

Invitation to Bid



ANNEX B

Danish Refugee Council

The Link House
Plot No. 311, 312 and 313
Bloc 3K South, Thongpiny
Juba, South Sudan

21st October 2024

To qualified and interested companies/Vendors

Invitation to Bid No.: ITB-SSD-MAK-2024-01 – Material Supply and Labour cost for renovation of Kodok Complex Secondary School in Fashoda County, Upper Nile State.

Dear Sir/Madam:

The Danish Refugee Council (DRC) is a humanitarian, non-governmental, non-profit organization founded in 1956 that works in more than 30 countries throughout the world. DRC fulfills its mandate by providing direct assistance to conflict-affected populations – refugees, internally displaced people (IDPs) and host communities in the conflict areas of the world; and by advocating on behalf of conflict-affected populations internationally, and in Denmark, on the basis of humanitarian principles and the Human Rights Declaration (For further information about our projects please visit our website <http://www.drc.dk>.)

The Danish Refugee Council (DRC) with the UNHCR-funded Multi Sectoral Humanitarian Response South Sudan project aims to provide lifesaving humanitarian assistance through integrated multi-sector assistance of protection, shelter, livelihood and basic needs through Mobile Response Team (MRT) across the country and community-based programming in the targeted locations. The project foster accountability and quality humanitarian assistance through the state-level camp coordination and camp management coordination leadership that empowers the crisis-affected people to make decision and actions to address humanitarian needs. The integrated approach within each sector and sub-sector of the project is designed to mainstream protection, social cohesion and conflict sensitivity.

To this effect, DRC wish to acquire through a tender process of Material Supply and Labour cost for renovation of Kodok Complex Secondary School in Fashoda County, Upper Nile State. Therefore, all competent and eligible construction companies are requested to submit their Quotations base on guidance provided by this ITB and the Bill of Quantity (BoQ) and Scope of Work (SoW).

I. TENDER DETAILS

The Tender details are as follows:

Line	Item	Time, date, address as appropriate
1	ITB published	21 st Oct 2024
2	Closing date for clarifications	24 th Oct 2024 4:PM
4	Closing date and time for receipt of Tenders	27 th Oct 2024 5:00 PM

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5	Tender Opening Location	DRC Malakal Field office, The Link House, Plot#311, 312 and 313, block 3k, South thongpiny
6	Tender Opening Date and time	28 th Oct 2024 10:30 AM

PLEASE NOTE: NO BIDS WILL BE ACCEPTED AFTER THE ABOVE CLOSING TIME AND DATE

II. IMPORTANT INFORMATION REGARDING THIS ITB:

- This ITB is launched for the purpose of material supply and Labour cost for the **renovation of Kodok Complex Secondary School in Fashoda County, Upper Nile State.**
- DRC may choose to cancel the contract if deemed necessary.
- The expected duration of this service shall be 60 days approximately and the final delivery of the services shall not exceed the 31st December 2024. DRC may terminate the contract if supplier fails to deliver services on time.
- No advance payment will be paid to the awarded supplier. However, the payment may be made on an after the completion of service upon DRC Engineer satisfactory report.
- The awarded supplier is expected to mobilize its own resources for the provision of the contracted services.
- A duty of care is a Construction companies' responsibility: The construction company is liable for their own liability insurance covers for any damage or injury the contractor may inflict on any persons or objects during the performance of work.

III. SELECTION AND AWARD CRITERIA

The selection and award criteria, and evaluation process consists of three stages:

- 1) Administrative,
- 2) Technical and,
- 3) Financial.

Each stage requires information and documents from the bidder that will determine whether the bidder will progress to the next stage or not. Some examples of the documentation requirements are indicated below on the administrative and technical table. However, the exact criteria for the different stages of evaluation will depend on the nature/type of tender.

The criteria for awarding contracts resulting from this Tender is based on 'best value for money'. For the purpose of all tenders DRC defines best value for money as:

Best value for money should not be equated with the lowest initial bid option. It requires an integrated assessment to the site of technical work, organizational and pricing factors in light of their relative importance (i.e., reliability, quality, experiences, and reputation, past performance, cost/fee realism, delivery time, reasonableness, need for standardization, and other criteria depending on the item to be procured).

A. Administrative Evaluation

Pass/Fail Criteria. A bid shall pass the administrative evaluation stage before being considered for technical and financial evaluation, a bidder to pass administration stage shall submit all listed below on this table. Bids that are deemed administratively non-compliant may be rejected.

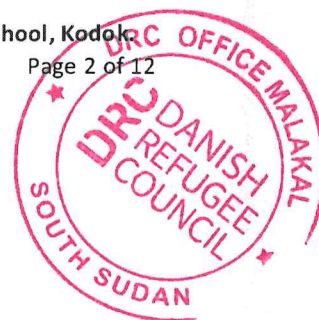
#	Annex #	Document	Instructions
1	A.1	DRC Technical bid form	Complete ALL sections in full, sign, stamp and submit (Mandatory)

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2	A.2	DRC Financial bid form	Complete ALL sections in full, sign, stamp and submit (Annex A.2 template is optional; the bidder can provide their own financial bids).
3	B	ITB Invitation Letter, Tender and Contract Award Acknowledgement Certificate	Complete ALL sections in full, sign, stamp and submit (Mandatory)
4	C	General Conditions of Contract	Complete ALL sections in full, sign, stamp and submit (Mandatory)
5	D	DRC Supplier code of conduct form	Reference documents: sign, stamp and submit copy in technical bid envelope (Mandatory)
6	E	DRC Supplier Profile and Registration Form, and Bidder Profile	Complete ALL sections in full, sign, stamp and submit in technical bid envelope (Mandatory)
7	F	Customer's reference List	Complete ALL sections in full, sign, stamp and submit (Mandatory)
8	G	Bill of Quantity (BoQ)	Complete all section, Read and understand, sign, stamp and submit (Mandatory)
9	H	Scope of Work (SoW)	Read and understand, sign, stamp and submit (Mandatory)

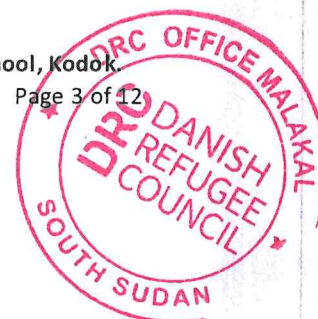
Please note that bids shall respond to all criteria, or their bid may be disqualified.

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If any information required during the administrative evaluation is not provided by the bidders, DRC may choose to request bidders to supply this information within 48 hours of the tender opening. Please note that this is only applicable for documentation that does not alter the details in the bid, such as price information.

B. Technical Evaluation

For all bids deemed technically compliant as per the specification stipulated in the Annex *for Bill of Quantity* (BoQ), DRC will give a weighted combined technical and financial score. The weighted score will determine the contract award.

To be technically acceptable, the bid shall meet or exceed the stipulated requirements and specifications in the ITB. A Bid is deemed to meet the criteria if it confirms that it meets the conditions, procedures and specifications in the ITB without substantially departing from or attaching restrictions with them. If a Bid does not technically comply with the ITB, it will be rejected.

Serial	Criteria	Proof/requirements	Weighting %
1	Professional experiences and qualifications in material suppliers and Labour cost for any construction. Attach minimum 3 POs copies from INGOs, NNGOs and UN agencies for supply of similar / related items, at least accumulative amount of \$3,000 Within the last 2 years.	- At least a 3 PO/Contracts copies from INGOS, NNGOS and UN agencies for the constructions works or similar services, at least accumulative \$5000 within the last 2 years.	20%
2	Previous projects and experiences in South Sudan as per BoQ requirements	- At least 3 years experiences in carrying out any construction works in South Sudan	35%
3	Financial Capacity	- Submit copy of recent financial statement or bank statement showing the daily or monthly transaction in your business. The bank accounts should be registered on the company's name. Bank statements should not be over 30 days from the submission date. DRC holds the right to ask for more recent bank statements, during the opening of the bids	35%
4	Quality Check by visiting the site	-Visit the construction site (<i>Demonstrated technical capability by checking the site and see the nature of school required and the school design since this is a renovation works</i>)	10%
	Total		100%

The technical criteria for this ITB and their weighting in the technical evaluation are

The information requested in the technical evaluation stage are the essential criteria (deal-breakers) for bidders to meet. These requirements are non-negotiable. If a bidder fails to meet any of these criteria, the bidder should be rejected immediately and not advance to the financial evaluation stage.

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C. Financial Evaluation

All bids that pass the Technical Evaluation will proceed to the Financial Evaluation. Bids that are deemed technically non-compliant will not be financially evaluated.

Any discrepancy between the unit price and the total price shall be re-computed by DRC, and the unit price shall prevail, and the total price shall be corrected. If the bidder does not accept the final price based on DRC's re-computation and correction of errors, its Bid will be rejected.

No price variation due to escalation, inflation, fluctuation in exchange rates, or any other market factors shall be accepted by DRC after it has received the Bids.

IV. TENDER PROCESS

The following processes will be applied to this Tender:

- Tender Period
- Tender Closing
- Tender Opening
- Administrative Evaluation
- Technical Evaluation (1 or 2 round(s) for shortlisted bidders)
- Financial Evaluation
- Contract Award
- Notification of Contract Award

V. SUBMISSION OF BIDS

Bidders are solely responsible for ensuring that the full bid is received by DRC in accordance with the ITB requirements, prior to the specified date and time mentioned above. DRC will consider only those portions of the bids received prior to the closing date and time specified.

Bids not submitted according to the given instruction, or not received before the indicates, or delivered to any other email address, or physical address will be disqualified.

Beyond the DRC Bid Form, the following documents shall be contained with the bid:

Annex A.1: DRC Technical bid form

Annex A.2 DRC Financial bid form

Annex B: RFP Invitation Letter, Tender and Contract Award Acknowledgement Certificate

Annex C: General Conditions of Contract

Annex D: Supplier code of conduct

Annex E: Supplier Profile and Registration Form

Annex F: Customer's reference

Annex G: Bill of Quantity (BoQ)

Annex H: Scope of Work (SoW)

Bids not submitted on Annex A, or not received before the indicated time and date as set forth on page 1, or delivered to any other email address, or physical address will be disqualified.



A. Email submission

Bids can be submitted by email to the following dedicated, controlled, & secure email address:
tender.ssd@drc.ngo

When Bids are emailed, the following conditions shall be complied with:

- **The ITB number shall be inserted in the Subject Heading of the email**
- **Separate emails shall be used for the 'Financial Bid' and 'Technical Bid', and the Subject Heading of the email shall indicate which type the email contains**
 - The Financial Bid shall only contain the financial bid form, Annex A.2 and Annex G
 - The Technical Bid shall contain all other documents required by the tender as mentioned in section A. Administrative Evaluation, but excluding any pricing information
- Bid documents required, shall be included as an attachment to the email in PDF, JPEG, TIF format, or the same type of files provided as a ZIP file. Documents in MS Word or excel formats, will result in the bid being disqualified.
- Email attachments shall not exceed 4MB; otherwise, the bidder shall send his bid in multiple emails.

Failure to comply with the above may disqualify the Bid.

DRC is not responsible for the failure of the Internet, network, server, or any other hardware, or software, used by either the Bidder or DRC in the processing of emails.

DRC is not responsible for the non-receipt of Bids submitted by email as part of the e-Tendering process

Bids can be submitted in one of two ways; hardcopy or electronically. If the Bidder submits a Bid in both Hardcopy and electronically, DRC will choose the version that is the most advantageous to DRC.

B. Hard Copy:

Hard copy Bids shall be separated into 'Financial Bid' and 'Technical Bid':

- The Financial Bid shall only contain the financial bid form, Annex A.2 and Annex G
- The Technical Bid shall contain all other documents required by the tender as mentioned in section A. Administrative Evaluation but excluding any pricing information.

Each part shall be placed in a **sealed** envelope, marked as follows:



ITB No. ITB-SSD-MAK-2024-01

TECHNICAL BID

Bidder Name:

ITB No. ITB-SSD-MAK-2024-01

FINANCIAL BID

Bidder Name:

Both envelopes shall be placed in an outer **sealed** envelope, addressed, and delivered to:

ITB No. ITB-SSD-MAK-2024-01

DRC South Sudan Country Office and
Malakal Area Office.

Danish Refugee Council

The Link House

Plot No. 311, 312 and 313

Bloc 3K South, Thongpiny

Juba, South Sudan

Malakal, Humanitarian Hub.

VI. COMPLETION OF BID FORM

A. Prices Quoted

Any discount offered shall be included in the Bid price.

B. Currency

The currency of the Bid shall be in **USD**. No other currencies are acceptable.

C. Language

The Bid Form, and all correspondence and documents related to this ITB shall be in English.

D. Presentation

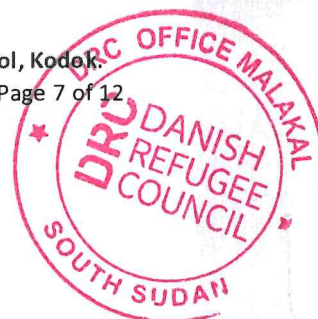
Bids shall be clearly legible. Prices entered in lead pencil will not be considered. All erasures, amendments, or alterations shall be initialed by the signatory to the Bid. Do not submit blank pages of the Bid Form and/or schedules which are unnecessary

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for your offer. All documentation shall be written in English. All Bids shall be signed by a duly authorized representative of the Bidder.

E. Split Awards

DRC reserves the right to split awards.

F. Validity Period

Bids shall be valid for at least the minimum number of days specified in the ITB (Annex B and Annex A1, A2) from the date of Bid closure. DRC reserves the right to determine, at its sole discretion, the validity period in respect of Bids which do not specify any such maximum or minimum limitation.

VII. ACCEPTANCE

DRC reserves the right, at its sole discretion, to consider as invalid or unacceptable any Bid which is a) not clear; b) incomplete in any material detail such as specification, terms delivery, etc.; or c) not presented on the Bid Form – and to accept or reject any amendments, withdraws and/or supplementary information submitted after the time and date of the ITB Closure.

VIII. AWARD OF CONTRACTS

This RFP does not commit DRC to award a contract or pay any costs incurred in the preparation or submission of Bids, or costs incurred in making necessary studies for the preparation thereof, or to procure or contract for services. Any bid submitted will be regarded as an offer made by the Bidder and not as an acceptance by the Bidder of an offer made by DRC. No contractual relationship will exist except pursuant to a written contract document signed by a duly authorized official of DRC and the successful Bidder.

DRC may award contracts for part quantities or individual items. DRC will notify successful Bidders of its decision with respect to their Bids as soon as possible after the Bids are opened. DRC reserves the right to cancel any ITB, to reject any or all Bids in whole or in part, and to award any contract.

Suppliers who do not comply with the contractual terms and conditions including delivering different products and of different origin than stipulated in their Bid and covering contract may be excluded from future DRC ITBs.

IX. CONFIDENTIALITY

This RFP or any part hereof, and all copies hereof shall be returned to DRC upon request. This ITB is confidential and proprietary to DRC, contains privileged information, part of which may be copyrighted, and is communicated to and received by Bidders on the condition that no part thereof, or any information concerning it may be copied, exhibited, or furnished to others without the prior written consent of DRC, except that Bidders may exhibit the specifications to prospective subcontractors for the sole purpose of obtaining offers from them. Notwithstanding the other provisions of the ITB, Bidders will be bound by the contents of this paragraph whether or not their company submits a Bid or responds in any other way to this ITB.

X. COLLUSIVE BIDDING AND ANTI-COMPETITIVE CONDUCT

Bidders and their employees, officers, advisers, agent or sub-contractors shall not engage in any collusive bidding or other anti-competitive conduct or any other similar conduct, in relations to:

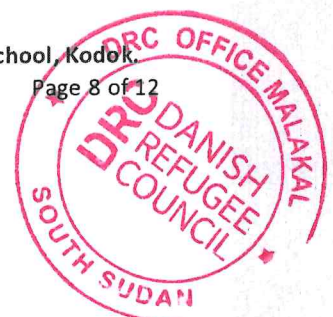
- The preparation of submission of Bids,
- The clarification of Bids,
- The conduct and content of negotiations,
- Including final contract negotiations,

In respect of this ITB or procurement process, or any other procurement process being conducted by DRC in respect of any of its requirements.

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For the purpose of this clause, collusive bidding, other anti-competitive conduct, or any other similar conduct may include, among other things, the disclosure to, exchange or clarification with, any other Bidder, person or entity, of information (in any form), whether or not such information is commercial information confidential to DRC, any other Bidder, person or entity in order to alter the results of a solicitation exercise in such a way that would lead to an outcome other than that which would have been obtained through a competitive process.

XI. IMPROPER ASSISTANCE

Bids that, in the sole opinion of DRC, have been compiled:

- With the assistance of current or former employees of DRC, or current or former contractors of DRC in violation of confidentiality obligations or by using information not otherwise available to the general public or which would provide a non-competitive benefit,
- With the utilization of confidential and/or internal DRC information not made available to the public or to the other Bidders,
- In breach of an obligation of confidentiality to DRC, or contrary to these terms and conditions for submission of a Bid, shall be excluded from further consideration

Without limiting the operation of the above clause, a Bidder shall not, in the absence of prior written approval from DRC, permit a person to contribute to, or participate in, any process relating to the preparation of a Bid or the procurement process, if the person has at any time during the 6 months immediately preceding the date of issue of this ITB was an official, agent, servant, or employee of, or otherwise engaged by, DRC and was engaged directly, or indirectly, in the planning or performance of the requirement, project, or activity to which this ITB relates.

XII. CORRUPT PRACTICES

DRC has zero tolerance for corruption.

The Bidder represents and warrants that neither it nor any of its potential subcontractors are engaged in any form of corruption, defined by DRC as the misuse of entrusted power for private gain.

This definition is not limited to interactions with public officials and covers both attempted and actual corruption, as well as monetary and non-monetary corruption. The definition includes, but is not limited to, corruption in the form of facilitation payments, bribery, gifts constituting an undue influence, kickbacks, favouritism, cronyism, nepotism, extortion, embezzlement, misuse of confidential information, theft, and various forms of fraud, such as forgery or falsification of documents, and financial or procurement fraud. No offer, payment, consideration or benefit of any kind, which could be regarded as an illegal or corrupt practice, shall be made, promised, sought or accepted – directly or indirectly – as an inducement or reward in relation to activities funded by DRC, including tendering, award or execution of contracts. DRC reserves the right, without prejudice to any other right or remedy available to it, according to any violation of this clause to immediately reject the submitted offer, and to take such additional action, civil and/or criminal, as may be appropriate.

The Bidder agrees to accurately communicate DRC's policy with regards to Anti-Corruption to Third Parties. The Bidder furthermore agrees to inform DRC immediately of any suspicion or information it receives from any source alleging a violation of this policy to the contact details of the specific DRC country operations via www.drc.dk/where-we-work, or via DRC's Code of Conduct Reporting Mechanism: www.drc.dk/relief-work/concerns-complaints/code-of-conduct-reporting-mechanism. Reports of suspected corruption can also be reported directly to DRC HQ at c.o.conduct@drc.dk.

XIII. CONFLICT OF INTEREST

A Bidder shall not, and shall ensure that its employees, officers, advisers, agents or subcontractors do not place themselves in a position that may, or does, give rise to an actual, potential or perceived conflict of interest between the interests of DRC and the Bidder's interests during the procurement process.

If during any stage of the procurement process or performance of any DRC contract a conflict of interest arises, or appears likely to arise, the Bidder shall notify DRC immediately in writing, setting out all relevant details of the situation, including

those cases in which the interests of the Bidder conflict with the interests of DRC, or cases in which any DRC official, employee or person under contract with DRC may have, or appear to have, an interest of any kind in the Bidder's business or any kind of economic ties with the Bidder. The Bidder shall take steps as DRC may reasonably require, to resolve or otherwise deal with the conflict to the satisfaction of DRC.

XIV. WITHDRAWAL/MODIFICATION OF BIDS

Requests to withdraw a Bid after the Bid Closure Time shall not be honoured. If the selected Bidder withdraws its Bid, DRC shall duly register the said Bid and shall evaluate it alongside all other received Bids. If the selected Bidder has furnished a Bid security, DRC shall withhold such Bid security until the issue has been resolved.

Withdrawal of a Bid may result in your suspension or removal from the DRC suppliers List.

A Bidder may modify its Bid prior to the ITB closure. Any such modification shall be submitted in writing and in a sealed envelope, marked with the original Bid number. No modification shall be allowed after the ITB closure.

XV. LATE BIDS

All Bids received after the ITB closure will be rejected.

XVI. OPENING OF THE ITB

The Tender Opening will take place at the time and location stated above.

Any attempt by a Bidder to influence the Evaluation Committee in the process of examination, clarification, evaluation and comparison of tenders, to obtain information on how the procedure is progressing or to influence DRC in its decision concerning the award of the contract will result in the immediate rejection of the tender.

XVII. CONDITIONS OF CONTRACT

All Bidders shall acknowledge that the DRC General Conditions of Contract or the Special Conditions of Contract, as applicable, are acceptable.

XVIII. CANCELLATION OF THE ITB

In the event of an ITB cancellation, Bidders will be notified by DRC. If the ITB is cancelled before the outer envelope of any Bid has been opened, the sealed envelopes will be returned, unopened, to the Bidders.

The RFP may be cancelled in the following situations:

- where no qualitatively or financially worthwhile Bid has been received or there has been no response at all;
- the economic or technical parameters of the project have been fundamentally altered;
- exceptional circumstances or force majeure render normal performance of the project impossible;
- all technically compliant Bids exceed the financial resources available; or
- there have been irregularities in the procedure, in particular where these have prevented fair competition.

DRC shall not be liable for damages, whatever their nature (in particular damages for loss of profits) or relationship to the cancellation of an ITB, even if DRC has been advised of the possibility of damages. The publication of a procurement notice does not commit DRC to implement the programme or project announced.

XIX. QUERIES ABOUT THIS ITB

For queries on this ITB, please contact the Procurement department SSD-Juba-SC@drc.ngo

All questions regarding this ITB shall be submitted in writing to the above. On the subject line, please indicate the ITB number. Bids shall not be sent to the above email.

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All questions during the tender period, as well as the associated answers, will be shared with all suppliers invited, or for open tenders published at: **Relevant Websites**.

Under DRC's Anticorruption Policy Bidders shall observe the highest standard of ethics during the procurement and execution of such contracts. DRC will reject a Bid if it determines that the Bidder recommended for award, has engaged in corrupt, fraudulent, collusive, or coercive practices in competing for, or in executing, the Contract.

Yours sincerely



Tender and Contract Award Acknowledge Certificate

This attachment shall be signed and submitted with the Bid

1. In compliance with the RFP Instructions and General Conditions of Contract, we the undersigned, offer to furnish some or all the items quoted for, at the prices entered in the attached DRC Bid Form No **ITB-SSD-MAK-2024-01** delivered to the destination specified therein.
2. We accept the terms and conditions set forth in the RFP Letter and the following requirements have been noted and will be complied with where applicable:
 - a. We confirm that for any offer made where the delivery destination is not as requested in the RFP, that DRC reserves the right to disregard the offer.
 - b. That conditional Bids cannot be accepted.
 - c. That the currency of the Bid should be in *USD*
 - d. DRC reserves the right, at its own discretion:
 - i. To award a contract for a lesser or greater quantity than the total quantity Bid for.
 - ii. To reject any or all Bids and/or enter a contract with a Bidder other than the lowest Bidder.
 - e. Successful Bidders who are awarded contracts will be notified by the receipt of the original Purchase Order/Contract and acknowledgement copy. In case of urgency successful Bidders(s) may also be notified by email.
 - f. We confirm that the validity of this offer is for 60 days calendar days from the date of the RFP closure.
 - g. We agree to the terms and conditions set forth in the DRC General Conditions of Contract (Annex C)
 - h. We certify that the below mentioned company has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for, or in executing, any Contracts.
 - i. We agree to abide by the DRC Supplier Code of Conduct as attached as Annex D.

3. We note that DRC is not bound to proceed with this RFP and that it reserves the right to award only part of the contract. It will incur no liability towards us should it do so.

We agree to the above terms and conditions.

Submitted by:

Company Name

Place

Date

Title/Position

Print Name

Signature

A duly authorized company representative
Company Stamp

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