**TENDER FILE / TERMS OF REFERENCE**

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

**Purchase of communication and visibility services**

**[*Contract N°* (if any)]**

The Council of Europe is currently implementing (until 31 December 2022) the action on “[Fostering women’s access to justice in Turkey](https://www.coe.int/en/web/ankara/fostering-women-s-access-to-justice-in-turkey1)” under the joint European Union and Council of Europe programme “[Horizontal Facility for the Western Balkans and Turkey 2019-2022](https://pjp-eu.coe.int/en/web/horizontal-facility)”. In that context, it is looking for a maximum of 8 Providers for the provision of communication and visibility services in Turkey to be requested by the Council on an as needed basis, in compliance with the Council of Europe visual charter and applicable visibility guidelines.

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). 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.

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 –** **HF47- Services for communication and visibility.** 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 days (8 March2022) 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 - HF47- Services for communication and visibility**

|  |  |
| --- | --- |
| **Type of contract ►** | Framework contract |
| **Duration ►** | Until 31 December 2022 |
| **Deadline for submission of tenders/offers ►** | **11 March 2022** |
| **Email for submission of tenders/offers ►** | **ankara.office@coe.int** |
| **Email for questions ►** | **ankara.office@coe.int**, until 8 March 2022 |
| **Expected starting date of execution ►** | 21 March 2022 |

1. EXPECTED DELIVERABLES

**Background of the action**

The action “*Fostering women’s access to justice in Turkey*” is implemented under the “[Horizontal Facility for the Western Balkans and Turkey II (2019-2022)](https://pjp-eu.coe.int/en/web/horizontal-facility/home)”, a joint programme between the European Union (EU) and the Council of Europe (CoE). The action aims to strengthen women's access to justice in Turkey in line with international and European standards. The action will contribute to following specific objectives:

* Improving the gender responsiveness of legal aid and judicial victim support services to effectively respond to the needs of women.
* Enhancing legal aid access for women, including through working with legal aid lawyers and civil society.
* Increasing legal literacy and awareness among women, especially groups of women in vulnerable situation.

The Council of Europe is looking for **a maximum of 8 Providers** (provided enough tenders meet the criteria indicated below) in order to support the communication activities of the action.

This Contract is currently estimated to cover up to 15 assignments, to be held by the end of December 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 action amounts to 945.000 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 action and is divided into the following lots:

|  |  |
| --- | --- |
| Lots | Maximum number of Providers to be selected |
| Lot 1: Communication, visibility and public relations, including media relations | 4 |
| Lot 2: Multimedia/video and graphic design | 4 |

**Lot 1** concerns services in the field of communication, visibility and media relations- photo and video coverage of the action events, video interviews and collection of testimonies from participants/relevant stakeholders during events, identifying and promoting success stories within the action, preparation of newsletters, distribution of media advisories and press releases, ensuring media coverage of the events, media monitoring, establishing co-operation with media and other communication partners etc.

**Lot 2** concerns production of awareness raising and multimedia materials, graphic design services, including infographics, brochures, short clips and videos etc.

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).

**Scope of the Framework Contract**

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

Under Lot 1:

* Draft and design action newsletters, press release/press conference to inform the targeted audience about the action activities, reports, publications and results,
* Media monitoring reporting after visibility events organised under the action; the report on media monitoring prepared in English, containing a press digest and the relevant statistics.
* Photo and video coverage of the public events upon request (including editing of videos);
* Prepare and distribute media advisories and press releases cleared by the European Union and Council of Europe staff on action-related events, and finding opportunities for the action team/experts to participate in radio, TV programmes, etc.
* Ensure media attendance and coverage of the events organised.
* Identify programme success stories that can highlight the impact of the action and promote those through media/public relations events/written interviews/feature stories/short filmed subtitled interviews/infographics/social media, etc.

Under Lot 2:

* Create visual and video materials for action activities, including preparation of the synopses of materials, necessary filming/photo shooting, subtitling, post-production, etc.;
* Produce multimedia materials for promotion through websites, social media and other channels (short videos, gifs, short animations, etc);
* Provide graphic design services for awareness- raising campaigns – for infographics, results-based factsheets, etc.;
* Design and manage surveys, during the event (on substance topics, with the support of organisers), pre- and post- events.
* Attend relevant action activities for these purposes, where needed.

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.

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 action 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*.* Tenders proposing fees **55.000 Euro** above the exclusion level indicated in the Table of fees will be **entirely and automatically** excluded from the tender procedure.

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.

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 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-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 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 (for both lots)*

* University Degree in the fields of communications, media, or other fields relevant to the assignment (for natural persons only);
* The Provider must be a registered company specialised in communications, public relations and/or marketing or graphic design services in Turkey (for legal persons only);
* The Provider must have at least 3 years of experience in the field of communications/journalism/public relations and/or marketing, implementation of awareness-raising campaigns or graphic design services;
* Solid knowledge of English B2- C1 level (based on the Common European Framework of Reference for Languages) and native speaker level of Turkish (for legal persons, this criterion concerns the company representative(s) to work on the expected deliverables);

*Award criteria*

* Quality of the offer (70 %), including:
* Experience and capacity to provide deliverables and services expected in the call (30);
* Quality of recent examples of similar campaigns and products (40);
* Financial offer (30 %).

Tenderers can apply for one or both lots.

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 CV, demonstrating clearly that the tenderer fulfils the eligibility criteria;
* A list of all owners and executive officers, for legal persons only;
* A motivation letter in English, demonstrating the tenderer’s interest in the action and suitability for providing the above deliverables;
* A minimum of 2 similar examples of previous work completed by the tenderer (including, where relevant, a link to the produced outputs)
* **The list of work experience during the last three years**

**All documents shall be submitted in English and Turkish, 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-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 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-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)