**TENDER FILE / TERMS OF REFERENCE**

**(Competitive bidding procedure / Framework Contract)**

**Purchase of local consultancy services in the field of criminal justice and prevention of human rights violations by the Ombudsperson Institution and the National Preventive Mechanism (NPM) in the Republic of Moldova in the framework of the Council of Europe Project “Strengthening the human rights compliant criminal justice system in the Republic of Moldova phase II”, *Contract N° BH9275/2025/01.***

The Council of Europe is currently implementing a Project on “Strengthening the human rights compliant criminal justice system in the Republic of Moldova Phase II” (the SHRCCJ Project), running from 1 January 2025 to 31 December 2028. In that context, it is looking for Provider(s) for the provision of local consultancy services in the field of criminal justice and prevention of human rights violations by the Ombudsperson Institution and the National Preventive Mechanism (NPM) in the Republic of Moldova to be requested by the Council on an as needed basis.

Expertise sought in: institutional, organisational and strategic development of prosecution service; human rights guarantees in criminal proceedings, prevention of human rights violations by the Ombudsperson Institution and the NPM.

1. 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 Europe[[1]](#footnote-2), 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 – Criminal Justice – Republic of Moldova.** 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 – Tender – Criminal Justice – Republic of Moldova.**

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| --- | --- |
| **Type of contract ►** | Framework contract  |
| **Duration ►** | Until 31 December 2028 |
| **Deadline for submission of tenders/offers ►** | **06 May 2025** 23h59 CET |
| **Email for submission of tenders/offers ►** | **Criminal.Justice@coe.int** |
| **Email for questions ►** | **Criminal.Justice@coe.int** |
| **Expected starting date of execution ►** | 01 July 2025 |

1. EXPECTED DELIVERABLES

**Background of the Project**

The Council of Europe is currently implementing a Project on “Strengthening the human rights compliant criminal justice system in the Republic of Moldova Phase II” (the SHRCCJ Project), running from 1 January 2025 to 31 December 2028. The SHRCCJ Project aims to enhance the protection of human rights for the population of the Republic of Moldova by fostering an effective and functional criminal justice system in line with the European human rights standards.

The Project is planning to support multiple actions and initiatives in relation to the reform of the Prosecution Service; application of pre-trial detention, application of criminal sanctions, conditional release as well as effective investigation of ill-treatment and other crimes, reasoning of pre-trial decisions and court decisions in the criminal matters, execution of judgements of the European Court of Human Rights at national level, prevention of human rights violations in criminal proceedings.

The Project will contribute to achieving the following outcomes:

Intermediate outcome 1: Institutional independence and operational capacity of the prosecution service is strengthened in line with the Council of Europe standards and best practices.

Intermediate outcome 2: Capacities of the criminal justice stakeholders to apply human rights guarantees to criminal proceedings and a more humanised approach to criminal sentencing are enhanced.

Intermediate outcome 3: Capacities of the Government Agent Office in executing judgments of the European Court of Human Rights is increased.

Intermediate outcome 4: Stakeholders, implementing external monitoring, are more effective in prevention of human rights violations within the criminal justice system.

The Project’s partners are: General Prosecutor’s Office, Superior Council of Magistracy, Superior Council of Prosecutors, Supreme Court of Justice, National Institute of Justice, Ministry of Justice, Ministry of Internal Affairs, General Police Inspectorate, Moldovan Bar Association, Government Agent Office, Association of Women in Prosecution, Ombudsperson’s Institution/National Preventive Mechanism.

The Council of Europe is looking for a maximum of *68* Provider(s) (provided enough tenders meet the criteria indicated below) in order to support the implementation of the project with a particular expertise on **institutional, organisational and strategic development of prosecution service; human rights guarantees in criminal proceedings; prevention of human rights violations by the Ombudsperson Institution and the National Preventive Mechanism.**

This Contract is currently estimated to cover up to *100 activities*, to be held by *31 December 2028*. 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 *2 300 000* Euros and 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:

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| --- | --- |
| Lots | Maximum number of Providers to be selected |
| **Lot 1: Institutional, organisational and strategic development of Prosecution Service** | 20 |
| **Lot 2: Human rights guarantees in criminal proceedings** | 20 |
| **Lot 3: Implementation of restorative justice and alternatives to detention in criminal justice system** | 10 |
| **Lot 4: Prevention of human rights violations by the Ombudsperson Institution and the National Preventive Mechanism** | 10 |
| **Lot 5: Gender equality and mainstreaming in criminal justice system** | 8 |

Lot 1 concerns provision of local consultancy services to strengthen the institutional independence and operational capacity of the prosecution service in line with the Council of Europe standards and best practices.

Lot 2 concerns provision of local consultancy services to enhance the capacities of the criminal justice stakeholders to apply human rights guarantees to criminal proceedings as well as the capacities of the Government Agent Office in executing judgments of the European Court of Human Rights.

Lot 3 concerns provision of local consultancy services to enhance the capacities of the criminal justice stakeholders to apply a more humanised approach to criminal sentencing, use of alternatives to imprisonment in criminal cases, resocialisation and restorative justice.

Lot 4 concerns provision of local consultancy services to enhance the external monitoring carried out by the Ombudsperson Institution and the National Preventive Mechanism for the prevention of human rights violations within the criminal justice system.

Lot 5 concerns provision of local consultancy services in the field of gender equality and mainstreaming in criminal justice system to enhance the observance of human rights in line with the Council of Europe and international standards and best practices.

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 perform the following types of work:

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| --- | --- |
| **LOT 1 – Institutional, organisational and strategic development of Prosecution Service**20 consultants  | The scope of work includes alignment/compliance of the legislative, regulatory, policy framework related to the institutional, organisational and strategic development of the prosecution service in line with the Council of Europe standards and best practices; institutional aspects of effective functioning of prosecution service and law enforcement agencies (staff charged with investigative or operative function), including independence of the prosecution service, procedural autonomy of prosecutors, human resource management, evaluation of performance, training and professional development systems for prosecutors and investigators etc.; organisational efficiency aspects covering but not limited to strategy and policy making, management and decision making, automatization and digitalisation of processes, communications, organisational structure and operational processes, analytics, etc. The indicative list of expected deliverables under Lot 1 is as follows (not exhaustive):* Delivery of respective thematic expertise in the form of legal opinions, assessments, research, analytical notes, reports, evaluation studies and other similar formats;
* Analysis/assessment of national prosecution practice, legislation and policies (e.g. strategies, action plans, policy documents, etc.) as well as their implementation in practice (including impact assessments, functional analysis, etc.) with a view of their compliance with the Council of Europe standards and best practices;
* Contribution to the development of strategic and regulatory documents of the Project beneficiaries;
* Participation in and expert contribution to different types of activities: working group meetings, round tables, workshops, consultation meetings, conferences, seminars, trainings, including through moderating/facilitating discussions, coordinating groups of professionals, developing and delivering thematic presentations, contributing to thematic publications in the areas specific to this lot;
* Provision of expertise, guidance/instructions and feedback on application of modern methodologies and techniques in respective thematic area;
* Contribution to the development of information and guiding materials/manuals/instructions in respective thematic area;
* Development and provision of tailored thematic trainings, interdisciplinary trainings, trainings of trainers, workshops, consultations, seminars or similar, including development of all relevant materials (hand-outs, tests, case-studies, programmes, agendas, notes, presentations) with due consideration to interactive learning, adult education methodology, monitoring and evaluation and due reference to practical context
* Thematically focused terminological proof-reading of documents.
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| **LOT 2 – Human rights guarantees in criminal proceedings**20 consultants  | The scope of work relates to the compliance of criminal justice policies, legal and regulatory framework (criminal substantive and procedural aspects) and their effective implementation by key criminal justice stakeholders (investigators, prosecutors, judges, and lawyers) with the Council of Europe standards, with a primary focus on the observance of human rights guarantees in criminal proceedings, including the execution of judgements of the European Court of Human Rights at national level.The indicative list of expected deliverables under Lot 2 is as follows (not exhaustive):* Delivery of respective thematic expertise in the form of legal opinions, assessments, research, analytical notes, reports, evaluation studies and other similar formats;
* Analysis/assessment of national judicial practice, legislation and policies (e.g. strategies, action plans, policy documents, etc.) as well as their implementation in practice (including impact assessments, functional analysis, etc.) with a view of their compliance with the Council of Europe standards and best practices;
* Participation in and expert contribution to different types of activities: working group meetings, round tables, workshops, consultation meetings, conferences, seminars, trainings, including through moderating/facilitating discussions, coordinating groups of professionals, developing and delivering thematic presentations, contributing to thematic publications in the areas specific to this lot;
* Provision of expertise, guidance/instructions and feedback on application of modern methodologies and techniques in respective thematic area;
* Development and provision of tailored thematic trainings, interdisciplinary trainings, trainings of trainers, workshops, consultations, seminars or similar, including development of all relevant materials (hand-outs, tests, case-studies, programmes, agendas, notes, presentations) with due consideration to interactive learning, adult education methodology, monitoring and evaluation and due reference to practical context;
* Development of tailored online educational content, video-lecturing, online knowledge monitoring tools;
* Contribution to the development of information and guiding materials/manuals/instructions in respective thematic area;
* Thematically focused terminological proof-reading of documents.
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| **Lot 3 - Implementation of restorative justice and alternatives to detention in criminal justice system**10 consultants | The scope of work covers application of humane criminal sentencing, application of pre-trial detention, use of alternatives to imprisonment in criminal cases, resocialisation and restorative justice, etc.The indicative list of expected deliverables under Lot 3 is as follows (not exhaustive):* Delivery of respective thematic expertise in the form of legal opinions, assessments, research, analytical notes, reports, evaluation studies and other similar formats;
* Analysis/assessment of national judicial practice, legislation and policies (e.g. strategies, action plans, policy documents, etc.) as well as their implementation in practice (including impact assessments, functional analysis, etc.) with a view of their compliance with the Council of Europe standards and best practices;
* Participation in and expert contribution to different types of activities: working group meetings, round tables, workshops, consultation meetings, conferences, seminars, trainings, including through moderating/facilitating discussions, coordinating groups of professionals, developing and delivering thematic presentations, contributing to thematic publications in the areas specific to this lot;
* Provision of expertise, guidance/instructions and feedback on application of modern methodologies and techniques in respective thematic area;
* Development and provision of tailored thematic trainings, interdisciplinary trainings, trainings of trainers, workshops, consultations, seminars or similar, including development of all relevant materials (hand-outs, tests, case-studies, programmes, agendas, notes, presentations) with due consideration to interactive learning, adult education methodology, monitoring and evaluation and due reference to practical context;
* Development of tailored online educational content, video-lecturing, online knowledge monitoring tools;
* Contribution to the development of information and guiding materials/manuals/instructions in respective thematic area;
* Thematically focused terminological proof-reading of documents.
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| **LOT 4 – Prevention of human rights violations by the Ombudsperson Institution and the National Preventive Mechanism**10 consultants | The scope of work relates to the strengthening of the Ombudsperson Institution and the National Preventive Mechanism (NPM) and other forms of external independent or civil monitoring, institutional development and capacity building of the national monitors, implementation of the efficient and independent monitoring techniques and methodologies, monitoring reports’ drafting, policy and legislative framework, inter-institutional cooperation, implementation of the European human rights standards into the work of the various places of deprivation of liberty including in the penitentiary, law enforcement, social and psychiatric care systems, migrant detention centres, and other closed institutions. The indicative list of expected deliverables under Lot 4 is as follows (not exhaustive):* Provision of the expertise in the form of assessment, legal opinions of the legislation and policy documents (drafts and in force) and/or practice of their implementation and their compliance with the European and international standards and with due regard to the national context;
* Provision of advice (in the oral and/or written form), comments, recommendations, studies, reports, comparative analysis, meeting documents, etc. on the thematic area;
* Participation and contribution to the working groups meetings, expert consultations, meetings with the national stakeholders, conferences, seminars and other relevant events such as awareness raising activities and exchange of best practices, including through contributing to the drafting of meeting documents, moderating/facilitating discussions and delivering presentations on various thematic areas related to the work of the NPM, human rights protection, prevention of ill-treatment in various places of deprivation of liberty for all people, including psychiatric and social care institutions, with specific attention to the situation of vulnerable persons;
* Contributing to the development and/or revision of internal guidance and development of a common guidance and working methodologies to assists NPM in the preparation, conduct or follow-up to visits (including interviewing techniques, monitoring checklists, reporting and recommendations’ provision etc.);
* Contributing to the development of information and guiding materials on standards related to ill-treatment prevention, including medical, psychological and social aspects, in different places of deprivation of liberty with due reference to the challenging issues raised by the CPT reports, Ombudsperson and/or NPM’s reports, those identified by the national human rights NGOs and international organisations;
* Provision of advice on the development of efficient modalities of cooperation between NPM and law enforcement bodies, other state authorities and local self-government bodies, as well as public monitors, NGOs, civil society aimed at elimination of ill-treatment and effective investigation of ill-treatment cases;
* Contributing to the development and delivery of trainings, including ToTs, covering various thematic areas of the NPM work;
* Develop information campaigns/awareness raising campaigns on standards of human rights protection and ill-treatment prevention in places of deprivation of liberty, including the development of the dissemination materials (in print or electronic format);
* Preparation of needs assessment of the NPM and capacity of its members;
* Development of the tailored on-line educational content, video-lecturing on standards of human rights protection and ill-treatment prevention in places of deprivation of liberty for the public authorities and professional groups;
* Thematically focused terminological proof-reading of documents.
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| **Lot 5 - Gender equality and mainstreaming in criminal justice system**8 consultants | The scope of work includes provision of local consultancy services in the field of gender equality (gender mainstreaming, gender-informed disaggregated data collection, equal gender representation, gender disparities and inequalities, etc.) in criminal justice system to enhance the observance of human rights in line with the Council of Europe and international standards and best practices.The indicative list of expected deliverables under Lot 5 is as follows (not exhaustive):* Provision of gender sensitive expertise and recommendations on policy, legislative and practical levels as to bringing the situation in law and in practice in the area of human rights observance into line with the Council of Europe and international standards and best practices;
* Provision of advice (in the oral and/or written form), comments, recommendations, studies, reports, comparative analysis, meeting documents, etc. on the thematic area;
* Delivery of respective thematic expertise in the form of assessments, researches, evaluation studies and other similar formats;
* Contribution to the development of strategic and regulatory documents of the Project beneficiaries in the field of the lot;
* Participation in and expert contribution to different types of activities: working group meetings, round tables, workshops, consultation meetings, conferences, seminars, trainings, including through moderating/facilitating discussions, coordinating groups of professionals, developing and delivering thematic presentations, contributing to thematic publications in the areas specific to this lot;
* Provision of expertise, guidance/instructions and feedback on application of modern methodologies and techniques in respective thematic area;
* Contribution to the development of information and guiding materials/manuals/instructions in respective thematic area;
* Development and provision of tailored thematic trainings, interdisciplinary trainings, trainings of trainers, workshops, consultations, seminars or similar, including development of all relevant materials (hand-outs, tests, case-studies, programmes, agendas, notes, presentations) with due consideration to interactive learning, adult education methodology, monitoring and evaluation and due reference to practical context.
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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 personally by the persons 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).

1. 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.

Tenders proposing fees above the exclusion level indicated in the Table of fees will be **entirely and automatically** excluded from the tender procedure.

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.

1. 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 quote[[2]](#footnote-3) (Pro Forma invoice) in line with the indications specified on each Order Form, and 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.

**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.

1. 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]](#footnote-4)**

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: law, human rights, political sciences, social sciences, gender studies, international relations, public administration or in the thematic sphere of respective Lot(s) or related fields;
* At least 5 years of professional experience in the thematic areas of respective Lot(s) (including types of work and assignments as enumerated in description of respective Lot(s));
* Excellent oral and written Romanian (C2) in line with the Common European Framework of References for Languages;
* Very good knowledge of English (B2) in line with the Common European Framework of References for Languages;
* For legal persons, being authorised to carry out the respective economic activities.

*Award criteria*

* Quality of the offer (90 points), including:
	+ Expertise of the tenderer in the areas covered by this call (40 points);
	+ Relevance of the experience of the tenderer in the areas covered by this call, including previous similar assignments with international organisations (50 points);
* Financial offer (10 points).

The Council reserves the right to hold interviews with tenderers.

**Multiple tendering is not authorised.**

1. NEGOTIATIONS

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

1. DOCUMENTS TO BE PROVIDED
* **A completed and signed copy of the** **Act of Engagement[[4]](#footnote-5)** (See attached);
* **Registration documents**, for legal persons only (in Romanian and/or English);
* A list of all owners and executive officers, for legal persons only;
* *For legal persons/consortia only*: Description of the proposed team (including CVs in English) of each proposed individual expected to work on the project with the lot(s) applied and information as to the status of each individuals (i.e. whether they are employees or subcontractors);
* For natural persons: A detailed CV, preferably in Europass Format, in English, demonstrating clearly that the tenderer fulfils the eligibility criteria;
* A Motivation letter in Word/PDF format, in English, describing how the tenderer meets the requirements of the expected types of deliverables related to the fields of expertise as described under the scope of the contract above (1 page maximum). *For legal persons/consortia, this letter should include a list of all natural persons who shall be allocated to the execution of the contract; this list may not be altered in the event that the legal person’s bid is successful, except with the involvement and approval of the Council of Europe;*
* At least two examples of previous work/deliverables in Word/PDF formats. *For legal persons/consortia the examples should be attributable to the natural persons allocated to the execution of the contract*. The examples can be included as attachments or provided as links to publications, legal assessments/analyses, reports, studies, etc. (ensure that the links are valid and that the deliverable is accessible, downloadable and may be opened in its entirety). The examples should be relevant to the experience the tenderer claims and must be in Romanian and/or English.

**All documents shall be submitted in English, unless otherwise indicated above, 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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1. The activities of the Council of Europe are governed by its [Statute](https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=0900001680306052) 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](https://search.coe.int/intranet/Pages/result_details.aspx?ObjectId=090000168094853e). [↑](#footnote-ref-2)
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. [↑](#footnote-ref-3)
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). [↑](#footnote-ref-4)
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. [↑](#footnote-ref-5)