

**TENDER FILE / TERMS OF REFERENCE**  
**(Competitive bidding procedure / Framework Contract)**

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

**Provision of publication design and layout services on access to justice in Eastern Partnership countries (Azerbaijan, Armenia, Belarus, Georgia, Republic of Moldova and Ukraine)**

***Contract N° DGII/4730/2020/2***

The Council of Europe is currently implementing the project "Women's Access to Justice: delivering on the Istanbul Convention and other European gender equality standards" in the framework of the EU/Council of Europe Partnership for Good Governance II. The project covers six Eastern Partnership Countries (Armenia, Azerbaijan, Belarus, Georgia, Republic of Moldova and Ukraine)". The project aims to strengthen access to justice for women, especially women victims of violence in line with the Council of Europe Istanbul Convention and contributing towards the Eastern Partnership countries ratification of the Istanbul Convention. The project is contributing to the development of a gender sensitive justice chain and addressing gender inequalities in society, particularly visible in cases of women victims of violence by targeting legal professionals who are at different steps of the justice chain and who are interacting with women in search of redress. In that context, it is looking for a maximum of 3 Provider(s) for the provision of providing publications design and layout services on access to justice to be requested by the Council on an as needed basis, in compliance with the ordering procedure defined in the Framework Contract.

**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<sup>1</sup>, 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: Publication design services on access to justice** 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: Publication design services on access to justice**

<b>Type of contract ▶</b>	Framework contract
<b>Duration ▶</b>	Until 31 December 2021
<b>Deadline for submission of tenders/offers ▶</b>	<b>03 June 2020</b>
<b>Email for submission of tenders/offers ▶</b>	<b>Alla.Krytynskaia@coe.int</b>
<b>Email for questions ▶</b>	Alla.Krytynskaia@coe.int

<sup>1</sup> 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 starting date of execution</b> ▶	19 June 2020
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## A. EXPECTED DELIVERABLES

### Background of the Project

The Council of Europe is implementing the project "Women's Access to Justice: delivering on the Istanbul Convention and other European gender equality standards" in the framework of the EU/Council of Europe Partnership for Good Governance II. The project covers six Eastern Partnership Countries (Armenia, Azerbaijan, Belarus, Georgia, Republic of Moldova and Ukraine)". The project aims to strengthen access to justice for women, especially women victims of violence in line with the Council of Europe Istanbul Convention and contributing towards the Eastern Partnership countries ratification of the Istanbul Convention. The project is contributing to the development of a gender sensitive justice chain and addressing gender inequalities in society, particularly visible in cases of women victims of violence by targeting legal professionals who are at different steps of the justice chain and who are interacting with women in search of redress.

The Council of Europe is looking for three Providers (provided enough tenders meet the criteria indicated below) in order to support the implementation of the project with a particular expertise on Council of Europe publications design and layout in different languages, particularly in all the following languages: Armenian, Azerbaijani, Georgian, Romanian, Russian and Ukrainian. The providers will be required to carry out all design and publication activities in close co-operation with the project team, and all final products and designs shall be approved by the Council of Europe before considering it complete. All design and pre-print materials should be developed in accordance with all the Council of Europe and project visibility and communication requirements.

This Contract is currently estimated to cover up to 20, to be held by 31 December 2021. 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 1.048.000 Euros and 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 Providers may be asked to:

- Create pdfs and enhanced pdfs publications in line with Council of Europe and the project communication and visibility guidelines, in different languages including Armenian, Azerbaijani, Georgian, Romanian, Russian and Ukrainian.
- Create design, layout and pre-prints for complex publications which include text, photos/images and tables in line with Council of Europe's and the project's visibility and communication guidelines
- Design publications layouts and pre-prints including covers in line with Council of Europe's and the project's visibility and communication guidelines

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.

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).

#### B. 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 C below) the number of units ordered, calculated on the basis of the unit fees, as agreed by this Contract.

#### C. 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).

#### 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 within 2 (two) working days after its reception. Orders will be addressed by priority to the first Provider on the ranking list of the tender for the relevant lot. If this Provider is unable to take the Order or if no reply is given on its behalf within the above 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 quote<sup>2</sup> (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.

#### D. 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)<sup>3</sup>

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;

<sup>2</sup> 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.

<sup>3</sup> 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 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).

- 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;
- are or if their owner(s) or executive officer(s), in the case of legal persons, are included in the lists of persons or entities subject to restrictive measures applied by the European Union (available at [www.sanctionsmap.eu](http://www.sanctionsmap.eu)).

#### *Eligibility criteria*

- At least 3 years experience with developing pre-print, design and layout documents

#### *Award criteria*

- Quality of the offer (40%), including:
  - Experience in publication design, layout and pre-print in English and in at least three (3) of the required languages (Armenian, Azerbaijani, Georgian, Romanian, Russian, Ukrainian)
  - Experience in publication design, layout and pre-print with complex documents which include text, photos/images and tables.
  - Experience in working according to client's communication and visibility criteria
- Financial offer (60%).

Multiple tendering is not authorised.

#### E. NEGOTIATIONS

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

#### F. DOCUMENTS TO BE PROVIDED

- A completed and signed copy of the **Act of Engagement**<sup>4</sup> (See attached);
- A list of all owners and executive officers, for legal persons only;
- A **work portfolio** comprising a minimum of 3 examples of previous work
- A short company **CV** or **website** in English

**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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<sup>4</sup> 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.