

TENDER FILE / TERMS OF REFERENCE

(Competitive bidding procedure / Framework Contract)

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Purchase of consultancy services on communications in the framework of the Programme "Enhancing decentralisation and public administration reform in Ukraine"

Contract N° 8741/2021/8

The Council of Europe is currently implementing a Programme "Enhancing decentralisation and public administration reform in Ukraine". until *31 December 2022*. In that context, it is looking for Providers for the provision of consultancy services on communications 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: Tender for communication services.** 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 5 (five) 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_Tender for communication services**

Type of contract ▶	Framework contract
Duration ▶	Until 31 December 2022
Deadline for submission of tenders/offers ▶	22 March 2021
Email for submission of tenders/offers ▶	decentralisation.ua@coe.int
Email for questions ▶	decentralisation.ua@coe.int
Expected starting date of execution ▶	01 April 2021

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 Council of Europe is currently implementing a Programme "Enhancing decentralisation and public administration reform in Ukraine", BH 8741. The Programme is implemented in co-operation with local, regional and national stakeholders, and is aimed both at improving the legislation and at strengthening the institutional capacity of all tiers of government through policy advice, legislative assistance, capacity-building (training, preparation of indices, feasibility studies, etc.) and inter-governmental support in the field of democratic governance. In that context, it is looking for Providers (see below) for the provision of communication services to be requested by the Council on as needed basis, in compliance with the ordering procedure defined below.

The Council of Europe is looking for a maximum of 7 Providers (provided enough tenders meet the criteria indicated below) in order to support the implementation of the Programme with a particular expertise on communications.

This Contract is currently estimated to cover up to 200 activities, to be held by 31 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 Programme amounts to 1 700 000 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: Provision of maintenance of the Programme's Facebook social media page	2
Lot 2: Provision of maintenance of the Programme's website	2
Lot 3: Provision of media coverage of the Programme's activities at the national websites/portals and newspapers/bulletins	3

The Council will select the abovementioned number of Providers 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 Provision of maintenance of the Programme's Facebook social media page:

- Maintain the Facebook page of the Programme "Enhancing decentralisation and public administration reform in Ukraine" (bi-lingual: English and Ukrainian), publish posts, create photo albums (upon request), video playlists and tag people on a regular basis;
- Promote Programme's Facebook page among target audience;
- Improve visual identity of the Programme's Facebook page, create its profile cover and album pictures, pictures for posts;
- Ensure that all visibility actions are carried out in line with the Council of Europe communication policy and according to the Council of Europe Visual identity (Graphic Charter, Guidelines for use of social media etc.).

Under Lot 2 Provision of maintenance of the Programme's website:

- Maintain the website of the Council of Europe Programme "Enhancing decentralisation and public administration reform in Ukraine" (www.slg-coe.org.ua) (bi-lingual: English and Ukrainian) and update it by adding documents, photo, video files and news concerning the Programme activities on a regular basis;
- Improve visual identity of the Programme's website.

Under Lot 3 Provision of media coverage of the Programme's activities at the national websites/portals and newspapers/bulletins:

- Prepare analytical articles about the Council of Europe Programme's activities with specific focus on the Council of Europe standards and experience of member-states in the field and recommendations to Ukraine (in the format of interviews, author's columns, success stories description) for the national websites/portals and newspapers/bulletins;
- Prepare informational articles, news, press announcements, press releases on Programme's activities;
- Attend the Programme's public events (upon request);
- Provide consultancy to the Programme's team on the preparation of the awareness raising and visibility materials (video, radio, printed and other knowledge products) produced with the support of the Programme.

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 terms of **quality requirements**, the pre-selected Service Providers must ensure, *inter alia*, that:

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

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).

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 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.

Eligibility criteria (Lot 1, 2, 3)

Tenderers shall demonstrate that they fulfil the following criteria (to be assessed on the basis of all supporting documents listed in Section F):

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 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.

- Minimum Bachelor degree or equivalent in public relations, communications, journalism or related fields;
- At least 3 years of experience of provision of similar services;
- Fluent knowledge of the Ukrainian language (level to be reflected in CV).

Lot 1: Provision of maintenance of the Programme's Facebook social media page

Award criteria

- Quality of the offer (75%), including:
 - Relevant professional experience in the field of media and communications proven by samples of previously prepared and published texts, news items, etc. (50%);
 - Knowledge of the local government reform proven by samples of previous works will be an asset (15%);
 - Knowledge of the English language, not less level B (intermediate) will be an asset (10%).
- Financial offer (25%).

Lot 2: Provision of maintenance of the Programme's website

Award criteria

- Quality of the offer (75%), including:
 - Relevant professional experience in the field of web programming and web content management proven by samples of previous work (55%);
 - Knowledge of the local government reform proven by samples of previous works will be an asset (10%);
 - Knowledge of the English language, not less level B (intermediate) will be an asset (10%).
- Financial offer (25%).

Lot 3: Provision of media coverage of the Programme's activities at the national websites/portals and newspapers/bulletins

Award criteria

- Quality of the offer (75%), including:
 - Strong knowledge of the context of the local government reform proven by samples of previous works (40%);
 - Relevant professional experience in the field of journalism proven by samples of previously prepared analytical articles, news items (35%).
- Financial offer (25%).

The Council reserves the right to hold interviews with eligible 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**⁴ (See attached);
- A detailed CV, preferably in Europass Format, demonstrating clearly that the tenderer fulfils the eligibility and award criteria, specifying the level;
- Copies of registration documents (for legal persons and private entrepreneurs);
- **Samples of relevant previous works (maximum five).**

Act of Engagement and CV should be submitted in English, failure to do so will result in the exclusion of the tender. All other documents may be submitted in Ukrainian.

If any of the documents listed above are missing, the tender will not be considered.

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.