Deutsche Gesellschaft
für Internationale
Zusammenarbeit (GIZ) GmbH

Bidding Conditions

1. Applicable conditions

1.1 The bidder is expected to carefully examine and respect all instructions, forms, terms and specifications contained in this document. Failure to submit in time all the required documents is at the risk of the bidder and may result in the disqualification of the whole bid.

1.2 GIZ reserves the right to accept or reject any bid, and to cancel the bidding process and reject all bids at any time prior to award of the contract – in case the process is not following GIZ' basic principles of procurement and/or other related serious reasons for rejection or cancellation – without thereby incurring any liability to the bidders.

1.3 "Bidder" means any person or persons, partnership, firm or company submitting full documentation according to the tender process.

Deutsche Gesellschaft für
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IBAN: DE45 5004 0000 0588 9555 00

2. Sanction List

2.1 The foreign trade controls put in place by Germany, the EU and others include rules designed to prevent the financing of terrorist groups, control violent conflicts and achieve political goals. These controls are implemented, for example, by means of the EU's sanctions list directives, Germany's Foreign Trade Act (Außenwirtschaftsgesetz) and individual embargo regulations for specific goods. On account of its legal status and contractual ties, GIZ is obliged under European and German law to conduct EU and other sanctions list checks on its own contracts, to act in accordance with any embargo regulations established by Germany or others and not to contravene these regulations. The goal is to prevent any direct or indirect financing of terrorists.

The GIZ's Anticorruption Policy requires bidders, suppliers, and contractors under GIZ-financed contracts to observe the highest standards of ethics during the procurement and implementation of contracts. In pursuance of this policy, GIZ:

a) carefully checks whether the company and the relevant persons have been committed for:

- Formation of criminal organizations
- Formation of terrorist groups
- Terrorist financing
- Money-laundering and concealment of unlawful earnings
- Fraud
- Subsidy Fraud
- Bribery and corruptibility in commercial transactions
- Bribery and corruption in general

- Granting of advantages
- Human trafficking, forced prostitution, forced labor, exploitation of labor, exploitation by means of deprivation of liberty

b) would reject the whole bid, if it determines that the bidder has (directly or through an agent) engaged in corrupt, fraudulent, collusive, or coercive practices.

c) will sanction a party and declare as ineligible, either indefinitely or for a stated period, to participate in GIZ-financed activities, if the firm has (directly or through an agent) engaged in corrupt, fraudulent, collusive, or coercive practices.

2.2 The Bidder shall, upon request, certify and provide evidence to the GIZ that none of these circumstances mentioned in this clause under a) apply.

2.3 The bidder, and/or business associates, project partners, target groups and interested members of the general public are invited to participate in clarifying any corruption-related circumstances.

2.4 A list of all relevant key personnel of the bidding company and/or consortium involved in this tender including the authorised manager and/or representants of the bidding company and/or consortium with the power of attorney, each with a sample of signatures and a copy of the ID, must be provided.

3. Eligible bidders

Bidders shall not be eligible for the award of contracts and GIZ may reject the whole bid or may terminate a contract in whole or in part, without compensation, if:

- The company has demonstrably infringed applicable environmental, social or labour law obligations in the performance of public contracts.
- The company is insolvent, if insolvency proceedings or similar proceedings have been initiated against the assets of the company, if the initiation of such proceedings has been refused for lack of assets, if the company is in liquidation or has ceased its activities
- The company demonstrable has been committed a gross misconduct which questions the integrity of the company.
- GIZ has enough evidence that the company has entered into agreements or concerted practices with other companies which purpose or effect the prevention, restriction or distortion of a competition.
- There is a conflict of interest in the process of the award procedure which could affect the impartiality and independence of a person working for GIZ in the process of the award procedure and which cannot be effectively eliminated by other less restrictive measures.
- A distortion of competition results from the fact that the company was already involved in the preparation of the award procedure and this distortion of competition cannot be eliminated by other, less restrictive measures.
- The organization has substantially or persistently inadequately fulfilled services or deliveries during an earlier contract which resulted in premature termination, damages or an equivalent legal consequence.
- The company has committed serious fraud or withheld information or is unable to provide the necessary/supporting evidence/documents.
- The company has attempted to improperly influence the decision-making of GIZ, has attempted to obtain confidential information through which it could obtain improper advantages in the award procedure, or has negligently or intentionally transmitted misleading information which could significantly influence the award decision of the GIZ, or has attempted to transmit such information.

The Bidder shall, upon request, certify and provide evidence to the GIZ that none of these circumstances mentioned in this clause apply.

4. Amendment of bidding documents

4.1 At any time prior to the deadline for submission to bids, the GIZ may, for any reason, whether on his own initiative or in response to a clarification requested by a prospective bidder, modify the bidding documents by amendment.

4.2 All prospective bidders that have received the bidding documents will be notified of the amendment in writing or by email.

5. Costs of Bidding

The Bidder shall bear all costs associated with the preparation and submission of its bid, and GIZ will in no case be responsible or liable for those costs, regardless of the conduct or outcome of the bidding process.

6. Language of bid

The bid prepared by the bidder and all documents relating to the bid shall be written in the English language.

7. Content of the technical offer

The bidder must submit all requirements mentioned in Annex 1 technical specifications., and extra requirements will be requested during the evaluation process (if required)

a. Local bank account including Bank (must be under company name) data with all details from a local bank (Bank Name, Account Holder, IBAN). GIZ will not be responsible, if the local bank of the contractor converts the payments into another currency. The contractor is not entitled to claim for any charges or fees deducted by the bank due to the exchange and/or transfer of payments.
b. To be potentially qualified for award the order, the bidders shall:

1) Provide all relevant local legal registration documents of the company and all worldwide valid certificates, which includes place of registration (Company Certificate), principal place of business and written power of attorney of the signatory (ID from Ministry). All documents must be valid. In addition, the copies of original documents showing the registration with the Contractor Union must be provided.
2) In case of awarding GIZ might ask the awarded company to Provide Affidavit that the firm has been neither blacklisted by any Government, semi-governmental institute or private institute nor involved in any litigation in the current or during the last two (2) years or a (self-disclosure will work also).
3) Submit a signed and stamped technical and price offer. The signatures are only accepted by the authorized representants (registered power of attorney, original copy) of the firm or company or bidding consortium.

Failure to submit all required documents signed will result in the disqualification of the whole bid.

8. Content of the price offer

The price offer must contain all costs in US Dollars which are specified in Annex 2 (bid Form) Signed and Stamped. All prices shall be stated without tax and the other public charges that cannot be exempted and must be paid in the custom clearance process.
The digital bid form offer might not be considered (**The bid form must be printed, filled, signed and stamped, and scanned**).

9. Form

9.1 The bidding documents shall contain no alterations, omissions or additions, except those to comply with conditions issued by the GIZ, or as necessary to correct errors made by the bidder, in which case such corrections shall be initialled by the person or persons signing the bidding documents.

9.2 Bids received after the date and time of submission might not be considered.

10. Submission

Please address your bid to the following email address, the email subject should be (**91147318 Water Truck and Vacuum Truck**)
IQ_Quotation@giz.de

Bids are to be submitted as Two parts

A. the signed and stamped:

1. 91147318- Invitation to Tender (ITT).
2. 91147318- Annex B - Declaration of Integrity.
3. 91147318- Annex 1 - Technical specifications.
4. 91147318- Annex 3 - Supplier Information Form.
5. 91147318– Annex 4 – Bidder Questions
6. All technical and formal requirements stated in clause 7 in the bidding conditions.

B. the signed and stamped price offer (91147318- Annex 2- Bid Form).

The price must only be mentioned in the price offer. Using the Bid Form (Annex 2) Non-compliance will lead in exclusion of the whole bid!

Detailed instructions what information your bid should contain and how it should be presented are given in the attached bidding conditions (Annex A), If you have any further questions in this connection, please answer this invitation by e-mail using the document **Supplier Questionnaire. (Annex 4)**, kindly address your questions to the following email **before March 16th, 2021**, the email subject should be **(91147318 Water Truck and Vacuum Truck)**
IQ_Inquiry@giz.de

The bid must be submitted to the above-mentioned email before expiry of the submission deadline.

11. Deadline for submission of bids

11.1 Bids must be received by the GIZ at the address specified under Clause 10 no later than

14:00 pm local time on March 23rd, 2021

Any bid received by the GIZ after the deadline for the submission of bids prescribed by the GIZ, will be declared late and will result in the disqualification of the whole bid.

11.2 GIZ may extend the deadline for the submission of bids by amending the bidding documents in accordance with Clause 4.

12. Modifications and withdrawal of bids

Subsequent corrections, modifications and additions only to the technical offers bid can be considered only if they are received by the GIZ before expiry of the submission deadline to this email,

IQ_Quotation@giz.de

the email subject is **(Amendment to the bid_91147318 Water Truck and Vacuum Truck)**

13. Evaluation of offers:

13.1 Both the technical offer and financial offer under this bid will be taken into consideration during the evaluation

13.2 The technical offer will be evaluated based on the requested requirements mentioned in Annex 1-technical specifications.

13.3 Only technically compliant offers will be considered in price evaluation or financial evaluation and the most economical offer will be selected.

13.4 The GIZ will examine the bids to determine whether they are complete, whether the documents have been properly signed, and whether the bids are substantially compliant to all terms and conditions of the bidding documents.

13.5 A bid determined as substantially non-compliant will be rejected by the GIZ

14. Offer Validity

Bids shall remain valid for 90 days after the deadline for submission of bids Pay Prices shall be quoted in USD.
Bids showing other currencies may not be considered.

15. Required products and goods

The technical specification of the goods to be delivered is attached to this “Invitation to Tender” in Annex 1-Technical specification.

GIZ reserves the right to increase or reduce the above quantities by maximum 20% according to the available budget.

16. Terms of delivery and place of delivery

By Road Transportation DDP (Incoterms 2010) as per the locations mentioned in Annex 1 (Technical specifications).

17. Payment Terms

Full payment will be made after completion of delivery and approved by technical committee of GIZ, subject to appropriate deduction for incomplete and delayed deliveries, upon presentation of

- A commercial invoice (specifying quantities, unit and total prices etc.)
- Acceptance certificate issued by the authorised GIZ representative
- Bank account details: The company's bank account details must be submitted with the Invoice. GIZ will only transfer payments to the bank account which is on company's name."

Payment of goods will be done within 30 working days after taking over of the goods/services at the address as stated in the purchase order.

Payment will be done bank transfer at GIZ CO Office.

18. Cancellation of the Tender

18.1 The tender can be cancelled, if:

a) no bids have been received which corresponds to the bidding conditions,

b) there have been substantial changes during the tender, or

c) there are other serious reasons for such a cancellation.

18.2 The bidders will be informed about the reasons of the cancellation of the tender without any delay by GIZ.

By signing these bidding conditions, the bidder acknowledges that it has received, read, understood and accepted all conditions. Please add these signed and accepted bidding conditions.

_____

place, date

_____

Signature of the bidder and stamp