



TENDER FILE / TERMS OF REFERENCE

(Restricted consultation procedure / Framework Contract)

Purchase of in-country transportation services during the upcoming project events BH 8585/2019/10

In the framework of the Council of Europe Action Plan for the Republic of Moldova (2017-2020), the Council of Europe is currently implementing a project on Protecting children from sexual exploitation and sexual abuse in the Republic of Moldova which aims to strengthen the capacity of authorities and professionals to prevent and protect children from sexual exploitation, sexual abuse and other forms of violence and to promote child-friendly practices in the Republic of Moldova. The duration of the project is until 15 January 2020. In that context, it recruits a Provider for the purchase of in-country transportation services during the upcoming project events to be requested by the Council of Europe on as a needs-basis.

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 **framework 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 a legal person except consortia.

Tenders shall be submitted **by email only** (with attachments) **to the email address indicated in the table below, with the following reference in subject: CoE transportation**. 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 3 (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: CoE transportation**

Type of contract ▶	Framework contract
Duration ▶	Until 15 January 2020
Deadline for submission of tenders/offers ▶	27 February 2019
Email for submission of tenders/offers ▶	Victoria.fonari@coe.int
Email for questions ▶	Victoria.fonari@coe.int
Expected starting date of execution ▶	04 March 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

Background of the Project

The Council of Europe project "Protecting children from sexual exploitation and sexual abuse in the Republic of Moldova" implemented in the framework of the Council of Europe Action Plan for the Republic of Moldova (2017-2020) aims at supporting the Republic of Moldova to effectively implement the Council of Europe Convention on the Protection of children against sexual exploitation and sexual abuse ("Lanzarote Convention") and strengthen the state response towards child sexual exploitation and sexual abuse. It has three key components focusing on: 1) harmonization of the legal and policy framework; 2) capacity building of professionals; and 3) awareness raising for the prevention and protection of children against sexual exploitation and sexual abuse. The project duration is 15 months with the implementation period of 15 October 2018-15 January 2020.

The Council of Europe is looking for one Provider (provided enough tenders meet the criteria indicated below) in order to provide in-country transportation services during the upcoming project events.

This Framework Contract is to be concluded until 15.01.2020. The Framework Contract may be renewed on an annual basis.

This Contract is currently estimated to cover up to 10 activities, to be held by 15 January 2020. This estimation is for information purposes 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.

The total amount of the object of present tender **shall not exceed 55,000 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.

Scope of the Framework Contract

Throughout the duration of the Framework Contract, pre-selected Provider may be asked to provide the deliverables listed in the Act of Engagement (See Section A – Terms of reference). This list is not considered exhaustive.

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 of Europe will indicate on each Order Form (see Section D below) the number of units ordered, calculated on the basis of the unit fees, as agreed by this Contract.

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

Once this consultation and the subsequent selection are completed, you will be informed accordingly. Deliverables will then be delivered on the basis of Order Forms submitted by the Council of Europe to the selected Provider(s), by post or electronically, on as a needs-basis (there is therefore no obligation to order on the part of the Council of Europe).

Ranking

Each time an Order Form is sent, the selected Provider undertakes to take all the necessary measures to send it signed to the Council of Europe within 2 (two) working days after its reception. Orders will be addressed in priority to the first Provider on the ranking list of the tender. If this Provider is unable to take the Order or if no reply is given on his behalf within that deadline, the Council of Europe may call on the second Provider on the ranking list of the tender, and so on down the list.

Providers subject to VAT

The Provider, if subject to VAT, shall also send, together with each signed Form, a quote (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 of Europe, by displaying a Purchase Order number of the Council of Europe 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).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;
- 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

- full compliance to requirements;
- availability of properly maintained and fully operational vehicles;
- minimum 3 years of proven experience in transportation services, preferably for corporate clients;
- availability of necessary license for provision of transportation services;
- availability of vehicles at a short notice, submitted by the project staff in some cases not earlier than 2 hours in advance.

Award criteria

- Quality of the offer (70%), including:
 - Technical and financial capacity to meet the requirements of the tender file;
 - Best value for money, flexibility, number and models of cars available;
- Financial offer (30%).

Multiple tendering is not authorised.

F. DOCUMENTS TO BE PROVIDED

- A completed and signed copy of the **Act of Engagement**³ (See attached);
- **A copy of company's registration certificate and license for the provision of transportation services, incl. short description of the experience in transportation services;**
- **Company's list of vehicles (model and production);**
- **A document describing the tenderer's capacity to meet the requirements of the tender, including its financial and technical capacity;**
- **Reference details of at least 2 previous clients for similar services.**

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 tender 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.

Please note that:

The service provider shall ensure availability of the vehicle at a short notice submitted by the project staff. In some cases the notice can be submitted by the project staff not earlier than 2 hours in advance.

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.

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.