**TENDER FILE / TERMS OF REFERENCE**

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

**Purchase of design, lay-out, printing, publication and distribution services and production of visibility materials.**

The Council of Europe is currently implementing and will implement a Project on *“Improving the Effectiveness of the Family Courts: Better Protection of the Rights of Family Members”* until 19 September 2024. In that context, it is looking for Providers for the provision of design, lay-out, printing, publication and distribution services and production of visibility materials 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-2), 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, 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: Tender – FC Publication.** 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 3 (three) working (31 January 2024) 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 – FC Publication**

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| **Type of contract ►** | Framework contract |
| **Duration ►** | Until 18 September 2024 |
| **Deadline for submission of tenders/offers ►** | **5 February 2024** |
| **Email for submission of tenders/offers ►** | **ankara.office@coe.int** |
| **Email for questions ►** | **ankara.office@coe.int** |
| **Expected starting date of execution ►** | 20 February 2024 |

1. EXPECTED DELIVERABLES

**Background of the Project**

The Project focuses on addressing the issues aiming at improving effectiveness of family courts with a view to protect the rights of women, children and other family members. The Council of Europe is looking for a maximum of 5 Providers (provided enough tenders meet the criteria indicated below) in order to support the implementation of the project with a particular expertise on design, cover design, lay-out, printing, publication and dissemination of Project training materials, reports, brochure and other training materials detailed below:

*\*The approximate page numbers given below may vary by up to 10 pages.*

1. **PARTICIPANTS’ BOOKS**
   * Book 1: Boşanma Yargılamalarında Çocuklar ve Diğer Aile Fertleri (Approximately 170 Pages)
   * Book 2: Kadın Haklarının Etkili Bir Şekilde Korunması (Approximately 148 Pages)
   * Book 3: Gerekçeli Karar Yazımı (Approximately 128 Pages)
   * Book 4: Çocuğun Uygun Bir Şekilde Dinlenmesini Sağlamaya Yönelik Etkili Teknikler (Approximately 40 Pages)
   * Book 5: İletişim Becerileri (Approximately 22 Pages)
2. **TRAINERS’ BOOK**
   * Book 1: Boşanma Yargılamalarında Çocuklar ve Diğer Aile Fertleri (Approximately 74 Pages)
   * Book 2: Kadın Haklarının Etkili Bir Şekilde Korunması (Approximately 133 Pages)
   * Book 3: Gerekçeli Karar Yazımı (Approximately 121 Pages)
   * Book 4: Çocuğun Uygun Bir Şekilde Dinlenmesini Sağlamaya Yönelik Etkili Teknikler (Approximately 79 Pages)
   * Book 5: İletişim Becerileri (Approximately 78 Pages)
   * Book 6: Metodoloji (Approximately 50 Pages)
3. **REPORTS**
   * Report 1: Türkiye’de Aile Mahkemeleri Tarafından Nafaka ve Tazminat Belirleme Çerçevesinin İyileştirilmesine Yönelik Değerlendirme Raporu + Aile Mahkemeleri Nafaka ve Tazminat Kararları El Kitabı (Approximately 74 Pages)
   * Report 2:Çocuğun Yüksek Yararının Belirlenmesi Değerlendirme Raporu (Approximately 47 Pages)
   * Report 3: Velayet Düzenlemeleri Tavsiye Raporu (88 Pages)
   * Report 4: Çalışma Ziyaretleri Raporu (Approximately 136 Pages)
   * Report 5: Aile Mahkemelerinde Boşanma Yargılamaları, Nafaka, Tazminat ve Velayet Düzenlemeleri ve Aile İçi Şiddet El Kitabı (Hâkimler) (Approximately 154 Pages)
   * Report 6: Aile Mahkemelerinde Haklar, Yargılama Usulleri ve Hizmetlere Erişim El Kitabı (Vatandaşlar) (Approximately 28 Pages)
   * Report 7: Uluslararası Sempozyum Raporu (Approximately 149 Pages)
4. **BROCHURES**
   * Aile Mahkemelerinde Haklar, Yargılama Usulleri ve Hizmetlere Erişim
5. **OTHER TRAINING MATERIALS**
   * Production of Raw Cotton Bag
   * Printing of Certificates
   * Design of Powerpoint Presentations: Entire set of PowerPoint presentations
   * Presentation1: Boşanma Yargılamalarında Çocuklar ve Diğer Aile Fertleri
   * Presentation2: Kadın Haklarının Etkili Bir Şekilde Korunması
   * Presentation3: Gerekçeli Karar Yazımı
   * Presentation4: Çocuğun Uygun Bir Şekilde Dinlenmesini Sağlamaya Yönelik Etkili Tekniklerin Getirilmesi
   * Presentation5: İletişim Becerileri

The drafts of the publications are presented in the cloud link <https://mycloud.coe.int/s/qYwSTSZLPXHNoNR> The Council of Europe reserves the right that the presented documents might subject to minor alterations after this tender has been assessed and finalised. All draft reports that will be printed under this tender will be shared as word documents with the awarded companies (or company) after the selection and award of the tender is finalised.

The tenderers should submit unit fees in the AoE according to below mentioned specifications for printing:

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| **TRAINING MATERIALS (1. Participants’ Book Layout and Publication, 2. Trainers’ Book Layout and Publication)** | |
| **Size** | 210 x 297 mm (A4) |
| **Printing** | Four colours all pages, double sided |
| **Cover** | 300 gr. coated paper, matt coated cellophane, four colours (Covers will be designed by the company under the supervision of CoE) |
| **Inside Paper** | 90 gr., high grade |
| **Binding** | American skin (stitch and hot glue) |
| **Distribution** | Delivery of the published materials to the Council of Europe Office or elsewhere in Ankara or other cities specified by the Project team (price to be calculated per 10 kg) |

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| **REPORTS (Reports Layout and Publication)** | |
| **Size** | 148 x 210 mm (A5) |
| **Printing** | Four colours first four pages, two colours inner pages, double sided |
| **Cover** | 300 gr. coated paper, matt coated cellophane, two colours (Covers will be designed by the company under the supervision of CoE) |
| **Inside Paper** | 90 gr., high grade |
| **Binding** | American skin (stitch and hot glue) |
| **Distribution** | Delivery of the published reports to the Council of Europe Office or elsewhere in Ankara or other cities specified by the Project team (price to be calculated per 10 kg) |

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| **BROCHURES (Reports Layout and Publication)** | |
| **Size** | 10x21 cm (A7) |
| **Printing** | Four colours, double sided, 5 folding (12 pages) |
| **Paper** | 120 gr matt coated cellophane |
| **Distribution** | Delivery of the published brochures to the Council of Europe Office or elsewhere in Ankara or other cities specified by the Project team (price to be calculated per 10 kg) |

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| **RAW COTTON BAG** | |
| **Size** | 35x40 cm, handle lenght 70 cm |
| **Printing** | There will be Project logo on it |
| **Fabric** | 140 g raw cotton fabric (The handle, sewn from its own fabric, may be the exact same colour as the bag), 100% Cotton - natural colour. It is preferable to be ecological and environmentally friendly. |
| **Distribution** | Delivery of the bags to the Council of Europe Office or elsewhere in Ankara or other cities specified by the Project team (price to be calculated per 10 kg) |

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| **CERTIFICATES** | |
| **Size** | 210x297 mm (A4) |
| **Printing and Paper** | 350 gr, one sided, coloured, laminated |
| **Distribution** | Delivery of the published certificates to the Council of Europe Office or elsewhere in Ankara or other cities specified by the Project team (price to be calculated per 10 kg) |

This Contract is currently estimated to cover these project materials to be published by 18 September 2024. This estimate is for information only and shall not constitute any sort of contractual commitment on the part of the Council of Europe.

For information purposes only, the total budget of the project amounts to 2.223.000 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.

**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 not considered exhaustive.

For all publications, the Provider is expected to provide below mentioned services in addition to printing:

* Design the cover and format and lay-out the inner pages of the books and work on the layouts in line with the CoE format and visibility requirements under the supervision of the CoE;
* Layout design for the English version of the Reports;
* Submit all final version of the materials in electronic copy to CoE for pre-approval before printing (Press quality "pdf" or photoshop "psd" file formats);
* Delivery of the published materials to an indicated address in or out of Ankara

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).

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**

For each Order, the Council will choose from the pool of pre-selected tenderers 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-3) (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-4)**

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 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*

* Submission of relevant electronic samples of at least three printed materials the layout of which was designed by the company in 2022-2023, preferably those prepared for EU or international projects or other CoE projects;

*Award criteria*

* Quality of the offer (30%), including:
  + Quality of work samples provided (20%);
  + Capacity to meet the Council’s contractual requirements based on the experience with national or international organisations (10%);
* Financial offer (70%). ***(******Financial offers will be evaluated according to the total price offered.)***

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-5)** (See attached);
* A copy of the Registration Document / Operating Certificate given by relevant Chamber of Commerce in Turkey;
* A list of all owners and executive officers, for legal persons only;
* At least three samples (only electronic copies) of previous works the layout of which was designed by the company in the last two years, preferably those prepared for EU or international projects or other CoE projects;
* A list of similar works delivered in 2022-2023;

**All documents shall be submitted in English, except registration document, list of all owners and relevant samples of work. 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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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-2)
2. It must strictly respect the fees indicated in the Act of Engagement. In case of non-compliance with these fees, the Council of Europe reserves the right to terminate the Contract with the Provider, in all or in part. [↑](#footnote-ref-3)
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;

   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-4)
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-5)