

DATE: 23/10/2023

INVITATION TO BID: No. HCR/IRQ/BGD/2023/SUP/ITB/350

**Construction of a Waiting Area in the Housing information Card Office in West Mosul, Iraq (Lot – I)
&
Construction of the Waiting Area and two WCs in Tilkief CAD, Nineveh Governorate, Iraq (Lot – II).**

CLOSING DATE AND TIME: 07/11/2023 – 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 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 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 Iraq/KRI to make a firm offer for the Construction of a Waiting Area in the Housing information Card Office in West Mosul & Construction of the Waiting Area and two WCs in Tilkief CAD, Nineveh Governorate, Iraq.

IMPORTANT: Scope of Work (SOW) are detailed in (Annex-A) of this ITB.
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IMPORTANT:

When a contract is awarded, either party can terminate the contract only upon 90 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 Good and Services 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 (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 & Services (Annex - F)

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

Delivery Location: Services outlined in (Annexes A & D) are needed to be delivered to the below address.

- Waiting Area in the Housing information Card Office in West Mosul, Nineveh Governorate, Iraq.
- Waiting Area and two WCs in Tilkief CAD, Nineveh Governorate, Iraq.

2. BIDDING INFORMATION

2.1 ITB Documents

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

Annex A: Scope of Work (SOW)

Annex B: Technical Offer Form

Annex C: Technical Evaluation Criteria (TEC)

Annex D: Financial Offer Form (BOQ) for Waiting Area in the Housing information Card Office in West Mosul, Nineveh Governorate, Iraq (Lot 1).

Annex D1: Financial Offer Form (BOQ) for Waiting Area and two WCs in Tilkief CAD, Nineveh Governorate, Iraq (Lot 2)

Annex E: 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 F: UNHCR General Conditions of Contracts for the Provision of Good and Services

Annex F-1: UNHCR General Conditions of Contracts for Civil Works

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: Bid Data Sheet

Annex K: Tentative calendar of activities

Annex L: Submission Checklist

Please note that submitting an offer is deemed as your company's full acceptance of UNHCR's General Conditions for contracts and UN supplier code of conduct.

ملاحظة:
تعتبر مشاركتكم في هذه المناقصة قبولاً تاماً للشروط العامة للمفوضية فيما يتعلق بالعقود وكذلك مدونة قواعد السلوك للموردين والمتعاقدين مع الأمم المتحدة.

2.2 Acknowledgment

We would appreciate you informing us of the receipt of this ITB by return e-mail to IRQBASUP@UNHCR.ORG with copy to alsaffai@unhcr.org as to:

- Your confirmation of receipt of this ITB
- 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 31/10/2023 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.

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 Mandatory Site Visit and Recommended Pre-Bid Conference

UNHCR will organize a supplier **MANDATORY Site visit** for a complete understanding of the Scope of Work prior to sending the formal Offer to UNHCR, and to familiarize potential bidders with the location of the project. and the nature and conditions of the existing building.

The site visit will be organized on the following:

Location / GPS Coordinates:

- Lot – I: Waiting Area in the Housing information Card Office in West Mosul, Nineveh Governorate, Iraq.
➤ 36.3364759, 43.1205695
- Lot – II: Waiting Area and two WCs in Tilkief CAD, Nineveh Governorate, Iraq.
➤ 36.4878727, 43.1244497

Date and time:

- 30/10/2023 at 10:00 HRS UTC +3 (Baghdad Standard Time) / West Mosul as per the above details.
- 30/10/2023 at 12:00 HRS UTC +3 (Baghdad Standard Time) / Tilkief as per the above details.

Site visit Focal Point:

- Name: Luay Ghassan Alalousi / Shelter Associate.

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. Name and contact details of the company's representatives (Email) must be provided, in advance by e-mail to IRQBASUP@UNHCR.ORG with a copy to the responsible buyer at: alsaffai@unhcr.org before 25/10/2023. Changes in staff need to be shared in advance; otherwise, they will not be able to participate.

Also, UNHCR will organize a supplier **Pre-bid conference on MS Teams**, on 31/10/2023 at 14:00 HRS UTC +3 [Baghdad Standard Time]. Suppliers are strongly **ENCOURAGED** to participate in the Pre-bid conference. A maximum of ONE representative (Engineer/Technical Staff) 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 31/10/2023. 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 e-TenderBox 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
- 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 information required.

The details of the services requested by UNHCR can be found in **Annex-A Scope of Work (SOW)** 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.**

- a) **Company Profile:** The bidder shall provide a complete company profile containing copies of:
 - Company Registration Certificate as Trade or General Contracting company in IRAQ (Federal Government or Kurdistan Region of Iraq) with a company age of 5 years or more.
- b) **Past Experience:**
 - 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 (Construction and Rehabilitation projects only).

Note: Note: The evaluation will not consider a PO or contract with a value of less than USD 10,000.00 or equivalent in IQD.
- c) **Staff qualifications, CVs with min 10 years of experience, and Resources:**

The following documentation are requested to be provided with the technical offer:

 - CV for Site engineer (bachelor's academic degree in Civil) with a minimum of 10 years' experience. A graduation certificate or engineering union ID should be provided.

- CV for Electric engineer (bachelor's academic degree in Electric) with at least 5 years' experience.
- d) Work plan:**
 - Detailed and realistic work plan with a Work Schedule/ Gantt chart showing the starting and end of each activity submitted within the proposed time frame of 90 days (15% more or less).
- e) Tax Registration Certificate:**
 - Scanned copy of a recent or last year's Tax Clearance Certificate is required to be provided in the technical offer.
- f) General Condition of Contract for Civil Works:**
 - Endorsed copy (signed and stamped) of the UNHCR General Condition of Contract for Civil works should be submitted in the technical offer.
- g) UN Supplier Code of Conduct:**
 - Endorsed copy (signed and stamped) of the UN Supplier Code of Conduct should be submitted in the technical offer.
- h) Scope of Work Annex - A** must be signed, stamped, and submitted with the technical offer package.
- i) Technical Offer Form:** Annex B should be signed, stamped, and submitted with the technical offer package.
- j) Mandatory Bid Security** of IQD 1,320,000.00 or equivalent should be submitted with the technical offer package.
(Submit a copy of your bid security with the technical proposal in e-TenderBox (Bidder should submit the original bid security when required))
- k) 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 E).

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. 2, 3 & 7 (Mandatory Bid Security + Business Registration + Tax Registration Certificate) Documents as per Annex C: Technical Evaluation Criteria). Should these companies still not submit the missing documents, they will be deemed 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 IQD (all-inclusive price).

The Financial offer is to be submitted as per the **Financial Offer Forms (Annex D, D1)**. 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 satisfactory implementation 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 tender is divided into Two (2) lots. The technical evaluation will be considered as one exercise for both lots while the financial evaluation will be done according to lots.

It is important to note that the bidders will be required to make their financial proposals for all the line items PER LOT. Partial/incomplete financial proposal PER LOT will not be considered for further evaluation.

UNHCR reserves the right to accept the whole or part of your bid. UNHCR may award the contract per LOTS.

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
- Core business
- Track record
- Contract capacity

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

- Ability to respond quickly to 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 by using the exact same structure as outlined in (Annex C), Technical Evaluation Criteria, and based on the requirements from (Annex A&D).

IMPORTANT:

Please note that to qualify in the technical evaluation process, the bidder should qualify as “Pass” in all the Criteria requested.

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

2.6.3 Financial Evaluation

Your separate financial offer must in a single currency in **IQD - Iraqi Dinar**. The Financial offers will be evaluated using the lowest price offered.

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.

Potential Supplier are allowed to offer for both lots and/or any of the two lots of construction services/works, as per Annex D, D1: Financial Offer FormS/Bill of Quantities (BOQs) with details for EACH LOT.

It is important to note that the bidders will be required to make their financial proposals for all the line items PER LOT. Partial/incomplete financial proposal PER LOT will not be considered for further evaluation.

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 the 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 e-TenderBox Tool, which can be accessed through <http://etenderbox.unhcr.org>

To submit an offer against UNHCR tender, the bidder needs to register in **e-TenderBox system**. Please refer to the e-TenderBox user manual for bidders at (**Annex-H**). You are requested to get familiar with this tool and create 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 “Technical” category and Financial documentation under “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 labeled. The maximum size limit per file is 10MB.

DEADLINE TO SUBMIT YOUR BID: 07/11/2023 – 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.

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 of 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 UNGM website and e-TenderBox 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 few Reasons for Disqualification

- Bidder fails to upload technical documentation in "Technical" category and Financial documentation in a "Financial Category".
- Financial offer was also uploaded in the "Technical" Category of e-TenderBox 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.
- 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.

2.9 Currency and Payment Terms For Purchase Orders

Any Purchase Order (PO) issued as a result of this ITB will be made in **IQD**. Payment will be made in accordance to the General Conditions for the Purchase of Services in the currency in which the PO is issued. Payments shall only be initiated after confirmation of successful completion by 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/Services and Civil Works.

Please note that the General Conditions of Provision of Good/Services and Civil Works (**Annex F & F-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 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.

2.12 Award and Performance Bond (bank guarantee):

The Firm that submits the successful Proposal will be notified by "Letter of Award" prior to the expiration of the validity period. The letter, referred to as the "Letter of Award" will state the sum of the fees to be paid to the Firm for the services rendered and will indicate the terms under which the Contract must be finalized. The Contract must be signed within 14 days of the issuance of the Letter of Acceptance. The successful bidder will be required to furnish UNHCR with a **[10% 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.

2.13 Liquidated Damages:

Should the Contractor be in delay, without prejudice to UNHCR's other rights and remedies, UNHCR may, at its sole option, demand liquidated damages for such delay, in an amount equal to **0.1%** for each [DAY for the portion of the incomplete portion of the works] of delay beyond the date upon which the Services were due to be completed. The Parties agree and acknowledge that the calculation of damages from a breach would be difficult to estimate accurately and that the foregoing [The assessment will 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.

2.14 Payment terms:

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

- The first payment (30%) after completing at least 35% of the total scope of work is based on the BoQ and executed works. UNHCR Engineers will determine the percentage of work executed.
- Second payment (30%) after completing at least 65% of the total scope of works on the contracted BoQ and executed works. UNHCR Engineers will determine the percentage of work executed.
- Third and last payment (30%) after completing 100% of the total scope of works on the contracted BoQ.

Payment Retention: 10% of the total project amount will be withheld from the Final Payment as a Retention Amount for a period of Defect Liability Period of (06) MONTHS after completion of the project.

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

**Anwar ul Haq
Associate Supply Officer**

UNHCR Office Erbil, Iraq