



UNHCR

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

DATE: 01/08/2022

INVITATION TO BID: NO. UKRKI/ITB/2022-011

**ESTABLISHMENT OF A FRAME AGREEMENT FOR THE SUPPLY AND INSTALLATION
OF WINDOWS IN 8 LOCATIONS**

CLOSING DATE AND TIME: 15/08/2022– 17:00 HRS, KYIV TIME OR EARLIER

UNHCR will conduct evaluation on a lot basis. It is possible for suppliers to bid for one lot or all lots. Please note partial offer for any lot will not be accepted. UNHCR may award contracts on per lot basis or multiple contracts for the 8 lots due to the need for faster implementation.

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.

In more than seven decades, the agency has helped tens of millions of people restart their lives. Today, a staff of some 17,000 people in more than 135 countries continues to help about 79.5 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>.

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 with some repairs to improve their living conditions.

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 installation of windows.

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 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: Odeska, and Mykolaivska, Vinnytska, Khmelnytska, Chernivetska, and Zhytomyrska, Cherkaska, and Kirovohradska, Kyivska, and Chernihivska, Sumska, Poltavska, and Kharkivska, Dnipropetrovska, Zaporizka, Khersonska, and Donetska, Lvivska Oblast, Ivano-Frankivska, and Zakarpatska.

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. The selected supplier(s) will be required to deliver up to 20% of the estimated total quantity within 3 weeks from the PO date.

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: [BoQ and financial offer form for all the eight \(8\) Lots.](#)

ANNEX B: [Technical Specifications](#)

ANNEX C: [Technical Offer Form](#)

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

ANNEX E: [UNHCR General Conditions of Contracts for provision of Goods and Services-Rev: July 2018](#)

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

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

2.2 ACKNOWLEDGMENT

We would appreciate your informing us 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. **The deadline for receipt of questions is 11/08/2022 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: UHCR 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 locations 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 the mentioned locations.
- **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)

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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. 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 experience in supplying similar items 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 90 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 2 stages as follows:

2.5.1 Technical:

- a. First Stage (Pre-qualification): checking and verification of submitted technical offer by UNHCR Technical Evaluation Committee (TEC). UNHCR's TEC will check the submitted technical offer on the seven (7) 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 pre-qualification criteria, as shown in **Annex B**, will qualify for further evaluation. UNHCR will contact vendors to arrange inspection of samples at their premises.

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 (Annex 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 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 2022-11
- 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: 15/08/2022, 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

Payment can be made in US Dollars if the suppliers hold valid USD account with Ukrainian banks, or in UAH at United Nations rate of exchange in effect on the date the Invoice and Act of Acceptance following the link <https://treasury.un.org/operationalrates/OperationalRates.php>.

Suppliers who do not hold valid USD bank account with Ukrainian bank must agree to receive payment in UAH at the UN rate of exchange in the month of invoice. It is to be noted that currently the UN rate of exchange into UAH is lower than the prevailing mark

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 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 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 TENDERS ARE AVAILABLE FREE OF CHARGE.](#)

Salumeza Cosmas Kanoti
Supply Officer
UNHCR Representation in Ukraine