

DATE: 27 June 2022

INVITATION TO BID: No. HCR/IRQER/2022/ITB-020

FOR THE ESTABLISHMENT OF FRAME AGREEMENTS FOR SUPPLY AND DELIVERY OF METALLIC KEROSENE HEATING STOVES AND COOKING STOVES IN IRAQ.

CLOSING DATE AND TIME: 23 July 2022 - 23:59 HOURS IRAQ LOCAL 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 provide international protection and humanitarian assistance and to seek permanent solutions for persons within its core mandate responsibilities. Its primary purpose is to safeguard the rights and well-being of refugees to guarantee that they have the right of asylum in another country as well as to identify durable solution for them, like voluntary repatriation in safe and dignified conditions, local integration in the country of asylum or resettlement in another country. Over time UNHCR's mandate has been expanded to encompass returnees and stateless persons. While there is no general mandate for internally displaced persons, UNHCR may provide protection and humanitarian assistance to these populations in certain circumstances. The United Nations High Commissioner for Refugees therefore also seeks to ensure the protection of internally displaced persons as well as mitigate the reasons for their displacement. In more than seven decades, the agency has helped tens of millions of people restart their lives. Today, 16,800 staff in more than 134 countries continue to support about 71 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 <http://www.unhcr.org>.

1. REQUIREMENTS.

The Office of the United Nations High Commissioner for Refugees (UNHCR) at Representation Office Erbil, Iraq, invites qualified suppliers, manufacturers, authorized distributors/Reseller, Traders, duly registered with KRI authorities or with the Federal Government of Iraq, to make a firm offer for the **Establishment of Frame Agreements for Supply and Delivery of Metallic Kerosene Heating Stoves and Cooking Stoves to UNHCR Offices in KRI and Baghdad.**

The estimated annual requirement for heating stoves is 10,000 - 13,000 pcs while for cooking stoves is 20,000 pcs. Please note that figures have been stated to enable bidders to have an indication of the projected requirements. UNHCR will require the totality of the above quantity. Quantities may vary and will depend on the actual requirements and funds regulated by the issuance of individual Purchase Orders against the Frame Agreements.

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

Exact technical specifications are detailed in Annex-A of this document.

UNHCR may award Frame Agreement(s) with the initial duration of three (3) years. The successful bidders will be requested to maintain their quoted price model for the duration of Frame Agreements(s).

IMPORTANT: When a Frame Agreement is awarded, either party can terminate the agreement only upon 30 days' notice, in writing to the other party.

The initiation of conciliation or arbitral proceedings in accordance with **article 19** "settlement of disputes" of the UNHCR General Conditions of Contracts for the provision of Goods and Services shall not be deemed to be a "cause" for or otherwise to be in itself a termination clause.

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

Sub-Contracting: Sub-contracting will not be accepted for this tender.

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

QUALITY CONTROL THROUGHOUT THE FRAME AGREEMENT:

UNHCR may carry out random quality inspections, including specific selected criteria for laboratory test to products or items selected by UNHCR or by an independent surveyor appointed by UNHCR from samples selected during production, upon departure, loading, unloading, arrival to the destination or from any storage location. The cost of the quality control inspections and laboratory tests will be covered by UNHCR. In cases of supplier's quality default, in addition to the good's PO penalty clauses, the inspection and laboratory cost will be charged to the supplier.

Sub-Contracting: Please take careful note of article 4 of the attached General Terms and Conditions (Annex E).

2. BIDDING INFORMATION

2.1. ITB Documents

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

Annex A: Technical Specifications

Annex B: Technical Requirement Form (**to be submitted as part of the technical proposal and it must be signed and stamped to confirm its acceptance**)

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 the 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 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 you informing us of receipt of this ITB by return e-mail to IRQERPROC@unhcr.org as to:

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

IMPORTANT: Failure to send the above requested information may result in disqualification of your proposal from further evaluation.

2.3 Requests for Clarifications:

Interested suppliers are required to submit any request for clarifications in respect of this ITB by e-mail to **IRQERPROC@unhcr.org** with a clear indication of the ITB reference in the subject line. **The deadline for receipt of questions is 09 July 2022 at 17:00 hrs. Iraqi time.** Bidders are requested to keep all questions concise.

IMPORTANT: Please note that Bid Submissions are NOT to be sent to the above e-mail address. Bid Submissions sent directly to the e-mail address above will result in disqualification of the proposal.

UNHCR will compile the questions received and may, at its discretion, copy any reply to all other invited bidders at once and will be uploaded on UNGM Website at www.ungm.org. by or before **14 July 2022.**

2.4 Your Offer:

Your offer shall be prepared in English only.

Please submit your offer using the forms provided in the Annexes -. Offers not conforming to the requested formats may not be taken into consideration.

2.4.1 Documents to be submitted with Offer: as per Technical Offer Form Annex B.

IMPORTANT: Please send your bid by uploading your 'Technical' & 'Financial' offers, separately, using the UNHCR's eTenderBox online tool as clarified in the "Submission of Bid" (section 4) and Annex G (eTenderBox Supplier User Manual) of this ITB which requires the Supplier's registration and submission of bids by separate links for technical and financial proposals. 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 Website of eTenderBox.unhcr.org will result in disqualification of the offer.

Your offer shall comprise the following two sets of documents

- a. Technical offer
- b. Financial offer

UNHCR reserves the right to cancel a solicitation at any stage of the procurement process prior to final notice of award of a contract.

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.

2.4.2 Content of the Technical Proposal

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 details of the products requested by UNHCR can be found in **Annex-A**.

Your technical offer should clearly state whether or not the goods you are offering are fully conforming to the product specifications given. Clearly state and disclose any discrepancies with the specifications given. Clearly state and disclose any discrepancies with the specifications given.

The following details shall also be provided in the Technical Offer.

Incoterms: The International Chamber of Commerce Incoterms 2010 shall apply for this ITB and for any resulting purchase orders(s). Consequently, delivery to the identified premises, shall be carried out under DAP terms.

The technical component of your proposal should be concisely presented and structured as indicated in **Annex-A Technical offer form**, but not necessarily be limited to. **The below-listed documents should be submitted with your technical proposal which are required to assess the legal status, capacity, prior experience, etc. of your company.**

1. **Submission of Company's Registration Certificate and Profile/other documents:**

- a) A description of your company with details of: Year founded, specify headquarters locations and other branch locations, description of core business, client list, etc.
- b) Company registration certificate where the company is registered in Kurdistan Region of Iraq (KRI) or Federal Government of Iraq.
- c) Copy of the valid authorization from the manufacturer/dealer to sell the product in Iraq (if any).
- d) Relevant experience in supplying Kerosene heating stoves/cooking Stoves by submitting at least one (1) successfully completed contract in the last five (05) years, attaching proof such as Contract or Purchase Order. (The bidder should clearly indicate with supporting documents the past contracts or reference letters involving the supply of similar items).
- e)

2. Please provide at least three (3) client reference contact details for supply of similar items in past years, as per the below details:

- *Client/ Organization name:*
- *Address:*
- *Type of Project:*
- *Period of contractual activity (start and end date):*

- *Contact name, title, and contact details (tel. and e-mail):*

3. Product Specification:

- a) Compliance with Product specifications, as per Annex-A: Conformity with all specifications must be stated in Annexes A & B. The Bidder must submit product brochures / technical details, country of origin, brand /model name of the offered products for both LOTs. (Counterfeit/Imitated products are subject to rejection).
- b) If available, the bidder shall submit a copy of the internationally recognized quality certificate of the manufacturing company together with a copy of the quality certificate for the finished product.
- c) Country of Origin: Please state the country/place of manufacture of the products.
- d) Warranty: The bidder shall state the warranty period of both products, a minimum one (1) year warranty is required.
- e) Incoterms: The International Chamber of Commerce Incoterms 2010 shall apply for this ITB and for any resulting purchase orders(s). DAP (Delivered at Place) price basis to the different locations in Iraq (Erbil & Baghdad) will be applied to this ITB.

4. **Sample for visual inspection:** The bidder shall state that he will provide a sample for each OR for both LOTs after the Technical Evaluation Stage within 15 days of the request from UNHCR if requested by UNHCR..
5. **Production/Delivery Capacity:** The bidder shall state the delivery capacity per week and how long it will take for them to manufacture and deliver the items from the date of issuance of a Purchase Order from UNHCR.
6. **Inspection:** A team from UNHCR or from UNHCR appointed inspection company may carry out a quality inspection upon the delivery of the items (if PO is awarded to the company) to ensure compliance with the technical specifications. Items not meeting the specifications will NOT be accepted or received, and the supplier will be held totally liable to arrange prompt replacement/s at no extra cost, whatsoever, to UNHCR.
7. **Shelf life and usable lifespan:** The bidder shall clearly state the recommended shelf life of the product, as well as the usable lifespan, (i.e., the recommended usage period).
8. **Submission of the Vendor Registration Form:** You should complete sign and submit with your company technical proposal the Vendor Registration Form (Annex D) if your company is not already registered vendor with UNHCR. If your company is already registered with UNHCR, your vendor ID should be stated.
9. **UNHCR General Condition for Provision of Goods & Services:** Please note that by submitting an offer it is deemed as full acceptance of UNHCR's general terms and conditions for goods & services and UN Supplier Code of Conduct. Signed copies are not required at this stage.

IMPORTANT:

Failure to send the above requested information may result in disqualification of your proposal from further evaluation.

Please carefully consider the pricing model applicable to this invitation tender

2.4.3 Content of the Financial Offer

Your separate **Financial Proposal** must contain an overall offer in USD (all-inclusive price).

The Financial offer is to be submitted as per the **Financial Offer Form (Annex C)**. Bids that have a different price structure may not be accepted

UNHCR is exempted from all direct taxes and customs duties. With this regard, the price has to be given without VAT.

You are requested to hold your offer valid for **150 days** from the deadline for submission. UNHCR will make its best effort to award the contract within this period. The pricing model quoted in the Supplier's proposal has to remain valid for the duration of the Contract.

UNHCR's standard payment terms are by bank transfer net thirty (30) days after acceptance of contractor's invoice and delivery and acceptance of the services by UNHCR.

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

2.5. Bid Evaluation:

Each proposal from a Bidder will be considered separately and independently. Bidders shall submit a complete proposal for each solicitation in which they wish to participate. References to previous or on-going proposals will be not considered. Award of a previous contract with UNHCR will not be considered in itself as a preference or guarantee for the award of future solicitations on the same subject.

For the award of ITB, UNHCR has established evaluation criteria that govern the selection of offers. The evaluation shall be made on a technical and financial basis.

The qualified suppliers will be added to the Vendor Database after an 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

2.5.1 Technical Evaluation

For the award of this Frame Agreement, UNHCR has established evaluation criteria that govern the selection of proposals received. Evaluation is made on a technical and financial basis.

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

The technical evaluation will be evaluated in two stages as below,

Stage-1

A prerequisite for any supplier to be deemed eligible for an award of the contract is, that the company is not, or not associated with a company or individual, under procurement prohibition by the United Nations, including but not limited to prohibitions derived from the Consolidated United Nations Security Council Sanctions List., available at:

<https://www.un.org/sc/suborg/en/sanctions/un-sconsolidated-list#entities>

Stage-2

The technical bid will be evaluated based on Pass/Fail criteria as shown below. To be technically qualified all criteria must be passed.

#	Criteria Name	Criteria Description	Evaluation
1	Registration Documents	Provided Company Registration Certificate as General trading Company, duly registered with the federal government of Iraq <u>OR</u> Kurdistan Region of Iraq (KRI), <u>registered for not less than two (2) years.</u>	Pass/Fail
2	Experience: Possess reasonable experience in the field of the requested goods and/or service	Has the bidder supplied kerosene Heating/Cooking stoves in the past? (Submission of relevant one (1) PO/Contract completed successfully in the last five (5) years).	Pass/Fail
3	Usable Lifespan	Minimum usable lifespan of five (5) years for Heating Stoves and three (3) years for Cooking Stoves. (The bidder shall clearly state (in Annex A) the lifespan of both products)	Pass/Fail
4	Product Specifications	Does the Offered Product Specification/Brochures comply with UNHCR Specifications for LOT-1 OR LOT-2 as per Annex A?.	Pass/Fail
5	Delivery Capacity	Does the bidder have the capacity to deliver a minimum of 10,000 heating stoves and 20,000 cooking stoves per year?	Pass/Fail
6	Warranty	Does the bidder provide at least one (1) year warranty?	Pass/Fail

Important: 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 will not have submitted documents under (Criteria No. 1 only) accompanied with their technical offer, will be contacted by UNHCR and given one more opportunity to submit it. In case the documents are still not submitted, within 2 working days of UNHCR's request, the company will then be disqualified.

Clarifications:

To assist in the examination, evaluation, and comparison of offers UNHCR may at its discretion ask the bidder for clarification about the content of the offer. The request for clarification and the response shall be in writing and no change in price or substance of the offers shall be sought, proposed, or accepted.

IMPORTANT:

Please note that to qualify in the technical evaluation process, the bidder should qualify as "PASS" in all the above-mentioned criteria, for their bids to be considered for further evaluation of samples.

2.5.3 Financial Evaluation

The financial component will be analyzed only for those bidders, who will qualify in the technical evaluation and inspection of the samples. The **Financial offers** will be evaluated using the lowest price offered.

Overall Evaluation:

Bids will be evaluated and awarded based on technically qualified / lowest priced offer (unit price DAP at the location on Annex C. Please note UNHCR may, at its sole discretion, award only one (or multiple contracts) to the successful bidder/s (per LOT or both LOTS) which are technically compliant and offers the lowest price.

IMPORTANT: The Financial offer will only be opened for evaluation if the supplier's offer is found technically compliant by UNHCR's technical evaluation team and has passed all pass/fail requirements.

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, labor and civil society to support ten principles in the areas of human rights, labor, environment and anti-corruption. We encourage our suppliers to sign up with the UN Global Compact Initiative at <https://www.unglobalcompact.org>.

4. Submission of Bid

The proposals must bear your official letterhead, clearly identifying your company. The Technical and Financial proposals shall be clearly separated by uploading them in separate attachments under "**Technical Offer**" & "**Financial Offer**" links on the eTenderBOX

Bids should be submitted by eTenderBox and all attachments should be in PDF format. The eTenderBox is an online registration tool by which Suppliers can globally submit their applications to tenders published by UNHCR. The system offers an advanced solution for reviewing open tenders, submitting offers and managing uploaded documents. The eTenderBox can be accessed via the following URL: <http://etenderbox.unhcr.org>

To submit an offer for this tender via the eTenderBox online tool, the Supplier needs to register in the eTenderBox system. This registration is exclusively for eTenderBox and does not replace any other registrations for UNHCR applications. For registration, Suppliers need to have an active email account by which they will be identified in the system. Please refer to the eTenderBox user manual for bidders on Annex G.

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: 23 July 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 Dates to Note for Bid Submission:

Tender available to vendors	27/06/2022 – 23/07/2022
Last day for Queries	09/07/2022, 17:00 hrs Iraq Local Time
Q&A Upload on UNGM	14/07/2022
Closing date for submission of bids	23/07/2022 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 as part of finalization of the Purchase Orders for goods.

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 (unit price DAP at the location on Annex C); 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. Furthermore, the contract will be awarded to the bid considered most responsive to the needs, as well as conforming to UNHCR's general principles, including economy and efficiency and best value for money.

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. Any activity undertaken or

expenses incurred in preparation of a contract before an actual contract is signed shall be borne by the Bidder. An advance notice or information of award is not to be considered as a contract.

IMPORTANT: Cancellation of Solicitation: UNHCR reserves the right to cancel a Solicitation at any stage of the procurement process.

6. SOME OF THE REASONS OF DISQUALIFICATION

- Bidder failed to upload technical documentation in “Technical” category and Financial documentation in a “Financial Category”.
- 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. offers 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 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 USD. 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 & Services.

Please note that the General Conditions of Provision Goods & Services (**Annex E**) will be strictly adhered to for the purpose of any future contract. The Bidder must confirm the acceptance of these terms and conditions in writing.

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 United Nations sanctioned list and UNHCR will not do business with them anymore.

VENDORS ON SANCTION LIST OF UN, UNGM and EU

Vendors who are currently in the sanction list of United Nations (UN), United Nations Global Market (UNGM) and European Union (EU) need not submit their offers/proposals as such offers/proposals will not be accepted. We advise vendors on these sanction lists NOT to submit their offers/proposals as it will only result in waste of their time, effort and resources.

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

Supply Officer

UNHCR Representation Office In, Erbil-Iraq.