



UNHCR

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

DATE: 05 SEPTEMBER 2022

INVITATION TO BID: No. UKRKI/ITB/2022-13

ESTABLISHMENT OF FRAME AGREEMENT FOR SUPPLY OF ASSORTED TIRES FOR UNHCR VEHICLES IN UKRAINE

CLOSING DATE AND TIME: 19 SEPTEMBER 2022 – 23:59 hrs, Kyiv time

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 (UNHCR) 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, UNHCR is in more than 135 countries and 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 environments, UNHCR must purchase goods and services worldwide. For further information on UNHCR, its mandate and operations, please see <http://www.unhcr.org>.

Goods purchased in the framework of this tender will be used to assist vulnerable population in need of humanitarian assistance in Ukraine.

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 one-off procurement of Tyres for UNHCR projects in Ukraine.

IMPORTANT:

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

The estimated approximate requirements are specified on **Annex B**

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

Please note that figures have been stated to enable bidders to have an indication of the projected requirements. **It does not represent a commitment that UNHCR will purchase the quantities on Annex B. Quantities may vary and will depend on the actual requirements and funds available regulated by issuance of individual Purchase Orders.**

Delivery Location: UNHCR warehouse Kyiv region, Boryspil district, village Velyka Oleksandrivka, street Kyivsky Shliakh, 121 - warehouse Berger Cargo Ukraine

Place of Inspection: The inspection will take place at Kyiv region, Boryspil district, village Velyka Oleksandrivka, street Kyivsky Shliakh, 121 - warehouse Berger Cargo Ukraine.

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 Purchase Orders 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 18** "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.

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 any required tests will be covered by UNHCR.

In cases of supplier's quality default, in addition to the good's PO penalty clauses, the cost related to inspection and any required test will be charged to the supplier.

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

Environmental Considerations:

Qualified bidders shall describe, as applicable, how environmental protection issues are taken into account throughout the manufacturing and/or delivery process. Eco-labels applied, if any, shall also be described.

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.

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

2. BIDDING INFORMATION:

2.1. ITB DOCUMENTS

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

- Annex A: Specification of Tires
- Annex A1: Technical Offer Form
- Annex B: Financial Offer Form
- Annex C: Vendor Registration Form
- Annex D: UNHCR General Conditions of Contracts for the Provision of Goods (rev. 2018)
- Annex E: Documentation procedures on tax reporting (for companies with VAT payer status).
- Annex F: UN Supplier Code of Conduct

2.2 ACKNOWLEDGMENT

We would appreciate you to inform us of the receipt of this ITB by return e-mail to UNHCR-UKR-Procurement@unhcr.org as to:

- Your confirmation of receipt of this invitation to bid;
- Whether you will be submitting a bid;
- The source where you have acquired this tender document (e.g. E-Mail, UNHCR website, UNGM website, UNHCR Facebook page etc.)

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 required to submit any requests for clarification in respect of this ITB by e-mail to Supply Unit at the email: ukrkipro@unhcr.org

The deadline for receipt of questions is 14 September 2022 23:59 hrs, Kyiv time.

IMPORTANT:

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

UNHCR will reply to the questions received as soon as possible by publishing questions and answers under the link for this tender and by email to all invited bidders.

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
- Financial offer

- **Technical offer:**

And **separately**:

- **Financial offer** (signed and stamped: duly filled Financial Offer Form, **Annex B**).

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 confidently assert whether or not the goods you are offering fully conform to the product specifications provided. Clearly state and disclose any deviations from the specifications provided.

I. Mandatory Requirements (Pre-qualification criteria): Pass/Fail criteria

The following **six (6) pre-conditions** must be met by the bidder for your offer to be eligible for competition. The following should be submitted:

- i. Company is registered and licensed by the Government of Ukraine to provide such Goods. Registration certificate should be provided (Certificate of incorporation).
- ii. Proof that your company was established and has been manufacturing or selling tires for the last three (3) years, i.e. from 2019. (Copy of Certificate of dealership).

- iii. Duly completed, signed, stamped, and dated vendor registration form (**Annex C**) unless your Company is already registered with UNHCR in which case you must state your vendor ID number with UNHCR.
- iv. 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. (**Annex D**).
- v. Documentation procedures on tax reporting (for companies with VAT payer status).
- vi. Submit a written confirmation of acceptance of UN Supplier Code of Conduct (**Annex E**).

The following details should also be provided in the Technical Offer.

Technical Offer Form (Annex A1): Bidders are required to fill in, sign, stamp and provide response to each point stated in Annex A1 Item description including a brand name(s) of the tires to be supplied, size, packing, marking, terms of delivery and delivery lead time knowing that the maximum acceptable delivery lead time is **15 days** from date of PO acknowledgment by the vendor.

Additionally, the following should be considered while submitting the offer:

The technical details of the products requested by UNHCR can be found in **Annex A**, Specification of Tyres. Technical offer form can be found at **Annex A1**.

Your technical offer should clearly state whether the tires you are offering are fully conforming to the product specifications given. Clearly state and disclose any discrepancies with the specifications given.

Inspection: Technical evaluation of goods to be conducted by UNHCR at its own cost. However, bidders are not required to provide samples at this stage

The following details (essential documents) shall also be provided in the Technical Offer.

Statutory and registration documents: Registration Certificate, VAT / Single taxpayer certificate, bank certificate etc.

Country of Origin of the Supplier and place of Manufacture: The technical offer shall state the country in which the tyres are manufactured.

Warranty Duration:

The bidder shall state the warranty duration given for any possible deterioration, wornness, color fading or any other possible defects that might occur during the storage duration, confirming that a minimum of one (1) year of quality warranty should be provided.

Certificate: The bidder must submit a copy of the certificate of dealership authorization, as well as a copy of the manufacturing company's internationally recognized quality certificate and a copy of the finished product's quality certificate.

Vendor Registration Form: If your company is not already registered with UNHCR, you should complete, sign and submit with your technical proposal the Vendor Registration Form (**Annex C**). In case you are registered with UNHCR, your vendor ID should be stated.

UNHCR General Conditions for Provision of Goods and Services: Your technical offer should contain your acknowledgement of the UNHCR General Conditions for Provision of Goods and Services by signing **Annex D**.

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

Documentation procedures on tax reporting (for companies with VAT payer status): Your technical offer should contain your acknowledgement of the documentation procedures on tax reporting by signing **Annex E**.

Please note that submitting an offer is deemed as acceptance of UNHCR's General Conditions for Provisions Goods even if the UNHCR General Conditions for Provision of Goods and UNHCR Supplier Code of Conduct are not signed as advised.

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 an 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 products at this stage.

2.4.2 Content of the FINANCIAL OFFER

The Financial Offer is to be submitted as per the Financial Offer Form **Annex B**. 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 180 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.

IMPORTANT:

Please carefully consider the pricing model applicable to this invitation tender.

Bidders are required to submit product unit prices to be maintained throughout the duration of the Frame Agreement. Volume discounts can be offered as per Annex B.

The Financial offer is to be submitted as per the Financial Offer Form, **Annex B**. Bids that have a different price structure may not be accepted.

Unit costs: As requested in Annex B the bidder shall quote the unit price Delivery at place (DAP) Incoterms. The unit cost shall be provided for the supply of product in bulk. Any quantity or other discounts (e.g. volume discounts) shall be clearly indicated.

UNHCR is exempt from all direct taxes and customs duties. In this regard, price has to be given without VAT.

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.

Please ensure the financial offer is signed and stamped, and all information is well readable.

2.5 BID EVALUATION:

Each offer will be considered separately and independently. Bidders shall submit a complete offer in order to participate and use all forms and checklists provided. References to previous or on-going offers will not be considered. Award of a previous Contract with UNHCR will not be considered in itself as a preference or guarantee for the award of future solicitations on the same subject. Contract(s) will be awarded to the vendor(s) meeting UNHCR's specification requirement (technically compliant) and offering the lowest prices.

- 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 A**. Missing documents, if any, will be requested from the vendor(s). Vendor(s) declining or not being able to provide missing document(s), when requested, will be excluded from further evaluation.
- b. Second stage: The Technical Evaluation Committee will evaluate received bids on seven (07) technical evaluation criteria. The committee may conduct verification of supplier information with clients mentioned in the bidders past experience including tires manufacturers as shown on Annex A1.

2.5.1 Supplier Registration:

The qualified suppliers 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:

1. Random / periodic testing of the supplier's products,
2. Ability to respond quickly to Agency's needs,
3. Timely delivery,

4. Dependability of products and services.

If your company is not already registered with UNHCR, you should complete, sign and submit with your technical proposal the Vendor Registration form, **Annex C** 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 Annex A1 and based on the requirements from Annex A.

All bids from pre-qualified suppliers who have passed all Essential documents Provided as per Section 2.4.1 will be evaluated based on the below evaluation criteria:

Evaluation Technical Criteria	Pass / Fail
1. Full description of Products submitted with Tire size meeting requirements	
2. Proposed products meet the relevant standards and Quality level must correspond the list of benchmark brands.	
3. For all goods that fall under mandatory certification, quality certificates to be provided	
4. Supply capacity that supports delivery requirements. Goods must not be manufactured by sanctioned companies and supplied from sanctioned countries, in addition to passing all mandatory pre-qualification requirements as mentioned in 2:4:1	
5. The tires must be purely for Summer and Winter (no all season tires can be accepted)	
6. Year of production should be January 2022 or later	
7. Proposed schedule of availability of products/items ready to be dispatched that suits UNHCR's operational needs	

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:

- Compliance with the established UNHCR specifications.
- Unit cost.
- Delivery and production capacities.

2.6 SUBMISSION OF BID:

You are kindly invited to submit your offers as indicated below:

The offers should be submitted by email to. UNHCR-UKR-tendercommittee@unhcr.org

Please clearly state the following in **subject line** of the email:

- ITB/2022/013
- Company name
- Type of Offer: Technical or Financial
- Number of e-mails sent (for example: 1/2, 2/2)

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.

The offers must bear your official letter head, clearly identifying your company.

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.

It is the Supplier’s responsibility to ensure that all files of the final offer are submitted before or on the deadline mentioned on this tender.

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.

Once the deadline for submission is expired, the bid will be automatically closed. In order to ensure the safe submission of the full and final offer, it is recommended to have all files sent well before the tender deadline.

Deadline: 19 SEPTEMBER 2022, 23:59 hrs, Kyiv time.

Receipt of your bid submission will be acknowledged through an automated reply. Your automated reply must be dated before or on the deadline of **14 September 2022 23:59 HRS, Kyiv time**. 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. 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.

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.

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.

2.7 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 quantity when awarding the Purchase Order (PO) 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 companies submitting bids and does not bind itself in any way to select the company offering the lowest price. Furthermore, the Contract(s) will be awarded to the bid considered most suitable 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 USD or an equivalency in local currency at UN exchange rate of the month. Payment will be made in accordance with 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 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 gifts, favor, hospitality and commission etc. to UNHCR staff. Any supplier found to be offering gifts, favor, hospitality and commission etc. to UNHCR staff will be placed on United Nations sanctioned list and UNHCR will not do business with them anymore.

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, labor, environment and anti-corruption. UNHCR encourage bidders to sign up to this initiative at: <https://www.unglobalcompact.org/>

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

[UNHCR'S TENDER ARE AVAILABLE FREE OF CHARGE.](#)

Yohannes Hailu
Snr. Supply Officer
UNHCR Representation in Ukraine