

DATE: 13/06/2024

INVITATION TO BID: No. ITB/LBY/TR/24/011

**FOR THE ESTABLISHMENT OF A ONE (1)+ ONE (1) FRAME AGREEMENT FOR
THE SUPPLY AND DELIVERY OF MEDICAL SUPPLIES FOR UNHCR LIBYA**

CLOSING DATE AND TIME: 10/07/2024 – 23:59 hrs. LIBYA TIME (UTC+2)

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 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 the 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 16,800 people in more than 134 countries continues to help about 70.8 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. REQUIREMENTS

The Office of the United Nations High Commissioner for Refugees (UNHCR), Libya Office, invites qualified suppliers and service providers to make a firm offer for the establishment of a Frame Agreement for the Supply and Delivery of Medical Supplies.

IMPORTANT:

Technical Specifications are detailed in Annex A of this document.

UNHCR may award Frame Agreement(s) with initial duration of **one (1) year**, potentially extendable for **a further period of 1 (one) year**. 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 for each item is indicated in Annex C. 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 Programmers 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 90 days (3 months) 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 provision of Goods 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 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 4 of the attached General Terms and Conditions (Annex E).

Note: this document is not construed in any way as an offer to contract with your firm.

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

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

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

- | | |
|-----------|---|
| Annex A: | Technical Specifications |
| Annex B: | Technical Offer Form |
| Annex B1: | Checklist for the required technical documents |
| Annex C: | Financial Offer Form |
| Annex D: | Vendor Registration Form |
| Annex E: | UNHCR General Conditions of Contracts for the Provision of Goods and Services |
| Annex F: | UN Supplier Code of Conduct |
| Annex G: | Confirmation on UNGM/UN/EU Vendor Sanctions |

IMPORTANT:

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

2.2 ACKNOWLEDGEMENT

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

- Your confirmation of receipt of this invitation to bid
- Whether or not you will be submitting a bid
- The source where you have acquired this tender document (e.g., E-Mail, Chamber of Commerce, UNGM website, Libya Investment 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 at supply.libya@unhcr.org. **The deadline for receipt of questions is 17:00 hrs. Libya Time (UTC+2) on 27/06/2024.**

IMPORTANT:

Please note that Bid Submissions are **NOT** to be sent to the e-mail addresses above (supply.libya@unhcr.org)

Failure to comply with this provision will result in disqualification.

UNHCR will reply to the questions received as soon as possible by means of publication on its website or by email.

2.4 YOUR OFFER

Your offer shall be prepared in English.

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

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 send your bid directly and only to the address provided in the “Submission of Bid” (section 2.6) of this ITB.**

Your offer shall comprise the following two sets of documents:

- Technical offer
- Financial offer

2.4.1 Content of the TECHNICAL OFFER

IMPORTANT:

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

The technical specifications of the requested goods can be found in **Annex A**

The technical offer form (Annex B) should be completed, signed and included in the technical proposal.

Your technical offer should clearly state whether or not the goods you are offering are fully conforming to the product specifications given. Should there be a need to differ from any of the stated requirements, clearly state and disclose any discrepancies within your offer.

You are requested to hold your offer valid for 120 days from the deadline for submission. UNHCR will make its best effort to select a company within this period.

Your technical offer should be concisely presented and structured in the following order to include, but not necessarily be limited to, the following information:

MANDATORY REQUIREMENTS

1. The bidder should submit a company documents: License, commercial registration proving that the bidding company was established in Libya on or before 10/07/2021 and authorized to sell and resell medical equipment.
2. The bidder should submit most recent Tax Certificate
3. The bidder should submit a valid registration certificate with the medical equipment, Supplies, and Devices administration in the Libyan Ministry of Health.
4. The offered products must follow the standard technical certifications: Such as (CE or FDA or Equivalent).
5. The bidder should submit at least three (3) references proving that the bidding company has experience in relevant projects (previous contracts, reference letters, purchase orders, invoices)
6. **Catalog/ Detailed technical description:** Bidders are required to submit catalogs, photos, and detailed technical descriptions of all offered products as part of their Technical Offer. The catalog / detailed technical description should describe all the required technical details, including the proposed products' actual specifications against all the technical criteria stipulated in Annex A.
7. Confirmation of technical compliance as per stated in Annex B which shall be signed and stamped.
8. Confirmation on the submission of the mandatory documents as stated in Annex B1
9. The bidder should submit a signed and stamped copy of the Vendor Registration Form (Annex D) or, if the company is already registered with UNHCR, an empty Vendor Registration Form clearly indicating the UNHCR Vendor ID.
10. The bidder should submit a bank statement including the account number, name, and currency (USD) (unless the company is registered with UNHCR, and the bank details have not changed) - if applicable bidder should provide bank details inside and outside Libya.
11. The bidder should accept by (signing and stamping) the UNHCR General Conditions of Contract for the Provision of Goods (Annex E)
12. The bidder should accept by (signing and stamping) the UN Supplier Code of Conduct (Annex F)
13. The bidder should submit a confirmation that he is not included in the UN/UNGM/EU sanction list (Annex G duly filled/signed and stamped)

Vendor Registration Form: The bidder companies are required to be established no less than three (3) years from the closing date of the tender. Bidders who do not comply with this requirement shall be disqualified.

If your company has not been registered yet with UNHCR or has not received a valid Purchase Order for the past two (2) years, you should complete, sign and submit with your technical proposal the Vendor Registration Form (Annex D) and the other required documents for Vendor Registration including but not limited to:

- Short Description of Company background, including organization structure and production capacity
- Company's Tax Registration Documents

2.4.3 Content of the FINANCIAL OFFER

Your separate **financial offer** must contain an overall offer in USD currency only.

The Financial offer must cover all the services to be provided (Price “all inclusive”)

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.

UNHCR is exempt from all direct taxes and customs duties. With these regards, the price has to be given without VAT.

Unit costs: The bidder shall quote the unit price on a DAP (Delivery at Place) at the location specified in Annex C (Financial Offer Form).

IMPORTANT NOTE ON UNIT COSTS: The offered unit prices shall be inclusive of all possible associated costs; i.e customs clearance costs, duty taxes, loading/offloading and transportation throughout Libya. Any quantity or other discounts (e.g. volume discounts) shall be clearly indicated.

UNHCR reserves the right to accept part or the whole offer. At its own discretion, UNHCR may choose to split the award to multiple bidders following the ITB principle of lowest cost and technically compliant.

For this specific ITB, contract award will be based on the technically acceptable item(s) offer that is the lowest price. This means, potential bidders can submit an offer for a single product, group of products and/or for all items in the tender. During the evaluation, a pass / fail criteria will be used. UNHCR reserves the right to accept all or part of your offer.

You are requested to hold your offer valid for 120 days from the deadline for submission. UNHCR will make its best effort to select a company within this period. 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 of negotiating a contract, including any related travel, is not reimbursable nor can it be included as a direct cost of the assignment.

UNHCR will not provide any advance payments or payments by letter of credit. The standard payment terms are by bank transfer net thirty (30) days after acceptance of the contractor's invoice and acceptance of the services by UNHCR.

2.5 BID EVALUATION:

2.5.1 **Technical evaluation:**

The technical component of the submission will be evaluated using the criteria **PASS** or **FAIL** using the following criteria evaluation system:

Nr.	Evaluation Criteria	Assessment
1	The bidder submitted Company documents: License, Registration, and tax certificate. (مستخرج من السجل التجاري العام, شهادة إثبات سداد الضريبة, رخصة شركة)	Pass / Fail
2	Article of association indicating the company's authorized activities which must be relevant to the solicited goods/ Services. (عقد تأسيس الشركة)	Pass / Fail
3	The bidder should submit a valid registration certificate with the medical equipment, Supplies, and Devices Administration (إدارة المعدات والمستلزمات والأجهزة الطبية بوزارة الصحة في)	Pass / Fail

	(ليبيا) in the Libyan Ministry of Health	
4	The offered products must follow the standard technical certifications: Such as (CE or FDA or Equivalent)	Pass / Fail
5	The bidder should submit at least three (3) references proving that the bidding company has experience in relevant projects (previous contracts, reference letters, purchase orders, invoices)	Pass / Fail
6	Catalogs/ Detailed technical description: Bidders are required to submit catalogs, photos, and detailed technical descriptions of all offered products as part of their Technical Offer. The catalogs / detailed technical description should describe all the required technical details, including the proposed products' actual specifications against all the technical criteria stipulated in Annex A.	Pass / Fail
7	Confirmation of technical compliance as per stated in Annex B which shall be signed and stamped.	Pass / Fail
8	The bidder submitted financial quote submitted on Annex C, duly signed and stamped.	Pass / Fail
9	The bidder should submit a signed and stamped copy of the Vendor Registration Form (Annex D) or, if the company is already registered with UNHCR, an empty Vendor Registration Form clearly indicating the UNHCR Vendor ID.	Pass / Fail
10	The bidder should submit a bank statement including the account number, name, and currency (USD) (unless the company is registered with UNHCR, and the bank details have not changed, if applicable bidder should provide bank details inside and outside Libya.	Pass / Fail
11	The bidder should accept by (signing and stamping) the UNHCR General Conditions of Contract for the Provision of Goods (Annex E)	Pass / Fail
12	The bidder should accept by (signing and stamping) the UN Supplier Code of Conduct (Annex F)	Pass / Fail
13	The bidder should submit a confirmation that he is not included in the UN/UNGM/EU sanction list (Annex G duly filled/signed and stamped)	Pass / Fail

All criteria listed above must be fully met by any offer to be considered technically compliant.

2.5.2 Financial evaluation:

The financial component will be analyzed only for those bidders that pass the technical evaluation and are considered technically compliant.

The Evaluation of Financial Offers – bids will be tabulated and compared with those received from all commercial entities participating in the solicitation exercise. Thus, it is of critical importance that the bidders submit complete Offers. The contract may then be awarded to the vendor(s) with the lowest-priced offers passing the technical 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, labor and civil society to support ten principles in the areas of the human rights, labor, environment and anti-corruption. We encourage our suppliers to sign up with the UN Global Compact Initiative.

UNHCR reserves the right not to retain bid(s) submitted by a vendor that has performed poorly in the past 12 calendar months in terms of quality defaults, late deliveries and/or non-compliance with the contractual terms and conditions.

2.6 SUBMISSION OF BID:

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

Bids should be submitted by e-mail and all attachments should be in PDF format. (Copies of the PDF format documents may, as an addition, be included in Excel or other formats etc.). The Technical and Financial offers shall be clearly separated.

Bid must be sent by e-mail ONLY to: tenderbox.libya@unhcr.org

THE TECHNICAL AND FINANCIAL OFFERS SHALL BE SENT SEPERATELY IN TWO DIFFERENT EMAILS.

IMPORTANT:

The technical offer and financial offer are to be sent in separate documents. Failure to do so will result in disqualification.

The subject of the email must clearly state the type of offer (i.e. financial or technical).

Deadline: 10/07/2024, 23:59 hrs. Libya Time (UTC +2).

IMPORTANT:

Any bid received after this date or sent to another UNHCR address will 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 verify that all e-mails have been received properly before the deadline. Please be aware of the fact that the e-mail policy employed by UNHCR limits the size of attachments to a maximum of **[20] Mb** so it may be necessary to send more than one e-mail for the whole submission.

Please indicate in the e-mail subject field:

- Tender number ITB/LBY/TR/23/011

Technical offer:

Name of your firm with the title of the attachment (example: **Technical offer/Co. Name**)

Number of e-mails that are sent (example: 1/3, 2/3, 3/3).

For example: ITB/LBY/TR/23/011 / Technical offer/ Co. Name / (email 1 of 3)

- Tender number ITB/LBY/TR/23/011

Financial offer:

Name of your firm with the title of the attachment (example: **Financial offer/Co. Name**)

Number of e-mails that are sent (example: 1/3, 2/3, 3/3).

For example: ITB/LBY/TR/23/011 / Financial offer/ Co. Name / (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 may at its discretion increase or decrease the proposed content 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 as part of the finalization of the Purchase Orders for 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 service provider.

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 the same currency as the offer, which can be in USD currency only. Payment will be made in accordance with the General Conditions for the Purchase of Services and in the currency in which the PO is issued. Payments shall only be initiated after confirmation of successful completion by the 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.

MANNER OF SUBMISSION:

Technical Offer (EMAIL 1) <i>Email subject: ITB/LBY/TR/24/011 [Company Name] Technical Offer</i>	Financial Offer (EMAIL 2) <i>Email subject: ITB/LBY/TR/24/011 [Company Name] Financial Offer</i>
Mandatory Requirements <ol style="list-style-type: none"> The bidder submitted Company documents: License, Registration, and tax certificate. (مستخرج من ,شهادة إثبات سداد الضريبة, رخصة شركة) (السجل التجاري العام) Article of association indicating the company's authorized activities which must be relevant to the solicited goods/ Services. (عقد تأسيس الشركة) The bidder should submit a valid registration certificate with the medical equipment, Supplies, and Devices Administration (إدارة المعدات والمستلزمات والأجهزة الطبية بوزارة الصحة في ليبيا) in the Libyan Ministry of Health 	<ol style="list-style-type: none"> Annex C (Financial Offer Form) in the financial envelope. Price of the product shall be all inclusive delivery, installing etc. (DAP Various Locations)

- 4- The offered products must follow the standard technical certifications: Such as (CE or FDA or Equivalent)
- 5- The bidder should submit at least three (3) references proving that the bidding company has experience in relevant projects (previous contracts, reference letters, purchase orders, invoices)
- 6- **Catalogs/ Detailed technical description:** Bidders are required to submit catalogs, photos, and detailed technical descriptions of all offered products as part of their Technical Offer. The catalogs / detailed technical description should describe all the required technical details, including the proposed products' actual specifications against all the technical criteria stipulated in Annex A.
- 7- Confirmation of technical compliance as per stated in Annex B which shall be signed and stamped.
- 8- The bidder submitted financial quote submitted on Annex C, duly signed and stamped.
- 9- The bidder should submit a signed and stamped copy of the Vendor Registration Form (Annex D) or, if the company is already registered with UNHCR, an empty Vendor Registration Form clearly indicating the UNHCR Vendor ID.
- 10- The bidder should submit a bank statement including the account number, name, and currency (USD) (unless the company is registered with UNHCR, and the bank details have not changed)
- 11- The bidder should accept by (signing and stamping) the UNHCR General Conditions of Contract for the Provision of Goods (Annex E)
- 12- The bidder should accept by (signing and stamping) the UN Supplier Code of Conduct (Annex F)
- 13- The bidder should submit a confirmation that he is not included in the UN/UNGM/EU sanction list (Annex G duly filled/signed and stamped)

In case the bidder is registered with UNHCR and has received at least one (1) Purchase order from UNHCR during the past three (3) years, then the documents mentioned under points (1,9,10,11, and 12) are not required and the bidder needs to submit Annex D containing the UNHCR Vendor ID instead.

!!! Technical and Financial Offers are to be submitted through separate emails ONLY to: !!!
tenderbox.libya@unhcr.org.

Mohamad Khattab
 Snr. Supply Officer
 UNHCR Libya

