

# Invitation to Bid

Yazdandokht Street, Hadyab Ainkawa, 100 meter road  
Erbil  
KRI

15<sup>th</sup> June 2017

To: All suppliers

**Invitation to Bid No.: 06026EBL17 (Rehabilitation of New Right Bank Project Water Treatment Plant)**

Dear Sir/Madam:

The Danish Refugee Council (DRC) has received a grant from **Danida** for the implementation of the humanitarian aid operation entitled '**Critical WASH Infrastructure**'. Part of this operation is the repair of the New Right Bank Project, water treatment plant. Therefore, the DRC requests you to submit price bid(s) for the supply of the item(s) listed on the attached DRC Bid Form Annex A.

## 1. Tender Details

The Tender details are as follows:

| Line | Item                                         | Date                                                              |
|------|----------------------------------------------|-------------------------------------------------------------------|
| 1    | ITB published                                | 15 <sup>th</sup> June, 2017                                       |
| 2    | Closing date for clarifications              | 20 <sup>th</sup> June, 2017 (4 PM, Iraqi Time)                    |
| 3    | Technical meeting date (Not Mandatory)       | 21 <sup>st</sup> June 2017 (10 AM, Iraqi Time)                    |
| 4    | Closing date and time for receipt of Tenders | 10.30 AM, 26 <sup>th</sup> June, 2017 (07:30 GMT)                 |
| 5    | Tender Opening Location                      | Yazdandokht Street, Hadyab Ainkawa, Opposite to German Restaurant |
| 6    | Tender Opening Date and time                 | 11 AM, 26 <sup>th</sup> June, 2017 (08:00 GMT)                    |

**PLEASE NOTE: NO BIDS WILL BE ACCEPTED AFTER THE ABOVE CLOSING TIME AND DATE**

2. The criteria for awarding contracts resulting from this Tender is based on the 'best value for money' that the supplier can provide in his offer. For the purpose of all tenders DRC defines best value for money as:

*Best value for money should not be equated with the lowest initial bid option. It requires an integrated assessment of technical, organizational and pricing factors in light of their relative importance (i.e. reliability, quality, experiences, and reputation, past performance, cost/fee realism, delivery time, reasonableness, need for standardization, and other criteria depending on the item to be procured).*

### A. Administrative Evaluation

All bids will be expected to pass the administrative evaluation stage before being considered for technical and financial evaluation. Bids that are deemed administratively non-compliant may be rejected. Documents listed below must be submitted with your bid to qualify.

| # | Annex # | Document                                                                                                                                                                                                         | Instructions                                          |
|---|---------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|
| 1 | B       | Tender and Contract Award Acknowledgement Certificate                                                                                                                                                            | Complete ALL sections in full, sign, stamp and submit |
| 2 | C       | Supplier Profile and Registration Form                                                                                                                                                                           | Complete ALL sections in full, sign, stamp and submit |
| 3 | H       | References                                                                                                                                                                                                       | Complete ALL sections in full, sign, stamp and submit |
| 4 | I       | Past projects & CV of proposed site Engineer                                                                                                                                                                     | Complete ALL sections in full, sign, stamp and submit |
| 5 |         | Buisness Registration/ MOU or equivalent proof of registration to show local presence in Iraq, either directly or in the form of an authorized Agent, to ensure installation and maintenance without undue delay | Complete ALL sections in full, sign, stamp and submit |

If any information required at the administrative evaluation stage is not provided by bidders, DRC may request bidders to supply this information within 48 hours of opening & evaluation.

#### **B. Technical Evaluation (Essential Criteria)**

Bids will be checked to determine if they comply with the essential requirements of the ITB. A Bid is deemed to comply if it satisfies all the conditions, procedures and specifications in the ITB without substantially departing from or attaching restrictions with them. If a Bid does not comply with the ITB, it will be rejected immediately and may not subsequently be made to comply by correcting it or withdrawing the departure or restriction.

Within the Technical Evaluation, there are several criteria that are deemed essential for this tender as stated below:

- Local Presence in Iraq, either directly or in the form of an authorized agent, to ensure installation and maintenance without undue delay.
- The company has provided a suitable bank account in name of Company
- Meets specifications of bid form
- Delivery location as per bid form
- Delivery terms are DDP (Incoterms 2010)
- Warranty of minimum 2 years for all items
- All Items are listed on the Bid Form with Country of Origin, model type and brand.
- Offer made in USD or IQD (USD 1.00 = IQD 1,201.00)
- Have following experience with in last 3 years:
  - a. Lot 1: At least undertaken one installation & repair of transformers
  - b. Lot 2: At least undertaken one domestic, or equivalent electrical works
  - c. Lot 3: At least undertaken one works within pump stations
- CV of main site engineer, to show at least 5 years' worth of similar site experience

- The company has developed a comprehensive and complete schedule of proposed acceptance testing, both at the factory, the site and during commissioning checks.

### **C. Award Criteria**

All bids that past the second stage of Technical evaluation will proceed onto the final stage of evaluation. Under this evaluation, the following will be evaluated:

**Award criteria:**

**Price: 70%**

**Delivery time: 30%**

### **3. Tender Process**

The following processes will be applied to this Tender:

- Tender Period
- Tender Closing
- Tender Opening
- Administrative Evaluation
- Technical Evaluation
- Financial Evaluation
- Contract Award
- Notification of Contract Award

### **TENDER INSTRUCTIONS**

#### **4. Submission of Bids**

All responsive Bids must be written on the **DRC Bid Form (Annex A)**.

Beyond the DRC Bid Form, the documents listed in section A must be returned.

Bids not submitted on Annex A, or not received before the indicated time and date as set forth on page 1, or delivered to any other email address, or physical address will be disqualified.

Bids submitted by postal mail, hand-carried or courier by so is at the Bidders risk and DRC takes no responsibility for the receipt of such Bids.

Bidders are solely responsible for ensuring that the full Bid is received by DRC in accordance with the ITB requirements, prior to the specified date and time above.

#### **Hard Copy:**

The Bid must be submitted in two envelopes, one envelope containing the Technical bid and all annexes, and one envelope containing only the Financial Bid. They must be placed in separate sealed envelopes, the envelope containing the technical Bids must be marked 'Technical, and the envelope containing the Financial Bid marked 'Financial Bid. Failure to comply with this requirement may result in the Bid being rejected.

Both envelopes shall be placed in an outer **sealed** envelope, addressed and delivered to:

ITB No.: 06026EBL17

Chairperson, Tender Opening Committee

DRC office in Yazdandokht Street, Hadyab Ainkawa , 100 meter road Erbil .

Bids by Email: Bids can be submitted by email to the following dedicated, controlled, & secure email address: [iraq.etenderbox@drc.dk](mailto:iraq.etenderbox@drc.dk)

When Bids are emailed the following conditions must be complied with:

- **The ITB Number must be entered in the email Subject Heading Line of the Bid Submission email, failure to do this will disqualify the bid submission, as it will not be opened by the Procurement Committee.**
- **Separate emails shall be used for the 'Commercial Bid' and 'Technical Bid', and the Subject Heading of the email shall indicate which type the email contains.**
- **Where the two-email tendering process is used the email Subject Heading Line shall state either Technical Bid or Financial Bid.**
- **DRC is not responsible for the failure of the Internet, network, server, or any other hardware, or software, used by either the Bidder or DRC in the processing of emails.**
- **DRC is not responsible for the non-receipt of Bids submitted by email as part of the e-Tendering process. That bids can still be submitted to the DRC physical Tender Box (Yazdandokht Street, Hadyab Ainkawa, 100 meter road Erbil).**
- **Bid documents required, must be included as an attachment to the email in pdf format. Documents in MS Word or excel formats, will result in the bid being disqualified.**
- **Only the following types of files can be accepted via e-Tender are PDF, JPEG, TIF, or same type of files provided as ZIP files.**
- **Email attachments must not exceed 2MB; otherwise the bidder must send his bid in multiple emails.**
- **If same Bidder has submit bids through e-Tender bid and a physical bid, the physical bid will take the precedence over electronic.**
- **Bids containing unprotected Word, Excel, or other unprotected files that are attached in support of PDF/JPEG/TIF version of bid are acceptable. However, if no protected version of the bid is submitted, then this bid will be disqualified. In case of an inconsistency between the two, protected file will always take the precedence.**

*Failure to comply with the above may disqualify the Bid*

## **5. Attendance to technical briefing**

All companies interested in participating to this tender are **invited** to participate in a technical meeting with our engineers at DRC office in, Yazdandokht Street, Hadyab Ainkawa, 100-meter road Erbil, behind the German Bar. The detail of the technical meeting will be uploaded and available to all bidders by 21<sup>st</sup> June 2017 on the following websites:

- <https://drc.dk/relief-work/procurement-in-drc>
- <http://www.ncciraq.org/en/opportunities/for-individuals/bids-tenders>

A briefing session will be held on **21<sup>st</sup> June 2017 10:00 AM** at DRC office in Erbil, for all interested parties to attend.

The objective is twofold:

- For DRC technical staff to give an overview of the requirements and expectations of the progress schedule and contracts etc. to be entered into.
- To allow potential service providers the opportunity to understand further the DRC requirements and ask questions to clarify the program and or the application process.

## 6. Completion of Bid Form

### Prices Quoted

Any discount offered must be included in the Bid price.

Unless otherwise requested all Bids must state if the prices quoted are not DDP (Incoterms 2010).

### Currency

The currency of the Bid must be in IQD or USD (USD 1.00 = IQD 1,201.00) DRC May 2017 fixed exchange rate.

### Language

The Bid Form, and all correspondence and documents related to this ITB must be in English.

### Packaging

Packaging shall be of International shipping standard, strong quality, and suitable for shipment.

### Origin, Quantities, Bids

The **country of origin** of the items bided for must be clearly stated. As far as possible Bids should be for the full DRC quantity required. Bids for only some of the items shown on the Bid Form may be submitted.

The Bid Form must be completed in all other respects when Bids for particular items are not submitted. This should be clearly indicated on the Bid Form i.e. a line drawn through those items not being Bid for. Explanations, which may be deemed necessary should be clearly set out and will be considered as an integral part of the Bid.

### Presentation

Bids should be typewritten; if hand written they should be clearly legible. Prices entered in lead pencil will not be considered. All erasures, amendments, or alterations must be initialled by the signatory to the Bid. Do not submit blank pages of the Bid Form and/or schedules which are unnecessary for your offer. A completed duplicate of the Bid Form should be retained by the Bidder for record purposes. All documentation must be written in English. All Bids must be signed by a duly authorized representative of the Bidder.

### Split Awards

DRC reserves the right to split an award among Bidders in any combination and/or make a partial award for the elements covered in this ITB.

## 7. Validity Period

Bids shall be valid for at least the minimum number of days specified in the ITB from the date of Bid closure. DRC reserves the right to determine, at its sole discretion, the validity period in respect of Bids which do not specify any such maximum or minimum limitation.

## 8. Acceptance

DRC reserves the right, at its sole discretion, to consider as invalid or unacceptable any Bid which is a) not clear; b) incomplete in any material detail such as specification, terms delivery, quantity etc.; or c) not presented on the Bid Form – and to accept or reject any amendments, withdraws and/or supplementary information submitted after the time and date of the ITB Closure.

## 9. Award of Contracts

This ITB does not commit DRC to award a contract or pay any costs incurred in the preparation or submission of Bids, or costs incurred in making necessary studies for the preparation thereof, or to procure or contract for services or goods. Any bid submitted will be regarded as an offer made by the

Bidder and not as an acceptance by the Bidder of an offer made by DRC. No contractual relationship will exist except pursuant to a written contract document signed by a duly authorized official of DRC and the successful Bidder.

DRC may award contracts for part quantities or individual items. DRC will notify successful Bidders of its decision with respect to their Bids as soon as possible after the Bids are opened. DRC reserves the right to cancel any ITB, to reject any or all Bids in whole or in part, and to award any contract.

Suppliers who do not comply with the contractual terms and conditions including delivering different products and of different origin than stipulated in their Bid and covering contract may be excluded from future DRC ITBs.

## **10. Confidentiality**

This ITB or any part hereof, and all copies hereof must be returned to DRC upon request. It is understood that this ITB is confidential and proprietary to DRC, contains privileged information, part of which may be copyrighted, and is communicated to and received by Bidders on the condition that no part thereof, or any information concerning it may be copied, exhibited, or furnished to others without the prior written consent of DRC, except that Bidders may exhibit the specifications to prospective subcontractors for the sole purpose of obtaining offers from them. Notwithstanding the other provisions of the ITB, Bidders will be bound by the contents of this paragraph whether or not their company submits a Bid or responds in any other way to this ITB.

For the purpose of this clause, collusive bidding, other anti-competitive conduct, or any other similar conduct may include, among other things, the disclosure to, exchange or clarification with, any other Bidder, person or entity, of information (in any form), whether or not such information is commercial information confidential to DRC, any other Bidder, person or entity in order to alter the results of a solicitation exercise in such a way that would lead to an outcome other than that which would have been obtained through a competitive process.

## **11. Improper Assistance**

Bids that, in the sole opinion of DRC, have been compiled:

- With the assistance of current or former employees of DRC, or current or former contractors of DRC in violation of confidentiality obligations or by using information not otherwise available to the general public or which would provide a non-competitive benefit,
- With the utilization of confidential and/or internal DRC information not made available to the public or to the other Bidders,
- In breach of an obligation of confidentiality to DRC, or
- Contrary to these terms and conditions for submission of a Bid,

Shall be excluded from further consideration!

Without limiting the operation of the above clause, a Bidder must not, in the absence of prior written approval from DRC, permit a person to contribute to, or participate in, any process relating to the preparation of a Bid or the procurement process, if the person has at any time during the 6 months immediately preceding the date of issue of this ITB was an official, agent, servant, or employee of, or otherwise engaged by, DRC and was engaged directly, or indirectly, in the planning or performance of the requirement, project, or activity to which this ITB relates.

## **12. Corrupt Practices**

All DRC Bidders and Suppliers shall adhere to the highest ethical standards, both during the procurement process and throughout the performance of a contract.

All Bidders attention is drawn to the DRC Code of Ethics which will be an integral part of any contract award between the DRC and the Bidder.

### **13. Conflict of Interest**

A Bidder must not, and must ensure that its employees, officers, advisers, agents or subcontractors do not place themselves in a position that may, or does, give rise to an actual, potential or perceived conflict of interest between the interests of DRC and the Bidder's interests during the procurement process.

If during any stage of the procurement process or performance of any DRC contract a conflict of interest arises, or appears likely to arise, the Bidder must notify DRC immediately in writing, setting out all relevant details of the situation, including those cases in which the interests of the Bidder conflict with the interests of DRC, or cases in which any DRC official, employee or person under contract with DRC may have, or appear to have, an interest of any kind in the Bidder's business or any kind of economic ties with the Bidder. The Bidder must take steps as DRC may reasonably require, to resolve or otherwise deal with the conflict to the satisfaction of DRC.

### **14. Withdrawal/Modification of Bids**

Requests to withdraw a Bid shall not be honoured. If the selected Bidder withdraws its Bid, DRC shall duly register the said Bid and shall evaluate it alongside all other received Bids. If the selected Bidder has furnished a Bid security, DRC shall withhold such Bid security until the issue has been resolved.

Withdrawal of a Bid may result in your suspension or removal from the DRC suppliers List.

A Bidder may modify its Bid prior to the ITB closure. Any such modification shall be submitted in writing and in a sealed envelope, marked with the original Bid number. No modification shall be allowed after the ITB closure.

### **15. Late Bids**

All Bids received after the ITB closure will be rejected except if the delay is determined by DRC to have been due to a valid reason. However, any bid received after the start of the Bid opening shall be rejected without exception.

### **16. Opening of the ITB**

**The ITB will be opened in a public session on 26<sup>th</sup> June 2017 11:00 AM at DRC office in DRC Erbil Office, Yazdandokht Street, Hadyab Ainkawa, 100 meter road Erbil, Kurdish Region of Iraq by the DRC Tender Opening Committee.**

At the Tender opening, the Bidders' names, the Bid prices, written notifications of modification and withdrawal, the presence of the requisite Bid guarantee and such other information as DRC may consider appropriate will be announced.

After the public opening of the ITB, no information relating to the examination, clarification, evaluation and comparison of Bids, or recommendations concerning the award of the contract can be disclosed.

Any attempt by a Bidder to influence the Evaluation Committee in the process of examination, clarification, evaluation and comparison of tenders, to obtain information on how the procedure is progressing or to influence DRC in its decision concerning the award of the contract will result in the immediate rejection of the tender

### **17. Evaluation of Bids**

### Administrative Conformity

Bids will be checked to determine if they comply with the essential requirements of the ITB. A Bid is deemed to comply if it satisfies all the conditions, procedures and specifications in the ITB without substantially departing from or attaching restrictions with them. If a Bid does not comply with the ITB, it will be rejected immediately and may not subsequently be made to comply by correcting it or withdrawing the departure or restriction.

### Technical Evaluation

The Evaluation Committee will rule on the technical admissibility of each Bid, classifying it as technically compliant or non-compliant. The technical evaluation will be based on the information and documents annexed in the Bid concerning the items and specifications for 'goods', and both the task to be carried out under the ITB, and the professional ability of the Bidder for 'services'.

### Financial Evaluation

The Evaluation Committee will not necessarily choose on the basis of lowest price alone but will award a contract on the basis of criteria such as best value for money, price, quality, and compliance with international norms, delay for delivery and other criteria, as defined in the ITB. The experience of the Bidder in the performance of similar contracts may also be criterion for selection.

## **18. General Conditions of Contract**

All Bidders must acknowledge that the DRC General Conditions of Contract for the Procurement of Goods, and the Special Conditions of Contract, as applicable, are acceptable.

## **19. Cancellation of the ITB**

In the event of an ITB cancellation, Bidders will be notified by DRC. If the ITB is cancelled before the outer envelope of any Bid has been opened, the sealed envelopes will be returned, unopened, to the Bidders. The ITB may be cancelled in the following situations:

- where no qualitatively or financially worthwhile Bid has been received or there has been no response at all;
- the economic or technical parameters of the project have been fundamentally altered;
- exceptional circumstances or force majeure render normal performance of the project impossible;
- all technically compliant Bids exceed the financial resources available;
- There have been irregularities in the procedure, in particular where these have prevented fair competition.

In no circumstances will DRC be liable for damages, whatever their nature (in particular damages for loss of profits) or relationship to the cancellation of an ITB, even if DRC has been advised of the possibility of damages. The publication of a procurement notice does not commit DRC to implement the programme or project announced.

## **20. Queries about this ITB**

For queries on this ITB, please contact the Procurement Manger, [clarifications.tenders@drciraq.dk](mailto:clarifications.tenders@drciraq.dk)

All questions regarding this ITB must be submitted in writing to the above. On the subject line, please indicate the ITB number. **Bids must not be sent to the above email.**

**The deadline for questions to this ITB is 04:00 PM on 20<sup>th</sup> June 2017.**

All questions during the tender period, as well as the associated answers, will be shared with all suppliers invited, or for open tenders published at: <https://drc.dk/relief-work/procurement-in-drc>

## **21. ITB Documents**

This ITB document contains the following:

1. This covering Letter
2. Annex A: DRC Bid Form
3. Annex B: Tender and Contract Award Acknowledgment Certificate
4. Annex C: Supplier Profile and Registration
5. Annex D: DRC General Conditions of Contract for the Procurement of Goods
6. Annex E: DRC Code of Ethics
7. Annex F: Purchase Order
8. Annex G: Special Conditions of Contract
9. Annex H: References
10. Annex I: Past projects
11. Annex J: Mosul Pump O & M
12. Annex K: QVD-RV O+M Manual

Under DRC's Anticorruption Policy Bidders shall observe the highest standard of ethics during the procurement and execution of such contracts. DRC will reject a Bid if it determines that the Bidder recommended for award, has engaged in corrupt, fraudulent, collusive, or coercive practices in competing for, or in executing, the Contract.

Yours sincerely,

Yasir Razzak  
Logistics & Procurement Manager