

# TENDER FILE / TERMS OF REFERENCE

(Restricted consultation procedure / One-off contract)

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

## Purchase of IT Services

### Contract N° BH8544/2018/46

The Council of Europe is currently implementing the Programme "Promoting a human rights compliant criminal justice system in the Republic of Moldova" (hereinafter - HRCCJ MD Programme) (Component 1). In that context, it is looking for an IT company for the development and implementation of the official website of the Superior Council of Prosecutors of the Republic of Moldova (See Section A of the Act of Engagement).

#### 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 Europe<sup>1</sup>, 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 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: Website Development\_HRCCJ MD Programme (Component 1)**. 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 4 (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: Questions\_ Website Development \_HRCCJ MD Programme (Component 1)**

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 ▶	15 January 2019
Email for submission of tenders/offers ▶	nelea.bugaevski@coe.int
Email for questions ▶	nelea.bugaevski@coe.int
Expected starting date of execution ▶	8 February 2019

<sup>1</sup> 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,<sup>2</sup> 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*

Tenderers shall demonstrate that they fulfil the following criteria:

- Being registered as a company;
- Having experience in similar projects within the last 3 (three) years, including at least one project on the basis of Drupal platform and online content projects for international business/companies and/or public administrations;
- Having the financial capacity to perform the contract;
- Having the technical and professional capacity to perform the contract, including relevant qualifications and expertise of key personnel allocated to the Project:
  - Project Manager – minimum 3 years of experience in designing and conducting similar works
  - Software Developer – minimum 3 years of experience in development of information management systems
  - Web Developer – minimum 3 years of experience in development of web systems
  - Business Analyst – minimum 3 years of experience in business analysis for similar works
  - Test engineer – minimum 3 years of experience in testing software systems
- Core staff of the implementing company should have excellent knowledge of Romanian (mother tongue level);
- Managerial and support staff should have very good knowledge of English.

*Award criteria*

Only the tenders of tenderers who have passed the exclusion and eligibility criteria will be assessed against the following award criteria:

- I. Quality of the offer (60%), i.e. capacity to respect the requirements of the Technical specifications (see Appendix 1) including:
  - 1.1. Approach to Project, effectiveness of service management, quality assurance, risk management, customer support and customer participation, proposed methodology, quality of documentation and proposed knowledge transfer activity
  - 1.2. Description of activities and planning of deliverables execution.
  - 1.3. Description of previous experience in similar projects in the past 3 years.
- II. Financial offer (40%).

Multiple tendering is not authorised.

## E. DOCUMENTS TO BE PROVIDED

<sup>2</sup> 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.

Tenderers are invited to submit:

- **A completed and signed copy of the Act of Engagement<sup>3</sup> (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;
- Profit and loss statement/income statement and balance sheet for the last 2 (two) years;
- The description of the quality offer by the tenderer vis-à-vis the quality award criteria mentioned above, incl.
  - Approach to Project, effectiveness of service management, quality assurance, risk management, customer support and customer participation, proposed methodology, quality of documentation and proposed knowledge transfer activity
  - Description of activities and planning of deliverables execution.
  - Description of previous experience in similar projects in the past 3 years, including at least one project on the basis of Drupal platform and online content projects for international business/companies and/or public administrations
- The CVs of the personnel allocated to the Project;
- Two letters of reference, for projects developed and implemented with 50 system users.

**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 reserves a right to not consider a 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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<sup>3</sup> 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.