

# TENDER FILE / TERMS OF REFERENCE

## (Competitive bidding procedure / Framework Contract)

### Purchase of national consultancy services on various communication aspects of the project activities



## Contract N° 9142-2023-01-FC1

The Council of Europe is currently implementing (until 31/12/2024) the Project "Combating Violence Against Women in Ukraine-Phase II (COVAW-II)". In that context, it is looking for Providers for the provision of national consultancy services on **various communication aspects of the project activities** to be requested by the Council on an as needed basis (see Section A of the Act of Engagement).

#### 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 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 **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 - National consultancy on various communication aspects for COVAW-II Project.** 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 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 – National consultancy on various communication aspects for COVAW-II Project**

Type of contract ►	Framework contract
Duration ►	Until 31 December 2024
Deadline for submission of tenders/offers ►	<b>30 March 2023</b>
Email for submission of tenders/offers ►	<a href="mailto:COVAW.Ukraine@coe.int">COVAW.Ukraine@coe.int</a>
Email for questions ►	<a href="mailto:Valeriia.Tkachenko@coe.int">Valeriia.Tkachenko@coe.int</a> and <a href="mailto:Tetiana.Antonchenko@coe.int">Tetiana.Antonchenko@coe.int</a>
Expected starting date of execution ►	10 April 2023

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

## B. EXPECTED DELIVERABLES

### Background of the Project

The Council of Europe is implementing the Project "Combating Violence Against Women in Ukraine-Phase II (COVAW-II)" from 1 January 2023 to 31 December 2024. The project contributes to the agreements between the Council of Europe and Ukraine on preventing and combating violence against women and domestic violence.

Utilising the methodology developed under COVAW-I, activities will take place in diverse regions of Ukraine, bringing to light the problem of violence against women and domestic violence in Ukraine during armed conflict, the role and benefits of the Istanbul Convention and other international standards in this area, and professional capacity development to enable implementation of the convention.

The COVAW project focuses on two key aspects: *development of institutional capacities* and *raising awareness* on Istanbul Convention requirements to prevent violence against women in all of its forms, protect women from all forms of violence, prosecute perpetrators and develop integrated policies to address gender-based violence against women. These aspects function to support the implementation process of the convention in Ukraine, and the knowledge and mechanisms created contribute to better protection of women's human rights in Ukraine.

The COVAW-II project will be implemented in close co-ordination with the Ukrainian Ministry of Social Policy and its National Social Service, Ministry of Internal Affairs of Ukraine, Ministry of Education and Science of Ukraine, Ministry of Health of Ukraine, the Government Commissioner on Gender Equality and other key Ukrainian bodies, as well as relevant civil society organisations and international organisations working on violence against women, notably EUAM, UN Women, OSCE and GBV sub-clusters by UNFPA.

The Project will draw upon an extensive network of consultants with knowledge of international and European standards and different European systems ("international consultants") and consultants with local expertise/knowledge of the domestic system in which the activities are implemented ("national consultants") to carry out its work.

The Council of Europe is looking for maximum 20 Local Providers/ Consultants (provided enough tenders meet the criteria indicated below) in order to support the implementation of the project with a particular expertise in the field of communications, in accordance with the Lots below.

This Contract is currently estimated to cover up to 50 activities, to be held by 22.12.2024. 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 800,000 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 project and is divided into the following lots:

Lots	Maximum number of Providers to be selected
Lot 1: Communication and public relations	up to 5
Lot 2: Photography	up to 5
Lot 3: Videography and filming	up to 5
Lot 4: Graphic design and layout	up to 5

Lot 1 concerns providing strategic and practical support to the project team to ensure communications are high quality and impactful.

Lot 2 concerns the creation of professional photographic content for project events and campaigns.

Lot 3 concerns the creation of professional video content for project events and campaigns.

Lot 4 concerns the professional design and illustration of project outputs and presentations, in line with the Council of Europe visual identity.

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).

Only those Providers whose score, following the assessment of the Award Criteria (see Section E below), is equivalent to or higher than 3.5 will be selected under each Lot.

### **Scope of the Framework Contract**

Throughout the duration of the Framework Contract, pre-selected Providers/Local consultants may be asked to undertake the following tasks, in keeping with Council of Europe procedures, visual identity and guidelines:

#### **Under Lot 1: Communication and public relations**

- Work with the project team to develop targeted communication strategies
- Prepare news items/success stories/articles/press announcements/ press releases/other written materials on project activities for publishing and posting on the websites/social media platforms/in printed media, etc. (after validation from the project team)
- Attend the project's public events or awareness raising campaigns
- Identify opportunities for media coverage of the project and make relevant suggestions to the project team
- Facilitate media representatives' presence at the events or awareness raising campaigns of the project, including identifying the media and journalists to be invited, sending out invitations, etc.
- Lead the process of production of videos on the activities of the project that would include (but would not be limited to) the following tasks
  - Preparation of a storyboard for the video
  - Advising the project team on the video components (infographics, etc.)
  - Advising the project team on the format of the messages for the speakers of the video
  - Acting as a liaison when arranging the filming days (venue, time etc.) and communicating this information to the speakers
  - Acting as a liaison between the speakers and the video production company on the filming days
  - Reviewing the draft videos sent by the video production company to identify mistakes, etc.
- Provide consultancy to the project team on the preparation of the awareness raising and visibility materials produced with the support of the project

#### **Under Lot 2: Photography**

- Attend the project's public events or awareness raising campaigns
- Provide photography services during the project's events or awareness raising campaigns
- Edit and make colour adjustment of photos taken during the project's events or awareness raising campaigns and produce photo collages if requested

#### **Under Lot 3: Videography and filming**

- Attend the project's events or awareness raising campaigns and shoot HD quality videos
- Shoot interview videos with the Council of Europe representatives, experts, project's partners, and beneficiaries, etc.
- Preproduction, production, and postproduction of short and medium promotional videos
- Create infographics and other visual elements needed in the process of editing

- Use translation and subtitles in English/Ukrainian where necessary

#### **Under Lot 4: Graphic design and layout**

- Advise the project staff on best design options (for the given content), and propose multiple versions for their consideration
- Design, layout and format publications, and other printed and web-based communications materials considering Council of Europe guidelines, and other requirements, as needed
- Design and create illustration, artwork, maps, tables, charts and other graphic elements for communication and promotional materials
- Determine size and arrangement of illustrative material and copy, and select style and size or type
- Develop infographics using supplied data to present core messages and organize complex information into visual representations
- Liaise with printers, if necessary
- Deliver creative graphic and technical solutions (including infographics if required) for print, electronic, web-based, and animated presentations

The above list of possible types of deliverables 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 terms of **quality requirements**, the pre-selected Service Providers must ensure, *inter alia*, that:

- The services are provided to the highest professional/academic standards
- Any specific instructions given by the Council – whenever this is the case – are followed

If contracted by the Council of Europe, the deliverables shall be provided personally by the persons identified in the offer of the Provider whose CVs have been presented to the Council of Europe (See section E. below), in accordance with the terms as provided in the present Tender File and Act of Engagement.

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).

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).

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- The services are provided to the highest professional/academic standard;
- Any specific instructions given by the Council – whenever this is the case – are followed.

If contracted by the Council of Europe, the deliverables shall be provided personally by the persons identified in the offer of the Provider whose CVs have been presented to the Council of Europe (See section E. below), in accordance with the terms as provided in the present Tender File and Act of Engagement

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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).

### C. 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 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.

### 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 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 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 quote<sup>2</sup> (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)<sup>3</sup>

Tenderers shall be excluded from participating in the tender procedure if they:

<sup>2</sup> 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.

<sup>3</sup> 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.

- 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 retired Council of Europe staff members or are staff members having benefitted from an early departure scheme

#### *Eligibility criteria*

- Tenderers shall demonstrate that they fulfil the following criteria (to be assessed on the basis of all supporting documents listed in Section G)
  - Tenderer should be a natural person or registered as legal person authorised to provide the relevant services in accordance with Ukrainian legislation
  - At least 3 (three) years of experience in areas related to the fields of expertise as described under the scope of the contract above
  - Knowledge of Ukrainian (native language level) and English, as it follows: fluent level for Lot 1, very good level for Lots 3 and 4 and good level for Lot 2

#### *Award criteria*

- Quality of the offer (80%), including:
  - Tenderer's expertise, experience, and relevance of the latter in undertaking similar services
- Financial offer (20%).

The Council reserves the right to hold interviews with tenderers.

Multiple tendering is not authorised.

#### 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<sup>4</sup>** (See attached);

For private persons:

- A detailed CV, preferably in Europass Format, demonstrating clearly that the tenderer fulfils the eligibility criteria (in English) (4 pages maximum)
- Portfolio of the Tenderer, including short information on the projects accomplished during at least 3 recent years and at least 3 samples / links to similar examples of work to the Lot(s) the Tenderer applies for, (at least 10-15 links on different types of work: the WEB LINKS to the related documents, websites or online resources. PLEASE DO NOT PROVIDE YOUR WORK EXAMPLES AS SEPARATE FILES<sup>5</sup>), in particular

<sup>4</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.

<sup>5</sup> If links cannot be provided, please use transfer software (i.e. WeTransfer, DropBox, etc.)

- For Lot 1 – examples of developed communication programmes and visibility activities, news items, articles, Facebook posts, press releases, interviews, newsletters etc., contacts with key Ukrainian media in Ukrainian or English
- For Lot 2 – portfolio of photos or examples of photos from events / sessions
- For Lot 3 – examples of videos / motion videos/ animations/ short promo videos for the social media/ social advertisements/ videos for courses and webinars etc) in Ukrainian or English
- For Lot 4 – examples of developed visual branding/ visual identity/ logos/ infographics/ publications / posters / brochures/ handbooks/ banners in Ukrainian or English
- Contact information of 3 referees (full name, company/organisation, position, e-mail address and phone)

For legal persons:

- Registration documents (translated into English)
- Description of the proposed team (CVs of professional team members/consultants expected to work on the potential project within the Lot(s) applied)
- Portfolio of the Tenderer, including short information on the projects accomplished during at least 3 recent years and at least 3 samples / links to similar examples of work to the Lot(s) the Tenderer applies for, (at least 10-15 links on different types of work: the WEB LINKS to the related documents, websites or online resources. PLEASE DO NOT PROVIDE YOUR WORK EXAMPLES AS SEPARATE FILES), in particular:
  - For Lot 1 – examples of developed communication programmes and visibility activities, news items, articles, Facebook posts, press releases, interviews, newsletters etc., contacts with key Ukrainian media in Ukrainian or English
  - For Lot 2 – portfolio of photos or examples of photos from events / sessions
  - For Lot 3 – examples of videos / motion videos/ animations/ short promo videos for the social media/ social advertisements/ videos for courses and webinars etc) in Ukrainian or English
  - For Lot 4 – examples of developed visual branding/ visual identity/ logos/ infographics/ publications / posters / brochures/ handbooks/ banners in Ukrainian or English
- Contact information of 3 referees (full name, company/organisation, position, e-mail address and phone).

**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 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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