

Invitation to tender (ITT) for provision of

Reviewing and Drafting a New Tax Law for The Republic of Iraq

1. INTRODUCTION

- 1.1** The Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH in Iraq assists the Iraqi Government on behalf of the German Federal Ministry for Economic Cooperation and Development (BMZ) the Federal Foreign Office (AA) and the European Union (EU). GIZ offers a wide range of services concentrating on the following sectors; Reconstruction and peacebuilding; Economic development and employment; Good governance.
- 1.2** GIZ Strengthening Public Financial Management and Finance Markets (FFM) invites eligible Bidders to submit offers for the provision of Reviewing and Drafting a New Tax Law for The Republic of Iraq service as per Annex 1 -Terms of Reference

2. Tender Detail

Procurement reference number:	83435082
Subject of ITT	Procurement of Reviewing and Drafting a New Tax Law for The Republic of Iraq
Name and address of procurement entity:	GIZ Iraq Procurement and Contract Unit – Erbil Office
Project Title	Strengthening Public Financial Management and Finance Markets (FFM)
Basis for award	Technical 70% and Financial 30%
Bid submission method:	Email Submission
	Two separate e-mails: one containing Financial Bid' and the other 'Technical Bid"
Date of Issue	11 June, 2023
Documents comprising the bid	The tender package comprises the following documents: • Invitation to Tender • Terms of Reference • Specification of Inputs • Technical assessment grid • Bid Form • Eligibility assessment grid • General Terms and Conditions of Contract • Association Clause
Deadline for submission	17:00 local time on Wednesday, July 5, 2023
Email for submission of bid	IQ_Quotation@giz.de
Activity expected start date	Tuesday, August 1, 2023

3. INSTRUCTION

BID Submission

3.1 Email Submission

Please address your bid to the following dedicated, controlled, & secure email address. And the following condition should be applied:

IQ_Quotation@giz.de (Please refrain from adding any other GIZ e-mail; otherwise, the GIZ will assume the offer is unresponsive and invalid).

- The email subject must be **83435082_Reviewing and Drafting a New Tax Law for The Republic of Iraq**
- Separate emails shall be used for the Financial Bid' and 'Technical Bid', and the Subject Heading of the email shall indicate which type the email contains
 - The financial bid shall only contain the financial Annex 3 – Bid Form
 - The technical bid shall contain Annex A, approved terms of reference, concept or Company Technical offer(if required), CV of expert(s), Company legal registration, company local valid Bank detail, and all other documents required by the tender but excluding all pricing information.
- Bid documents required, shall be included as an attachment to the e-mail in PDF format, or the same type of files provided as a ZIP file. Documents in MS Word or Excel and other types of formats will result in the bid being disqualified.
- Email attachments shall not exceed 20MB; otherwise, the Bidder shall send the bids in multiple emails. Emails attachments exceeding 20MB will not be received in the GIZ mailbox.
- All documents should be signed and stamped

Failure to comply with the above may disqualify the Bid

3.2 Deadline for Submission

Complete Bids must be received no later than **17:00 local time on Wednesday, July 5, 2023**

Any BID received after the deadline might not be considered; however, If the deadline date was on a weekend or unexpected public holiday, the tender submission will be shifted to the following working day.

4. Bid Currency

The bid's prices, costs, charges, discounts, and other financial aspects shall be indicated in **USD**.

5. Tender submission Cost

The Bidder shall bear all costs associated with the preparation and submission of the tender.

6. Bid Language

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

7. Correction or Modification

Subsequent corrections, modifications, and additions to the technical offers bid can be considered only if the GIZ receives them before the deadline submission to this e-mail, ig_quotation@giz.de. The e-mail subject is (Amendment - 83435082_Reviewing and Drafting a New Tax Law for The Republic of Iraq).

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

The bid must be based on Annex 5 - General terms and conditions for providing of services on behalf of the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH. In the event of an award of a contract, they would become an integral part.

8. Content of Bid

8.1 Content of the Technical Offer

The Bidder shall provide GIZ with the information which should in all respects satisfy the requirements laid down in the bidding documents. The bid should contain the following information, and any extra requirements will be requested during the evaluation process (if required)

- A detailed methodological concept that allows the GIZ assessors to examine the technical aspects in the light of the project objective. in accordance with Annex 1 – Terms of Reference and Annex 2 Grid for technical assessment
- The Curricula vitae for the experts proposed for the demanded services. The CVs should include information on:
 - Name, title, nationality, date, and place of birth, education, and professional training, Professional experience showing the length of employment, countries of assignment, position held, project and programs and responsibilities, and management experience, Special knowledge, language skills.

Please refer to Annex 1 – Terms of Reference for more details.

- A project-related presentation of the Bidder with a description of workgroups taking part, divisions, or other organizational units, if possible, in the form of an organizational chart, and distribution of staff members to these organizational units with their respective qualifications and experience, the number of company's employees should be stated.
- Local Bank accounts must be under company name data with all details from a local bank (Bank Name, Account Holder, IBAN, SWIFT CODE).

To be potentially qualified for the award of the contract, the Bidders shall:

- Provide all relevant local legal documents of the expert and all worldwide valid ID, which includes place (Passport and National ID), All documents must be valid.

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

8.2 Content of the Financial Offer

- The price offer must contain all costs in **(US Dollars)**, as specified in Annex 3 - Bid Form and must signed and stamped
- All the prices that would be stated in the offer, shall be free of taxes and other public charges that cannot be exempted and must be paid.

9. Validity of Bid

Bids shall remain valid for **90 days** after the deadline for submission of bids, subject to extension.

10. No Commitment

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

GIZ is not responsible for fluctuations in the prices of any items in the local and international markets during the contract period and the Offeror is obliged to the proposed price according to the contract and until the end of the contract period between the parties.

11. Bid Evaluation

The evaluation of bids shall be conducted in three sequential stages:

11.1 Phase I – Administrative Evaluation

Bids will be checked for their compliance with formal and eligibility criteria stated in this Tender Document. GIZ will check all administrative documents to ensure all forms have been submitted, signed, and are following the administration requirement. The below documents should be submitted with the bid and will be checked at this stage:

#	Annex	Document	Instruction
1	Annex A	Invitation to Tender	Complete ALL sections in full, sign and submit
2	Annex 1	Terms of Reference	Review and sign Annex 1 - Terms of Reference before completing Financial offer
3	Annex 1.1	Specification of Inputs	Please bid for the travel expenses and the total amount in USD must be highlighted in Annex 3
4	Annex 2	Technical Assessment Grid	Review and sign Annex 2 - Technical Assessment Grid, the Bidder's technical offer will be assessed based on the indicated weightings
5	Annex 3	Bid Form	Complete and sign Bid Form based on the requirements stated in Annex 1 - Terms of Reference
6	Annex 4	Eligibility Assessment Grid	Review and sign Eligibility Assessment Grid, and provide an average Annual turnover for the last three financial years with average number of employees as well as project references
7	Annex 5	General Terms and Conditions of contract	Review and sign General Terms and Conditions of Contract, and submit it

8	Annex 6	Association Clause	Complete and sign Association Clause if you are in cooperation with Joint Venture(s)
9	Others	Company Legal Documents	Provide a copy of Company legal documents (local-valid Company Registration, valid related IDs and local Bank account)
10	Others	Concept / Technical Proposal	Submit Technical proposal (Concept) in line with Annex 1 - Terms of Reference
11	Others	CV of Expert (s)	Provide Expert CV (s)

11.2 Phase II – Technical evaluation (70%)

Bids that pass the preliminary evaluation are subjected to a technical evaluation against the technical and qualification evaluation criteria listed in Annex 2 - Technical assessment grid and Annex 4 – Eligibility assessment grid obtained from the requirements specification, as well as from any qualification conditions as specified in the ToR. Only offers that received a minimum of 50% will be considered for the subsequent stages. the admissible weighting for the awarding procedure is valued for the technical offer at 70%, and the price offers is 30%.

IMPORTANT NOTE:

Despite the Technical Proposal and Expert CVs, The Bidder must provide the following information:

- 1- **Company Annual Turnover for past years (2019, 2020, and 2021)**
- 2- **Number of company staff**
- 3- **At least 3 similar contracts related to the same service.**

Failure to submit the above information, the bidder will be considered ineligible

11.3 Phase III – Financial evaluation (30%)

Only the price offers of bids with at least 50% points will be opened and subjected to financial assessment which assesses the price (/cost) and any related commercial terms. The awarded Bidder will be selected based on overall scores obtained in the technical and financial evaluation.

12. Tender Result

Suppose the Bidder does not receive any written award notice within 90 days. In that case, it means GIZ has not accepted the bid, the Bidder will **not** receive any separate notification, and only awarded Bidder will be officially informed by GIZ.

13. Contract

After the evaluations are completed, GIZ reserves the right to share the notice award email with the most compliant Bidder based on the accepted technical offer, and prices indicated in Annex 3 – Bid form, the notice award email is to invite Company to the GIZ country office – in Iraq to sign the Contract and special agreement, the awarded Company is allowed to start the implementation

14. Payment Terms

- Payment will be issued only through Bank transfer, and the bank account must be under company name
- Payment will be released based on the negotiated payment plan.
- All the services are against proof of Evidence , payment occurs when services are rendered
- There is no provision of verbal agreement, therefore, both parties must mutually agree on any changes and documented them in written form
- GIZ will not be responsible if the local Bank of the contractor converts the payments into another currency. The contractor is not entitled to claim any charges or fees deducted by the Bank due to the exchange and/or transfer of payments.
- The normal terms of payment by GIZ are 30 (thirty) days, upon satisfactory delivery of goods or performance of services. Bidders must therefore clearly specify in their bid the payment terms being offered.

15. Cancellation of tender and Service contract

15.1 The tender can be cancelled, if:

- No bids have been received which corresponds to the bidding conditions.
- There have been substantial changes during the tender
- All technically acceptable tenders exceed the financial resources available.
- There are other serious reasons for such cancellation.

16. Supplier Information Form

Section 1: General Information		
Bidder's Name		
Full Address	Country:	Street:
	City:	Office No:
Phone/Fax Numbers	Phone:	Website:
	Email:	
Company Owner's Information	Full Name:	Phone No:
	Email:	Current address:
Stakeholder's Name	Full Name:	Phone No:
	Email:	Position Held:
Number of Staff		
Number of Locations		
Year established		
Type of business		
For Companies: Please provide Annual turnover for the last three (3) years in US Dollars		
2021		
2020		
2019		

Section 2: Bank Account information	
Account Name	
Bank Name and Address	
Account NO	
IBAN	
Swift Code	

17. Tender Submission Checklist

We, the Bidder, acknowledge that we have provided all of the required information and supporting evidence:

Required Document/ Evidence	Please tick if provided	Annex #	Justification if proof not provided
Business Registration Certificate	☐		
Company Bank Account Detail	☐		
Completed tender package	☐		
<u>Concept and Proposals, CVs, Annual Turnover, Similar Contracts</u>	☐		
Signed and Stamped invitation to tender ITT	☐		
Signed and Stamped General Term and Condition	☐		
Bid Submitted in two separate e-mails one containing the technical offer and the other financial offer, both bearing the tender 83435082 and name described in the ITT.	☐		

I/We acknowledge our understanding and acceptance of the GIZ General Conditions of Contract, and all the conditions described in this ITT. We also confirm that the above-mentioned **Choose an item** has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for, or executing, any Contracts and has never been in any dispute with any Governmental Agency nor international aid organization.

DECLARATION I/we the undersigned state that the above information is correct and that I/we give the right to GIZ to seek any references concerning my/our company from whatever sources deemed relevant.

Name of Bidder

Name of Authorized Manager

Function Title

Authorized Signature and Stamp

Date