

DATE: 02/11/2020

INVITATION TO BID: No. ITB 2020-05

**FOR THE ESTABLISHMENT OF FRAME AGREEMENT(S) FOR SUPPLY AND
DELIVERY OF IT EQUIPMENT**

CLOSING DATE AND TIME: 30/11/2020 – 23:59 hrs EET

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 seven decades, the agency has helped tens of millions of people restart their lives. Today, a staff of some 16,000 people in more than 130 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>.

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 supply and delivery of IT Equipment as specified in **Annex – A Specification**.

UNHCR may award Frame Agreement(s) with initial duration of one (1) year, potentially extendable for a period of 1 (one) year, for supply of IT equipment to its operation in Ukraine. The successful bidder(s) will be requested to maintain their price model for duration of the Frame Agreements.

IMPORTANT:

Exact technical specifications and estimated annual requirement of the IT equipment for UNHCR operation in Ukraine are specified in **Annex A** of this document.

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 the indicated quantity. Quantities may vary and will depend on the actual requirements and funds available regulated by issuance of individual Purchase Order against 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 the 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 18** "settlement of disputes" of the UNHCR General Conditions of Contracts for provision of Goods (Annex -E) 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.

Sub-Contracting: Please take careful note of the article 4 of the attached General Terms and Conditions (Annex E).

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

2. BIDDING INFORMATION:

2.1. ITB DOCUMENTS

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

- Annex A: Terms of Reference (ToR);
- Annex B: Technical Offer Form (to be filled);
- Annex C: Financial Offer Form (to be filled);
- Annex D: UNHCR Vendor Registration Form (to be filled);
- Annex E: UNHCR General Conditions of Contracts for the Provision of Goods-2018;
- Annex F: Documentation procedures on tax reporting (for companies having a VAT payer status);
- Annex G: UN Supplier Code of Conduct.

2.2 ACKNOWLEDGMENT

Bidders are requested to confirm receipt of this ITB and send their expression of interest to participate to UNHCR-UKR-Procurement@unhcr.org

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 requested to submit any request 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 13/11/2020.

IMPORTANT:

Please note that Bid Submissions are **not** to be sent to the e-mail address above. Failure to comply with this provision may result in disqualification.

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 **OR** Questions and Answers document will be prepared and posted on the UNHCR Ukraine Representation website <https://www.unhcr.org/ua/en/>

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 **Annex B**, Technical Offer Form; duly fulfilled **Annex D**, Vendor Registration Form; **Annex E**, UNHCR General Conditions of Contracts for the Provision of goods; **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 Terms of Reference can be found in **Annex A**.

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 and will be evaluated on the basis of PASS/FAIL for criteria for all criteria below:

a) Company profile and qualifications:

A brief description of your firm with the following documents:

1. Company profile: year founded, if multi-location please specify headquarters locations;
2. Copy of certificate of registration;
3. Bank statements for the last 3 months: August, September and October 2020;
The bidder has not been declared bankrupt in accordance with the procedure established by law and no liquidation procedure has been opened against it (it is checked by UNHCR through open official sources) ONLY FOR UKRAINIAN COMPANIES.
4. **Product specifications;**
The bid shall include product specification of all requested items as listed in Annex B.
5. **Warranty:** The bid shall include defects and liability period with terms of warranty. The bidder shall provide a maximum of one (1) year warranty.
6. **Delivery time:** The bidder shall state in its technical offer the turn-around time for delivery of Goods. The selected Bidder shall have a supply turn-around time of not more than 45 days from the date of issue Purchase Order(s).
7. **Delivery Capacity:** The bidder shall state the mobilization and ex-stock available at all time.
8. **Country and place of Manufacture:** The technical offer shall state the country and place of manufacture of the Goods.
9. **Delivery terms:** DAP 16 Lavrska Str., Kyiv, 01015, Ukraine

Bidders are required to obtain a certificate confirming the Good(s) offered meet the item specifications and compliance with the standards and testing criteria stated in Annex B – Technical Specifications.

The below administrative documentation should be also included in the Technical offer and will be assessed by the **Bid Opening Committee** in order for the offer to be complete:

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 D**.

If your company is already registered with UNHCR, please submit an empty Vendor Registration Form clearly indicating your UNHCR Vendor ID.

UNHCR General Conditions for Provision of Good – 2018

Your technical offer should contain your acknowledgment of the UNHCR General Conditions for the Provision of Goods by signing and stamping **Annex E**

UN Supplier Code of Conduct

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

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

Incoterms 2020: Delivered At Place (DAP) per location will apply.

IMPORTANT:

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

2.4.2 Content of the FINANCIAL OFFER

Your separate **Financial offer** must contain an overall offer in a single currency **in US Dollars**. The price must remain unchangeable for the duration of the Frame Agreement(s). **Payments will be made in local currency (UAH) according to UN operational exchange rate at the date of Purchase 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:

Unit costs: The bidder shall quote the unit price DAP Kyiv as indicated in Annex C. The unit cost should be provided for the IT equipment to the respective location. Any quantity or other discounts (e.g. volume discounts) shall be clearly indicated.

UNHCR is exempt from all direct taxes and customs duties. UNHCR claims VAT from authorities once paid. Please separate VAT form cost.

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 Frame Agreement. 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. 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,
- Timely delivery,
- Dependability of products and services,
- Lead time for delivery.

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

2.5.2 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 paragraph 2.4.1, and based on the requirements from Annex A and Annex B.

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**
- Delivery capacity and compliance with the UNHCR specifications

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 (Annex B, Annex C, Annex D, Annex E, Annex F and Annex G) should be in PDF format, signed and stamped. Annex B and Annex C in addition, to be included in Excel format.

Emails containing links to download bid documents will **NOT** be accepted.

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

Bid must be addressed as below and 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.

Hand delivery of bids will **NOT** be accepted.

Deadline: 30/11/2020, 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 **30/11/2020 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 2020-05;
- Name of your firm with the title of the attachment;
- Number of e-mails that are sent (example: 1/3, 2/3, 3/4);
- In addition to which part the attachment refers (Technical or Financial)

*For example: **ITB/2020-05 Company XXX – Technical or Financial Offer 1/3***

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 and lot or to allow split or partial awards.

UNHCR may at its discretion increase or decrease the proposed content when awarding the Frame Agreement and would not expect a variation of the rate submitted. Any such increase or decrease in the Frame Agreement 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 firms submitting bids and does not bind itself in any way to select the firm offering the lowest price. Furthermore, the Frame Agreement 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.

IMPORTANT: Cancellation of Solicitation; UNHCR reserves the right to cancel a Solicitation at any stage of the procurement process prior to final notice of award of the Frame Agreement.

2.8 CURRENCY AND PAYMENT TERMS FOR PURCHASE ORDERS

Any Purchase Order (PO) issued as a result of this ITB will be made in either the currency of the winning offer(s) or local currency. 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 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 Frame Agreement. 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/>

Ganga Rathnayaka,
Supply Officer
UNHCR Representation in Ukraine