



TENDER FILE / TERMS OF REFERENCE (Restricted consultation procedure / One-off contract)

Contract N° 8572/2019/03

PURCHASE OF CONSULTANCY SERVICES FOR THE ELABORATION OF LINGUISTIC DICTIONARIES FOR THE MONITORING CENTRE OF THE NATIONAL COUNCIL OF TELEVISION AND RADIO BROADCASTING OF UKRAINE

The Council of Europe is currently implementing the project "Strengthening freedom of media, access to information and reinforcing public broadcasting system in Ukraine" (hereinafter 'the Project') within the Council of Europe Action Plan for Ukraine (2018-2021). The Project aims to enhance the role of media, its freedom and safety, and the public broadcaster as an instrument for consensus building in the Ukrainian society, particularly during the election period. The Project activities are also aimed at strengthening regulatory and self-regulatory mechanisms for ensuring balanced and unbiased media coverage of elections, and among other activities, the Project plans to provide expert support to the National Council of Television and Radio Broadcasting of Ukraine (National Council). In that context, **the Council of Europe is looking for a Provider for the provision of consultancy services for the development of linguistic (lexical) dictionaries for the Monitoring Centre of the National Council.**

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 either a **legal entity** except consortia, or a **private entrepreneur** duly registered in accordance with the Ukrainian legislation, provided that the signatory of the Act of Engagement is individually liable for all undertaken obligations.

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 8572/2019/03".** Tenders addressed to another email address **will be rejected. Tenders must be submitted by 23:59 (Kyiv time) on 07 May 2019.**

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 3 (three) 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: "Tender 8572/2019/03 Questions"**

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 ▶	07 May 2019
Email for submission of tenders/offers ▶	lryna.ostapa@coe.int
Email for questions ▶	Tetiana.Shamrai@coe.int
Expected starting date of execution ▶	10 May 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 and TERMS OF REFERENCE

It is expected that the Provider shall provide consultancy services for the development of linguistic (lexical) dictionaries for the monitoring center of the National Council according to the requirements and taking into account the information mentioned below.

1. BACKGROUND INFORMATION ON THE NATIONAL COUNCIL

The National Council of Television and Radio Broadcasting of Ukraine (hereinafter - the National Council) is a constitutional, permanent collegiate authority, the activities of which are aimed at supervision over adherence to the legislation of Ukraine in the sphere of broadcasting, as well as exercise of regulatory powers with regard to the audiovisual media.

In particular, the National Council within its supervisory remit carries out official monitoring of TV and radio programmes. In order to fulfil this power and in order to introduce automation into the monitoring processes the Automated Software and Hardware Complex for the official monitoring of TV and radio programmes is being integrated into the National Council.

2. LEGAL FRAMEWORK

2.1. The powers of the National Council with regard to the official monitoring of TV and radio programmes are enshrined in Articles 11 and 13 of the Law of Ukraine "On the National Council of Television and Radio Broadcasting of Ukraine". In case a violation of licensing terms and conditions and of the requirements of the Law of Ukraine "On Television and Radio Broadcasting" is detected during the monitoring, the National Council approves a decision on carrying out an inspection and on imposing sanctions in accordance with the procedures provided for by this Law.

2.2. To regulate procedures for carrying out the monitoring the National Council has approved the regulatory act called "Guidelines on the procedures for carrying out the monitoring of TV programmes, carrying out inspections of TV and radio organisations and programme service providers" (2017).

3. GENERAL DESCRIPTION OF THE NATIONAL COUNCIL'S MONITORING CENTRE

3.1. Purpose and objective of the Automated Software and Hardware Complex for the official monitoring of TV and radio programmes (hereinafter referred to as the HSMC (Hardware-Software Monitoring Complex))

HSMC is intended for the official monitoring of TV and radio programmes by the National Council in accordance with Articles 11 and 13 of the Law of Ukraine "On the National Council of Television and Radio Broadcasting of Ukraine".

The objective of the HSMC is to conduct centralized as well as remote documentation, recording, storage and analysis of the audiovisual data of media services in the whole territory of Ukraine in accordance with the remit of the National Council provided for by the current legislation. The HSMC system is based on the search and analytics platform IDOL. The HSMC system provides:

1. Reception, digital conversion, and recording to the repository of terrestrial analogue, digital, satellite and cable television and radio programmes/broadcasts in text, graphic, audio and video formats with automatic transcription of television and radio programmes.
2. Ability to form reference video and audio fragments from any pre-recorded archival video or audio material
3. Registration of templates/patterns in text, graphic images, audio and video formats in the internal database for the fast search in the accumulated content of TV and radio programmes in text, graphic, audio and video formats.
4. Quick search in the online mode and data processing mode of the archive of fragments of TV and radio programmes using registered templates in the formats of texts, graphic images, audio and video fragments
5. Quick search in the mode of processing data of the archive of fragments of TV and radio programmes by the criteria of time and channel name and other criteria specified by the HSMC operator.
6. Recognition of information in the accumulated content of TV and radio programmes according to the templates of texts, graphic images, audio and video contained in the internal database.
7. Automated transcription of audio and sound tracks of video information in the Ukrainian, Russian and English languages into text; language and speaker recognition in the two modes: online and archival data processing mode; saving of transcribed text in the internal database for further analysis of the content of television and radio programmes
8. When transcribing, the automatic linking of words and other elements of text to the exact time mark inside the file – to make it possible to search for the corresponding video by the given text in two modes: online and archival data processing mode
9. Automated teaching of language models to the HSMC from external sources in accordance with the topics of analysis of the content of television and radio programmes specified by the user
10. Usage of inbuilt software mechanism of deep learning (DNL – Deep Neural Learning) for teaching purposes of the HSMC.

11. Automated categorization of the content of TV and radio programmes (distribution into groups according to the topics of analysis: advertising, programmes, audiovisual works, broadcasting, teleshopping, etc.) in accordance with the needs of the HSMC users.
12. Automated clustering of the content of television and radio programmes (the formation of sets of links to fragments of television and radio programmes) for quick access in accordance with the topics of analysis during the processing of archival data. The topics of analysis are determined by the users of the HSMC.
13. Processing of structured and non-structured data by means of conceptual and cognitive analysis based on the semantic processing of the accumulated content of TV and radio programmes in accordance with the preliminary set topics and criteria of analysis with forming metadata of certain accumulated audio and video files with timemarks (date and time of recording, timecode inside the file) with recording into the internal database.
14. Formation of reports based on monitoring results that should take into account the following criteria: language, own product, national product, foreign product, genre distribution of programmes (information programmes, entertainment programmes, cultural and artistic programmes, scientific and educational programmes and other genres), advertising, broadcasting design, etc. (the number of criteria and types of reports can be customized by the operator according to the task). In the process of forming reports, the total time of the information blocks according to the specified criteria by the indicated operator and their percentage correlation with each other shall be automatically calculated with the possibility of further output of the information in graphical and tabular forms upon the request of the HSMC user.
15. Availability of the function of automatic identification of the author and artist of a musical work, the title of the work (album) both at the moment of recording of the broadcast, and in the archive of already saved files with the formation of the corresponding reports.

3.2. Purpose of creation of the linguistic dictionaries

The introduction of the HSMC foresees the machine learning of the system. The important element of this machine learning is the creation of the linguistic (lexical) dictionaries, the use of which will allow detecting signs of violations of the license terms and conditions and the requirements of the broadcasting legislation in the TV and radio landscape.

Availability of the dictionaries will allow not only to provide the National Council with the toolkit for exercising its supervisory powers, but also will enhance its capacity with regard to carrying out the monitoring of licensees, processing of array of information, ability to detect potential signs of violation of the broadcasting legislation, of license terms and conditions and will allow to timely respond to them.

3.3. Monitoring areas that need to be supported with the dictionaries

The following areas are specified:

1. Monitoring of adherence by national TV and radio organisations to the legislation of Ukraine on public morality protection and to the decisions of the National Council aimed at protection of public morality.
2. Monitoring of use of the invective (offensive) language.
3. Monitoring of the TV and radio environment regarding presence of calls to overthrow the constitutional order (system), violation of the territorial integrity of Ukraine, propaganda of war, violence, cruelty, incitement of ethnic, racial, religious hatred, commitment of terroristic acts, encroachment on human rights and freedoms.
4. Monitoring of the state of implementation of the Doctrine of Information Security of Ukraine and of the coverage of the Operation of United Forces, as well as situation in the East of Ukraine and in Crimea.

3.4. The list and description of the dictionaries

While forming the sample of texts for the analysis the Provider must include not less than 50% of texts of various genres (as indicated in the table below) of the total amount of analysed texts.

No.	Title of the dictionary	Key terms, which need to be included in the course of elaboration of the dictionary	TV genres (not less than 50% of the texts chosen for the analysis should be from the mentioned genres)
1	Invective Language	<ul style="list-style-type: none"> Detecting facts of broadcasting of rude (brutal), offensive words, collocations and statements, abusive language, etc. 	cultural and artistic programmes, entertainment programmes, analytical news programmes

2	Minors Rights Protection	<ul style="list-style-type: none"> • Detecting facts of broadcasting of information, which is likely to impair physical, intellectual and spiritual growth of under-age children and youth. • Detecting facts of promotion of violence and cruelty, dissemination of pornography and information, which disrespects human dignity and impairs moral wellbeing of a child, etc. 	cultural and artistic programmes, entertainment programmes, analytical news programmes
3	Protection of Public Morality	<ul style="list-style-type: none"> • Detecting facts of unjustified violence, propaganda of drugs, psychotropic substances with any purpose of their use. • Detecting facts of dissemination of information addressed to sexual instincts. 	cultural and artistic programmes, entertainment programmes, analytical news programmes
4	Constitutional Order (System)	<ul style="list-style-type: none"> • Detecting calls for the violent overthrow of the constitutional order (system) of Ukraine. • Detecting facts of dissemination of information that can be used for calls to overthrow the constitutional order. • Detecting facts of dissemination of information that contains calls for violation of the territorial integrity of Ukraine, etc. 	analytical news programmes and journalistic programmes
5	Hate Speech	<ul style="list-style-type: none"> • Detecting facts of dissemination of information that contains propaganda of war, violence, cruelty, incitement of ethnic, racial, religious hatred, commitment of terroristic acts, encroachment on human rights and freedoms, etc., including during election processes. 	analytical news programmes and journalistic programmes
6	Social Stigmatization and Discrimination	<ul style="list-style-type: none"> • Detecting facts of propaganda of negative attitude and discrimination related to individuals and social groups based on the state of health, profession or social background, faith, age, sex, nationality, etc. • Detecting facts of propaganda of exclusivity, superiority or inferiority of persons based on their religious beliefs, ideology, their nation or race, physical condition or financial situation, social background, etc. 	analytical news programmes and journalistic programmes, cultural and artistic programmes, entertainment programmes,
7	Information Security of Ukraine	<ul style="list-style-type: none"> • Detecting facts of propaganda of the institutions of the aggressor state and their separate acts that justify or recognize the legal nature of the occupation of the territory of Ukraine. • Detecting facts of coverage of the Operation of United Forces, coverage of the situation in the East of Ukraine and in Crimea (current state of affairs, internally displaced persons, war prisoners, political prisoners, veterans, volunteers, combatants, state and prospects for reintegration of temporarily uncontrolled territories). • Detecting facts of propaganda of main stages and experience of Ukraine's State forming, values of freedom, democracy, patriotism, national unity, protection of Ukraine from external and internal threats, etc. 	analytical news programmes and journalistic programmes

The participants can offer more dictionaries than the above seven (7).

3.5. General requirements for the dictionaries

The dictionaries must provide a possibility to detect and record calls and urges in the media, which encourage actions with signs of violations of the legislation of Ukraine.

For the purposes of practical use of the linguistic dictionaries the words are defined not as separate linguistic units, but as units for semantic and factor analysis of messages, in which they were present.

Elaboration of dictionaries is based on the Ukrainian and European practice of media regulation, and entails the need for the analysis of the following:

- legislation of Ukraine in the area of television and radio broadcasting;
- Certain relevant decisions of international institutions (courts and tribunals, e.g. European Court of Human Rights, etc.);
- Certain relevant decisions of Ukrainian courts;
- Conclusions of scientific expert institutions, independent civil organisations, professional organizations and individual experts, etc. (Kyiv Scientific Research Institute of Forensic Expertise, Ukrainian Institute of National Remembrance, Independent Media Council, Commission on Journalism Ethics, Institute of social and political psychology of the National Academy of Educational Sciences of Ukraine, Association of Psychologists of Ukraine, G.S. Kostyuk Institute of Psychology of the National Academy of Educational Sciences of Ukraine, NGO "La Strada-Ukraine").

The research analysis of the above acts (documents) must include research study of the aspects and monitoring areas listed clauses 3.3. and 3.4 above is considered as an advantage during assessment of the tender offers.

4. MAIN TECHNICAL AND METHODOLOGICAL REQUIREMENTS FOR THE ELABORATION OF DICTIONARIES

4.1. Each dictionary from the list defined by clause 3.4 of the Terms of Reference, consists of the list of words, collocations, allologs (morphemes), syntactic constructions, terms, buzzwords (slang words), memes, etc. (hereinafter this list also referred to as "entries" in the dictionary), high frequency of usage of which in texts may indicate signs of violations of the legislation in the area of TV and radio broadcasting and licensing terms and conditions.

4.2. The tenderer carries out quantitative and qualitative analysis of data of audiovisual or written nature (such as data from the websites, etc.) in order to elaborate the dictionaries. For the purposes of this content-analysis the tenderers have a right to use their own methodology. Materials to be analyzed must cover information for only past 5 (five) years.

4.3. Minimum quantity of texts, which are required to be analyzed in order to elaborate each of the dictionaries No. 2 to No. 7 from clause 3.4 of the Terms of Reference must amount to 1000 texts, to elaborate the dictionary No. 1 – not less than 100 texts and take into consideration genre features defined in clause 3.4 of the Terms of Reference.

4.4. Minimum quantity of entries in each dictionary defined by clause 3.4 of the Terms of Reference must amount to not less than 200.

4.5. Elaboration of the dictionaries is made in Excel tables (Annex 2 to Tender File, to be used only for reference). Language of the dictionaries' entries – Ukrainian.

5. TIME SCHEDULE AND MAIN STAGES OF ELABORATION OF THE DICTIONARIES

5.1. Deliverables - at least 7 linguistic dictionaries in accordance with the themes defined by clause 3.4 of the Terms of Reference.

5.2. Deadline for the output is **24 June 2019**.

The Project consists of the following stages:

I stage. Carrying out of the research analysis by the developing company by means methodology defined by this company; elaboration of the draft dictionaries in accordance with the themes defined by clause 3.4 of the Terms of Reference – **by 10 June 2019**.

II stage. Approval of the draft dictionaries by the National Council – **by 17 June 2019**.

III stage. Finalization of the dictionaries and transfer of the output to the National Council and the Council of Europe – **24 June 2019**.

At all three stages of the Project implementation, the National Council has the right to be involved in the discussion, advising, reviewing of the work of the tenderer.

The expected deliverables are described in clause 3.4. of Section B above and 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**. Tenders proposing an overall fee above the exclusion level indicated in the Table of fees will be **entirely and automatically** excluded from the tender procedure.

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

- The tenderer must have at least 3 years' experience of provision of services similar to the ones requested in this Tender File or any other similar experience in research work using methods of content analysis.
- Ability of the tenderer to provide the services/perform works within the deadlines foreseen in clause 5.2. of Section B above

Award criteria

- Quality of the offer (70%), including:
 - The number of people of the proposed team and the relevance of the expertise of the individuals on this team for the project implementation (previous similar work related to the creation of linguistic (lexical) dictionaries or other researched carried out using content analysis methods is an additional advantage) - 50%
 - Offered number of texts that will be analyzed for creating each of the dictionaries from clause 3.4. of Section B above taking into account the genre indicators specified in the same clause (analysis of acts (documents) mentioned in clause 3.5 of Section B above is a significant advantage when assessing the tender offers) – 10%
 - Number of entries offered for each of the dictionaries – 10%
- Financial offer (30%).

Multiple tendering is not authorised.

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.

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);
- Registration documents (scan copies) in Ukrainian, with the mandatory description of the main information in English (in one paragraph, see Annex 1);
- Examples of products (deliverables) that prove the experience of a tenderer of implementing researches with the help of content analysis methods - at least 3 (three) examples, with description of the respective carried out projects/researches (description must be provided in one paragraph, in English, see Annex 1) .
- Reference letters from clients and partners of tenderer regarding the performance of services/carrying out works related to the creation of linguistic (lexical) dictionaries or other researches using content analysis methods - at least 3 reference letters, in English (full names of the referees, their positions, companies they work for and contact information (e-mail and mobile/work phone – see Annex 1).
- Completed in English and signed copy of Annex 1 (attached to this Tender File) that contains:
 - Brief description of the main registration information of the tenderer
 - Description of the tenderer's at least 3 years' experience of provision of services similar to the ones requested in this Tender File or any other similar experience in research work using methods of content analysis
 - Description of the provided examples (products/deliverables) that prove experience of the tenderer of implementing researches using the content analysis methods and the projects/researches in the result of which the provided examples were produced
 - Tender proposal that describes in detail the organization and course (conduct) of the research, methodology, conditions and stages of the creation of dictionaries and their subsequent verification
 - Detailed information on the staff of the tenderer that will be involved in the project using the selected methodology (full name, position, area of expertise, resume, list of implemented projects using content analysis methods over the last 3 years)
 - Cost estimate (tentative budget) with details in the lines of expenditure
 - Contact information of people who provided reference letters
 - Bank details
- Resumes (in English) of the staff mentioned in Annex 1
- A bank certificate proving that the tenderer has a bank account open, with all the requisites provided (if the document is issued in Ukrainian - the basic information must be provided in English in one paragraph).

All documents shall be submitted in English (or, if submitted in Ukrainian, should contain a 1-paragraph description of the main points 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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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 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.