

INVITATION TO BID No. HCR/IRQER/2022/ITB-003**ESTABLISHMENT OF FRAME AGREEMENTS FOR SUPPLY AND DELIVERY OF FUEL FOR UNHCR
VEHICLES IN ERBIL, IRAQ****CLOSING DATE AND TIME: 24/02/2022 – 23:59 Hrs Iraq Time.****INTRODUCTION TO UNHCR**

The Office of the United Nations High Commissioner for Refugees was established on December 14, 1950 by the United Nations General Assembly. The agency is mandated to lead and co-ordinate international action to protect refugees and resolve refugee problems worldwide. Its primary purpose is to safeguard the rights and well-being of refugees. It also has the mandate to help stateless people.

In more than six decades, the agency has helped tens of millions of people restart their lives. Today, a staff of some 15,000 people in more than 128 countries continues to help about 68 million persons. To help and protect some of the world's most vulnerable people in so many places and types of environments, UNHCR must purchase goods and services worldwide. For further information on UNHCR, its mandate and operations please see www.unhcr.org

1. REQUIREMENTS

The Office of the United Nations High Commissioner for Refugees (UNHCR), Erbil, invites qualified bidders duly registered with the Government of Iraq/KRG to make a firm offer for the establishment of Frame Agreement(s) for the supply of Fuel for UNHCR vehicles in Erbil Kurdistan Region of Iraq.

IMPORTANT:

The required goods are detailed in the Terms of Reference (TOR) attached as (Annex A).

UNHCR Iraq may award Frame Agreement(s) with an initial duration of **two (2) years**, potentially extendable for a further period of **one (1) year**. The successful bidder(s) will be requested to maintain its/their quoted prices for the initial period of four **(4) months**, afterwards, the prices will be revised for every four (4) months based on the prevailing market rates.

The annual projected requirement of fuel to be obtained by UNHCR is as follows;

1. Erbil

- Normal Petrol, approximately **90,000 litres** for a 3-year period
- Normal Diesel, approximately **270,000 litres** for a 3-year period

Please note that figures have been stated in order to enable bidders to have an indication of the projected requirements. It does not represent a commitment that UNHCR will purchase the above quantities. Quantities may vary and will depend on the actual requirements and funds regulated by the issuance of individual Purchase Orders against the Frame Agreement(s).

Other United Nations Agencies, Funds, and Programmes shall be entitled to the same price and terms as those contained in the offers of the successful bidders and could form the basis of a Frame Agreement with other UN Agencies.

IMPORTANT:

When a Frame Agreement is awarded, either party can terminate the agreement only upon **90 days'** notice in writing to the other party.

The initiation of conciliation or arbitral proceedings in accordance with article 18 'Settlement of disputes' of the UNHCR General Conditions of Contracts for the provision of goods – July 2018 shall not be deemed to be a 'cause' for or otherwise to be in itself a termination clause.

It is strongly recommended that this Invitation to Bid document and its annexes be read thoroughly. Failure to observe the procedures laid down therein may result in disqualification from the evaluation process.

QUALITY CONTROL THROUGHOUT THE FRAME AGREEMENT:

UNHCR will carry out random quality inspections and this may include specific selected criteria for laboratory test of products or items selected by UNHCR or by an independent Inspection Firm appointed by UNHCR from samples selected from supplier's fuel station. The cost of the quality control inspections and laboratory tests will be covered by UNHCR. Quality Control (QC) inspection shall be conducted against the technical specifications and Acceptable Quality Level (AQL).

In cases of discrepancies in fuel specifications, in addition to applicable compensation, clauses as may be defined in the respective AQLs, the additional inspection and/or laboratory costs will be charged to the supplier.

Note: This document is not to be construed in any way as an offer of a contract to your firm.

2. BIDDING INFORMATION

2.1 ITB Documents

The following annexes form an integral part of this Invitation to Bid:

Annex A:	Terms of Reference (TOR)
Annex B:	Technical Requirements Form (to be submitted as part of the technical proposal).
Annex C:	Financial Offer Form (to be submitted as a financial proposal, it must be signed and stamped)
Annex D:	Vendor Registration Form (to be submitted as part of technical proposal, if you are not registered with UNHCR)
Annex E:	UNHCR General Conditions of Contracts for the Provision of Goods & Services - July 2018
Annex F:	UN Supplier's Code of Conduct
Annex G:	e-Tender Box Supplier user manual

Please note that submitting an offer is deemed as full acceptance of UNHCR's General Conditions for goods & Services and UN supplier code of conduct. Signed copies of Annexes E & F are not required at this stage.

ملاحظة :

تعتبر مشاركتكم في هذه المناقصة قبولاً تاماً للشروط العامة للمفوضية فيما يتعلق بالعقود وكذلك مدونة قواعد السلوك للموردين والمتعاقدين مع الأمم المتحدة (لا يشترط أرفاق النسخة الموقعة من المرفقات اعلاه في هذه المرحلة).

2.2 Acknowledgment

We would appreciate your informing us of the receipt of this ITB by return e-mail to IRQERPROC@unhcr.org;

- Your confirmation of receipt of this ITB
- Whether or not you will be submitting a bid

IMPORTANT:

Please note that bid submissions are not to be sent to the email address above

2.3 Requests for clarifications

Bidders are required to submit any request for clarifications in respect of this ITB by e-mail to omerr@unhcr.org; Please include the ITB reference in the subject line.

The deadline for receipt of questions is 13/02/2022 - 23:59 hours Iraqi Local Time.

UNHCR will compile the questions received through mail and may, at its discretion, copy any reply to all other invited bidders at once and will upload it on UNGM Website by or before **15 February 2022**.

IMPORTANT:

Please note that bid submissions are not to be sent to the email address above.

2.4 Your Offer

Your offer should be prepared in **English**.

Please submit your offer using the Annexes provided. Offers not conforming to the requested formats may be disqualified.

IMPORTANT:

Inclusion of copies of your offer with any correspondence sent directly to the attention of the responsible buyer or any other UNHCR staff other than the submission e-mail address will result in disqualification of the offer. Please send your bid directly eTenderBox.unhcr.org as advised in the "Submission of Bid" (section 4) of this ITB.

Your offer shall comprise **the following two sets of documents**:

- Technical offer
- Financial offer

Please carefully read the e-Tender box user manual attached as Annex-G for submission of your technical and financial proposals – Offers submitted by any other manner will be disqualified.

2.4.1 Contents of the Technical Offer

IMPORTANT:

No pricing information should be included in the Technical offer. Failure to comply may risk disqualification. The technical offer should contain all information required.

The technical component of your proposal should be concisely presented and structured as indicated in **Annex-B Technical proposal form**, the below listed documents should be submitted with your proposal which are required to assess the legal status, capacity, prior experience etc. of your company. Companies not submitting them with their proposal, will then be disqualified:

The **following documents** shall also be provided in the Technical Offer.

- **Company Profile:** The bidder shall provide a complete company profile containing copies of
 - Registration documents with government authorities of Iraq/KRI Authority for business, (certificate of registration)
 - Provide POs/contracts/work orders of the relevant service with references in the last two (2) years.
 - Lab Analysis Certificate: Provide the recent lab analysis certificate of the normal Petrol and Diesel issued by the respective Ministry.
- **Vendor Registration Form:** If your company is not already registered with UNHCR, you should complete, sign and submit with your technical proposal the Vendor Registration Form (Annex-D).
- **UNHCR General Conditions of Contracts for the Provision of Goods & Services - July 2018:** Your technical offer should contain your acknowledgment of the UNHCR General Conditions for Provision of Goods and Services by signing (Annex E).

2.4.2 Contents of the Financial Offer

Your separate Financial Offer is to be submitted as per the attached financial offer form (Annex B) which must contain an overall offer in a single currency, in Iraqi Dinars (IQD). Bids that have a different price currency may not be accepted.

The following details shall be provided for each item:

Unit costs: Your quote shall have:

- The unit price per liter inclusive of all charges like transportation, risk factors, etc. mentioned in Annex B.
- Any discounts (e.g. volume discount) shall be clearly indicated.

UNHCR is exempt from all direct taxes and customs duties. In this regard, the price has to be quoted without VAT.

You are requested to hold your offer valid for **120 calendar days** from the deadline for submission. UNHCR will make its best effort to select a company within this period. UNHCR's standard payment terms are within 30 days after satisfactory implementation and receipt of documents in order.

The cost of preparing a bid and of negotiating a contract, including any related travel, is not reimbursable nor can it be included as a direct cost of the assignment.

2.5 Bid Evaluation

2.5.1 Technical and Financial Evaluation

All bids will be evaluated based on Formal Technical Evaluation Criteria and Financial Offer.

2.5.1.1 Formal and Technical Evaluation Criteria

Technical bids will be evaluated based on a Pass/Fail criteria as shown below. To be technically qualified all criteria must be passed.

TECHNICAL CRITERIA	Pass/Fail
Is The Vendor Registered with the Government of Iraq/KRG? (<i>Provide Valid Business Registration document</i>) Yes = Pass No = Fail	Pass/Fail
Does the vendor have experience in a similar service? At least two (2) years' experience? (<i>Provide supporting document i.e. POs, Contracts, Work orders & Reference letters</i>) Yes = Pass No = Fail	Pass/Fail
Test / Quality Control Certificate (<i>Provide at least one lab test certificate each for normal petrol and normal diesel obtained by the fuel station from the respective Ministry</i>) Yes = Pass No = Fail	Pass/Fail

The above-listed documents should be submitted with your proposal which is required to assess the capacity and legal status of your company. Companies that won't submit the above-listed documents with their technical proposal may be contacted by UNHCR and given one more opportunity to submit them. In case the documents are still not submitted, within 2 working days of UNHCR's request, the company will then be disqualified.

IMPORTANT:

Please note that, to qualify in the technical evaluation process, the bidder must obtain "Yes" in all above-mentioned criteria, in order for their bids to be considered for further evaluation.

In addition to the above, UNHCR may conduct a site visit to responding companies before making its decision.

2.5.1.2 Financial Evaluation

Financial proposals will be opened for only bidders who meet all the above criteria and the evaluation will be done on the basis of the lowest price offered.

Offers must be submitted in **IQD currency** as indicated in the financial offer form (Annex-C).

2.5.1.3 Supplier Registration

The qualified suppliers will be added to the Vendor Database after investigation of suitability based on the submitted Vendor Registration Form and supporting documents. The investigation involves consideration of several factors such as:

- Financial standing
- Core business

- Track record
- Contract capacity

This will be followed by performance evaluation of a supplier such as:

- Random / periodic testing of the supplier's products,
- Ability to respond quickly to UNHCR's needs,
- Timely delivery,
- Dependability of products and services.

3. **UN Global Compact and other factors:** UNHCR supports the UN Global Compact Initiative put forward on 31 January 1999 by UN Secretary-General Kofi Annan that would bring companies together with UN agencies, labour and civil society to support ten principles in the areas of the human rights, labour, environment and anti-corruption. We encourage our suppliers to sign up with the UN Global Compact Initiative.

4. Submission of Bid:

The offers must bear your official letterhead, clearly identifying your firm.

Please submit your proposal through an online eTenderBox Tool, which can be accessed through <http://etenderbox.unhcr.org>

To submit a proposal against UNHCR tender, the bidder needs to register in **eTenderbox system**. Please refer to the eTenderbox user manual for bidders at Annex-F. You are requested to get familiar with this tool and create a login by registering your company in the system for access to the current and upcoming UNHCR tenders.

The Technical and Financial offers shall be clearly separated.

Once the login is created, the bidder will be given access to the UNHCR available tenders. Bidders can access the specific tender by clicking on the "tender reference number", the system will then navigate to the detailed tender review page, where the separate technical and financial submissions can be done.

It is the bidder's responsibility to upload only technical documentation under "Technical" category and Financial documentation under "Financial" category. Failure to do so will result in disqualification.

Note: The official submission of the selected files for upload is done by clicking the 'Save & Submit' button, therefore, this button has to be clicked before the deadline expires. If done so, the selected files will be submitted and uploaded successfully even if the deadline expires during the file upload. It is the Supplier's responsibility to ensure that all files of the final offer are submitted before the tender expiration deadline. In order to ensure the safe submission of the full and final offer, it is recommended to have all files uploaded well before the tender deadline.

Allowed extensions for files to upload are .doc, .docx, .xls, .xlsx, .rtf, .png, .jpg, .jpeg, .pdf, .txt, .zip, .ppt, .pptx, .bmp, .rar, .gif, .tif and .tiff, however it is preferable to upload PDF files. Executable files (.exe, .bat, .cmd etc.) should not be uploaded. All files should be clearly labeled. The maximum size limit per file is **10MB**.

IMPORTANT:

DEADLINE TO SUBMIT YOUR BID: 24/02/2022 BY 23:59 HOURS LOCAL TIME: Any bid uploaded after this date and time will be rejected. UNHCR may, at its discretion, extend the deadline for the submission of bids, by notifying through etenderbox.unhcr.org and www.UNGM.org.

UNHCR will not be responsible for locating or securing any information that is not identified in the bid. Accordingly, to ensure that sufficient information is available, the bidder shall furnish, as part of the bid, any descriptive material such as extracts, descriptions, and other necessary information it deems necessary for a comprehensive understanding of its proposal by UNHCR.

IMPORTANT:

The Financial proposal will only be opened for evaluation if the supplier's technical proposal passes and meets the UNHCR technical criteria as indicated in section 2.5.1.1.

Important Dates to Note for Bid Submission:

Tender available to vendors	03/02/2022 – 24/02/2022
Last day for Queries	13/02/2022, 23:59 hrs Iraq Local Time
Closing date for submission of bids	24/02/2022 23:59 hrs Iraq Local Time

5. Bid Acceptance

UNHCR reserves the right to accept the whole or part of your bid.

UNHCR may, at its discretion, increase or decrease the **proposed quantity** when awarding the contract and would not expect a significant variation of the rate submitted. Any such increase or decrease in the contract duration would be negotiated with the successful bidder(s) before signing the agreement(s).

UNHCR may, at its discretion, extend the **deadline for the submission of bids**, by notifying all prospective suppliers in writing or by uploading the Addendum on UNGM website and eTenderbox tool. The extension of the deadline may accompany a modification of the solicitation documents prepared by UNHCR at its own initiative or in response to a clarification requested by a prospective supplier.

Please note that **UNHCR is not bound to select any of the firms submitting bids and does not bind itself in any way to select the firm offering the lowest price**. Bids will be evaluated and awarded based on technically qualified / lowest-priced offer, Please note UNHCR may, at its sole discretion, award only one (or multiple contracts) to the successful bidder/s which are technically compliant and offers the lowest price.

6. Some of The Reasons for Disqualification

- Bidder failed to upload technical documentation in “Technical” category and Financial documentation in a “Financial Category”.
- The financial proposal was also uploaded in the “Technical” Category of eTenderbox system.
- Bid documents are uploaded at the last minute of the tender closing time and it took a while for uploading while the deadline is over.
- Bid documents are uploaded after the deadline for submission of bids stated in the tender documents. Proposals received any time after 23:59 hours Iraqi time is a late submission and will be disqualified.
- The Bidder’s qualification or data are proven to be false and
- The Bidder commits a proven false or dishonest act in anticipation of the award of a contract.

7. Currency and Payment Terms for Purchase Orders

Any Purchase Order (PO) issued as a result of this ITB will be made in IQD. Payment will be made in accordance with the General Conditions for the Purchase of Good in the currency in which the PO is issued. Payments shall only be initiated after confirmation of successful completion by UNHCR business owner.

8. UNHCR General Conditions for the Provision of Goods

Please note that the General Conditions of Provision of goods (Annex D) will be strictly adhered to for the purpose of any future contract.

9. Zero Tolerance Policy:

Please note that UNHCR strictly follows zero-tolerance policy and as such, advises its suppliers not to offer any gifts, favour, hospitality and commission, etc. to UNHCR staff. Any supplier found to be offering gifts, favour, hospitality and commission, etc. to UNHCR staff will be placed on the United Nations-sanctioned list and UNHCR will not do business with them anymore.

10. All tender documents from UNHCR are available free of charge.

Supply Officer
UNHCR Sub-Office, Erbil-Iraq