**TENDER FILE / TERMS OF REFERENCE**

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

**Purchase of** **the creative graphic design within the framework of the European Heritage Days joint programme.**

The Council of Europe is currently implementing until 31 December 2022 a Project *European Heritage Days*. In that context, it is looking for Provider(s) for the provision of the creative graphic design to be requested by the Council on an as needed basis.

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). 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 self-employed sole trader, or a duly registered limited or unlimited liability company with a single employee/director.

Tenders shall be submitted **by email only** (with attachments) **to the email address indicated in the table below, with the following reference in subject: Call 01-2021 – Graphic Design.** 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 for Call 01-2021 – Graphic Design.**

|  |  |
| --- | --- |
| **Type of contract ►** | Framework contract |
| **Duration ►** | Until 31 December 2022 |
| **Deadline for submission of tenders/offers ►** | **08 February 2021** |
| **Email for submission of tenders/offers ►** | **call-tenders.jep@coe.int** |
| **Email for questions ►** | **call-tenders.jep@coe.int** |
| **Expected starting date of execution ►** | 12 February 2021 |

1. EXPECTED DELIVERABLES

**Background of the Project**

The European Heritage Days are the most widely celebrated participatory cultural event shared by the citizens of Europe. The Council of Europe launched the initiative in 1985, and in 1999 was joined by the European Union to create the joint action, which has continued up to the present day.

Held in September each year, around 70 000 events take place in 50 different countries, attracting up to 30 million visitors. During this time, doors are opened to numerous monuments and sites, allowing Europe’s citizens to enjoy free visits and learn about their shared cultural heritage and encouraging them to become actively involved in the safeguard and enhancement of this heritage for present and future generations.

The Council of Europe is looking for a maximum of 12 (twelve) Provider(s) (provided enough tenders meet the criteria indicated below) in order to support the implementation of the project with a particular expertise on graphic design.

This Contract is currently estimated to cover up to *10 graphic design 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.

**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 - Digital brochure in two languages - ‘Heritage All-Inclusive  2021 - Innovative Practice in Widening Audience Participation’ | 2 |
| Lot 2 – English-language digital brochure – Call for European Heritage Days Stories: Terms and Conditions | 2 |
| Lot 3 - Digital brochure in two languages – Young European  Heritage Makers: Guidelines | 2 |
| Lot 4 - Infographic in two languages | 3 |
| Lot 5 - Range of bilingual promotional material | 3 |

Lot 1 concerns:

- formatting a document in English and French language supplied by the Secretariat into an attractive digital brochure intended to appeal to general public

- designing accompanying graphics for the brochure using predesigned elements of the EHD Handbook supplied by the Secretariat

- sourcing accompanying photographic images for the brochure

- designing accompanying visuals (for online media)

Lot 2 concerns:

- formatting text provided by the Secretariat into an attractive digital brochure intended to appeal to heritage communities

- designing accompanying graphics for the brochure

- designing accompanying visuals (for online media)

Lot 3 concerns:

- format text in two languages provided by the Secretariat into two attractive digital brochures intended to appeal to heritage communities

- design accompanying graphics for the brochures

- design accompanying visuals (for online media)

Lot 4 concerns:

- formatting text (data and copy) provided by the Secretariat into an attractive infographic intended to appeal to heritage communities

- designing accompanying graphics for the infographic

Lot 5 concerns:

- formatting text (data and copy) provided by the Secretariat into an attractive infographic intended to appeal to heritage communities

- designing accompanying graphics for the selected assignment

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 provide the deliverables listed in the Act of Engagement (See Section A – Terms of reference). This list is considered exhaustive.

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.

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 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[[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;
* 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](http://www.sanctionsmap.eu)).

*Eligibility criteria*

* Recognised qualification in the field of graphic design
* Proven experience in the in the field of graphic design

*Award criteria*

* Quality of the offer (80%), including:

Capacity to meet the required deadlines;

Compatibility with the vision of the programme;

Attractiveness;

Originality;

Capacity to adapt to the context.

* Financial offer (20%).

Multiple tendering is not authorised.

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;
* 3 to 4 (three to four) suitable and relevant samples of graphic design work (portfolio)
* Optional: a brief presentation of your ideas for ONE of the assignments (for example, in the form of a draft brochure cover page)

**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.**

**\* \* \***

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 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)