

TENDER FILE / TERMS OF REFERENCE

(Restricted consultation procedure / Framework Contract)

Purchase of Design, Printing and Publishing Services BH 8585/2019/4



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, the project recruits Providers for the provision of design, printing and publishing services to be requested by the Council of Europe on 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: Design, Printing and Publishing 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 2 (two) 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: Design, Printing and Publishing Services.**

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

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 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.

In this context, the Council of Europe recruits a maximum of *three* (3) Providers per LOT (provided enough tenders meet the criteria indicated below) in order to support the implementation of the project with a particular expertise on design, printing and publishing services.

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 project and the Organisation. Some of the relevant publications and materials are listed in the tender file under Lot 1 and may include the Romanian translations of [Kiko and the Hand children's book](#), [Tell someone you trust](#) leaflet, [Parenting in the digital age](#) booklet, [Internet Literacy Handbook](#), [Guidelines to respect, protect and fulfil the rights of the child in the digital environment](#), etc. Visibility materials under Lot 3 may include notebooks, pens, folders, roll-ups, posters, etc.

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.

Lots

The tender is divided into the following three Lots. The Providers may submit a tender for one, several or all Lots subject to the fulfilment of the criteria listed in the Tender Rules for the Lots concerned.

Lots ▼	Maximum number of Providers to be selected ▼
Lot 1. Design, layout and publishing	3
Lot 2. Printing of documents	3
Lot 3. Design and production of visibility materials	3

Scope of the Framework Contract

Throughout the duration of the Framework Contract, pre-selected Providers may be asked to provide deliverables as indicatively described under each Lot in the Act of Engagement (See Section A – Terms of reference).

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

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. While applying to a lot, it is mandatory to indicate the fees to all deliverables. 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 to the selected Provider (s), by post or electronically; on **an 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 for each LOT 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 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 quote² (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).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;
- 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.

LOT 1:

Eligibility criteria

- Being registered as a company for at least 2 years;
- Proven track record of design, lay-out and publishing materials.

Award criteria

- Quality of the offer (70%), including:
 - Electronic samples of publications produced by the Provider, as evidence;
 - Number of days required for execution of the tasks listed under LOT 1.
- Financial offer (30%).

LOT 2:

Eligibility criteria

- Being registered as a company for at least 2 years.

Award criteria

- Quality of the offer (70%), including:
 - Number of days required for execution of the tasks listed under LOT 2.
- Financial offer (30%).

² It must strictly respect the fees indicated in the Act of Engagement. In case of non-compliance with these fees, the Council of Europe reserves the right to terminate the Contract with the Provider, in all or in part.

³ 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.

LOT 3:*Eligibility criteria*

- Being registered as a company for at least 2 years;
- Proven track record of design and production of visibility materials in the last 2 years with public authorities and/or international organisations.

Award criteria

- Quality of the offer (70%), including:
 - Samples of the similar visibility materials produced by the Provider, as evidence (electronic or hard copy);
 - Number of days required for execution of the tasks listed under LOT 3.
- Financial offer (30%).

F. DOCUMENTS TO BE PROVIDED

- A completed and signed copy of the **Act of Engagement**⁴ (See attached);
- 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);
- A document certifying the registration of the company;
- A document describing the tenderer's experience for similar services in the last 2 years with public authorities and/or international organisations.
- One-two electronic samples of similar publications produced by the Provider in the last 2 years (LOT 1);
- One-two electronic samples of similar visibility materials produced by the Provider in the last 2 years (LOT 3).

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.

* * *

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.