

**DATE: 22/09/2022**

**INVITATION TO BID: No. HCR/IRQER/2022/ITB-085**

**For Construction of Road in Basirma Town, Erbil Governorate, Iraq**

**CLOSING DATE AND TIME: 06/10/2022 – 23:59 Hrs Iraq Time.**

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**INTRODUCTION TO UNHCR**

The Office of the United Nations High Commissioner for Refugees (UNHCR) 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 a 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 6,600 people in more than 110 countries continues to help about 34 million persons. To help and protect some of the world's most vulnerable people in so many places and types of environment, 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) in Erbil invites qualified bidders duly registered with the Government of KR-I and Iraq to make a firm offer for construction of road in Basirma town, Erbil governorate, Iraq.

**The details of the construction services are provided in the Attached Annex – A Scope of Work (SOW) & Annex- B Drawings.**

**IMPORTANT:**

It is strongly recommended that this Invitation to Bid (ITB) 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: Please take careful note of Article 5 of the attached General Terms and Conditions (Annex F).

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

## **2. BIDDING INFORMATION:**

### **2.1 ITB DOCUMENTS**

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

- Annex A: Scope of Work (SoW) (to be submitted as part of Technical Proposal and it must be signed and stamped to confirm its acceptance).
- Annex B: Drawings to be submitted as part of Technical Proposal and it must be signed and stamped to confirm its acceptance.
- Annex C: Technical proposal checklist to be submitted as part of Technical Proposal and it must be signed and stamped to confirm its acceptance.
- Annex D: Financial Offer Form. To be submitted as part of financial offer (signed & stamped)
- Annex E: Vendor Registration Form (*For suppliers who are not registered with UNHCR*).
- Annex F: UNHCR General Conditions of Contracts for the Provision Services
- Annex G: UNHCR General Conditions of Contracts for Civil Works - 2000
- Annex H: UN Supplier Code of Conduct.
- Annex I: e-Tender Box Supplier user manual.
- Annex J: Join a meeting without a Teams account

**Please note that submitting an offer is deemed as full acceptance of UNHCR's General Conditions of contracts for the provision of services, general conditions of contracts for civil work- 2000, and the UN supplier code of conduct. [Signed copies of Annexes F, G & H are not required at this stage]**

#### **ملاحظة:**

تعتبر مشاركتك م ف ي هذه المناقصة قبولاً تاماً للشروط العامة للمفوضية فيما يتعلق بالعقد وكذلك مدونة قواعد السلوك للموردين والمتعاقدين مع الأمم المتحدة (لا يشترط أرفاق النسخة الموقعة من المرفقات G, F, E (اعلاه في هذه المرحلة

### **2.2 ACKNOWLEDGMENT**

We would appreciate your informing us of the receipt of this ITB by , e-mail to [IRQERPROC@unhcr.org](mailto:IRQERPROC@unhcr.org) with CC [shamana@unhcr.org](mailto:shamana@unhcr.org).

- Your confirmation of receipt of this ITB
- Whether or not you will be submitting a proposal
- The source where you have acquired this tender document (e.g. E-Mail, Chamber of Commerce, UNGM website, printed media, etc.)

**IMPORTANT:** Please note that Bid Submissions are **NOT** to be sent to the e-mail address above.

### **2.3 REQUESTS FOR CLARIFICATION**

Bidders are required to submit any request for clarifications in respect of this ITB by e-mail to [IRQERPROC@unhcr.org](mailto:IRQERPROC@unhcr.org) CC [shamana@unhcr.org](mailto:shamana@unhcr.org)

#### **IMPORTANT:**

Please note that Bid Submissions are **not** to be sent to the e-mail addresses above. Failure to comply with this provision may result in disqualification.

UNHCR may, at its discretion, copy any reply to a question to all other invited firms. The deadline for receipt of questions is 28 September 2022 at 23:59 hours, Iraq Local Time. Bidders are requested to keep all questions concise.

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

All the emails sent requesting clarification MUST have the following subject line otherwise UNHCR reserves the right **NOT TO REPLY**.

Email Subject Line to be used for any queries related to this tender: **(HCR/IRQER/2022/ITB-085) - Query**

#### **2.4.1 SITE VISIT (Not Mandatory)**

All the participating construction companies/contractor are **ENCOURAGED** to inspect the construction site before submitting their offer. The contractors are required to send an email for booking an appointment for the visit to the email address: [IRQERPROC@unhcr.org](mailto:IRQERPROC@unhcr.org) CC: [shamana@unhcr.org](mailto:shamana@unhcr.org) before 26/09/2022. The date of the site visit is 26/09/2022 (the date and the time of the site visit is fixed no changes can be made to this date and time upon the request of a potential bidder.

Please Note: UNHCR does not provide means of transport to the site.

**Venue: Basirma Municipality**

**Coordination GPS: (36.4920266, 44.3715212)**

**Date/Time: 26/09/2022 at 11.00 AM to 12:00 PM, Iraq Local Time.**

For location information, please contact **Mr. Luay Ghassan 0750 717 0252**

Advance notification of attendance including the names and contact details of the company's representative engineer is required in order to enter the site/premises. Notification should be addressed in writing to [IRQERPROC@unhcr.org](mailto:IRQERPROC@unhcr.org) with cc [shamana@unhcr.org](mailto:shamana@unhcr.org) before 26/09/2022

#### **2.4.2 PRE-BID CONFERENCE (Not Mandatory)**

UNHCR will organize a supplier pre-bid conference on MS Teams, on **28/09/2022 at 10:00 AM HRS**. A maximum of ONE representative per company is allowed. Name and contact details of the company's representatives must be provided, at least two working days in advance, by e-mail to [IRQERPROC@unhcr.org](mailto:IRQERPROC@unhcr.org) CC: [shamana@unhcr.org](mailto:shamana@unhcr.org) before 28/09/2022. Changes in staff need to be shared in advance; otherwise, they will not be able to participate.

**IMPORTANT:** Participation in the pre-tender site visit is strongly encouraged given the complexity of the requirements for a bidder to qualify in the technical evaluation process. It is the responsibility of Bidder to request and sign the attendance sheet at the site and fill in all the requirements like Company name, contact name, etc. The company name should correspond to the same name in which the bid is being submitted and UNHCR will not be responsible for any omissions. The company should send a representative or (engineer). Participation in the pre-tender site visit shall be at the bidders' own expense. There will be no reimbursement from UNHCR.

After the pre-bid conference and site visit, a Questions & Answers document will be prepared and sent directly to bidders who attended the site visit, by e-mail and will also be uploaded on the UNGM website.

**IMPORTANT:** please note that bid submission are not to be sent to the above e-mail address

#### **2.5 YOUR OFFER**

Your offer shall be prepared in English.

Please submit your offer using the Annexes provided. Offers not conforming to the requested formats maybe not be taken into consideration.

**IMPORTANT:** Cancellation of Solicitation: UHCR reserves the right to cancel a Solicitation at any stage of the procurement process prior to final notice of award of a contract.

**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 -tendering address will result in disqualification of the offer. Please send your bid directly to the address provided in the “Submission of Bid” section 4) of this ITB.

Your offer shall comprise the following two sets of documents:

- a. Technical offer.
- b. Financial offer.

### **2.5.1 Content 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.

**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.

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

The technical component of your proposal should be concisely presented and structured as indicated in **Annex-C Technical Proposal Form**, but not necessarily be limited to.

**The below-listed documents should be submitted with your proposal which is required to assess the legal status, capacity, and prior experience, etc. of your company.**

- Submission of the Vendor Registration Form (*For suppliers who are not registered with UNHCR*).
- Submission of Registration Documents
- Similar Past Experience (Copies of 3 Purchase Orders (POs), Contract Agreements, or Work Orders with proof of project completion in the past ten (10) years.
- Specifications of the material and equipment details
- Staff qualifications, site engineer CVs with min 10 years of experience, and Surveyor with 5 years of experience.
- Implementation approach and time frame / Gantt chart.
- Cumulative turnover
  
- **Bid Security:** Your technical offer should contain the sum of **USD 1,000** in the form of a Bank Guarantee or Certified Bankers Cheque issued from a local bank. The bid security must be valid for at least **150 days** after the closing date of the tender. Please include a scanned copy of bid security in your technical documents submitted through **eTenderBox** and keep the original. UNHCR may ask to submit original copy at later stage of the evaluation.

**Companies not submitting the required documents with their proposal may be contacted by UNHCR and given one more opportunity (within 48 hours) to submit them (Only for the Administrative requirements Criteria no. 1 & 2 (Bid security and Business Registration Documents)). Should these companies still not submit the missing documents, they will then be disqualified:**

Include any information that will facilitate our evaluation of your company’s substantive reliability, and financial and managerial capacity to provide the services.

The bid security for the unsuccessful bidders will be released with the regret letter(s). The Bid Security for the successful bidder(s) will be released upon the submission of the Performance Bond and upon the signing of the Awarded Contract.

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

Your technical offer should clearly state the offered items are fully conforming to the product specifications given. Clearly state and disclose any discrepancies with the specifications given.

The following details shall also be provided in the Technical Offer as part of the **qualifying criteria** in order to establish the qualification of the bidders:

## **2.5.2 Content of the FINANCIAL OFFER**

Your separate **Financial Offer** must contain an overall offer in US Dollars.

The financial offer must cover all the services to be provided (price "all-inclusive"). If no financial offer is received, the bid shall be automatically disqualified.

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

UNHCR is exempt 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 the 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 entire duration of the Contract.

UNHCR will not provide any advance payments or payments by letter of credit. The standard payment terms are by bank transfer net thirty (30) days after acceptance of contractor's invoice and delivery of the goods to the and/or acceptance by UNHCR of the services.

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.

## **2.6 BID EVALUATION:**

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.

### **2.6.1 Supplier Registration:**

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

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

- Random / periodic testing of the supplier's products,
- Ability to respond quickly to Agency's needs,
- Timely delivery,

- Dependability of products and services.
- Lead time for delivery

### 2.6.2 Technical and Financial Evaluation

For the award of this project(s)/Contract(s), UNHCR has established evaluation criteria that govern the selection of offers received.

The evaluation shall be made on a technical and financial basis

### 2.6.3 Technical Evaluation:

The technical component of the submission will be evaluated using the criteria **PASS or FAIL** by using the exact same structure as outlined in Annex C, and based on the requirements from Annex A.

#	Criteria Name	Criteria Description	Evaluation
1	<b>Mandatory Bid Security</b>	Has the bidder submitted a scanned copy of Bid Security of <b>USD 1,000</b> by “good for payment cheque/Certified Cheque” made out in the name of UNHCR covering the offer’s validity (150 days)? It should be a certified cheque (not personal). <u>The cheque should indicate the ITB number and must be issued under the company name.</u> The selected company would be required to submit the original cheque.	<b>Pass/Fail</b>
2	<b>Business Registration Certificate</b>	Has the bidder submitted the company registration certificate in the field of construction or general contracting, the company registered in IRAQ (Federal Government or Kurdistan Region of Iraq)? <b>No Joint Venture will be accepted</b>	<b>Pass/Fail</b>
3	<b>Past Experience</b>	Copies of 3 (Purchase Orders (POs), contract agreements, or work orders) attached with proof of project completion certificate/ performance letter issued by the client (Showing value, time completed, organization or firm for which completed, contact details of the organizations) awarded and served within the past 10 years. The actual copies of POs, contracts, and work orders should relate to similar projects <b>(Road projects only).</b>	<b>Pass/Fail</b>
4	<b>Staff qualifications, CVs with min 10 years of experience, and Resources</b>	_ Site engineer (bachelor's academic degree in Civil) with a minimum of 10 years experience. Graduation certificate or engineering union ID should be provided. - Surveyor (diploma in Surveying) with a Minimum of 5 years of experience.	<b>Pass/Fail</b>
5	<b>Works plan</b>	Detailed and realistic work plan with Work Schedule/ Gantt chart showing the starting and end of each activity. Any Gantt chart more than 15% or less than 15% for the proposed duration (90 days) will be considered as fail.	<b>Pass/Fail</b>
6	<b>Cumulative turnover</b>	Bidder must submit the latest 2 consecutive years, financial audited reports for the years (2019-2020-2021), Audited Financial reports must include the <u>Balance Sheet</u> and must be certified by the Iraqi Association of Accountants clearly demonstrating a minimum cumulative turnover of USD 100,000.	<b>Pass/Fail</b>

**Important: The above-listed documents should be submitted with your proposal which is required to assess the capacity and legal status of your company.**



**IMPORTANT:**

Please note that to qualify in the technical evaluation process, the bidder should qualify as “YES” in all the above-mentioned criteria, in order for their bids to be considered for further evaluation.

#### 2.6.4 Financial Evaluation

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

For evaluation purposes only, the offers submitted in currency other than US Dollars will be converted into **US Dollars** using the United Nations rate of exchange in effect on the date the submissions are due.

**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 the human rights, labour, environment and anti-corruption. We encourage our suppliers to sign up with the UN Global Compact Initiative.

#### 2.7 SUBMISSION OF BID:

The proposals must bear your official letterhead, clearly identifying your company.

**Please submit your proposal through an online eTenderBox Tool, which can be accessed at <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-H.

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.

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 the “Technical” category and financial documentation under the “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: 06/10/2022 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 and passed and has been considered by UNHCR as technically responsive

**Important Dates to Note for Bid Submission:**

<b>Tender available to vendors</b>	<b>22/09/2022 - 06/09/2022</b>
<b>Site visit</b>	<b>26/09/2022, 11.00 hrs Iraqi Local Time</b>
<b>Pre-bid conference and last day of Query</b>	<b>28/09/2022, 10:00 hrs Iraq Local Time</b>
<b>Closing date for submission of bids</b>	<b>06/10/2022 23:59 hrs Iraq Local Time</b>

**2.8 BID ACCEPTANCE:**

UNHCR reserves the right to accept the whole or part of your bid or to allow split or partial awards.

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

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 the 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 that UNHCR may, at its sole discretion, award only one (or multiple contracts) to the successful bidder/s who are technically compliant and offers the lowest price.

**2.9 CURRENCY AND PAYMENT TERMS FOR PURCHASE ORDERS**

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

The standard payment terms of UNHCR are net **30 days** via electronic fund transfer (**EFT**) upon satisfactory delivery of goods and acceptance thereof by UNHCR.

**2.10 UNHCR GENERAL CONDITIONS OF CONTRACTS FOR THE PROVISION OF SERVICE**

Please note that the General Conditions of Contracts for the Provision of Services (**Annex F**) 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.



### **3. SOME OF THE REASONS FOR DISQUALIFICATION**

- Bidder fails to upload technical documentation in “the Technical” category and Financial documentation in the “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 upload 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 submissions 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

### **4. Zero Tolerance Policy:**

Please note that UNHCR strictly follows a 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 a United Nations-sanctioned list and UNHCR will not do business with them anymore.

### **5. Payment Terms**

Any Purchase Order (PO) issued as a result of this ITB will be made in USD. Payment will be as follows:

- I. First payment (50%) upon completion of at least 55% of works in accordance of the total scope of work on the contract BoQ (Annex-D). UNHCR will determine the percentage of works completed based on actual measured quantities of executed work. Payment will be made for 50%
- II. Last payment (90%) after completing 100% of the total scope of works on the contracted BoQ (Annex D). UNHCR will determine the percentage of works executed.
- III. A retention fee of 10% will be released after 6 months of completion of 100% of works to observe the defect liability period. The retention fee of 10% will be released to the contractor upon inspection of works/site by UNHCR Engineer and issuance of Handover Certificate.

### **6. Liquidated Damages**

Article 45 of (The UNHCR General Conditions of Contract for Civil Works (October 2000 version) shall be subject to the following agreement and clarification: in the event of delay in completion of the WORKS within the stipulated completion period, the CONTRACTOR shall pay an amount equivalent [0.1%] for each [DAY for the portion of incomplete portion of the works] of delay beyond the date upon which the Services were due to be completed. Which shall not exceed 10 percent of the Contract value] is a reasonable approximation thereof and is intended as the fair allocation and liquidation of damages and not as a penalty against the Contractor.

**7. All tender documents from UNHCR are available free of charge.**

**8. UNHCR is not accepting submissions bids under the Joint Venture modality.**

**Supply Officer**

**UNHCR Country-Office Erbil-Iraq**

# Join a meeting without a Teams account



1. Go to the meeting invite and select **Join Microsoft Teams Meeting**.
2. That'll open a webpage, where you'll see two choices: **Download the Windows app** and **Join on the web instead**. If you join on the web, you can use either Microsoft Edge or Google Chrome. Your browser may ask if it's OK for Teams to use your mic and camera. Be sure to allow it so you'll be seen and heard in your meeting.
3. Enter your name and choose your audio and video settings. If the meeting room (or another device that's connected to the meeting) is nearby, choose **Audio off** to avoid disrupting. Select **Phone audio** if you want to listen to the meeting on your mobile phone.
4. When you're ready, hit **Join now**.
5. This will bring you into the **lobby**. We'll notify the meeting organizer that you're there, and someone in the meeting can then admit you.

