

TENDER FILE / TERMS OF REFERENCE

(Competitive bidding procedure / Framework Contract)

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Purchase of Services for Printing and Publication of Project Documents and Materials under the action "Fostering Women's Access to Justice in Turkey"

The Council of Europe is currently implementing (until **31 December 2022**) a Project on **Fostering Women's Access to Justice in Turkey (WAJ)** under the joint European Union and Council of Europe programme "Horizontal Facility for the Western Balkans and Turkey 2019-2022". In that context, it is looking for a maximum of 3 Provider(s) for the provision of printing and publication services for the project documents and materials to be requested by the Council on an as needed basis.

A. 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 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 **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: Services for Printing of Project Documents and Promotional Materials.** 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 before 5 January 2021 for submission of the tenders and shall be exclusively addressed to the email address indicated below with the following reference in subject: Question: Services for Printing of Project Documents and Promotional Materials.**

Type of contract ▶	Framework contract
Duration ▶	Until 31 December 2022
Deadline for submission of tenders/offers ▶	10 January 2022 <i>(until midnight-Turkish time)</i>
Email for submission of tenders/offers ▶	ankara.office@coe.int
Email for questions ▶	ankara.office@coe.int
Expected starting date of execution ▶	17 January 2022

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 1395 of 20 June 2019 on the procurement procedures of the Council of Europe](#).

B. EXPECTED DELIVERABLES

Background of the Project

The action "Fostering women's access to justice in Turkey" is implemented under the [Horizontal Facility for the Western Balkans and Turkey II \(2019-2022\)](#), 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.

In that context, The Council of Europe is looking for a **maximum of 6 (six) Providers** (provided enough tenders meet the criteria indicated below) for the provision of services for printing of project documents and materials, to be requested by the Council on an as needed basis, in compliance with the ordering procedure defined below.

This Contract is currently estimated to cover up the printing and publication of different kinds of project documents and materials to be carried out 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 project 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.

Scope of the Framework Contract

Deliverables	Maximum number of Providers to be selected
<p>LOT 1 Printing</p> <ul style="list-style-type: none"> • Printing of hand-outs for the events (from 15 to 200+ copies), A4 paper format, one-sided or double-sided, colour or black and white (specification will be given upon each request by the action). 	3
<p>Lot 2 Layout and Publication</p> <ul style="list-style-type: none"> • Layout design and printing of brochures, booklets and other materials for publication (publications can consist of text, images/diagrams and tables) – A4 or A5 or A6 format, coloured - (specification will be given upon each request by the Project team); up to 1000 copies • Layout design and printing of certificates - A4 paper format, 350 gr, one-sided, laminated, coloured • Layout design and printing of banner/poster for a specific event (380cmx180cm) • Layout design of roll-up with the name and logo of the project - 200x80cm • Layout design and/or printing of eco-friendly project visibility materials, such as pens, notepads, folders, etc. with the name and logo of the project and following HF visibility guidelines (specification will be given upon each request by the action team) 	3

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Concerns printing, design and publication of project documents produced or to be produced within the scope of the project.

- Printing of hand-outs for the events,
- Layout design and printing of brochures, booklets and other materials for publication
- Layout design and printing of certificates
- Layout design and printing of banner/poster for a specific event
- Layout design of roll-up with the name and logo of the project
- Layout design and/or printing of eco-friendly project visibility materials

The Council will select the above-mentioned number of Provider(s), 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).

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 considered exhaustive.

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 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).

C. FEES

The fees indicated below will be applicable throughout the duration of the Framework Contract. Prices are indicated in Euros without VAT. For the VAT regime to be mentioned on the invoice(s), please refer to Article 4.2 of the Legal Conditions (See Section C. below). **Tenders proposing a fee above the exclusion level will be entirely and automatically excluded from the tender procedure.**

D. 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:

- price;
- quality (including as appropriate: capability, expertise, past performance, availability of resources and proposed methods of undertaking the work) and;
- availability (including, without limitation, capacity to meet required deadlines).

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 **2 (two)** 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 quote² (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.

E. 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

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;
- 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).

Eligibility criteria

- The provider must be a registered company specialised in the field of printing and publication with at least 3 years proven professional experience in the relevant field.
- Submission of relevant electronic samples of at least 3 printed materials, preferably those prepared for the EU/international projects.

Award criteria

- Quality of the offer (**20%**), including:
 - Capacity to meet the Council's contractual requirements based on the experience;
 - Quality of work samples provided;

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.

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 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).

- Quality of offer file;
 - Ability to produce eco-friendly materials.
- Financial offer **(80%)**.

F. NEGOTIATIONS

The Council reserves the right to hold negotiations with the bidders in accordance with Article 20 of Rule 1395.

G. DOCUMENTS TO BE PROVIDED

- A completed and signed copy of the **Act of Engagement**⁴ (See attached);
- Detailed CVs preferably in Europass Format, demonstrating clearly that the tenderer fulfils the eligibility criteria;
- A list of all owners and executive officers, for legal persons only;
- Proof of compliance with the eligibility criteria (e.g. registration documents, list and examples of similar products and their date and languages of production, references, etc);
- Samples of 3 successfully implemented similar tasks – examples of materials that were designed and printed by the organisation/company.

All documents shall be submitted in English or 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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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.