

TENDER FILE / TERMS OF REFERENCE

(Restricted consultation procedure / One-off contract)

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Purchase of consultancy services

Contract N° BH-8545/2019/_____

In the framework of continued assistance to the authorities of the Republic of Moldova, as of 1 March 2018, the Council of Europe (CoE) has launched a new programme on “**Promoting a human rights compliant criminal justice system in the Republic of Moldova**”. The Programme is aimed to ensure a higher respect for human rights and the rule of law by assisting the national authorities in building up an efficiently functioning criminal justice system, in line with European human rights standards, and based on the principles of humanisation, resocialisation and restorative justice. In July – September 2018, the Council of Europe has carried out a comprehensive assessment of needs with respect to the organisation of health care within the prison system of the Republic of Moldova, in view of its further alignment with international standards and improving the quality of health care services, including the material conditions for their provision. The assessment report sets the minimum requirements for the medical devices and equipment that should be in place in these medical care units and provides a general overview of the needed medical equipment. Currently, the material conditions and existent equipment of the prison hospital and the primary health care units in the prisons of the Republic of Moldova are being assessed and a final list of medical devices and equipment to be purchased is being drafted.

In that context, the Council of Europe is looking for **1 (one) national short-term consultant** to **a)** conduct the market analysis, **b)** validate the technical specifications for the procurement of a lot of medical devices and equipment for the prison system of the Republic of Moldova; and **c)** provide support in preparing and administering the procurement process (preparing the tender file and answer the bidders' queries).

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 **one-off 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 natural person. If contracted by the Council of Europe, the signatory of the Act of Engagement shall provide the deliverables personally, in accordance with the terms as provided in the present Tender File and Act of Engagement.

Tenders shall be submitted **by email only** (with attachments) **to the email address indicated in the table below, with the following reference in subject: HRCCJ_MD_Medical_equipment_prisons_NTL_short-term consultant**. 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: Inquiry HRCCJ_MD_Medical_equipment_prisons_NTL_short-term consultant**.

Type of contract ▶	One-off contract
Duration ▶	Until complete execution of the obligations of the parties (See Article 2 of the Legal conditions as reproduced in the Act of Engagement)
Deadline for submission of tenders/offers ▶	22 April 2019
Email for submission of tenders/offers ▶	PolicePrisons.Projects@coe.int
Email for questions ▶	PolicePrisons.Projects@coe.int
Expected starting date of execution ▶	10 June 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 expected deliverables are described in **Section A of the Act of Engagement** (See attached).

C. FEES

All tenderers are invited to fill in the **table of fees** as reproduced in **Section A of the Act of Engagement**.

Tenderers **subject to VAT** shall also send a **quote (Pro Forma invoice)** on their letterhead 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.

D. ASSESSMENT

Exclusion criteria and absence of conflict of interests

(by signing the Act of Engagement,² you declare on your honour not being in any of the below situations)

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.

Eligibility criteria

- University degree in the relevant field (procurement and importing of specialised medical equipment, biomedical systems engineering);
- At least 3 (three) years of experience in procurement, importing and maintenance of specialised medical equipment;
- At least 3 (three) years of experience in the provision of consultancy;
- Excellent oral and written English.

Award criteria

- Quality of the offer (90%), including:
 - Thematic expertise (40%)
 - Drafting and analytical skills (30%)
 - Consultancy or other relevant work experience in international projects (20%)
- Financial offer (10%).

The Council reserves the right to hold interviews with eligible tenderers.

E. DOCUMENTS TO BE PROVIDED

Tenderers are invited to submit:

- **A completed and signed copy of the Act of Engagement³ (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);
- Updated CV
- A short writing sample, not exceeding 3 pages, which proves the expertise required for this assignment.
- 3 (three) referees' contact details

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.

² 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.

³ The Act of Engagement must be completed, signed and scanned in its entirety (i.e. including all the pages). The scanned Act of Engagement should be sent as a compiled document, in .pdf format.
