

TENDER FILE / TERMS OF REFERENCE

(Competitive bidding procedure / Framework Contract)

Purchase of intellectual services in the area of communication and promotion of various tools and instruments for implementation of human rights and legal cooperation standards



The Council of Europe (the "Council") is currently implementing various projects on implementation of human rights and legal cooperation standards, amongst which a Project "*Human Rights and Environmentally Responsible Business Practices*" (Phase 1). In that context, it is looking for Providers for communication and promotion services to be requested by the Council 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 €6,000 for intellectual services) and €171,000 tax exclusive.**

This specific tender procedure aims at concluding a **framework contract** for the provision of deliverables described in the Act of Engagement (See attached). A tender is considered valid for 180 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, a legal person or consortium of natural and/or 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: Tender – 9254 Communication services.** 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 at least 5 (FIVE) 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 - 9254 Communication services**

Type of contract ►	Framework contract
Duration ►	Until 30 September 2025
Deadline for submission of tenders/offers ►	28 March 2025 23h59 CET
Email for submission of tenders/offers ►	dgi-coordination@coe.int
Email for questions ►	questions-dgi-coordination@coe.int
Expected starting date of execution ►	30 April 2025

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

Background of the Project

The Council of Europe is currently implementing various projects on implementation of human rights and legal cooperation standards, amongst which a Project *"Human Rights and Environmentally Responsible Business Practices"* (Phase 1). The project is designed to reinforce the protection of human rights and environmental sustainability within business operations, in alignment with international frameworks and standards. Business and legal professionals shall be supported in upholding human rights and environmental standards through an online platform consolidating resources, capacity-building activities, and various practical tools. Additionally, it will seek to support harmonisation of practices across member states and businesses while raising awareness of remedies for victims of human rights violations in business contexts.

The Council of Europe is looking for 33 Providers (provided enough tenders meet the criteria indicated below) in order to support the implementation of the project with a particular expertise on communications and awareness raising.

This Contract is currently estimated to cover up to 15 activities, to be held by 30 September 2025. This estimate is for information only and shall not constitute any sort of contractual commitment on the part of the Council of Europe. The Contract 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 project amounts to **506,333 Euros** with **55,000 Euros** dedicated to the project activities that are subject of this tender. The total amount of the object of present tender **shall not exceed 171,000 Euros tax exclusive** for the whole duration of the Framework Contract. This information does not constitute any sort of contractual commitment or obligation on the part of the Council of Europe.

Lots

The present tendering procedure aims to select Provider(s) to support the implementation of the project and is divided into the following lots:

Lots	Maximum number of Providers to be selected
Lot 1: General communication strategy to promote resources, tools, capacity-building activities in the field of human rights and business	3
Lot 2: Communication/awareness raising activities, including promotional materials, infographics, explanatory videos etc. in the field of human rights and business	3
Lot 3: Communication/promotion of specific tools / platform / materials / activities in the field of human rights / environment and business in Austria with the focus on business as target group	3
Lot 4: Communication/promotion of specific tools / platform / materials / activities in the field of human rights / environment and business in Belgium with the focus on business as target group	3
Lot 5: Communication/promotion of specific tools / platform / materials / activities in the field of human rights / environment and business in France with the focus on business as target group	3
Lot 6: Communication/promotion of specific tools / platform / materials / activities in the field of human rights / environment and business in Germany with the focus on business as target group	3
Lot 7: Communication/promotion of specific tools / platform / materials / activities in the field of human rights / environment and business in Ireland with the focus on business as target group	3
Lot 8: Communication/promotion of specific tools / platform / materials / activities in the field of human rights / environment and business in Luxembourg with the focus on business as target group	3
Lot 9: Communication/promotion of specific tools / platform / materials / activities in the field of human rights / environment and business in the Netherlands with the focus on business as target group	3

Lot 10: Communication/promotion of specific tools / platform / materials / activities in the field of human rights / environment and business in Switzerland	3
Lot 11: Communication/promotion of specific tools / platform / materials / activities in the field of human rights / environment and business in the United Kingdom with the focus on business as target group	3

Lot 1 concerns development of a communication strategy to promote various resources and capacity-building activities in the field of human rights and business such as Human rights and business platform of the Council of Europe with a particular emphasis on encouraging businesses to adopt and use these tools.

Lot 2 concerns communication and awareness-raising activities, including the creation of promotional materials and the production of explanatory videos, to provide a simplified explanations in the field of human rights, including, but not limited on available remedies for victims whose rights have been violated due to business operations.

Lots 3 - 11 concern development of targeted communication strategies and implementation of promotional activities, including creating materials such as brochures, infographics and digital content related to specific tools, platforms, materials, activities in the respective countries. It may also envisage campaigns via social media, newsletters and events to engage the target audience, as well as collaborating with business networks, trade associations, and other stakeholders to extend the outreach. The ultimate goal is to raise awareness about such tools, platforms, materials, activities in the respective countries and to ensure its effective understanding and adoption by businesses, in particular small and medium enterprises.

The Council will select the abovementioned number of Provider(s) per lot, provided enough tenders meet the criteria indicated below. Tenderers are invited to indicate which lot(s) they are tendering for (see Section A of the Act of Engagement).

Scope of the Framework Contract

Throughout the duration of the Framework Contract, pre-selected Providers may be asked to:

Under Lot 1:

- Develop a communication strategy to promote resources, tools, capacity-building activities in the field of human rights and business, including identification of the target groups, communication channels, recommended outreach actions, main characteristics / parameters for the promotional materials and their elements necessary for communication strategy determined in consultations with the Council and indicated stakeholders.

Under Lot 2:

- Develop communication and promotional activities and materials, according to the parameters indicated in the communication strategy and in consultations with the Council and indicated stakeholders.

Under Lots 3-11:

- Develop Communication action plans for respective countries with indication of the proposed communication channels and target groups, parameters, types and content of materials / activities other information for targeted communication campaigns on specific topics in the area of human rights and business.
- Create communication / promotional materials, for example:
 - brochures, infographics, and other visual content.
 - digital content to highlight the features and benefits of the Toolbox.
- Execute promotional campaign in the respective countries:
 - Organise and run promotional campaign through media platforms, in particular social media.
 - Create and distribute newsletters/infographics to engage the target audience, with a particular focus on SMEs.
 - Plan and organise promotional events.

- Collaborate with stakeholders: state authorities, business and trade networks and associations, and other relevant unions and stakeholders to amplify outreach efforts.

The above list is not considered exhaustive. The Council reserves the right to request deliverables not explicitly mentioned in the above list of expected services, but related to the field of expertise object of the present Framework Contract for the lot concerned.

In terms of **quality requirements**, the pre-selected Service Providers must ensure, *inter alia*, that:

- The services are provided to the highest professional/academic standard;
- Any specific instructions given by the Council – whenever this is the case – are followed.
- If contracted by the Council of Europe, the deliverables shall be provided by the person identified in the offer of the Provider whose CVs have been presented to the Council of Europe (See section E. below), in accordance with the terms as provided in the present Tender File and Act of Engagement.

In addition to the orders requested on an as needed basis, the Provider shall keep regular communication with the Council to ensure continuing exchange of information relevant to the project implementation. This involves, among others, to inform the Council as soon as it becomes aware, during the execution of the Contract, of any initiatives and/or adopted laws and regulations, policies, strategies or action plans or any other development related to the object of the Contract (see more on general obligations of the Provider in Article 3.1.2 of the Legal Conditions in the Act of Engagement).

Unless otherwise agreed with the Council, written documents produced by the Provider shall be in English (see more on requirements for written documents in Articles 3.2.2 and 3.2.3 of the Legal Conditions in the Act of Engagement).

C. FEES

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

The Council will indicate on each Order Form (see Section D below) the global fee corresponding to each deliverable, calculated on the basis of the unit fees, as agreed by this Contract.

D. HOW WILL THIS FRAMEWORK CONTRACT WORK? (ORDERING PROCEDURE)

Once the selection procedure is completed, you will be informed accordingly. Deliverables will then be delivered on the basis of Order Forms submitted by the Council to the selected Provider (s), by post or electronically, on **an as needed basis** (there is therefore no obligation to order on the part of the Council).

Pooling

For each Order, the Council will choose from the pool of pre-selected tenderers for the relevant lot the Provider who demonstrably offers best value for money for its requirement when assessed – for the Order concerned – against the criteria of:

- quality (including as appropriate: capability, expertise, past performance, availability of resources and proposed methods of undertaking the work);
- availability (including, without limitation, capacity to meet required deadlines and, where relevant, geographical location); and
- price.

Each time an Order Form is sent, the selected Provider undertakes to take all the necessary measures to send it **signed** to the Council within 2 (two) working days after its reception. If a Provider is unable to take an Order or if no reply is given on his behalf within that deadline, the Council may call on another Provider using the same criteria, and so on until a suitable Provider is contracted.

Providers subject to VAT

The Provider, **if subject to VAT**, shall also send, together with each signed Form, a quote² (Pro Forma invoice) in line with the indications specified on each Order Form, and including:

- the Service Provider's name and address;

² It must strictly respect the fees indicated in the Financial Offer attached to the original Provider's tender as recorded by the Council of Europe. In case of non-compliance with the fees as indicated in the original Provider's tender, the Council of Europe reserves the right to terminate the Contract with the Provider, in all or in part.

- 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.

Signature of orders

An Order Form is considered to be legally binding when the Order, signed by the Provider, is approved by the Council, by displaying a Council's Purchase Order number on the Order, as well as by signing and stamping the Order concerned. Copy of each approved Order Form shall be sent to the Provider, to the extent possible on the day of its signature.

E. ASSESSMENT

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)³

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;
- 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

- University degree in one of the following fields: journalism, communications, social sciences, public and/or international relations, media, or related fields;
- At least 3 (three) years of relevant professional experience in communications and/or government/public relations in justice and/or in the public sector and/or international organisations
- Proficient knowledge of English (at least C1 level CEFR).

Award criteria

- Quality of the offer (80 points), including:
 - Relevant experience on providing communication services within the area of the tender call (60 points);

³ 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).

- Co-operation with/previous assignments with international organisations and/or government authorities within the thematic area of the tender call (20 points)
- Financial offer (20 points).

The Council reserves the right to hold interviews with tenderers.

Multiple tendering is not authorised.

F. NEGOTIATIONS

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

G. DOCUMENTS TO BE PROVIDED

- **A completed and signed copy of the Act of Engagement⁴** (See attached);
- **For natural persons only:** a detailed CV, preferably in Europass format, demonstrating clearly that the tenderer fulfils the eligibility criteria.
- **For legal persons only:** a detailed CV, preferably in Europass Format, of each natural person allocated to the execution of the contract demonstrating clearly that they fulfil the eligibility criteria.
- **For consortia only:** a detailed CV, preferably in Europass Format, of all consortium members clearly demonstrating that they satisfy the eligibility criteria;
- A list of all owners and executive officers, for legal persons only;
- At least two samples of previous work (communication/promotion campaign, awareness raising activities, etc.) in English in the area of the scope of the tender call.
- **For natural persons:** at least two samples of previous work (communication/promotion campaign, awareness raising activities, etc.) in English in the area of the scope of the tender call.
- **For legal persons and consortia:** at least two samples of previous written work as above described for each natural person allocated to the execution of the contract.

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.

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⁴ 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.