

Tender Package — Request for Bid (RFB)



1. Invitation to Tender

Tender Name: Master Agreement Family NFI Kits, WASH and Baby Kits	Tender No: UA2022/MAR 001/Tender 001
Location: Ukraine	Correspondence Language(s): English
Brief Summary Description of Project: This is Master Purchase Agreement for Family NFI kits, WASH and Baby kit for 2 years. The successful firm(s) will be contracted on a Master Purchase Agreement and engaged on a need basis through purchase orders. The master agreement will set the terms and conditions for future purchases of specified items within the contract period.	

Tender Package Available from: 19 / July / 2022	Tender Package Pickup Location: Tender Package can be directly downloaded from https://www.mercycorps.org/tenders OR, by picking up the tender package in hard copies, from Mercy Corps Office in: 1- Dnipro, 20 Pushkina avenue, 2nd floor 2- Kyiv, 22 Rybal'ska str, office 1503 3- L'viv, 32 Efremova str, 1st floor
Deadline for Offer Submission: 1 / August / 2022; 5:00 PM GMT +3	Submit Offers to: All the offer has to be sent to below ID tenders@mercycorps.org <u>Kindly indicate tender number and description in the subject line and ensure attachments are less than 19MB or send multiple mails</u>

Mercy Corps reserves the right to accept or reject any late offers

Questions and Answers (Q&A)	
If any, Submit Questions in writing to: msaralishvili@mercycorps.org	
Last Day for Questions: 22/ July/ 2022; 16:00 GMT +3	Questions will be answered by: 25/ July/ 2022: 16:00 GMT +3
Questions will be answered through: All the responses will be to the suppliers email ID and consolidated responses for all questions received will be uploaded in the MC website as well https://www.mercycorps.org/tenders	

Documentation Checklist

These documents are contained within this tender package:

- ✓ Invitation to Tender
- ✓ General Conditions for Tender
- ✓ Criteria and Submittals
- ✓ Price Offer Sheet
- ✓ Supplier Information Form
- ✓ Technical Specifications
- ✓ Sample Contract

2. General Conditions for Tender

Mercy Corps invites offers for the goods, described and summarized in these documents, and in accordance with procedures, conditions and contract terms presented herein. Mercy Corps reserves the right to vary the quantity of work/materials specified in the Tender Package without any changes in unit price or other terms and conditions and to accept or reject any, all, or part of submitted offers.

2.1 Mercy Corps' Anti-Bribery and Anti-Corruption Statement

Mercy Corps strictly prohibits:

- Any form of bribe or kickback in relation to its activities
This prohibition includes any *request* from any Mercy Corps employee, consultant or agent for anything of value from any company or individual in exchange for the employee, consultant or agents taking or not taking any action related to the award of a contract or the contract once awarded. It also applies to any *offer* from any company or individual to provide anything of value to any Mercy Corps employee, consultant or agent in exchange for that person taking or not taking any action related to the award of the contract or the contract.
- Conflicts of interests in the awarding or management of contracts
If a company is owned by, whether directly or indirectly, in whole or in part, any Mercy Corps employee or any person who is related to a Mercy Corps employee, the company must ensure that it and the employee disclose the relationship as part of or prior to submitting the offer.
- The sharing or obtaining of confidential information
Mercy Corps prohibits its employees from sharing, and any offerors from obtaining, confidential information related to this solicitation, including information regarding Mercy Corps' price estimates, competing offerors or competing offers, etc. Any information provided to one offeror must be provided to all other offerors.
- Collusion between/among offerors
Mercy Corps requires fair and open competition for this solicitation. No two (or more) companies submitting bids can be owned or controlled by the same individual(s). Companies submitting offers cannot share prices or other offer information or take any other action intended to pre-determine which company will win the solicitation and what price will be paid.
- Any form of exploitation, abuse, human trafficking or internal sexual misconduct
Mercy Corps requires its partners to adhere to its Safeguarding policies including the its policies on Child Safeguarding, Prevention of Sexual Exploitation and Abuse of Beneficiaries and Community Members, Anti-Trafficking and Sexual Misconduct (available at <https://www.mercycorps.org/who-we-are/ethics-policies>). Companies will be expected to ensure that they have the capacity to abide by these policies, that their employees and subcontractors understand these policies, and that they communicate to its employees and subcontractors the

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duty to report any violation or suspected violation. Mercy Corps will not engage with a company that is found to be in violation of these policies.

Violations of these prohibitions, along with all evidence of such violations, should be reported to:

<http://mercycorps.org/integrityhotline>

Mercy Corps will investigate allegations fully and will take appropriate action. Any company, or individual that participates in any of the above prohibited conduct, will have its actions reported to the appropriate authorities, will be investigated fully, will have its offer rejected and/or contract terminated, and will not be eligible for future contracts with Mercy Corps. Employees participating in such conduct will have his/her employment terminated.

Violations will also be reported to Mercy Corps' donors, who may also choose to investigate and debar or suspend companies and their owners from receiving any contract that is funded in part by the donor, whether the contract is with Mercy Corps or any other entity.

2.2 Tender Basis:

- All offers shall be made in accordance with these instructions, and all documents requested should be furnished, including any required (but not limited to) supplier-specific information, technical specifications, drawings, bill of quantities, and/or delivery schedule. If any requested document is not furnished, a reason should be given for its omission in an exception sheet.
- No respondent should add, omit or change any item, term or condition herein.
- If suppliers have any additional requests and conditions, these shall be stipulated in an exception sheet.
- Each offeror may make one response only.
- Each offer shall be valid for the period of [180 days] from its date of submission.
- All offers should indicate whether they include taxes, compulsory payments, levies and/or duties, including VAT, if applicable.
- Suppliers should ensure that financial offers are devoid of calculation errors. If errors are identified during the evaluation process, the unit price will prevail. If there is ambiguity on the unit price, the Selection Committee may decide to disqualify the offer.
- Any requests for clarifications regarding the project that are not addressed in written documents must be presented to Mercy Corps in writing. The answer to any question raised in writing by any offeror will be issued to that offeror. In some cases Mercy Corps may choose to issue clarifications to all offerors. It is a condition of this tender that no clarification shall be deemed to supersede, contradict, add to or detract from the conditions hereof, unless made in writing as an Addendum to Tender and signed by Mercy Corps or its designated representative.
- This Tender does not obligate Mercy Corps to execute a contract nor does it commit Mercy Corps to pay any costs incurred in the preparation and submission of bids. Furthermore, Mercy Corps reserves the right to reject any and all offers, if such action is considered to be in the best interest of Mercy Corps.

2.3 Supplier Eligibility

Suppliers may not apply, and will be rejected as ineligible, if they :

- Are not registered companies
- Are bankrupt or in the process of going bankrupt
- Have been convicted of illegal/corrupt activities, and/or unprofessional conduct

- Have been guilty of grave professional misconduct
- Have not fulfilled obligations related to payment of social security and taxes
- Are guilty of serious misinterpretation in supplying information
- Are in violation of the policies outlined in Mercy Corps Anti Bribery or Anti Corruption Statement
- Supplier (or supplier's principals) are on any list of sanctioned parties issued by; or are presently excluded or disqualified from participation in this transaction by: the United States Government or United Nations by the United States Government, the United Kingdom, the European Union, the United Nations, other national governments, or public international organizations.

Additional eligibility criteria, if applicable, are stated in section 3.2 of this tender package.

2.4 Response Documents

Offerors must submit an offer in their own format and ensure it contains all the required documents and information specified in this tender. Where an itemized Price Offer Sheet is included in the tender package, the offeror must complete and submit it with the rest of their offer.

2.5 Acceptance of Successful Response

Documentation submitted by offerors will be verified by Mercy Corps. The winning offeror will be required to sign a contract for the stated, agreed upon amount.

2.6 Certification Regarding Terrorism

It is Mercy Corps' policy to comply with humanitarian principles and the laws and regulations of the United States, the European Union, the United Nations, the United Kingdom, host nations, and other applicable donors concerning transactions with or support to individuals or entities that have engaged in fraud, waste, abuse, human trafficking, corruption, or terrorist activity. These laws and regulations prohibit Mercy Corps from transacting with or providing support to any individuals or entities that are the subject of government sanctions, donor rules, or laws prohibiting transactions or support to such parties.

3. Criteria & Submittals

3.1 Contract Terms

Mercy Corps intends to issue a **Fixed Price** contract to one or several company(ies) or organization(s). The successful offeror(s) shall be required to adhere to the statement of work and terms and conditions of the resulting contract. The anticipated contract is incorporated in [Section 6](#) herein. By submitting an offer, offerors certify that they understand and agree to all of the terms and clauses contained in [Section 6](#).

3.2 Specific Eligibility Criteria

Eligibility criteria must be met and the corresponding supporting documents listed below under “Tender Submittals” **must** be submitted with offers. Offerors who do not submit these documents may be **disqualified** from any further technical or financial evaluation.

Eligibility Criteria:

- 1- Valid Company Registration
- 2- Recent Tax Clearance documents
- 3- Valid permit for conducting relevant economic activity

3.3 Tender Submittals

Documents and required information listed in tender submittals are necessary in order to support the eligibility criteria and to conduct technical evaluations of received offers (and due diligence). While absence of these documents and/or information does not denote mandatory disqualification of suppliers, the lack of these items has the potential to severely and negatively impact the technical evaluation of an offer.

Documents supporting the Eligibility Criteria:

- 1- Valid Company Registration
- 2- Recent Tax Clearance documents
- 3- Valid permit for conducting relevant economic activity

Documents to conduct the Technical Evaluation and additional Due Diligence:

1. Company Profile, 2 page max
2. References from previous work projects (including contact information)
3. Delivery time (Acceptability: 3 weeks or less)
4. The proposed specifications meet or exceed the minimum requirements- will be checked with the catalogue/description provided by supplier
5. The supplier has minimum 2 years experience in the supply of similar goods and cooperation with other international organizations (INGOs, UN).- will be evaluated based upon the experience letter/Delivery notes from the respected agencies (*experience letter/proof of delivery of similar kits/ Contract with Delivery note of the same should be submitted with this tender*)

6. Minimum one contract with Value USD 100,000 with UN agencies/INGOs for similar Kit- *submit the copy of contract*

Price Offer :

The Price offer is used to determine which offer represents the best value and serves as a basis of negotiation before award of a contract. **As a Fixed-Price contract, the price of the contract to be awarded will be an all-inclusive fixed price basis, either in the form of a total fixed price or a per-unit/deliverable fixed price.** No profit, fees, taxes, or additional costs can be added after contract signing. Offerors must show unit prices, quantities, and total price, as displayed in the Offer Sheet in Section 4. All items must be clearly labeled and included in the total offered price.

Offerors **must** include VAT and customs duties in their offer

3.4 Currency

Offers should be submitted in: **USD**
 Payments will be made in: **USD**

3.5 Tender Evaluation (LPTA Selection Method)

Based on the above submittals, a Mercy Corps Tender Committee will conduct a tender evaluation process. Mercy Corps reserves the right to accept or reject any or all bids, and to accept the offer(s) deemed to be in the best interest of Mercy Corps. MC will not be responsible for or pay for any expenses or losses which may be incurred by any Offeror in the preparation of their tender.

Evaluations will be conducted as described in the following subsections:

3.5.1 Technical Evaluation

Lowest Price, Technically Acceptable (LPTA)

Mercy Corps Tender Committee will conduct a technical evaluation which will grade technical criteria on a pass/fail basis. Supplier’s bids **must meet the minimum technical standard** established here in order to receive a passing mark. Any offerors who receive a failing mark on any criteria will be automatically disqualified from the tender process.

Only offerors who pass all criteria will move on to the next round of evaluation.

Pass/fail technical criteria are as follows:

Technical Criteria	Pass or Fail?
Delivery: Delivery time (Acceptability: 3 weeks or less)	
Specification: The proposed specifications meet or exceed the minimum requirements- will be checked with the catalogue/description provided by supplier	
Experience: The supplier has minimum 2 years experience in the supply of similar goods and cooperation with other international organizations (INGOs, UN).- will be evaluated based upon the experience letter/Delivery notes from the respected agencies (experience letter/ proof of delivery should be submitted with this tender package)	

Financial Strength: Minimum one contract with Value USD 100,000 with UN agencies/INGOs for similar Kit- submit the copy of contract	
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3.5.2 Financial Evaluation and Price/Cost Analysis

All suppliers who passed all technical criteria will move on to the financial evaluation where the lowest price offer(s) will be accepted as the winning offeror(s) assuming the price is deemed fair and reasonable and subject to the additional due diligence in [section 3.5.3](#).

3.5.3 Additional Due Diligence

Upon completion of both the technical and financial evaluations Mercy Corps may choose to engage in additional due diligence processes with a particular offeror or offeror(s). The purpose of these processes is to ensure that Mercy Corps engages with reputable, ethical, responsible Suppliers with solid financials and the ability to fulfill the contract. Additional due diligence may take the form of the following processes (though it is not limited to):

- Reference Checks
- [Sample Verification](#)

4. Offer Form

Offerors must submit their own independent offer including at least (but not limited to):

- All documents requested in the “Eligibility Criteria” section of this Tender Package
- All documents requested in the “Tender Submittals” section of this Tender Package
- All information listed in the “Documents Comprising the Bid” section below

All offers must be duly signed (including position and full name of the signer) and stamped, with the date of completion.

Documents Comprising the Bid

The following information must be included in the offer of any potential offeror:

- √ A detailed specification of the offered goods, services and/or works
- √ Delivery time
- √ Price validity date (for this purpose and as stated on the advertisement, quote given shall remain unchanged for 180 working days)
- √ A Price Offer detailing the unit price only using the **Price Offer Sheet**
- √ Completed and signed Mercy Corps **Supplier Information Form**
- √ Other important documents offeror feels need to be attached to support their bid

The original bid shall be signed by the offeror or a person or persons duly authorized to bind the offeror to the contract. Financial offer pages of the bid shall be initialed by the person or persons signing the bid and stamped with the company seal.

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Any interlineations, erasures, or overwriting shall be valid only if they are initialed by the person or persons signing the bid.

5. Scope of Work/Technical Specifications

5.1 Background

Mercy Corps helps people turn the crises they confront into the opportunities they deserve. Driven by local needs, our programs provide communities in the world's toughest places with the tools and support they need to transform their own lives. Our worldwide team in 41 countries is improving the lives of 19 million people. Mercy Corps has been working in Ukraine for providing emergency relief to displaced due to current war in between Russia and Ukraine.

Mercy Corps is seeking to contract Supplier(s) for the delivery and supply of Non Food Kits (Family Kit, WASH Kit and Baby Kits). This tender package provides in detail the information necessary for an interested bidder to complete and submit bid for the above mentioned kits specified.

All bids must be submitted electronically; hard copies are not accepted. Part submissions will not be accepted.

5.2 Technical Specifications of Kits

Refer to Annexes for complete detail

Annex 1 -NFI Kit Content Detail

Annex 2 -WASH Kit content Detail

Annex 3 -Baby Kit content Detail

6. Sample Contract

This is the anticipated contract. However, if required, additional terms and conditions may be added by Mercy Corps in the final contract.

Annex 6- Sample Contract

7. Attachments to the Tender Package

Annex 1 -Family Kit Content Detail

Annex 2 -WASH Kit content Detail

Annex 3 -Baby Kit content Detail

Annex 4 -Supplier Information Form

Annex 5.1/5.2/5.3 -Price Offer Sheet