>- Registration documents;</li> <li>- A list of all owners and executive officers, for all legal persons</li> </ul> |
| <ul style="list-style-type: none"> <li>• have at least 2 years of experience in the supply and installation of IT equipment and software.</li> </ul>                    | Registration documents                                                                                                                                    |
|                                                                                                                                                                         |                                                                                                                                                           |
|                                                                                                                                                                         |                                                                                                                                                           |

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 below.

**For consortia only:** each consortium member **will be assessed against the eligibility criteria above**. For a consortium to be validly constituted, at least two consortium members must satisfy the eligibility criteria.

### **Award criteria**

- 
- 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).

The award criteria aim at assessing the quality of a bid in 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 (60 points), including: <ul style="list-style-type: none"> <li>○ (i) Quality of the IT equipment and software proposed – compliance with technical requirements in specification indicated in Appendix III to the Contract (50 points);</li> <li>○ (ii) Timeframe for the delivery of equipment. Expected date of delivery within - one month from the date of signing the contract by the Council of Europe (10 points);</li> </ul> | Completed and signed Appendix IV to the Tripartite Contract |
| Financial offer (40 points)                                                                                                                                                                                                                                                                                                                                                                                                                               | Completed and signed Appendix IV to the Tripartite Contract |

The above award criteria will be assessed based on the tenderer'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 tenderers' attention is drawn to the following additional rules governing the assessment of the bids:

- Unless expressly provided otherwise in the tender documents, a tenderer 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, a 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;
- The Council of Europe reserves the right to reject any bid if, in its sole judgment, the financial offer is abnormally low or high. The Council of Europe may request clarification from the tenderer before making its determination.

## **G. NEGOTIATIONS**

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

If a Tenderer disagrees with any of the contractual clauses, it shall attach to its offer a detailed explanatory document and alternative proposal. The Council of Europe reserves the right to either accept or reject the request, or to hold negotiations with the Tenderer in accordance with Article 20 of Rule 1395.

## **H. DOCUMENTS TO BE PROVIDED**

Tenderers shall submit the following documents:

| DOCUMENTS TO BE PROVIDED |                                                                                                                                                                                                                                                                                       |
|--------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> | Completed copy of the <b>tripartite contract</b> , and in particular: <ul style="list-style-type: none"> <li>▪ The tenderer's details on page 2;</li> <li>▪ Tenderer's details in the signature box in article 7;</li> <li>▪ The tenderer's financial offer in Appendix IV</li> </ul> |
| <input type="checkbox"/> | A list of all owners and executive officers, for all legal persons                                                                                                                                                                                                                    |
| <input type="checkbox"/> | Registration documents for legal persons                                                                                                                                                                                                                                              |

|                          |                                                                                                                                                                                                 |
|--------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> | When relevant, a document disclosing the tenderer's personal interests that are relevant for this procedure, in compliance with the instructions laid down under the 'Exclusion Criteria' above |
| <input type="checkbox"/> | Document(s) necessary for the assessment under the eligibility criteria                                                                                                                         |
| <input type="checkbox"/> | Document(s) necessary for the assessment under the award criteria                                                                                                                               |
| <input type="checkbox"/> | Any document helping the understanding of the tender by the Council of Europe                                                                                                                   |

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

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