

DATE: 05/09/2022

INVITATION TO BID No. HCR/IRQ/BGD/2022/SUP/ITB/212

Rehabilitation of Abu Ghraib irrigation water station (WP-AN-09) in Abu Ghraib district, Baghdad governorate

CLOSING DATE AND TIME: 23/09/2022 – 23:59 Hrs Iraq Time.

INTRODUCTION TO UNHCR

The Office of the United Nations High Commissioner for Refugees was established on 14 December 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 five 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 34 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) in Erbil invites qualified bidders duly registered with the Government of Iraq (Federal government or KRI authorities) to make a firm offer for the rehabilitation of Abu Ghraib irrigation water station (WP-AN-09) in Abu Ghraib district, Baghdad governorate.

The details of the construction services are provided in the Attached Annex – A Scope of Work (SOW)

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 E).

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) & Drawing (**SOW to be submitted as part of Technical Proposal and it must be signed and stamped to confirm its acceptance**)
- Annex B: Technical Proposal Form.
- Annex C: BOQs / Financial Proposal Form (**to be submitted as Financial Proposal in both PDF format (signed & stamped) and in a soft copy as an Excel document**)
- Annex D: Vendor Registration Form
- Annex E: UNHCR General Conditions of Contracts for Civil Works - 2000
- Annex F: UNHCR General Conditions of Contracts for the Provision of Mixed Goods and Services - July 2018
- Annex G: UN Supplier Code of Conduct
- Annex H: **e-Tender Box Supplier user manual**
- Annex I: Site Visit Certificate
- Annex J: General Site Plan drawing
- Annex K: Pipe's Concreate base drawing
- Annex L: Shade Area details (drawing)

Please note that submitting an offer is deemed as full acceptance of UNHCR's General Conditions of contracts for the provision of goods and services, general conditions of contracts for civil work- 2000, and the UN supplier code of conduct. [Signed copies of Annexes E, F & G 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 E, F, G اعلاه في هذه المرحلة)

2.2 ACKNOWLEDGMENT

We would appreciate your informing us of the receipt of this ITB by , e-mail to IRQBASUP@UNHCR.ORG with cc alsaffai@unhcr.org.

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

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 prospective bidders by e-mail and will be uploaded on the UNGM website.

2.3 REQUESTS FOR CLARIFICATION

Bidders are required to submit any request for clarifications in respect of this ITB by e-mail to IRQBASUP@UNHCR.ORG cc alsaffai@unhcr.org

UNHCR may, at its discretion, copy any reply to a question to all other invited firms. The deadline for receipt of questions **is 14 September 2022 - 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/IRQ/BGD/2022/SUP/ITB/212) - Query

2.4 SUPPLIER PRE-BID CONFERENCE AND SITE VISIT

Interested companies are invited to attend a **Mandatory** pre-bid conference/site visit for a complete understanding of the Scope of Works prior to sending the formal proposal to UNHCR. The pre-bid conference and site visit will be organized on the following date:

Venue: Abu Ghraib irrigation water station (WP-AN-09).

Date/Time: **11/Sep/2022 at 11.00 AM, Iraq Local Time.**

For location information, please contact Engineer Hussein Al-Obaidi mobile number: +964 7812 522 264

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 IRQBASUP@UNHCR.ORG with cc alsaffai@unhcr.org before 08/09/2022.

IMPORTANT: Participation in the pre-tender site visit is mandatory 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 representative **must be an 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 UNGM website.

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. **Please carefully read the e-Tender box user manual attached as Annex-H 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-B 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 Document with the Government of Iraq (Federal Government or Kurdistan Region) as a construction company
- Similar Past Experience (Copies of 3 Purchase Orders (POs), contract agreements, or work orders for road construction with proof of project completion in the past ten (10) years

- **Performance Bond:** The Contract must be signed within 14 days of the issue of the Letter of Acceptance. The successful bidder will be required to furnish us with 5% Bank Guarantee of the contract value from a reputable bank in the next 7 days, valid for the entire period of the contract and the period for defects and liabilities period.

- **Bid Security:** Your technical offer should contain the sum of **USD 2,000** 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 **180 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 criterion no. 2 & 3 (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 C). 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 **180 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.

UNHCR’s standard payment terms are within 30 days via electronic funds transfer (EFT) after satisfactory implementation and receipt of documents in order.

2.5 **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

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. Evaluation is made on a technical and financial basis.

The evaluation shall be made on a technical and financial basis.

2.6.2 Technical Evaluation:

The **Technical offer** will be evaluated using the **Pass/Fail** method as per the below evaluation criteria:

#	Criteria Name	Criteria Description	Evaluation
1	Mandatory Site Visit	Has the company submitted a duly signed site visit certificate by the engineer who visited the site and the site visit focal points? The engineer should carry during the site visit an ID issued from the Iraq Engineers Association or an equivalent proof document.	YES/NO
2	Mandatory Bid Security	Has the bidder submitted a scanned copy of Bid Security of USD 2,000 by "Good for Payment Cheque/Certified Cheque" made out in the name of UNHCR covering the offer's validity (180 days)? It should be a certified cheque (not personal). The cheque should indicate the ITB number and must be issued under the company name. The selected company would be required to submit the original cheque.	YES/NO
3	Business Registration Certificate	Is the company registered as a construction or general contracting company in IRAQ (Federal Government or Kurdistan Region of Iraq)? No Joint Venture will be accepted.	YES/NO
4	Past Experience	Has the company submitted 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 (new construction, rehabilitation, and sanitation projects).	YES/NO
5	Technical Specification	The vendor should submit a catalogues or data sheet confirming that the project items must be comply with the BOQ specifications.	Yes/No
6	Staff qualifications, CVs with min 5 years of experience,	<ul style="list-style-type: none"> _ Site engineer (bachelor's academic degree in Civil) with a minimum of 5 years experience. Graduation certificate or engineering union ID should be provided. - Electrical Engineer (bachelor's degree) with a minimum of 5 years experience. Graduation certificate or engineering union ID should be provided. - Mechanical Engineer (bachelor's degree) with a minimum of 5 years experience. Graduation certificate or engineering union ID should be provided. 	Yes/No
7	Works Plan	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 (180 days) will be considered as fail.	Yes/No

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.

2.6.3 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.

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: **23/09/2022 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:

Tender available to vendors	05/09/2022
Site visit and bidders conference	11/09/2022, 10:00 AM hrs Iraqi Local Time
Last day for Queries	14/09/2022, 23:59 hrs Iraq Local Time
Q&A Upload on UNGM	18/09/2022
Closing date for submission of bids	23/09/2022 23:59 hrs Iraq Local Time

2.8 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 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 Goods and 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.

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, favor, 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 Iraqi Dinar IQD.

Payment will be as follows:

- a) 1st Payment (30%) after completing of 30% of the project implementation.
- b) 2nd Payment (30%) after completing of 60% of the project implementation.
- c) 3rd payment of (40%) after completing of 100% of the project implementation.
- d) Ten percent (10%) of retention fee will be held from each progress/interim and/or final payment made.

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 to 0.1% of the total Contract Price for each calendar day of delay for the incomplete work that is delayed.

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 Office, Baghdad