**TENDER FILE / TERMS OF REFERENCE**

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

**Purchase of Visibility and Publication Services *Contract BH8086/06***

The Council of Europe is implementing a project on “Aligning laws and policies with the Istanbul Convention”, with duration 01 arch 2022 – 28 February 2026. In that context, it is looking for Provider(s) for the provision of publication and visibility services to be requested by the Council on an as needed basis.

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-1), 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 or consortia of legal and/or natural persons.

Tenders shall be submitted **by email only** (with attachments) **to the email address indicated in the table below, with the following reference in subject: BH8086/06 Publication and Visibility 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: BH8086/06 Publication and Visibility Services**

|  |  |
| --- | --- |
| **Type of contract ►** | Framework contract |
| **Duration ►** | Until 28 February 2026 |
| **Deadline for submission of tenders/offers ►** | **19 May 2023** |
| **Email for submission of tenders/offers ►** | **vaw.pristina@coe.int** |
| **Email for questions ►** | **vaw.pristina@coe.int** |
| **Expected starting date of execution ►** | **01 June 2023** |

1. EXPECTED DELIVERABLES

**Background of the Project**

The Council of Europe project ‘Aligning laws and policies with the Istanbul Convention’ (2023-2026) aims at strengthening the institutional capacities to prevent and counter violence against women and domestic violence in line with the standards of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention). The project uses the Istanbul Convention as a compass for its action and it builds on the guidance produced in previous projects on combating violence against women and domestic violence, and largely focusing on implementing the most pressing recommendations issued in the evaluation conducted on the alignment of laws and policies with the Istanbul Convention.

The Council of Europe is looking for a maximum of 12 Providers (a maximum of 4 providers per lot) in order to support the implementation of the project with a particular expertise on visibility and publication services.

This Contract is currently estimated to cover up to cover a certain number of activities to be held by the end of the Project in February 2026. 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 600.000 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.

**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: Visibility/design services:**   * Design of covers and layout of inside text of project publications and reports (A4 colored – per 1 design) * Design and layout of covers and graphics inside of project publications and reports (A4 colored – per 1 design) * Design and layout of covers and graphics inside of project publications and reports (A5 colored – per 1 design) * Design of the layout of leaflets (A3, A4, A5 colored) – 1 design * Design of brochures (A5, A4, A3, colored) – 1 design * Design of posters (B3 colored) per 1 design * Design of posters for social media (A4 colored) per 1 design * Visuals and design with testimonies for social media – per 1 design | **4** |
| **Lot 2: Printing services:**   * Printing of cover page (Size A3, paper 300gr Colored) (up to 300/500/1000 units) - price per print and binding * Printing of pages (Size A4, paper 80gr, Colored) (up to 300/500/1000 units) – price per page * Printing of pages (Size A4, paper 80gr, B/W) (up to 300/500/1000 units) – price per page * Printing of recyclable brochures (Size A5, Cover A4, paper 100gr Colored) (up to 300/500/1000 units) – price per page * Printing of recyclable brochures (Size B5, Cover B4, paper 100gr Colored) (up to 300/500/1000 units) – price per page * Printing of recyclable posters (B3) - price per unit * Printing and production of recyclable pens (standard pens with logo of the project) (up to 300/500/1000 units) – price per unit * Design and printing of notebooks (standard A5, 50 pages, Cover:  300 gr. Color; Spiral binding) (up to 300/500/1000 units) – price per unit * Printing of recyclable folders (standard A4) (up to 300/500/1000 units) – price per unit | **4** |
| **Lot 3: Video production services:**   * Production of video showing actual persons (including design and concept up to 60 seconds) \* * Production of video showing actual persons (including design and concept up to 180 seconds) \* * Production of animated video (including design and concept up to 60 seconds)\* * Production of animated video (including design and concept up to 180 seconds) \*   \* Including subtitles in two languages from English, Albanian and Serbian (per video/animation) | **4** |

Lot 1 concerns design and layout of promotion materials in cooperation and per request of the project team, while respecting the CoE visibility rules and guidelines. More specifically Lot 1 includes:

* Design of covers as well as layout of inside text and graphics of project publications and reports, not including the graphics and others designs within the text of the publication.
* Design and layout of covers and graphics inside text of project publications and reports.
* Design and layout of leaflets such as policy briefs in different formats.
* Design and layout of brochures in different formats.
* Design of posters which graphics and/or pictures.
* Design of posters for social media with awareness raising messages, promotion of activity results, etc.
* Visuals and design with testimonies for social media from project beneficiaries, local authorities’ representatives, stakeholders’ representatives, influencers, or others. The visuals of each campaign shall have the same/ similar layout and branding colours.

Lot 2 concerns of printing services of publications of project working materials, reports, brochures, notebooks, pens, folders, certificates and name tags. Lot 2 requires offers for printing of different sizes, letter thickness and units.

Lot 3 concerns of awareness raising video production including design and concept. The offer shall include the price depending if the video includes shooting or animation, and depending on the length of the video as specified in the table above. The videos shall include subtitles in two languages from English, Albanian and Serbian (per video/animation).

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 provide the deliverables listed in the Act of Engagement (See Section A – Terms of reference).

Under Lot 1:

- Desned project publications (reports, leaflets, brochures).

- Designed posters for print and for social media.

- Designed visuals with quotes for social media.

Under Lot 2:

- Printed publications, black and white or colour, in A4 or A5 size.

- Printed project notebooks, pens and folders.

- Printed name tags.

- Printed certificates.

Under Lot 3:

- Concept and production for videos up to 60 or 180 seconds.

- Concept and animation for videos up to 60 or 180 seconds.

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 quality;
* Any specific instructions given by the Council – whenever this is the case – are followed.

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.

The Council 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.]

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 OPTION:

**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 3 (three) 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-2) (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-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;
* have not fulfilled, in the previous three years, their contractual obligations in the performance of a contract concluded with the Council of Europe leading to a total or partial refusal of payment and/or termination of the contract by the Council of Europe.

*Eligibility criteria*

* Legal person duly registered in accordance with the domestic legislation, except consortia, or a duly registered company under sole proprietorship of a natural person, or equivalent, having legal rounds to provide the respective services;
* Previous and confirmed experience in designing and/or printing different visibility materials and publications.

*Award criteria*

*For LOT 1 and LOT 3*

* Quality of the offer (60%), including:
* A Professional portfolio (60%) – Proven experience of previously developed materials/delivered services in accordance with the LOT’s above.
* Financial offer (40%).

For LOT 2

* Quality of the offer (10%): length of operating experience based on registration document.
* Financial offer (90%)

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

For all LOTs

* **A completed and signed copy of the Act of Engagement[[4]](#footnote-4)** (See attached);
* A list of all owners and executive officers, for legal persons only;
* Registration documents (scanned copy of the originals);

For LOT 1 and LOT 3

* A detailed professional portfolio (preferably in English), demonstrating clearly that the tenderer fulfils the eligibility criteria. It must include at least 3 (three) samples of previously developed visibility and/or publication services (LOT 1) and/or video/animation samples (LOT 3)

**All documents shall be submitted in English, Albanian or Serbian, 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.**

**\* \* \***

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-1)
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-2)
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. [↑](#footnote-ref-3)
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-4)