

TENDER FILE / TERMS OF REFERENCE

(Competitive bidding procedure / Framework Contract)

Purchase of production, printing and publishing services

BH 8710/2020/1

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

The Council of Europe is currently implementing a number of projects, including on Combating violence against children in the Republic of Moldova. Project activities will focus on the protection of children against violence, including notably sexual exploitation and abuse, as well as promotion of child-friendly justice practices and the rights of the child in the digital environment. The duration of the project is until 31 December 2021. In that context, the projects are looking for Providers for the provision of production, printing and publishing services to be requested by the Council of Europe on a needs-basis. The Provider may be invited to supply the same type of services in the framework of similar projects under the terms of this contract.

A. 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 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: Production, 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: production, printing and publishing services**

Type of contract ▶	Framework contract
Duration ▶	Until 31 December 2021
Deadline for submission of tenders/offers ▶	11 May 2020
Email for submission of tenders/offers ▶	Victoria.fonari@coe.int
Email for questions ▶	Victoria.fonari@coe.int
Expected starting date of execution ▶	18 May 2020

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 1395 of 20 June 2019 on the procurement procedures of the Council of Europe](#).

B. EXPECTED DELIVERABLES

Background of the Project

The Council of Europe is currently implementing a *Project on combating violence against children in the Republic of Moldova* in the framework of the [Council of Europe Action plan for the Republic of Moldova](#). The project builds on the results of the previous CoE project [Protecting children from sexual exploitation and sexual abuse in the Republic of Moldova \(2018-2020\)](#) and aims to support the Moldovan authorities, professionals and civil society in further strengthening the country's child protection framework and judicial system. Project activities will focus on the protection of children against violence, including notably sexual exploitation and abuse, as well as promotion of child-friendly justice practices and the rights of the child in the digital environment. The project duration is 21 months with the implementation period of 1 April 2020 - 31 December 2021.

The Council of Europe is looking for up to 3 (three) Providers per lot (provided enough tenders meet the criteria indicated below) in order to support the implementation of projects with a particular expertise on production, printing and publishing services.

This Contract is currently estimated to cover up to 20 activities, 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.

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 projects and is divided into the following lots:

Lots	Maximum number of Providers to be selected
Lot 1: Layout and publishing	3
Lot 2: Printing of documents/materials	3
Lot 3: Design and production of visibility materials	3

Lot 1: Layout and publishing

Lot 1 concerns layout and publishing of a variety of different awareness raising and other publications and materials relevant for the projects. Among the materials to be produced and/or published, but not limited to these, are: [Kiko and the Hand children's book](#), [Tell someone you trust](#) booklet, [Parenting in the digital age](#) booklet, [Internet Literacy Handbook](#), [Guidelines to respect, protect and fulfil the rights of the child in the digital environment](#), posters on voting procedure for electoral management bodies/polling stations, motivation posters for voters, other electoral-related information posters, etc. Lay-out services include design of lay-out in accordance with the [Council of Europe Visual Identity Graphic Charter/Communication Guidelines for the European Union/Council of Europe Partnership for Good Governance II](#) and development of Romanian/Russian/English lay-outs based on original InDesign files provided by the Council of Europe.

Lot 2: Printing of documents/materials

Lot 2 concerns colour and black&white printing of documents/materials for project events.

Lot 3: Design and production of visibility materials

Lot 3 concerns production of visibility materials, such as notebooks, pens, roll-ups, bags, vests, etc. and printing of the Council of Europe logos in accordance with the [Council of Europe Visual Identity Graphic Charter/Communication Guidelines for the European Union/Council of Europe Partnership for Good Governance II](#).

The Council will select the above-mentioned 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). 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.

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). This list is considered non-exhaustive.

In terms of the scope of this Framework Contract, it covers production/publication/printing/visibility materials, which are to be produced on the territory of the Republic of Moldova by the Council of Europe projects.

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 projects 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).

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 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 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 in 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 his behalf within that deadline, the Council may call on the second Provider on the ranking list of the tender for the relevant lot, 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 .

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.

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.

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: Layout and publishing

Eligibility criteria

- Being registered as a company for at least 2 years;
- Proven track record of relevant/similar experience with public authorities and international organisations in the last 2 years;
- Have their own printing and publishing department/section.

Award criteria

- Quality of the offer (70%), including:
 - Technical capacity to meet the requirements of the tender file of the Lot 1;
 - Relevant samples of the publications produced by the Provider, as evidence.
- Financial offer (30%).

Possible publications to be produced and printed are listed in the Annex I.

Lot 2: Printing of documents / materials

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 the Lot 2.
- Financial offer (30%).

Lot 3: Design and production of visibility materials

Eligibility criteria

- Being registered as a company for at least 2 years;
- Proven track record of relevant/ similar experience with public authorities and international organisations in the last 2 years.

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.

Award criteria

- Quality of the offer (70%), including:
 - Technical capacity to meet the requirements of the tender file of the Lot 3;
 - Relevant samples of the visibility materials produced by the Provider, as evidence;
- Financial offer (30%).

Multiple tendering is not authorised.

F. NEGOTIATIONS

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

G. 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 international organisations (**Lot 1 and Lot 3**);
- Proof of the presence of a specific printing department/section (e.g. pictures of the department) (**Lot 1**);
- At least two (2) electronic samples of similar publications produced by the Provider in the last 2 years (**Lot 1**);
- Photos of similar visibility materials produced by the Provider (**Lot 3**).

All documents shall be submitted in English or Romanian, failure to do so will result in the exclusion of the tender. If any of the documents/materials 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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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.