

TENDER FILE / TERMS OF REFERENCE

(Restricted consultation procedure / One-off contract)

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Procurement of equipment and goods, its delivery to the recipients of the Project

Contract N° 8562/2018/RC/3

The Council of Europe is currently implementing the Project "Internal Displacement in Ukraine: Building Solutions" in the framework of the Council of Europe Action Plan for Ukraine 2018-2021 which aims to strengthen the capacities of internally displaced persons (hereinafter - IDPs), displaced professionals, displaced institutions and other key stakeholders to improve the human rights protection of IDPs in Ukraine.

In order to enhance competencies of displaced professionals in improving services for and by IDPs, as well as strengthening capacities of displaced institutions working on IDP-issues, the Project is looking a Provider for the procurement of equipment and goods, its delivery to the recipients of the Project (**See Section A of the Act of Engagement**).

A. TENDER RULES

This tender procedure is a restricted consultation procedure. **In accordance with Rule 1333 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 **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 either a natural person, or a legal person except consortia.

Tenders shall be submitted **by email only** (with attachments) to the email address indicated in the table below.

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.

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 January 2019
Email for submission of tenders/offers ►	Internally.Displaced.Persons@coe.int
Email for questions ►	Internally.Displaced.Persons@coe.int
Expected starting date of execution ►	14 January 2019

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 1333 of 29 June 2011 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).

The equipment and goods should be covered by a warranty period and should be delivered to the premises of the recipients.

Deadline for the deliveries is February 28 2019.

The equipment and goods should be delivered to the premises of the recipients (contact persons to be provided by the Project):

- 1) Institute of Economic and Legal Research (Kyiv, Zhelyabova str., 2, entrance 2, floor 3, office № 323);
- 2) Luhansk Taras Shevchenko National University (Starobilsk, Luhansk region, Gogol square, 1);
- 3) Luhansk Center of Social and Psychological Support (Severodonetsk, Luhansk region, prospect Gvardeiskiy 30, of.203, 2nd floor);
- 4) Representation of the President of Ukraine in Autonomous Republic of Crimea (Kherson, prospect Ushakova, 42).
- 5) Donetsk Vasyl Stus National University (Vinnitsya, Grushevskogo str., 2).

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 .

The contract can be concluded in EUR or in UAH currency according to the exchange rate of the National Bank of Ukraine at the date of signature of the contract by the Council of Europe.

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.

Eligibility criteria

Tenderers should demonstrate that they fulfill the following criteria:

- are registered as a legal entity that is authorized to carry out such economic activities;
- have at least 2 years of experience in providing similar services or the supply of similar procurements.

Award criteria

- Technical offer (50%), which includes:
 - Quality of the equipment and goods proposed and its correspondence to the specifications (40%);
 - Timeframes for the delivery of the equipment / goods (10%);
- Financial offer (50%).

² The Council of Europe reserves the right to ask tenderers, at a later stage, to supply 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, and a certificate issued by the competent authority of the country of incorporation indicating that the fourth criterion is met.

Multiple tendering is not authorised.

E. DOCUMENTS TO BE PROVIDED

Tenderers are invited to submit:

- 1. A completed and signed copy of the Act of Engagement³ (See attached)**
- 2. 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);
- 3. Copy of the registration documents*** (including those showing economic activities that the company is authorized to carry out, in Ukrainian).

All documents shall be submitted in English (except for documents marked with an asterisk (*), which can be submitted in Ukrainian); failure to do so will result in the exclusion of the applicant from the tender.

If any of the documents listed above are missing, the bid will not be considered.

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.

* * *

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.