**TENDER FILE / TERMS OF REFERENCE**

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

**Purchase of graphic design, multimedia, photography, printing, communication and visibility services**

The Council of Europe is currently implementing (until May 2022) an action on “Strengthening the human rights protection of migrants and victims of human trafficking in Turkey”. The action is implemented under the joint European Union (EU) and the Council of Europe (CoE) programme “[Horizontal Facility](https://mail.coe.int/owa/redir.aspx?C=-MlBhZa-8WtLbm8KI50iLeC1El9KClgZVJdMS7ox9FqtTnW9ufXXCA..&URL=https%2525253a%2525252f%2525252fwww.coe.int%2525252fen%2525252fweb%2525252fprogrammes%2525252fhorizontal-facility) for the Western Balkans and Turkey II (2019-2022)”.

In that context, it is looking for Provider(s) for the provision graphic design, multimedia, photography, printing, communication and visibility services to be requested by the Council on an as needed basis.

1. 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 either a natural person, or 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: Tender – graphic design, multimedia, printing (HF30).** 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: Questions - graphic design, multimedia, printing (HF30)**

|  |  |
| --- | --- |
| **Type of contract ►** | Framework contract  |
| **Duration ►** | Until 23 May 2022 |
| **Deadline for submission of tenders/offers ►** | **03 June 2021** |
| **Email for submission of tenders/offers ►** | **ankara.office@coe.int** |
| **Email for questions ►** | ankara.office@coe.int |
| **Expected starting date of execution ►** | 08 June 2021 |

1. EXPECTED DELIVERABLES

**Background of the Project**

The Council of Europe action “Strengthening the human rights protection of asylum seekers, migrants and victims of human trafficking in Turkey” is implemented under the [Horizontal Facility](https://www.coe.int/en/web/programmes/horizontal-facility) for the Western Balkans and Turkey II (2019-2022), a joint programme between the European Union (EU) and the Council of Europe (CoE). The Action aims at enhancing the protection of human rights in the context of migration, strengthening the application of European standards in this field and improving the prevention and fight against trafficking in human beings through the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings in Turkey. In order to reach these goals, the Action aims at achieving:

► A comprehensive and integrated institutional approach addressing trafficking in human beings in Turkey, in line with recommendations of the Group of Experts on Action against Human Trafficking (GRETA);

► Progress in the implementation of human trafficking prevention and victim protection strategies, in particular in the context of migration;

► Enhanced understanding of relevant stakeholders on human rights standards in the context of migration, particularly concerning women and vulnerable groups;

► A strengthened human-rights’ based approach to smuggling of migrants.

The Council of Europe is looking for a maximum of 12 Provider(s) (provided enough tenders meet the criteria indicated below) in order to support the implementation of the project with a particular expertise on graphic design, multimedia, photography, printing, communication and visibility services.

This Contract is currently estimated to cover up to 20 activities, to be held by 23 May 2022. 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 2.500.000 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: Graphic design, printing | 3 |
| Lot 2 : Printing services  | 3 |
| Lot 3 : Multimedia, photography | 3 |
| Lot 4: Communication and visibility | 3 |

**Lot 1 includes**:

* the graphic design of Action reports, presentations, brochures, mappings, infographics and other complex project documents with text, photos/images, tables, boxes;

**Lot 2 includes:**

* printing Action documents according to the defined design, template, format.

**Lot 3 includes:**

* the production of audio-visual materials, including infographics, short videos of the project activities, etc.;

**Lot 4 includes:**

* supporting the implementation of the Action communication and visibility strategy;
* designing the Action visual identity, including Action logo, posters, slogans, as well as original drawings/illustrations;

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).

Only those Providers whose score, following the assessment of the Award Criteria (see Section E below), is equivalent to or higher than 2.5 out of 5 will be selected under each Lot.

**Scope of the Framework Contract**

Throughout the duration of the Framework Contract, pre-selected Providers may be asked to:

**Under Lot 1:**

* Layout, design and format/page setup of books, reports, guides, leaflets, posters, handbooks or other materials. Revise the selected layouts in line with the CoE Visual Identity (available at: https://rm.coe.int/visual-identity-of-the-council-of-europe-graphic-charter/168071e7f3) and other guidelines as discussed with the CoE;
* produce original drawings/illustrations and photographs for project materials
* provide advice on the designing of project visual identity, including project slogan, logo, project posters, brochures, book covers, banners, etc.
* Submit all final design files to CoE (e.g. press quality "pdf" and/or photoshop "psd" file formats);
* Prepare the electronic files for printing in PDF or another format;
* Delivery of the printed materials to an indicated address in Ankara.

**Under Lot 2:**

* Delivery of the printed materials according to the Council’s graphic design instructions to an indicated address in Ankara.

**Under Lot 3:**

* Video production such as filming, editing, adding subtitles and other video production related services
* Photography services and photo editing;

**Under Lot 4:**

* draft and design Project newsletters / press releases to inform the target audience about the recent project results
* provide guidance and/or present results regarding the communication and visibility of the project;
* designing of project visual identity, including project slogan, logo, project posters, brochures, banners etc;

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.

If contracted by the Council of Europe, the deliverables shall be provided personally by the persons identified in the offer of the Provider whose CVs have been presented to the Council of Europe (See section E. below), in accordance with the terms as provided in the present Tender File and Act of Engagement.

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 global fee corresponding to each deliverable, calculated on the basis of the unit fees, as agreed by this Contract.

**Tenders proposing a fee above the exclusion level will be entirely and automatically excluded from the tender procedure.**

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**

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 2 (two) 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 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*

* **Lot 1 :**

Demonstrated 3 years of experience in graphic design.

* **Lot 2 :**

Demonstrated 3 years of experience in printing services.

* **Lot 3 :**

Demonstrated 3 years of experience in multimedia and photography.

* **Lot 4:**
* Excellent written and oral communication skills in English and native speaker level of Turkish (for legal persons, this criterion concerns the company representative(s) to work on the expected deliverables);
* Minimum of five (5) years of professional experience in the field of communication and visibility;
* Minimum two (2) years’ experience of working with international organisations;

*Award criteria*

* Quality of the offer (70%), including:
	+ Relevance of the professional experience for the scope of this tender;
	+ Quality of the previous work completed.
* Financial offer (30%).

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
* A completed and signed copy of the **Act of Engagement[[4]](#footnote-4)** (See attached);
* A detailed **personal/company CV**, demonstrating clearly that the tenderer fulfils the eligibility criteria;
* A list of all owners and executive officers, for legal persons only;
* A **work portfolio** comprising a minimum of 3 examples of previous work preferably from work with international organisations (including, where relevant, a link to the produced outputs);
* A motivation letter in English, demonstrating the tenderer’s interest in the Project and suitability for providing the above deliverables;
* A list of previous work completed by the tenderer

**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.**

**\* \* \***

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 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). [↑](#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)