

DATE: 07/09/2023

INVITATION TO BID: No. HCR/IRQ/BGD/2023/SUP/ITB/309
ESTABLISHMENT OF FRAME AGREEMENT FOR THREE YEARS FOR THE SUPPLY AND DELIVERY OF
TONERS AND CARTRIDGES FOR UNHCR OFFICES IN IRAQ
CLOSING DATE AND TIME: 21/09/2023 – 23:59 HRS UTC +3 (Baghdad Standard Time)

INTRODUCTION TO UNHCR

The Office of the United Nations High Commissioner for Refugees was established on December 14, 1950, by the United Nations General Assembly. The agency is mandated to lead and coordinate 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 15,000 people in more than 128 countries continues to help about 70 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), Baghdad, invites qualified bidders duly registered with the Government of KRI/Iraq to make a firm offer for the Establishment of 3 Years Frame Agreement for the Supply and Delivery of Toners and Cartridges for UNHCR Offices in Iraq.

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 for the provision of Goods (Annex E & E-1)

IMPORTANT: The list of requirements is detailed in Annex-A of this document.

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

UNHCR may award Frame Agreement(s) with an initial duration of two (2) years, potentially extendable for a further period of one (1) year for the supply and delivery of Toners and cartridges for UNHCR Offices in Iraq. The successful bidders will be requested to maintain their quoted price model for the duration of the Frame Agreement(s).

The estimated annual requirement of UNHCR is specified in Annex A (List of Requirements)

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

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 Frame Agreement with other UN Agencies.

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 18 "settlement of disputes" of the UNHCR General Conditions of Contracts for the provision of Goods shall not be deemed to be a "cause" for or otherwise to be in itself a termination clause.

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

QUALITY CONTROL THROUGHOUT THE FRAME AGREEMENT:

UNHCR will carry out random quality inspections, including specific selected criteria for laboratory tests on 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 costs will be charged to the supplier.

Sub-Contracting: Please take careful note of Article 4 of the attached General Terms and Conditions (Annex E, E1).

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 (ITB);

Annex A: List of the Requirements

Annex B: Financial Offer Form (to be submitted as Financial Offer in both PDF format (signed and stamped) and in a soft copy as an Excel document)

Annex C: Technical Offer Form

Annex D: Vendor Registration Form: You should complete, **fill and submit** with your technical offer if you are not already a registered vendor with UNHCR. If you are already registered with UNHCR, your vendor ID should be stated.

Annex E: UNHCR General Conditions of Contracts for the Provision of Goods (English)

Annex E-1: UNHCR General Conditions of Contracts for the Provision of Goods (Arabic)

Annex F: Technical Evaluation Criteria

Annex G: UN Supplier Code of Conduct.

Annex H: e-Tender Box Supplier user manual

Annex I: How to Join Microsoft Teams Without an Account.

Annex J: Tentative calendar of activities

Annex K: Bid Data Sheet

Annex L: Submission Checklist

Please note that submitting an offer is deemed as your company's full acceptance of UNHCR's General Conditions for the provision of Goods and UN supplier code of conduct. [Signed copies of Annexes E, E1, & 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 G & E&E1 اعلاه في هذه المرحلة)

2.2 Acknowledgment

We would appreciate you informing us of the receipt of this ITB by return e-mail to IROBASUP@UNHCR.ORG as to:

- Your confirmation of receipt of this ITB

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- Whether or not you will be submitting a bid

2.3 Requests for clarifications

Bidders are required to submit any request for clarifications in respect of this ITB by e-mail to IRQBASUP@UNHCR.ORG and cc ALSAFFAI@UNHCR.ORG. **The deadline for receipt of questions is 16/09/2023 at 23:59 HRS UTC +3 (Baghdad Standard Time).** Bidders are requested to keep all questions concise. UNHCR may, at its discretion, copy any reply to a question to all other invited firms.

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

EMAIL SUBJECT: HCR/IRQ/BGD/2023/SUP/ITB/309 - Query

UNHCR will compile all questions and reply to the questions received as soon as possible by means of publication on the UNGM and by email to all bidders who participated in the site visit and pre-bid conference.

IMPORTANT: Please note that Bid Submissions are not to be sent to the above e-mail addresses.

UNHCR reserves the right to award without clarifications and/or discussions. If there are arithmetic mistakes in the budget of the technically compliant offers, UNHCR will rectify these mistakes on the following basis:

- a) If there is a discrepancy between the unit price and the total price that is obtained by multiplying the unit price and quantity, the unit price shall prevail, and the total price shall be corrected; and
- b) If there is a discrepancy between the amounts in figures and in words, an advantage will be given to the amounts in words.

If the correction(s) leads to a different total cost, this new total cost will be evaluated against other technically Compliant Offers and considered as being part of the Best Value evaluation and selection. UNHCR reserves the right to reject the offers if the technically compliant applicant does not accept the correction of mistakes in the budget by UNHCR.

2.4 Pre-Bid Conference (Not Mandatory)

UNHCR will organize a supplier Pre-bid conference on MS Teams, on **14 September 2023 at 14:00 HRS UTC +3 [Baghdad Standard Time]**. A maximum of ONE representative per company is allowed. Name and contact details of the company's representatives must be provided, in advance by e-mail to IRQBASUP@UNHCR.ORG with a copy to the responsible buyer at: ALSAFFAI@UNHCR.ORG before **14 September 2023**. Changes in staff need to be shared in advance; otherwise, they will not be able to participate.

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

2.5 Your Offer

Your offer should be prepared in **English**. (All supporting documents should also be in English)

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

IMPORTANT:

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

IMPORTANT:

The inclusion of copies of your offer with any correspondence sent directly to the attention of the responsible buyer or any other UNHCR staff other than the submission e-mail address will result in disqualification of the offer. Please upload your bid directly to the online eTenderBox Tool as specified in the "Submission of Bid" (Section 2.7) of this ITB.

Your Offer shall comprise the following two sets of documents:

- a. Technical Offer

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b. Financial Offer

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

2.5.1 Content of the Technical Offer

IMPORTANT:

No pricing information should be included in the technical offer. Failure to comply will lead to disqualification. The technical offer should contain all the information required.

The details of the Goods requested by UNHCR can be found in **Annex-A. List of Requirements** but not necessarily be limited to. **The below-listed documents should be submitted with your offer which is required to assess the legal status, capacity, prior experience, etc. of your company.**

Company Profile: The bidder shall provide a complete company profile containing copies of

- **Bid Security:** copy of a Bid Security of USD 1,000 by “Good for Payment Cheque/Certified Cheque” made out in the name of UNHCR covering the offer’s validity (180 days after the closing date of the bid). 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.
- **Registration Documents:** Registration documents with the government of Iraq (Federal/KRI Authorities) as a general contracting company or IT Supplies
- **Tax Certificate:** Copy of a valid Company Tax Certificate/ID
- **Proof of Similar Work Experience Document:** Copies of 2 (Purchase Orders (POs), contract agreements, or work orders) attached with proof of delivery issued by the client awarded and served within the past 5 years. The actual copies of POs, contracts and work orders should related to Toners and Cartridges
- **Technical Offer Form:** Annex C should be filled, signed, stamped and submitted with the technical offer package.
- **Vendor Registration Form:** If your company is not already registered with UNHCR, you should complete, sign, and submit with your technical offer the Vendor Registration Form (Annex D).
- **UNHCR General Conditions for Provision of Goods:** Please note that by submitting an offer is deemed as full acceptance of UNHCR’s general terms and conditions for Goods. Signed copies are not required at this stage.

Companies not submitting the required documents with their offer 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, & 3 (Bid Security & Business Registration Documents, Tax Certificate)). Should these companies still not submit the missing documents, they will then be disqualified:

IMPORTANT:

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

2.5.2 Content of The Financial Offer

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

The Financial offer is to be submitted as per the **Financial Offer Form (Annex B)**. Bids that do not conform to this form may not be accepted.

The following details shall be provided for each item:

Unit costs: The bidder shall quote the unit mentioned in the financial offer form. Any quantity or other discounts (e.g. volume discounts) shall be clearly indicated.

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 submission. UNHCR will make its best effort to award the contract within this period.

IMPORTANT: The pricing model quoted in the Supplier's offer will remain valid for the duration of the Contract.

UNHCR's standard payment terms are within 30 days after delivery and receipt of documents in order.

The cost of preparing a bid and 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

Each offer from a supplier will be considered separately and independently. Bidders shall submit a complete offer for each solicitation in which they wish to participate. References to previous ongoing offers will not be 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.

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

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 (at least three years' Bank Statement)
- Core business
- Track record
- Contract capacity

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

- Ability to respond quickly to the Agency's needs
- Dependability of services
- Lead time for delivery of services

2.6.2 Technical Evaluation

The technical component of the submission will be evaluated using the criteria **PASS** or **FAIL** as shown below:

Mandatory Pre-Evaluation Criteria

s/no	Criteria	Criteria Description	PASS/FAIL
1	Bid Security	Has the bidder submitted a scanned copy of the Bid Security of USD 1,000 or equivalent in IQD by "Certified Cheque" made out in the name of UNHCR covering the offer's validity (180 days after the closing date of the bid)? 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.	
2	Registration	Is the vendor registered with the federal Govt. of Iraq or the KRI Authority in the field of Trading/General Contracting or IT supplies?	
3	Tax Certificate	Has the bidder submitted a valid Tax Certificate/ID	

Technical Criteria

#	Criteria	Criteria Description	PASS/FAIL
1	Conformance to the required specification of items	Is the bidder an authorized HP/Canon distributor (Proof of Certificate) or has the bidder committed and confirmed that the offered items are genuine HP/Canon products and that they meet the UNHCR requirements?	
2	Proof of Relevant Experience	Has the vendor submitted proof of experience? (Minimum two POs or Contracts or mix with proof of delivery, during the last five (5) years related to toner?	
3	Warranty	Has the vendor agreed to provide genuine toner with a warranty period of 3 Months upon delivery?	
4	Toners Shelf life	Has the vendor confirmed that the shelf life of the delivered toner will not exceed 12 months from the manufacturing date	
5	Technical Offer Form	Does the company Filled, Signed, and Stamped the Technical Offer Form (Annex C)?	
6	Delivery Period	Maximum delivery period 2-3 weeks. Partial item delivery is accepted within 2-3 weeks.	

IMPORTANT:

Please note that to qualify in the technical evaluation process, the bidder should qualify as a “Pass” in all the above-mentioned criteria.

UNHCR may visit the supplier’s premises of all technically qualified companies before making its decision.

2.6.3 Financial Evaluation

The **Financial offers** will be evaluated using the lowest price offered.

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

2.7 SUBMISSION OF BID

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

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

To submit an offer 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.

IMPORTANT TO 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 labelled. **The maximum size limit per file is 10MB.**

IMPORTANT:

DEADLINE TO SUBMIT YOUR BID: 21/09/2023 – 23:59 HRS UTC +3 (Baghdad Standard 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 offer by UNHCR.

IMPORTANT:

The Financial offer will only be opened for evaluation if the supplier's technical offer has passed the technical evaluation and has been considered by UNHCR as technically responsive

Important Dates to Note for Bid Submission:

Tender available to vendors	07/09/2023
Pre-bid conference	14/09/2023 at 14:00 HRS UTC +3 (Baghdad Standard Time)
Last day for Queries	16/09/2023 – 23:59 HRS UTC +3 (Baghdad Standard Time)
Closing date for submission of bids	21/09/2023 – 23:59 HRS UTC +3 (Baghdad Standard Time)

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 the 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**. Furthermore, the contract will be awarded to the bid considered the most responsive to the need, as well as conforming to UNHCR's general principles, including economy, efficiency and best value for money.

2.8.1 Some of the Reasons for Disqualification

- Bidder fails to upload technical documentation in the "Technical" category and financial documentation in the "Financial Category".
- Financial offer was also uploaded in the "Technical" Category of the 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 was 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 are a late submission and will be disqualified.
- The Bidder's qualification or data are proven to be false and
- The Bidder commits a proven false or dishonest act in anticipation of the award of a contract.

2.9 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 to the General Conditions for the Provision of Goods 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 services and acceptance thereof by UNHCR.

2.10 UNHCR General Conditions for the Provision of Goods.

Please note that the General Conditions of Provision of Goods (**Annex E & E-1**) will be strictly adhered to for the purpose of any future contract.

2.11 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 commission etc. to UNHCR staff. Any supplier found to be offering gifts, favour, hospitality and commission etc. to UNHCR staff will be placed on the United Nations-sanctioned list and UNHCR will not do business with them anymore.

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

4 UNHCR is not accepting submissions under the Joint Venture modality.

5 Payment Terms:

UNHCR's standard payment terms are within 30 days after delivery and receipt of documents in order.

Supply Officer

UNHCR Country Office, Baghdad