

TENDER FILE / TERMS OF REFERENCE (Competitive bidding procedure / Framework Agreement)

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Purchase of venue rent, catering, accommodation, local transportation and visibility services within the Action "Promoting Transparency and Action against Economic Crime" in Turkmenistan in the framework of the European Union and Council of Europe joint initiative "Central Asia Rule of Law Programme (2020-2023)".

[Contract N° CA-TAEC-TKM-2022-VENUE-02)

The Council of Europe is currently implementing the Action "Promoting Transparency and Action against Economic Crime" (CA TAEC) within the framework of the EU and Council of Europe joint initiative "Central Asia Rule of Law Programme (2020-2023)" in Turkmenistan. In that context, it is looking for Provider(s) for the provision of venue rent, catering, accommodation, transportation and visibility/printing services to be requested by the Council of Europe on an as needed basis.

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 **framework agreement** 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 Action's budget (2020-2023) covering the costs of organizing conferences and seminars equals to 593,880.00 EUR. This estimate is for information only and shall not constitute any sort of contractual commitment on the part of the Council of Europe.

The tenderer must be a legal person.

Tenders shall be submitted **by email only** (with attachments) **to the email address indicated in the table below, with the following reference in subject: "CA TAEC events in Turkmenistan"**. 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 Council of Europe Contact details indicated below for any question you may have. **All questions shall be submitted at least 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 – CA TAEC events in Turkmenistan.**

Type of contract ▶	Framework Agreement
Duration ▶	Until 29 December 2023
Deadline for submission of tenders/offers ▶	21 October 2022
Email for submission of tenders/offers ▶	contact.econcrime@coe.int
Email for questions ▶	contact.econcrime@coe.int
Expected starting date of execution ▶	01 December 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

1. Background of the Project

The Council of Europe is currently implementing the Action on "Promoting Transparency and Action against Economic Crime in Central Asia" (CA TAEC) in Turkmenistan within the framework of the "Central Asia Rule of Law Programme (2020-2023)". The Central Asia Rule of Law Programme 2020-2023 is a joint initiative co-funded by the European Union and the Council of Europe and implemented by the Council of Europe.

Duration of the Action: until December 2023

The Council of Europe is looking for a maximum of 5 (*five*) Provider(s) (provided enough tenders meet the criteria indicated below) in order to support the implementation of the Action with a particular expertise on providing catering services, rent of conference/meeting rooms, accommodation, local transportation and visibility/printing services.

This Agreement is currently estimated to cover up to 15 activities, to be held by December 2023. This estimate is for information only and shall not constitute any sort of contractual commitment on the part of the Council of Europe. The Agreement may potentially represent a higher or lower number of activities, depending on the evolving needs of the Organisation.

For information purposes only, the total budget of the Action amounts to 4,189,886 Euros and the total amount of the object of present tender **shall not exceed 55,000 Euros tax exclusive** for the whole duration of the Framework Agreement. This information does not constitute any sort of contractual commitment or obligation on the part of the Council of Europe.

The signature of a framework agreement will in no way give rise to an obligation upon the Council of Europe to organise a minimum number of events. Events shall be organised at the sole discretion of the Council of Europe and call-off procedures will be announced accordingly as and when the need arises.

The Provider will not in any manner be entitled to represent the Council of Europe, or to act on its behalf. The Provider will remain the sole and unique liable contractor in its relationship with the Council of Europe, irrespective of its relationship with subcontractors and other interested third parties.

2. Scope of the Framework Agreement and expected services

Throughout the duration of the Framework Agreement, pre-selected Providers may be asked to provide the following types of services, as applicable and available:

2.1 Conference/meeting room and related materials, equipment and resources

- Renting of conference/meeting rooms from 25 to 100 persons capacity (fully equipped conference room, strong internet connection, projection and presentation facilities and technical equipment to support online/remote connection via ZOOM platform, including provision of bottles of water, paper and pens);
- Setting up the meeting room, including setting up tables and chairs according to Council of Europe requirements (Conference, Auditorium, Banquet, Hollow Square, Classroom, U-Shape styles and others), rostrum, registration desk, head-table, flipcharts, podium etc.;
- Providing on-site technical and computer equipment (including interpretation equipment if available, projection and screening equipment, audio and video conferencing equipment);
- Providing on-site technical and computer support at the event by technician.

2.2 Catering

- Organising and/or providing catering services such as lunches, coffee breaks and/or dinners (sitting style or buffet style), including needed equipment and waitress services.

2.3 Accommodation

- Providing accommodation services, within the premises of the Provider, according to Council of Europe needs and requirements (i.e. standard class rooms; breakfast included).

2.4 Transfer/Transport services

- Providing transfer (shuttle) services between event venues and main transport hubs (airport, train station) for individuals and groups (all costs should be included: petrol, highway tolls and parking);
- Transportation of participants between different locations (in the case of activities involving back-to-back visits) and permanent presence of the driver in a number of locations.

2.5 Visibility/printing services

The selected Providers may be requested to provide the following services:

- Professional photographer services;
- Production of printed materials and resources in black and white and/or colour;
- Providing on-site printing facilities for A4 format documents;
- Installing roll-up banners and other visibility elements/materials inside and outside of the conference room, no later than one hour before the event;
- Distributing and assembling visibility items provided by the Council among participants and contributors.

The precise requirements shall be stipulated during the call-off procedure.

The selected Provider shall ensure that health, general and food safety and hygiene standards required by national legislation are strictly followed.

The above lists are not considered exhaustive. The Council reserves the right to request deliverables not explicitly mentioned in the above list of expected services, but related to them.

Security requirements

With respect to services to be provided under items 2.1 to 2.5 above (Section B), the Provider shall be responsible for compliance with the following security standards in the implementation of all call-offs concluded under the Framework Agreement.

All premises, wherever located, where the Council organises events and/or accommodation, must comply with the following basic requirements, unless otherwise specified by the Council of Europe in a subsequent call-off:

- Security staff on regular duty;
- A CCTV (Security Camera) system shall cover public areas of the premises (e.g. hotel);
- When relevant, a functioning and regularly checked elevator system in place;
- A functioning fire alarm system;
- At least one fire evacuation exit from the premises (e.g. hotel);
- Clearly marked fire evacuation routes from the lobby, conference section and accommodation floors;
- Smoke detectors installed in all premises (e.g. hotel) and conference rooms;
- Fire extinguishers placed on all floors of the premises (e.g. hotel) and in public areas near conference rooms.

Where the Provider provides an airport pick-up or other transportation service, the selection of the transportation company/drivers should not be done on an *ad hoc* basis. The Provider or its sub-contractor should have an established working relationship with the company/drivers and be able to rely on their services. In general, the requirements listed for transportation below shall be complied with. Any failure to comply with these standards shall be notified to the Council of Europe when tendering for call-offs and may lead to rejection of the offer.

If the Council of Europe requests Providers to submit offers for transportation services, then Providers must ensure the following requirements are met:

- All drivers shall have a valid driving licence with at least 5 (five) years of professional driving experience;
- The vehicles must have had annual technical check-ups;
- All drivers shall be aware of and observe professional ethics in dealing with clients.

Where the Council considers necessary, it may request a higher or lower level of security than listed above. In such cases, the call-off for the relevant services will provide details of specific security measures valid only for the event(s) concerned. If no specific measures are provided in the call-off concerned, the above list remains valid.

C. FEES

Tenderers will be requested to tender, including with regard to fees, through subsequent competitive procedures (call-offs), which will be held after the signature of this agreement (see below Section D for more details about call-offs procedure).

All payments shall be made against invoices. It shall be possible in certain circumstances for pre-payments or deposits to be made, where this is in line with the tenderer's usual business practice and necessary for the proper performance of the contract. Prepayments shall be limited to a percentage of the total amount of each call-off, which shall be indicated in the call-off contract.

D. HOW WILL THIS FRAMEWORK AGREEMENT WORK? (CALL-OFFS PROCEDURE)

Throughout the duration of this Framework Agreement, the pre-selected Providers will benefit from exclusivity, within the limits of the scope of this Agreement.

1. 1st stage: Selection and signature of the Framework Agreement

The Council of Europe will select a minimum of **3** (three) and maximum of **5** (five) Providers, as indicated above in section B, provided that there are sufficient tenderers satisfying the exclusion and eligibility criteria (see Section E below). In case the number of eligible tenderers exceeds the maximum number of Providers to be selected, the Council of Europe reserves the right to give preference to tenderers who score the highest on the basis of the award criteria (see Section E below).

A signed copy of the Act of Engagement will be returned to the pre-selected Providers. The Framework Agreement will subsequently be considered as concluded between the Council of Europe and these pre-selected Providers.

2. 2nd Stage: Award of subsequent call-offs

Once the Framework Agreement is signed, further competitive procedures will be launched to determine which of the pre-selected Providers will provide the services for any specific event.

During the execution period of the Framework Agreement, tendering procedures, referred to as "call-offs", will be launched each time a new need for services arises. For these call-offs, only the pre-selected Providers will be invited to submit tenders.

For each call-off, the pre-selected Providers will be notified of the terms of reference, and, where relevant, additional tender rules and additional legal conditions applicable. Each notification will indicate the deadline for the submission of tenders, along with all supporting documents, taking into account the complexity of the call-off concerned. Call-off tenders received after the deadline shall not be considered.

For more information about the call-off procedure, see the applicable legal conditions under Article 4.1 (as reproduced in the Act of Engagement).

The Council reserves the right to contract with third parties if the offers presented by the pre-selected Providers do not satisfy the applicable professional standards, do not cover the entire scope of the Council of Europe's needs or if no suitable offer is presented.

The award criteria (See Section E below) will be applied to each call-off in order to identify which offer provides the best value for money.

3. Award criteria and weighting for the subsequent call-offs

- (40%) **Capacity to provide the requested services, including:**

- the **technical requirements** of the call-off (see items 2.1 to 2.5 above under Section B), including provider's security and cancellation policy;
 - the **quality requirements** of the call-off (including provider's characteristics and quality of facilities and services to be provided);
 - the **human resources** allocated to the event(s).
- (60%) **Financial offer:** the price of services taken individually and together, including any overall handling fee/commission.

The above criteria will be assessed on the basis of the documents identified/requested by the Council in each individual call-off including cancellation policy and security arrangement.

E. ASSESSMENT (1ST STAGE OF THE FRAMEWORK AGREEMENT)

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, 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 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

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

- Registration as a company in accordance with the applicable legislation;
- Minimum 3 years of experience in providing services specified under Section B above, as applicable (venue rent, catering, accommodation, transportation and visibility/printing services);
- Technical capacity to meet all requirements of the tender;
- Sufficient human capacity to execute the contract, including at least 10 staff.

Award criteria

If after the application of the eligibility criteria to the tenders received, there remain more Providers than the maximum number announced in this call, the Council of Europe shall proceed with a scoring of the eligible tenderers, on the basis of the following criteria:

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 and sixth 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).

- *Criterion 1 (20%):* Minimum 3 years of experience in providing services specified under Section B above, as applicable, including:
 - A successful track record of delivering similar services to public bodies and/or international organisations in the past 3 years.
- *Criterion 2 (40%): Technical capacity:*
 - Capacity to organise several events simultaneously;
 - Management of quality control mechanism;
 - The cancellation policy and security arrangements proposed by the tenderer;
 - The quality of menus for coffee breaks, lunches and dinners proposed by the tenderer.
- *Criterion 3 (40%): Human capacity:*
 - The experience of the contact person and information on available human resources to execute the Agreement;
 - Level of knowledge of English.

Multiple tendering is not authorised.

F. DOCUMENTS TO BE PROVIDED

- A completed and signed copy of the **Act of Engagement**³ (See attached);
- Registration documents, for legal persons only; (can be provided in Russian language or local language);
- A list of all owners and executive officers, for legal persons only; (can be provided in Russian language or local language);
- Bank details on the official bank's letterhead;
- A document describing the tenderer's capacity to meet the requirements of the tender (by referring to the services specified in items 2.1 to 2.5 under Section B above);
- Short description and relevant photos of the conference rooms, restaurant halls, accommodation rooms and facilities, transportation services (as applicable);
- A document describing how the company intends to control the quality of the services delivered;
- Samples of proposed menus for coffee breaks, lunches and dinners;
- Description of the company's experience with international organisations/clients in providing similar services during the last 3 years;
- A detailed description of the cancellation policy and security arrangements which the service provider intends to apply to each deliverable (venue rent, catering, accommodation, transportation and visibility/printing services);
- Details and CV of the contact person (including the level of knowledge of English);
- A document describing available human resources or capacity to execute the contract.

All documents, except the ones, for which it is specified otherwise, shall be submitted in English. Failure to do so may 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.

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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.