



Schedule No. 5
Contract Notice
Tender No: PAH/IRQ/2019/TNDR/006

Polska Akcja Humanitarna, hereinafter PAH, known under the English translation Polish Humanitarian Action, with its registered office at Szpitalna 5/3, Warsaw, Poland, entered into the National Court Register under KRS No. 136833 and TIN NO. 525-14-41-253,

Mission in Iraq

hereinafter referred to as the Investor, plans to execute a contract for **“Rehabilitation of WASH facilities in Schools in Mosul, Iraq”** within two months.

The bids of interested companies should be submitted to PAH Office located in Erbil, MRF Apartments, building A4, 3rd Floor, Apartment 07, **before the deadline on 9th January, 2020, 15:00.**

1. Conditions for Participation in Tender:

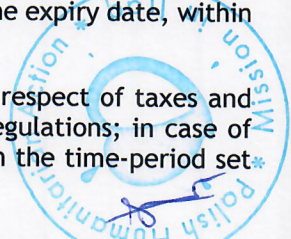
Only companies that meet the following conditions may participate in this tender:

- a) Those entitled to carry out business activities, in compliance with the legal rules and regulations of their country, and who possess the necessary permissions or licenses required to carry out their business activities;
- b) Those possessing the experience, knowledge and technical potential, as well as the personnel necessary to deliver the order;
- c) Those with their residence in the territory of Iraq
- d) Those whose financial and economic condition guarantees the delivery of the order;
- e) Those not subject to exclusion from the tender procedure for the reasons set forth in the attached Tenderer's Statement.

2. Formal Criteria of Tender Documents:

2.1. The indispensable documents that must be attached to the Bid Submission Form, in order for it to be considered valid, are:

- a) Bid Submission Form, itself;
- b) Tenderer's Statement;
- c) Technical Specification;
- d) Certificate of entry in the commercial register (the certificate of registration), issued not earlier than 3 months before the expiry date, within which the bid is to be made;
- e) Statement of the absence of outstanding liabilities in respect of taxes and other compulsory payments, and of breaches of tax regulations; in case of the inability to submit the necessary documents within the time-period set.



forth in Article 3.3 hereof, a declaration shall be provided by the given company of zero debts;

- f) Power of attorney or any other document that grants the power to represent the Company and to assume financial obligations on behalf of the company;
- g) Statement confirming that the Company read and understood the contents of the Protocol for the Receipt of Goods/Services and the Contract Template.
- h) References confirming experience in performing similar projects.
- i) Information prepared by the Company on similar projects performed and/or completed, in case of complex, high value contracts, exceeding EUR 300,000.
- j) Other, as determined by the Tender Commission.
- k) Candidates should submit high resolution pictures for the kits composition along with the tender documents

All of the above jointly referred as “Tender Documents”.

- 2.2. All blank spaces in the Tender Documents must be filled in by the company submitting the bid. Erasing or omitting is not permitted.
- 2.3. All Tender Documents, where required, must be sealed and signed by an authorized representative of the company, and the certificate of such authorization must be attached to the bid (in accordance with Clause 2.1(f)). Any and all pages that do not require a signature must be initialed and/or stamped.
- 2.4. No Tender Document is to be copied. Any Tender Document will be considered private and confidential.
- 2.5. Tender Documents may be amended or withdrawn until the deadline for the submission of bids. The amendment thereof can only be done in the same form as stated in the Bid Submission Form, while withdrawal at any written form indicating the Bid, however both amendment and withdrawal must clearly state at the top of the envelope either AMENDMENT or WITHDRAWAL. Applications for the amendment or withdrawal of bids received after the deadline or without WITHDRAWAL or AMENDMENT at the top of the envelope will not be taken into consideration. Whenever a bid has been withdrawn before the closing date and time, such bid will remain unopened. If any tender document was withdrawn or amended after the deadline, such amendment or withdrawal will be considered invalid.

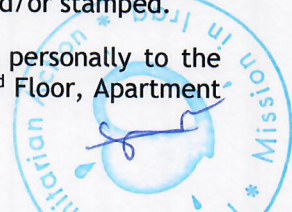
3. Requirements for Bid Submission:

- 3.1. The bid should include comprehensive subject matter and should be drawn-up in accordance with the following terms and conditions:

- a) All required Tender Documents can be obtained at the following address:

<https://www.ncciraq.org/en/opportunities/for-individuals/bids-tenders>

- b) The bid should be prepared on the form that can be obtained at address specified above.
- c) The bid should be prepared in English language in writing.
- d) The bid and all the annexed documents should be signed and numbered. Pages that do not require a signature must be initialed and/or stamped.
- e) The bid should be sent by registered mail or delivered personally to the following address: Erbil, MRF Apartments, building A4, 3rd Floor, Apartment 07.



- 3.2. The Investor shall in no case cover any expenses incurred while preparing the bid, irrespective of the outcome of the tender procedure (also in case of the cancellation of the tender procedure or a delay in bid acceptance).
- 3.3. Bids submitted upon expiration of the submission date and time shall not be considered.
- 3.4. Bids should be submitted in sealed envelopes preventing it from being open and the contents from being read before the expiration of the time-period for the submission of bids. Additionally, tenderers may fax or send via e-mail a postmark or deposit slip dated on the day of the deadline at the latest.
- 3.5. Tenderers must write sums in figures as well as in words. Where the amount given in figures differs from the amount in words, the amount in words shall be taken as correct. However, if the amount expressed in numbers and in words differs from each other significantly, the bid may be rejected. If no amount is stated in words, the bid may be rejected.
- 3.6. Whenever PAH is not obliged to pay VAT, the bid shall be priced accordingly.

4. Bid Acceptance:

- 4.1. Bids will be opened after the deadline for bid submission.
- 4.2. The criteria for bid acceptance ("**Selection Criteria**") are as follows:
 - a) Price - quality ratio;
 - b) Compliance with international norms;
 - c) Contractual delivery time;
 - d) Work references;
 - e) Guarantee conditions;
 - f) Experience in performance of similar projects; and
 - g) Other
- 4.3. The bid process will be comprised of two stages. The first stage involves the evaluation of the bids with regard to formal requirements and completeness, while the second stage is the substantive evaluation according to the Selection Criteria defined by the Tender Commission. Tenderer whose bid will not be rejected at either of those stages will receive a Letter of Selection. Tenderers rejected at either of those stages will receive a Letter of Rejection.
- 4.4. The winning bid shall be chosen by the Investor within 10 working days after the opening of bids.

5. Notice of Invalidation of Tender or Rejection of Bid:

- 5.1 Only bids fulfilling the criteria set forth in Clause 1 (Conditions for Participation in Tender), Clause 2 (Formal Criteria of Tender Documents), and Clause 3 (Requirements for Bid Submission) of this document will be considered eligible for tender. Non-conformity with such clauses may result in bid rejection.
- 5.2 Other reasons for the invalidation of the tender or rejection of the bid are:
 - a) The Investor shall decline any bid of a firm or cancel the contract if it finds out that the firm used corrupt, fraudulent, collusive or coercive practices.

- b) The Investor shall exclude from the procedure companies that do not conform to the tender requirements or if it is found that materials received of importance for the tender procedure are untrue.
- 5.3. The Investor reserves the right to invalidate the tender at any stage, without further explanation.

6. Annexes to Bid:

- 6.1. Together with its bid, the company needs to submit the Checklist of Annexes.
- 6.2. The forms of the Annexes to this Contract Notice are as follow:
 - a) Cover letter
 - b) Bid Submission Form;
 - c) Tenderers Statement Form;
 - d) Technical specifications / Bill of Quantities
 - e) Work of a similar Nature and volume
 - f) Major Items of Contractor's Equipment
 - g) Key Personnel
 - h) Financial Situation Form
 - i) Current Contractual Commitments
- 6.3. The Tender Commission is responsible for delivering any other annexes that are required by this Contract Notice (Clause 2.1).

7. Winning Tenderer:

- 7.1. In case of winning the tender, the Tenderer shall be obliged to conclude the contract within three working days from receipt of the Letter of Selection under the threat of the bid being declined.
- 7.2. The delivery of goods shall be executed within five working days from the day of signing separate Purchase Order per delivery.
- 7.3. The bid is valid until the final selection is made by the Tender Commission.

8. Right to Appeal:

The Tenderer has a right to file a written appeal to the Chairperson of the Tender Commission regarding a breach of the tender procedure. The appeal may be filed within 4 days via registered post/courier or personally after recognition of such breach, but not later than 4 days after receiving a Letter of Rejection, if applicable.

Signature: _____

Head of the Mission in Iraq

Erbil, 19th December, 2019

