



UNHCR

United Nations High Commissioner for Refugees
Haut Commissariat des Nations Unies pour les réfugiés

DATE: 19/07/2022

INVITATION TO BID: NO. UKRKI/ITB/2022-09

**ESTABLISHMENT OF A FRAME AGREEMENT FOR SUPPLY OF MOVABLE HEATERS
TO UNHCR**

CLOSING DATE AND TIME: 28/07/2022– 17:00 HRS, KYIV TIME OR EARLIER

IMPORTANT NOTICE ON ETHICAL CONDUCT

Under no circumstances should a vendor pay UNHCR or a UNHCR Staff Member for the submission of a quotation, bid or proposal or for the fulfilment of a Contract. This includes any gifts, favors, hospitality, etc. to its Staff Members. Please note that UNHCR strictly follows zero tolerance policy and a such advises its suppliers not to offer any gift, favor, hospitality, etc. to its staff. Be aware that if such payment or non-gifts or favors are made, it would result in the immediate termination of the vendor agreement or contract and the vendor would be disqualified from further Request for Quotations/Invitation to Bid/Request for Proposals with UNHCR. you are advised to read and understand the UN Supplier's Code of Conduct specifically its articles 18 to 21 on Ethical Conduct.

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.

UNHCR must purchase goods and services worldwide. For further information on UNHCR, its mandate and operations please see <http://www.unhcr.org>.

UNHCR ACTIVITIES IN UKRAINE

Since the start of the recent war in Ukraine, approximately 7.1 million Ukrainians have been internally displaced, while the number of refugees fleeing into neighboring countries has reached a staggering 5.2 million. UNHCR intends to rebuild houses in Kyiv Oblast and elsewhere, as well as to repair damaged houses.

This tender refers to UNHCR's ongoing humanitarian assistance in support of the conflict affected population who have been displaced in various locations within Ukraine. UNHCR

aims to provide to both displaced and non-displaced population affected by the war some movable heaters to improve their living conditions. UNHCR intends to supply different types of movable heaters to all those displaced.

1. REQUIREMENTS

The Office of the United Nations High Commissioner for Refugees (UNHCR) in Ukraine, invites qualified suppliers and manufacturers to make a firm offer for the establishment of Frame Agreement(s) for the supply and delivery of movable heaters.

IMPORTANT:

Exact technical specifications and the quantities of each item are detailed in Annex A of this document.

UNHCR may award Frame Agreement(s) with initial duration of two-year(s), potentially extendable for a further period of one (1) year, for supplying its operations locally. The successful bidders will be required to maintain their quoted price model for the duration of the Frame Agreement(s).

Please note that quantiles 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 issuance of individual Purchase Orders against the Frame Agreement.

Delivery Location: UNHCR warehouse located in Ukraine as stated in the financial form

Delivery Lead time: Please mention your best delivery lead time to the different locations stated in the financial offer form. All things being equal, offers with shorter delivery lead time will be given preference.

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 Frame Agreement with other UN Agencies.

IMPORTANT:

When a Frame Agreement is awarded, either party can terminate the agreement only upon 30 days' 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 a termination clause.

It is strongly recommended that this Invitation to Bid document and its annexes should be read thoroughly. Failure to observe the procedures laid out therein, may result in disqualification from the evaluation process.

QUALITY CONTROL THROUGHOUT THE FRAME AGREEMENT:

UNHCR will carry random quality inspections, including specific selected criteria for laboratory test to products or items selected by UNHCR or by an independent surveyor appointed by UNHCR from samples selected during production, upon departure, loading, unloading, arrival to destination or from any storage location. The cost of the quality control inspections and laboratory tests will be covered by UNHCR.

In cases of supplier's quality default, in addition to the good's PO liquidated damage clauses, the inspection and laboratory cost will be charged to the supplier.

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

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

Organizational Settings:

Qualified bidders shall provide the name and contact information of a Customer Relations Manager or similar, responsible for the smooth running and execution of orders placed by UNHCR in Ukraine.

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

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

ANNEX A: [Specifications / BoQ and financial offer form](#)

ANNEX B: [Technical Offer Form](#)

ANNEX C: [UNHCR Vendor Registration Form](#)

ANNEX D: [UNHCR General Conditions of Contracts for the provision of Goods-Rev: July 2018](#)

ANNEX E: [UN Supplier Code of Conduct](#)

ANNEX F: [Documentation procedures on tax reporting \(for companies with VAT payer status\).](#)

2.2 ACKNOWLEDGMENT

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

- Your confirmation of receipt of this "Invitation to Bid (ITB)";
- Whether or not you will be submitting a bid.

IMPORTANT:

Please note that Bid Submissions are not to be sent to the e-mail addresses (ukrkipro@unhcr.org). Failure to comply with this provision may result in disqualification

2.3 REQUESTS FOR CLARIFICATION

Bidders are required to submit any request for clarification in respect of this ITB by e-mail to ukrkipro@unhcr.org copying hailu@unhcr.org. **The deadline for receipt of questions is 25/07/2022 at 17:00hrs, Kyiv time**

UNHCR will compile the questions received and plan to respond to the questions shortly after the query closing date. UNHCR may, at its discretion, copy any reply to a particular question to all other invited bidders at once.

Please note that the items delivered to UNHCR by the selected supplier will also be inspected at the time of its delivery at UNHCR to confirm the correct receipt of items according to UNHCR's specifications. In case of rejection and non-acceptance of any item due to wrong specifications or bad quality, UNHCR will not be responsible for its returning and transportation, or any cost involved.

2.4 YOUR OFFER

Your offer shall be prepared in English or in Ukrainian.

IMPORTANT:

Cancellation of Solicitation: UNHCR reserves the right to cancel a Solicitation at any stage of the procurement process prior to final signature of the awarded contract.

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 2.7) of this ITB.

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.

Special Instructions:

- **Transportation**: the cost must be inclusive of transportation to UNHCR warehouse located in Ukraine as stated in the financial offer form.
- **Pre-loading inspection**: the selected supplier must check/inspect all the items before dispatching them to UNHCR warehouse.

- **Rejected items**: all rejected items must be replaced by the supplier at no extra cost to UNHCR.
- **Change in quantity**: the quantity shown may go up as well as come down.

Your offer shall comprise the following two sets of documents and samples:

- Technical offer (Annex B)
- Financial offer (Annex A)

One Sample in line with requested specifications stipulated in Annex A should also be submitted. The sample will be inspected by UNHCR's technical evaluation committee, to ensure they are in line with requirements. Inspected samples can be collected once evaluation is finalized.

Submission of Samples:

All samples should be handed over to **Yohannes Hailu Gebre-Mariam** UNHCR/Supply unit. Samples must bear your official letter head, clearly identifying your company. All samples should be submitted by 28/07/2022, **the same closing date as for your offer.**

Sample Delivery place: UNHCR Representation office Lviv Lypynskogo Street 28

IMPORTANT:

Un successful bidders will be allowed to collect back their samples at place of delivery after receiving official communication from UNHCR.

Bid Reference: UKRKI/ITB/2022-09

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**. 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.

I. Sample of quoted product:

Your offer must be accompanied by sample of the quoted product. UNHCR will only consider offers with sample. For more details on submission of sample, please refer to point no. 2.4.

II. Mandatory Requirements (Pre-conditions): Pass/Fail criteria

The following **seven (7) pre-conditions** must be met by the bidder for your offer to be eligible for competition. The following should be submitted:

1. Proof that your company was established and has been in this kind of MOVABLE HEATERSs business for three (3) or more years from date of your offer.
2. Proof that your company is registered and licensed by the Government of Ukraine (GoU) to provide such goods.
3. VAT registration certificate.
4. Duly completed, signed, stamped, and dated vendor registration form (**Annex E**) unless your Company is already registered with UNHCR in which case you must state your vendor ID number with UNHCR.
5. Submit a written confirmation of acceptance of UNHCR general terms and conditions including payment which is within 30 days from the date of receipt of invoices following satisfactory delivery of goods/services.
6. Submit a written confirmation of acceptance of UN Supplier Code of Conduct (**Annex E**).
7. **Acceptance of UN exchange rates for conversion & payment as of PO issue date**
8. **The following details shall also be provided along with your offer:**
Technical Offer Form (Annex B): Bidders are required to fill in, sign, stamp and provide response to each point stated in **Annex B**.

Specification documents and data Sheets: Bidders are required to submit any documents showing that specifications of quoted sheets are in line with requirements stipulated in **Annex A**.

Written statement to confirmation that your company accepts the delivery term (delivered at place-DAP) to UNHCR warehouses as stated in the Financial Offer Form to different location in Ukraine area and will commit to requested delivery lead time.

2.4.2 Content of the FINANCIAL OFFER

The Financial Offer is to be submitted as per the Financial Offer Form Annex A. Bids that have a different price structure may not be accepted. Offer currency should be submitted in US Dollars or UAH.

Price has to be given without VAT.

You are requested to hold your offer valid for 60 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.

For evaluation purposes only, the offers submitted in currency other than US Dollars may be converted into US Dollars using the United Nations rate of exchange in effect on the date your offers are due.

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:

The evaluation will be conducted in 3 stages as follows:

2.5.1 Technical:

a. First Stage (Preliminary): checking and verification of submitted technical offer by UNHCR Technical Evaluation Committee (TEC). UNHCR's TEC will check the submitted technical offer on the six (6) pre-conditions and mark 'Pass' or 'Fail' against the conditions listed at point no. 2.4.1. (II.) as shown in **Annex B**. Missing documents, if any, will be requested from the vendor(s) through the Supply Unit. Vendor(s) refusing or not being able to provide missing document(s), when requested, will be excluded from further evaluation.

b. Second Stage: inspection of samples by TEC.

UNHCR nominated TEC will inspect the quality of the samples against the specifications listed at **Annex A**, as well as verifying submitted technical data sheets. Offers scoring 'yes' to all verification points, as shown in **Annex B**, will qualify for further evaluation.

UNHCR may conduct a due diligence/supplier verification exercise if the bidders are not known to UNHCR or have not already worked satisfactorily for UNHCR in the past if the bidders are found to be technically compliant by-passing technical evaluation. Should the findings of the due diligence/supplier verification indicate non-suitability of bidders, the finding of the due diligence/supplier verification report will prevail. UNHCR may not conduct such exercise for those unknown bidders whose offer do not pass.

The due diligence exercise, when needed, will take place following technical evaluation by the Technical Evaluation Committee (TEC) and before commencement of the evaluation of financial proposals. A representative from the Supply Unit shall join the TEC during due diligence as an observer to ensure procurement rules and procedures are followed.

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 Annex B and based on the requirements from Annex A**. Offers should meet the following requirements.

- Registration documents
- Similar work list
- Compliance with the established UNHCR specifications
- Reasonable delivery period
- Delivery capacity

2.5.3 Financial evaluation:

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

All bids from suppliers will be evaluated based on:

- Compliance with the established UNHCR specifications.
- Unit cost, VAT excluded.
- Total cost, VAT excluded.
- Delivery Lead Time

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 A, Annex B, Annex C, Annex D, Annex E and Annex F) should be in PDF format, signed and stamped. (Copies of the PDF format documents may, as an addition, be included in Excel (Annexes A and B) or other formats etc.)

The Technical and Financial offers shall be clearly separated (sent by separate e-mails), 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** - with all or supporting documents not exceeding 20 Mb (copies of the PDF format documents may, as an addition, be included in Excel or other formats).

Kindly indicate in the email subject field:

- Bid ITB 2022-09
- Name of your firm with the title of the attachment,
- Number of emails that are sent (example 1/3, 2/3, etc)

Please follow the below instructions for submitting the offers via email:

- a. Format: PDF files (Preferred);
- b. Email size must not exceed 20 MB;
- c. For big attachment over 20MB please split into multiple numbered emails (e.g. 1 of 3, 2 of 3 and 3 of 3);
- d. No document downloading links are accepted. All documents must be attached with the email.
- e. If you are uploading number of small files, please move the files into a “ZIP folder” and send a zip file instead of each file individually.

- f. The Technical offers and financial offers must be submitted in separate emails.
- g. All files must be free of viruses and not corrupted.
- h. UNHCR reserves the right to accept or reject any offers that is not following the email submission instructions.
- i. No other person from UNHCR to be copied on the tender emails otherwise the supplier may be disqualified.

Deadline for submission: 28/07/2022, 17:00hrs Kyiv Time or Earlier.

IMPORTANT:

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

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

LATE SUBMISSION OF BIDS: Bids received after the deadline for submission of bids and bids transmitted in any other manner than those indicated above may not be considered.

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 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.

UNHCR may at its discretion increase or decrease the proposed content 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 pre-qualified 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.

UNHCR at its own discretion reserve the rights to accept or cancel the whole tender at any stage.

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, delivery time, 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

1. Any Purchase Order (PO) issued in response of this ITB will be made in US Dollars. However, payment to supplier in Ukraine will be made in local currency (UAH) where the US dollar value will be converted into local currency (UAH) as per the UN rate of exchange for that month. Up to date UN exchange rate can be found at <https://treasury.un.org/operationalrates/OperationalRates.php>

As can be seen, the UN exchange rate is lower than the local market rate in Ukraine. Given this situation, the suppliers may require to be prudent in quoting their prices.

Suppliers who cannot or are unwilling to be paid in local currency (UAH) as per the UN exchange rate for that month need not participate in this tender.

UNHCR DOES NOT UNDERTAKE TO PAY ADVANCES, BY LETTERS OF CREDIT OR IN ADVANCE OF DELIVERY OF SERVICE.

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

Please note that the General Conditions of Contracts (**Annex D**) will be strictly adhered to for the purpose of any future contract. The Bidder must comovable heatersrm 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 suppliers not to offer any gift, favor, hospitality, etc. to its staff

2.11 THE UN GLOBAL COMPACT

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 encourages bidders to sign up to this initiative at: <https://www.unglobalcompact.org/>

UNHCR'S TENDER ARE AVAILABLE FREE OF CHARGE.

Yohannes Hailu Gebre-Maria
Snr. Supply Officer
UNHCR Representation in Ukraine

ANNEX B: TECHNICAL OFFER FORM

UKRKI/ITB/2022-09

ESTABLISHMENT OF A FRAME AGREEMENT FOR SUPPLY OF MOVABLE HEATERS TO UNHCR

Supplier Name:	
Contact name:	
Contact phone number:	
Contact email address:	

Item	Description of Criteria	Pass/Fail	Documentation attached to your submission (Yes / No) and Additional comments from supplier
	Proof that your company was established and been this kind of heaters for three (3) or more years from date of submission	Pass/Fail	
	Proof that your company is registered and licensed by the Government of Ukraine (GoU) to provide such goods.	Pass/Fail	
	VAT registration certificate.	Pass/Fail	
	Duly completed, signed, stamped, and dated vendor registration form (Annex E) unless you are already registered with UNHCR in which case you must state your vendor ID number with UNHCR.	Pass/Fail	
	Submit a written confirmation of acceptance of UNHCR general terms and conditions including payment which is within 30 days from the date of receipt of invoices following satisfactory delivery of goods/services.	Pass/Fail	
	Submit a written confirmation of acceptance of UN Supplier Code of Conduct (Annex E).	Pass/Fail	
	Acceptance of UN exchange rates for conversion & payment as of PO issue date	Pass/Fail	

NB: ALL CRITERIA ARE MANDATORY.

Date: _____

Signature: _____

Name and position: _____

Official Stamp: _____