

DATE: 05 OCTOBER 2023

INVITATION TO BID: No. ITB/SC/NIGMA/2023/003

FOR THE ESTABLISHMENT OF A FRAME AGREEMENT FOR THE SUPPLY AND DELIVERY OF FUEL- (DIESEL & PETROL) TO UNHCR SUB-OFFICE MAIDUGURI, GUEST HOUSE, WAREHOUSE AND VEHICLES IN STATE BORNO AND ADAMAWA STATE.

CLOSING DATE AND TIME: 19 OCTOBER 2023, 23:59 hrs. LOCAL 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 16,765 people in 138 countries continues to help over 60 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 <http://www.unhcr.org>.

1.0 REQUIREMENTS

The Office of the United Nations High Commissioner for Refugees (UNHCR), Sub-office, Maiduguri, invites qualified suppliers to make a firm offer for the establishment of Frame Agreement(s) for the supply and delivery of fuel (diesel and petrol) to **Borno and Adamawa States**.

IMPORTANT:

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

UNHCR may award Frame Agreement(s) with the initial duration of 2years, potentially extendable for a period of 1year. The successful bidders will be requested to maintain their quoted price model **for the duration of the first Six (6) months, and during period of the Frame Agreement(s).**

The estimated annual requirement of UNHCR is specified in below:

SO Maiduguri Yearly Fuel Estimation			
State	Location	Fuel Type (Liters)	
		Diesel	Petrol
Borno	Maiduguri	150,000	15,000
Adamawa	Yola/Mubi	30,000	0
Total		180,000	15,000

IMPORTANT:

When a Frame Agreement is awarded, either party can terminate the agreement in writing with 90 days' notice.

The initiation of conciliation or arbitral proceedings in accordance with article 19 "settlement of disputes" of the UNHCR General Conditions of Contracts for provision of Goods and Services shall not be deemed as a "cause" for or otherwise to be a termination clause.

Quality control throughout the frame agreement:

UNHCR may carry out quality inspections at delivery as well as random quality inspections according to specific criteria for laboratory tests on products or items selected by UNHCR or by any independent surveyor appointed by UNHCR from samples selected during production, upon departure, loading, unloading, arrival at destination, or from any storage location. The cost of the quality control inspections and laboratory tests will be covered by UNHCR. In cases of suppliers' quality defects, 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).

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 purchase a minimum quantity of goods or services. 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 Program 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.

2.0 BIDDING INFORMATION:

2.1 ITB DOCUMENTS

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

Annex A: Technical Specifications

Annex B: 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 – 2018

Annex F: UN Supplier Code of Conduct

Annex G: United Nations Security Council Sanctions List.

Annex H: eTender Box Supplier User Manual

2.2 ACKNOWLEDGMENT

We would appreciate your informing us of the receipt of this ITB by return e-mail kouamgou@unhcr.org; Copy Rowland@unhcr.org; suleimah@unhcr.org and ogah@unhcr.org as to: Your confirmation of receipt of this invitation to bid Whether or not you will be submitting a bid, the source from which this tender document was obtained (e.g., E-Mail, UNGM website, printed media etc.)

2.3 REQUESTS FOR CLARIFICATION

Bidders are required to submit any request for clarification in respect of this ITB by e-mail to kouamgou@unhcr.org; Copy Rowland@unhcr.org; suleimah@unhcr.org and ogah@unhcr.org

The deadline for receipt of questions is 23:59hrs Nigeria Time on **16/10/2023**.

Bidders are requested to keep all questions concise. UNHCR will answer the questions received as soon as possible by means of publication on its website (UNGM) or by email to all invited bidders.

IMPORTANT:

UNHCR don't provide any advance or payment to vendor to start a project.

UNHCR rules firmly and categorically refuses to associate itself directly or indirectly, or to be engage in any way in **financial transactions** of its vendors with banks

3.0 YOUR OFFER

Your offer shall be prepared in English language only.

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

Your offer shall comprise the following three (3) sets of documents:

- Mandatory Eligibility Requirement
- Technical offer
- Financial offer

3.1 Content of the Eligibility Requirement

Eligibility and Commercial/Registration Documentation Check:

A prerequisite for any supplier to be deemed eligible for an award of contract is, that company is not, or not associated with a company or individual, under procurement prohibition by the United Nations, including but not limited to prohibitions derived from the Consolidated United Nations Security Council Sanctions List, available at:

<https://www.un.org/sc/suborg/en/sanctions/un-sc-consolidated-list#entities>.

The qualified supplier(s) will be added to the Vendor Database after investigation of suitability based on the submitted Vendor Registration Form (Annex D) and supporting documents. The following are the criteria based on which UNHCR decides if a company has the basic eligibility to be considered for a contract award:

Mandatory Technical Requirements	PASS/FAIL
1. Valid Business Registration Certificate submitted (Corporate Affairs Commission)	
2. Filled and signed Vendor Registration Form submitted (Annex D)	
3. Acknowledgement of UNHCR General Conditions of Contract provided (Annex E)	
4. Acknowledgement of UN Supplier Code of Conduct provided (Annex F)	
5. Company not on the United Nations Security Council Sanctions List (Annex G)	
6. Tax Clearance Certificate 2022.	
7. Financial Statement of past one year (2022)	
8. Provision of DPR Storage/Sales and License to operate Fuel Station	
9. Copy of valid certificate of insurance	
10. Physical Fuel Station and Logistic infrastructure. <i>(Delivery Capacity (2,000 – 20,000 liters)) . UNHCR's biggest tank capacity is 12,000 liters based in Borno and/or Adamawa States – please provide the address</i>	
11. Have at least two years' experience working with UN/NGO's	

Technical bids will be evaluated based on Pass/Fail criteria as shown below. All Mandatory criteria must be passed.

The technical details of the products requested by UNHCR can be found in **Annex A**.

Your technical offer should clearly state whether or not the goods you are offering fully conform to the given specifications. Clearly disclose any discrepancies. Your technical offer should confirm that your products adhere to international specifications and standards for fuel.

The following details shall also be provided in the Technical Offer:

3.2 Company Profile

Relevant certificates/licenses as required by law in relevant countries, including, but not limited to the following:

- Company registration certificate
- Licenses and documentation required to operate as a fuel provider in[Nigeria]
- Copy of valid certificate of insurance

3.3 Financial Stability

- a) Financial Statements from the past 1 years (2022)
- b) Tax Clearance Certificate 2022

3.4 Product Related Requirements

- a) Internationally/National recognized certificate of quality pertinent to the manufacturer/fuel
- b) Country of origin: the technical offer shall state the country in which the supplier is registered as well as the country and place of manufacture of the fuel
- c) The quality of Fuel must be in accordance with the specification in **Annex A**, product supplied otherwise can lead to the termination of the agreement.
- d) Inspection: Inspection and laboratory testing of goods will be applicable and will be advised at the time of purchase. The inspection of the product will be conducted by the focal UNHCR staff member in the presence of the representative of the supplier's company.
Please note that inspection charges resulting from the supplier's default will be charged directly to the supplier.
- e) Place of Inspection: The bidder shall state the place of inspection

3.5 Capacity

Delivery Capacity: The bidder shall state the mobilization time, ex- stock quantity and quantities available at each location.

Storage Capacity: Successful bidders will be expected to maintain a dedicated emergency stock at their premises at no extra cost and without prior commitment from UNHCR, which can be used for rapid deployment to UNHCR emergency operation in the Northeast. The bidders should indicate in their offer the quantity they can maintain accordingly.

3.6 Road Safety, transportation, and storage of fuel

- a) The bidder shall provide detailed information on its fleet, storage facilities, transportation, and delivery methods.
- b) Regulations on the transport of dangerous goods [indicate the relevant authority e.g., DPR License of Transportation (NIG); Petroleum Tanker Association (NIG); Nigeria Permit to Operate as an oil Industry Service Company issue by DPR (NIG).
- c) Fuel tanks for both transportation and storage must be inspected and approved by DPR.
- d) Quality, Health Safety and Environment Certification can be required as the case may be.

3.7 Monitoring & reporting

- a) The bidder shall have a fuel monitoring system in place.
- b) The bidder shall provide monthly reports on UNHCR's fuel consumption to the respective UNHCR office/s.

3.8 Focal Point

- a) A focal point proficient in speaking and writing English will be allocated to UNHCR that can always be contacted.

4.0 Content of the FINANCIAL OFFER

Your separate **Financial Offer** must contain an overall offer in a single currency Naira [Nigerian currency] and must be submitted according to the Financial Offer Form (Annex C). Bids with a different price structure may not be accepted.

The prices offered should remain valid for at least [180] days. The fixed component of the price must remain unchanged for the duration of **Six (6) months** while the Frame Agreement last for (2 + 1 years with possibility of extension on a satisfactory performance).

IMPORTANT:

The successful bidder shall take into consideration weight limitations, road conditions, and other security issues. The supply of fuel to UNHCR is subject to obtaining duty, customs, excise charges and VAT refund.

UNHCR is exempt from all direct taxes and customs duties. With this regard, price is 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 select a company within this period. The pricing model quoted in the Supplier's offer will remain valid for the duration of the Frame Agreement. In case of change of price (increase or decrease) the Company should officially inform the Office accordingly.

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.

5.0 BID EVALUATION:

5.1 Technical evaluation:

The technical component of the submission will be evaluated using the criteria PASS or FAIL by using the criteria as outlined in Annex B, and based on the requirements from Annex **A**.

5.2 Financial evaluation:

The financial component will be analyzed for those suppliers that pass the technical evaluation. For evaluation purposes only, the offers submitted in currency other than Nigeria Naira NGN will be converted into Nigeria Naira NGN 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 brings companies together with UN agencies, labor, and civil society to support ten principles in the areas of human rights, labor, the environment, and anti-corruption. We encourage our suppliers to sign the UN Global Compact Initiative.

6.0 SUBMISSION OF BID:

The Technical and Financial offers must be clearly separated.

Your offer shall comprise the following three sets of documents to be uploaded on the e-tender

box <http://etenderbox.unhcr.org> **Note:** The maximum size limit per file is 10MB. The system can handle multiple uploads.

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- Mandatory Eligibility Requirement
- Technical offer
- Financial offer

Bids should be submitted should be in PDF format. (Copies of the PDF format documents may, as an addition, be included in Excel or other formats etc.).

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 **e-Tender Box** will result in disqualification of the offer. Please upload your bid directly to the e-Tender Box <http://etenderbox.unhcr.org> as described in the "Submission of Bid" section 2.6 of this ITB.

Deadline: 19/10/2023 23:59 hrs WAT.

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.

It is your responsibility to submit your offer for a UNHCR published tender via the e-Tender box online tool, the supplier needs to register in the system. This registration is exclusively for e-Tender Box and does not replace any other registrations for UNHCR applications. **Refer to annex H for the registration and how to submit your offer process in detail.**

It is the Supplier's responsibility to ensure that all files of the final offer are submitted by the tender expiration deadline. To ensure the safe submission of the full and final offer, it is recommended to have all files uploaded and submitted well before the tender deadline.

7.0 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 requirements 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 as part of the finalization of the Purchase Orders for Goods.

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 supplier's submitting bids and does not bind itself in any way to select the supplier 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 best value for money.

7.1 CURRENCY AND PAYMENT TERMS FOR PURCHASE ORDERS

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

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

7.2 UNHCR GENERAL CONDITIONS OF CONTRACTS FOR THE PROVISION OF GOODS AND SERVICES

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.

Archange Kouamgoue



Supply Unit
Maiduguri, Sub Office
Nigeria.