

DATE: 15.02.2021

INVITATION TO BID: No. ITB/2021-01

**FOR THE ESTABLISHMENT
OF A FRAME AGREEMENTs FOR THE SUPPLY OF CONSTRUCTION MATERIALS FOR
ASSISTANCE PROVIDED TO INTERNALLY DISPLACED PERSONS (IDPs)**

CLOSING DATE AND TIME: 15.03.2021 – 23:59 hrs EET

INTRODUCTION TO UNHCR

The Office of the United Nations High Commissioner for Refugees (UNHCR) 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 five decades, the agency has helped tens of millions of people restart their lives. Today, a staff of some 11,500 people in more than 128 countries continues to help about 68.5 million persons. To help and protect some of the world's most vulnerable people in so many places and types of environment, UNHCR must purchase goods and services worldwide. For further information on UNHCR, its mandate and operations, please see <http://www.unhcr.org>.

Goods purchased in the framework of this tender will be used to assist internally displaced persons in Ukraine.

1. REQUIREMENTS

The Office of the United Nations High Commissioner for Refugees (UNHCR), Representation in Ukraine (referred to hereinafter as UNHCR), invites qualified suppliers to make a firm offer for the establishment of a Frame Agreement for the supply of construction materials for assistance provided to Internally Displaced Persons (IDPs) in Ukraine.

IMPORTANT:

Exact technical specifications of the items are detailed in **Annex A** of this document.

UNHCR may award Frame Agreement with initial duration of 2 (two) year potentially extendable for a further period of 1 (one) year, for supplying its operations in Ukraine.

The successful bidders will be requested to maintain their quoted price for the duration of the Frame Agreement(s).

Please note that figures have been stated in Annex A Specification are to enable bidders to have an indication of the projected requirements. **It does not represent a commitment that UNHCR will purchase the above quantity.** Quantities may vary and will depend on the actual requirements and funds available regulated by 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 Contract with other UN Agencies.

IMPORTANT:

When a Frame Agreement is awarded, either party can terminate the agreement only upon 90 days (3 months) 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 provision of Goods shall not be deemed to be a "cause" for or otherwise to be in itself a termination clause.

IMPORTANT:

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.

Note: this document is not construed in any way as an offer to Frame Agreement with your company.

2. BIDDING INFORMATION:**2.1. ITB DOCUMENTS**

The following annexes form integral part of this Invitation to Bid:

Annex A:	Technical Specifications
Annexes B1 and B2:	Technical Offer Form
Annex C:	Financial Offer Form
Annex D:	Vendor Registration Form
Annex E:	UNHCR General Conditions of Contracts for the Provision of Goods and Services (rev. 2018)
Annex F:	Documentation procedures on tax reporting (for companies with VAT payer status).
Annex G:	UN Supplier Code of Conduct (English and Ukrainian version)

2.2 ACKNOWLEDGMENT

We would appreciate your informing us of the receipt of this ITB by return e-mail to UNHCR-UKR-Procurement@unhcr.org as to:

- Your confirmation of receipt of this invitation to bid;
- Whether you will be submitting a bid;
- The source where you have acquired this tender document (e.g. E-Mail, UNHCR website, UNGM website, UNHCR Facebook page etc.)

IMPORTANT:

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

2.3 REQUESTS FOR CLARIFICATION

Bidders are required to submit any requests for clarification in respect of this ITB by e-mail to Iuliia Nayda, Senior Supply Assistant at nayda@unhcr.org

The deadline for receipt of questions is 23:59 hrs EET on 01.03.2021.

IMPORTANT:

Please note that Bid Submissions are **not** to be sent to the e-mail address above.

UNHCR will compile the questions received. UNHCR may, at its discretion, copy any reply to a particular question to all other invited bidders at once **OR** will respond to these at the supplier conference. After the supplier conference, a Questions & Answers document will be prepared and posted on the UNHCR website.

2.4 **YOUR OFFER**

Your offer shall be prepared in English or in Ukrainian.

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

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 e-mail address will result in disqualification of the offer. Please send your bid directly to the address provided in the "Submission of Bid" section 2.6 of this ITB.

Your offer shall comprise the following set of documents:

- **Technical offer:**

signed and stamped: duly fulfilled **Annexes B1 and B2**, Technical Offer Form; duly fulfilled **Annex D**, Vendor Registration Form; **Annex E**, UNHCR General Conditions of Contracts for the Provision of Goods and Services; **Annex F**, Documentation procedures on tax reporting; **Annex G**, UN Supplier Code of Conduct; and other relevant documentation);

And separately:

- **Financial offer** (signed and stamped: duly fulfilled Financial Offer Form, **Annex C**).

2.4.1 **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.

The technical details of the products requested by UNHCR can be found in **Annex A**.
Technical offer form should be submitted as per **Annexes B1 and B2**.

Your technical offer should clearly state whether or not the goods you are offering 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.

Statutory and registration documents: Registration Certificate, VAT / Single taxpayer certificate, bank certificate etc.

Incoterms: The International Chamber of Commerce Incoterms 2010 shall apply for this ITB and for any resulting purchase orders(s).

Packing and container utilization details: The technical offer shall clearly indicate the packing and transport options (e.g. weight, volume, etc.) in compliance with the packing and transport requirements part of **Annex B2** to this ITB. (These are minimum packaging requirements, however, suppliers are encouraged to propose alternative options for better container utilization).

Production Capacity: The bidder shall state annual and weekly production capacity as per **Annex B2**.

Delivery Capacity: The bidder shall state the mobilization time, ex-stock quantity and quantities available after one week of production lead time. Supplier shall execute delivery of goods on DAP Incoterms-2010 to:

- Kyiv (Borispil district, Velyka Olyksandandrivka Village, Kyivsky Shlyakh Str., b. 121)
- Sievierodonetsk (B.Lishchyny Str., b. 12-T).

If necessary, it should be noted conditions or restrictions on such delivery.

Inspection: Inspection and laboratory testing of goods will be applicable and will be advised at the time of purchase. The inspection will be arranged and paid for by UNHCR. Please note that inspection charges resulting from the supplier's default will be charged directly to the supplier.

Country of Origin of the Supplier and place of Manufacture:

The technical offer shall state the country in which the supplier is registered as well as the country and place of manufacture of the products.

Certificate: If available, the bidder shall submit a copy of internationally recognized quality certificate of the manufacturing company together with a copy of quality certificate for the finished product.

Vendor Registration Form: If your company is not already registered with UNHCR, you should complete, sign and submit with your technical proposal the Vendor Registration Form (**Annex D**).

UNHCR General Conditions for Provision of Goods and Services: Your technical offer should contain your acknowledgement of the UNHCR General Conditions for Provision of Goods and Services by signing **Annex E**.

Please note that submitting an offer is deemed as acceptance of UNHCR's General Conditions for Provisions Goods and Services.

UN Supplier Code of Conduct: Your technical offer should contain your acknowledgement of the UN Supplier Code of Conduct by signing **Annex G**

Documentation procedures on tax reporting (for companies with VAT payer status): Your technical offer should contain your acknowledgement of the documentation procedures on tax reporting by signing **Annex F**.

Alternative Products: If you have an alternative product(s) that fulfill the same function or offer better performance in terms of quality, cost-effectiveness, environmental impact, etc., we would like to ask you to include them in your offer in addition to the offer for items specified in **Annex B1**.

IMPORTANT:

If you have alternative product to offer, please clearly indicate the advantages over the standard items (**Annex B1**). Do not send only an offer for an alternative product, i.e. these should be send in addition to an offer for the standard items requested. Do not send any samples of the products at this stage.

Please note, that if these alternative products are deemed as viable alternative to the existing product pending an evaluation from our technical experts, we will be issuing a separate tender notice for purposes of establishing agreements for those.

In case if Bidder is not a manufacturer of the goods offered, but has a status of official distributor, representative or trade partner of the manufacturer(s), he/she is requested to submit copies of authorized Manufacturer's Certificate (if available) and documents evidencing business relationships with manufacturer(s) of the proposed goods along with documents evidencing required by UNHCR production capacities of the manufacturer(s) as a documentary support of conformity to requirement as per clause C.1 of the technical evaluation criteria. In case of unavailability of the above-mentioned documents, the Bidder is requested to indicate the reason of such unavailability and submit any other documents evidencing conformity to the technical evaluation criteria. UNHCR will consider acceptability of such documents during technical evaluation.

2.4.2 Content of the FINANCIAL OFFER

Your separate **Financial offer** must contain an overall offer in a single currency, either in US Dollars. Payments will be made in local currency according to UN operational exchange rate at the date of order. UN operational exchange rates can be found following the link: <https://treasury.un.org/operationalrates/OperationalRates.php>.

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.

The following details shall be provided for each item:

The bidder shall quote the unit price DAP Kyiv and DAP Sievierodonetsk and EXW prices.

Unit costs: UNHCR is exempt from all direct taxes and customs duties. With this regard, price has to be given without VAT. However, if the Bidder is a VAT payer, this must be stated.

You are requested to hold your offer valid for 90 calendar days from the deadline for submission. UNHCR will make its best effort to select a company within this period. 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 calendar days after satisfactory implementation and receipt of documents in order.

The cost of preparing a bid and of negotiating a contract, including any related travel, is not reimbursable nor can it be included as a direct cost of the assignment.

2.5 BID EVALUATION:

Each proposal will be considered separately and independently. Bidders shall submit a complete proposal in order to participate and use all forms and checklists provided. References to previous or on-going proposals will not be considered. Award of a previous Frame Agreement with UNHCR will not be considered in itself as a preference or guarantee for the award of future solicitations on the same subject. Frame Agreement(s) will be awarded to the vendor(s) proposed a technically compliant and the lowest prices offer.

2.5.1 Supplier Registration:

The qualified supplier(s) will be added to the Vendor Database after investigation of suitability based on the submitted Vendor Registration Form and supporting documents.

If your company is not already registered with UNHCR, you should complete, sign and submit with your technical proposal the Vendor Registration form (Annex D) with all following supporting documents:

- Tax Registration:
- Insurance Clearance Certificate, and Tax Clearance Certificate or Certificate of Tax Exemption, if any such privilege is enjoyed by the Bidder.
- Status of the company:
- Official Letter of Appointment as local representative, if Bidder is submitting a Bid on behalf of an entity located outside of the country.
- Trade name registration papers, if applicable

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

- Random / periodic testing of the supplier's products,
- Ability to respond quickly to Agency's needs,
- Timely delivery,
- Dependability of products and services.

2.5.2 Technical Evaluation:

All bids from pre-qualified suppliers will be evaluated based on the below evaluation criteria:

Evaluation Criteria		Pass / Fail
A. Essential Documents Provided as detailed in ITB		
B. Compliance with the established product specifications		
	B.1. Full description of Products submitted	
	B.2. Proposed Products meet the relevant standards; Certificates provided	
C. Production capacity		
	C.1. Production Capacity supports delivery requirements	
D. Delivery capacity		
	D.1 Proposed schedule of availability of products ready to be dispatched suits UNHCR's operational needs	

2.5.3 Financial evaluation:

The financial component will be analyzed only for those suppliers that pass the technical evaluation.

All bids from pre-qualified suppliers will be evaluated based on:

- Unit cost DAP Kyiv
- Unit cost DAP Sievierodonetsk
- Unit cost EXW

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, labor 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.

2.6 **SUBMISSION OF BID:**

The offers must bear your official letter head, clearly identifying your company.

Bids should be submitted by e-mail and all attachments (Annexes B1 and B2, Annex C, Annex D, Annex E, Annex F and Annex G) should be in PDF format, signed and stamped. (Copies of the PDF format documents may, as an addition, be included in Excel (Annexes B1 and B2, Annex C) or other formats etc.).

The Technical and Financial offers shall be clearly separated, and no financial information shall be mentioned in the Technical offer.

Bid must be sent by e-mail **ONLY** to: UNHCR-UKR-tendercommittee@unhcr.org

IMPORTANT:

The technical offer and financial offer are to be sent in separate attachments or as separate e-mails. Failure to do so may result in disqualification.

Deadline: 15.03.2021, 23:59 hrs EET.

IMPORTANT:

Any bid received after this date or sent to another UNHCR address may be rejected. UNHCR may, at its discretion, extend the deadline for the submission of bids, by notifying all prospective bidders simultaneously.

Receipt of your bid submission will be acknowledged through an automated reply. Your automated reply must be dated before the deadline of **15.03.2021 23:59 HRS EET**. The automated reply is a confirmation of receipt of your email in relation to the procurement notice, it does not imply your offer has been accepted. On the other hand, only offers with an automated reply from UNHCR-UKR-tendercommittee@unhcr.org mailbox dated on or before the deadline date/time will be considered for evaluation. In case your submission by email did not generate an automated reply, please immediately call the Secretary of the Bid Opening Committee Mr. Dmitry Pletchko at +38 067 209 4029 or write an e-mail: pletchko@unhcr.org. It is your responsibility to verify that all e-mails have been received properly before the deadline. UNHCR does not assume any responsibility for any delays engendered by network problems, etc.

Please be aware of the fact that the e-mail policy employed by UNHCR limits the size of attachments to a maximum of **10 Mb** so it may be necessary to send more than one e-mail for the whole submission.

Please indicate in e-mail subject field:

- Bid ITB 2021-01
- Name of your firm with the title of the attachment
- Number of e-mails that are sent (example: 1/3, 2/3, 3/4).

For example: **ITB/2021-01 Company XXX (email 1 of 3)**

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 would enhance the comprehension of its offer.

IMPORTANT:

The Financial offer will only be opened for evaluation if the supplier's technical part of the offer has passed the test and has been accepted by UNHCR as meeting the technical specifications.

2.7 BID ACCEPTANCE:

UNHCR reserves the right to accept the whole or part of your bid (separate Lots).

UNHCR may at its discretion increase or decrease the proposed content when awarding the Frame Agreement 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 as part of the finalization of the Purchase Orders for Goods and Services.

UNHCR may, at its discretion, extend the deadline for the submission of bids, by notifying all prospective suppliers in writing. 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 most responsive to the needs, as well as conforming to UNHCR's general principles, including economy and efficiency and best value for money.

2.8 CURRENCY AND PAYMENT TERMS FOR PURCHASE ORDERS

Any Purchase Order (PO) issued as a result of this ITB will be made in local currency. Payment will be made in accordance to the General Conditions for the Purchase of Goods and Services and in the currency in which the PO is issued. Payments shall only be initiated after confirmation of successful completion by UNHCR business owner.

2.9 UNHCR GENERAL CONDITIONS OF CONTRACTS FOR THE PROVISION OF GOODS

Please note that the General Conditions of Contracts (**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.

2.10 ZERO TOLERANCE POLICY

Please note that UNHCR strictly follows zero tolerance policy and as such advises its supplier not to offer any gift, favour, hospitality, etc. to its staff.

2.11 THE UN GLOBAL COMPACT

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, labor and civil society to support ten principles in the areas of the human rights, labour, environment and anti-corruption. UNHCR encourage bidders to sign up to this initiative at: <https://www.unglobalcompact.org/>

Iuliia Nayda, Senior Supply Assistant
UNHCR Representation in Ukraine

