

Tender Package — Request for Proposal (RFP)



1. Invitation to Tender

Tender Name: Provision of Hawala (Informal Money Transfer Agent) Services) for MC Iraq for one year	Tender No: MAR EBL 01- 2020
Location: Federal and Kurdistan Region of Iraq	Correspondence Language(s): English
Brief Summary Description of Services Required Mercy Corps is seeking to engage with registered Hawala companies for a period of up to 1 year, on Cost Plus Fixed Percentage Fee basis. Required services include <i>Cash Distributions</i> , <i>Paymnet to Suppliers</i> and <i>Payment of Salaries</i> in various governorates as mentioned in Attachments 2.1, 2.2 and 2.3. Detailed Scope of Work is featured in the forthcoming pages. Services are required for both Federal Iraq and Kurdistan Region of Iraq.	

Tender Package Available from: (February 09, 2020)	Tender Package Pickup Location: <ul style="list-style-type: none">- https://www.ncciraq.org/en/opportunities/for-individuals/bids-tenders.- Mercycorps.org/tenders
Deadline for Offer Submission: (February 25, 2020; 16:00 PM)	Submit Offers to: <i>(Mercy Corps encourages electronic submissions)</i> Electronic Submission: tenders@mercycorps.org OR Hard Copy Submission: Mercy Corps Erbil Office at 32 Park Street, Sarbesty Area, Erbil, Iraq

Mercy Corps reserves the right to accept or reject any late offers

Questions and Answers (Q&A)	
If any, Submit Questions in writing to: (iq-tenderquestions@mercycorps.org)	
Last Day for Questions: Feb 16, 2020 15:00 PM	Questions will be answered by: Feb 18, 2020; 15:00 PM
Questions will be answered; By uploading all the questions received and answers on https://www.ncciraq.org/en/opportunities/for-individuals/bids-tenders and mercycorps.org/tenders	

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Documentation Checklist

These documents are contained within this tender package:	✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓	Invitation to Tender General Conditions for Tender Criteria and Submittals Price Offer Scope of Work (SoW) Supplier Information Form Price Offer Sheets Sample Contract Donor Clauses Quality Control Plan
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2. General Conditions for Tender

Mercy Corps invites proposals for the services described and summarized in these documents, and in accordance with procedures, conditions and contract terms presented herein. Mercy Corps reserves the right to vary the quantity of work/materials specified in the Tender Package without any changes in unit price or other terms and conditions and to accept or reject any, all, or part of submitted offers.

2.1 Mercy Corps' Anti-Bribery and Anti-Corruption Statement

Mercy Corps strictly prohibits:

- Any form of bribe or kickback in relation to its activities
This prohibition includes any *request* from any Mercy Corps employee, consultant or agent for anything of value from any company or individual in exchange for the employee, consultant or agents taking or not taking any action related to the award of a contract or the contract once awarded. It also applies to any *offer* from any company or individual to provide anything of value to any Mercy Corps employee, consultant or agent in exchange for that person taking or not taking any action related to the award of the contract or the contract.
- Conflicts of interests in the awarding or management of contracts
If a company is owned by, whether directly or indirectly, in whole or in part, any Mercy Corps employee or any person who is related to a Mercy Corps employee, the company must ensure that it and the employee disclose the relationship as part of or prior to submitting the offer.
- The sharing or obtaining of confidential information
Mercy Corps prohibits its employees from sharing, and any offerors from obtaining, confidential information related to this solicitation, including information regarding Mercy Corps' price estimates, competing offerors or competing offers, etc. Any information provided to one offeror must be provided to all other offerors.
- Collusion between/among offerors
Mercy Corps requires fair and open competition for this solicitation. No two (or more) companies submitting proposals can be owned or controlled by the same individual(s). Companies submitting offers cannot share prices or other offer information or take any other action intended to pre-determine which company will win the solicitation and what price will be paid.

Violations of these prohibitions, along with all evidence of such violations, should be reported to:

integrityhotline@mercycorps.org

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Mercy Corps will investigate allegations fully and will take appropriate action. Any company, or individual that participates in any of the above prohibited conduct, will have its actions reported to the appropriate authorities, will be investigated fully, will have its offer rejected and/or contract terminated, and will not be eligible for future contracts with Mercy Corps. Employees participating in such conduct will have his/her employment terminated.

Violations will also be reported to Mercy Corps' donors, who may also choose to investigate and debar or suspend companies and their owners from receiving any contract that is funded in part by the donor, whether the contract is with Mercy Corps or any other entity.

2.2 Tender Basis:

- All offers shall be made in accordance with these instructions, and all documents requested should be furnished, including any required (but not limited to) supplier-specific information, technical specifications, drawings, bill of quantities, and/or delivery schedule. If any requested document is not furnished, a reason should be given for its omission in an exception sheet.
- No respondent should add, omit or change any item, term or condition herein.
- If suppliers have any additional requests and conditions, these shall be stipulated in an exception sheet.
- Each offeror may make one response only.
- Each offer shall be valid for the period of [180 days] from its date of submission.
- All offers should indicate whether they include taxes, compulsory payments, levies and/or duties, including VAT, if applicable.
- Suppliers should ensure that financial offers are devoid of calculation errors. If errors are identified during the evaluation process, the unit price will prevail. If there is ambiguity on the unit price, the Selection Committee may decide to disqualify the offer.
- Any requests for clarifications regarding the project that are not addressed in written documents must be presented to Mercy Corps in writing. The answer to any question raised in writing by any offeror will be issued to that offeror. In some cases, Mercy Corps may choose to issue clarifications to all offerors. It is a condition of this tender that no clarification shall be deemed to supersede, contradict, add to or detract from the conditions hereof, unless made in writing as an Addendum to Tender and signed by Mercy Corps or its designated representative.
- This Tender does not obligate Mercy Corps to execute a contract nor does it commit Mercy Corps to pay any costs incurred in the preparation and submission of proposals. Furthermore, Mercy Corps reserves the right to reject any and all proposals, if such action is considered to be in the best interest of Mercy Corps.

2.3 Supplier Eligibility

Suppliers may not apply, and will be rejected as ineligible, if they:

- Are not registered companies
- Are bankrupt or in the process of going bankrupt
- Have been convicted of illegal/corrupt activities, and/or unprofessional conduct
- Have been guilty of grave professional misconduct
- Have not fulfilled obligations related to payment of social security and taxes
- Are guilty of serious misinterpretation in supplying information
- Are in violation of the policies outlined in Mercy Corps Anti Bribery or Anti Corruption Statement
- Supplier (or supplier's principals) are on any list of sanctioned parties issued by; or are presently excluded or

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disqualified from participation in this transaction by: The United States Government or United Nations by the United States Government, the United Kingdom, the European Union, the United Nations, other national governments, or public international organizations.

Additional eligibility criteria, if applicable, are stated in section 3.2 of this tender package.

2.4 Response Documents

Offerors are encouraged to utilize the response documents contained in this tender package to submit their offer. However, they can submit an offer in their own format as long as it contains all the required documents and information specified by this tender.

2.5 Acceptance of Successful Response

Documentation submitted by offerors will be verified by Mercy Corps. The winning offeror will be required to sign a contract for the stated, agreed upon amount.

2.6 Certification Regarding Terrorism

It is Mercy Corps' policy to comply with humanitarian principles and the laws and regulations of the United States, the European Union, the United Nations, the United Kingdom, host nations, and other applicable donors concerning transactions with or support to individuals or entities that have engaged in fraud, waste, abuse, human trafficking, corruption, or terrorist activity. These laws and regulations prohibit Mercy Corps from transacting with or providing support to any individuals or entities that are the subject of government sanctions, donor rules, or laws prohibiting transactions or support to such parties.

3. Criteria & Submittals

3.1 Contract Terms

Mercy Corps intends to issue a **Cost Plus Fixed Percentage Fee** contract to one or several companies registered with Finance Ministry or Central Bank of Iraq to operate as a money transfer agent. The successful offeror(s) shall be required to adhere to the Scope of Work and terms and conditions of the resulting contract. The anticipated contract is incorporated in [Section 6](#) herein. By submitting an offer, offerors certify that they understand and agree to all of the terms and clauses contained in [Section 6](#).

3.2 Specific Eligibility Criteria

Eligibility criteria must be met and the corresponding supporting documents listed below under "Tender Submittals" **must** be submitted with offers. Offerors who do not submit these documents may be **disqualified** from any further technical or financial evaluation.

Eligibility Criteria:

- Legal Registration Documents **AND/OR** Have valid tax certificate (Clearance) for Kurdistan or Federal Iraq (issued in the current Estimation Year")
- Company Establishment Certificate/Agreement (including ownership list)
- Proof of registration under Finance Ministry or Central Bank of Iraq to operate as a money exchange.
- Proof of **CAPITAL**
- Recognized (Company) bank account in the name of the company (Mercy Corps will make all payments through bank transfers or cheque)

معايير الأهلية:

- وثائق التسجيل القانوني **و/أو** لديها شهادة ضريبية سارية المفعول لكوردستان أو العراق الفيدرالي (صادرة في سنة التقدير الحالية ").
- شهادة/ اتفاقية تأسيس الشركة. (بما في ذلك قائمة الملكية).
- إثبات التسجيل تحت إشراف وزارة المالية أو البنك المركزي العراقي للعمل كصرافة.

- إثبات رأس المال.
- الحساب المصرفي المعترف باسم الشركة. ميرسي كور يقوم بأجراء جميع المدفوعات من خلال التحويلات البنكية أو الشيكات.

3.3 Tender Submittals

Documents and required information listed in tender submittals are necessary in order to support the eligibility criteria and to conduct technical evaluations of received offers (and due diligence). While absence of these documents and/or information does not denote mandatory disqualification of suppliers, the lack of these items has the potential to severely and negatively impact the technical evaluation of an offer.

Documents supporting the Eligibility Criteria:

- Company Legal Business Registration* (Includes but not limited to “Company Establishment Certificate/Agreement/Contract” with ownership list

AND/OR

- The offeror must have valid tax certificate (Clearance) for Kurdistan or Federal Iraq (issued in the current Estimation Year"
- Proof of registration under **Finance Ministry or Central Bank of Iraq** to operate as a money exchange.
- Proof of **CAPITAL**
- The offeror must have **recognized business bank account (in Company/Business name)**; Mercy Corps will make all payments through bank transfers or check.

*Registration Documents include:

Certificate of registration (one time).
Acquiring Administration Decision on Establishing Company.
Acquiring Administration Decision of Appointing MD/CEO.
Memorandum of Association.

These documents contain, at minimum, the following information:

Scope of Company (such as general trading).
Name of CEO/MD, Accountant and Legal advisor.
List of shareholders/owners with the % of their shares.
Capital of the company.

المستندات التي تدعم معايير الأهلية:

- تسجيل التجاري و القانوني للشركة * (يشمل على سبيل المثال لا الحصر "شهادة/الاتفاقية/عقد تأسيس الشركة" مع قائمة الملكية. **و/أو**
- وثائق التسجيل القانوني لها شهادة ضريبية سارية المفعول لكردستان أو العراق الفيدرالي (تصدر في سنة التقدير الحالية ").
- إثبات التسجيل تحت إشراف وزارة المالية أو البنك المركزي العراقي للعمل كصرافة.
- إثبات رأس المال.
- يجب أن يكون لدى العارض حساب بنكي تجاري معترف به (باسم الشركة / العمل) ؛ تقوم ميرسي كور بأجراء جميع المدفوعات من خلال التحويلات البنكية أو الشيكات.

*وثائق التسجيل تشمل:

شهادة التسجيل (مرة واحدة).
الحصول على قرار الإدارة بتأسيس الشركة.
الحصول على قرار الإدارة بتعيين مدير المفوض / الرئيس التنفيذي.
مذكرة التأسيس.
تحتوي هذه المستندات ، على الأقل ، على المعلومات التالية:
نطاق الشركة (مثل التجارة العامة).
اسم الرئيس التنفيذي / مدير المفوض ، محاسب ومستشار قانوني.
قائمة المساهمين / مالكي مع % نسبة أسهمهم.
رأس مال الشركة.

Documents to conduct the Technical Evaluation and additional Due Diligence:

- Company profile
- Description of availability of network agents
- List of Operable offices or field representation to describe access in all geographical areas as mentioned in the Price Offer Sheets for each category
- Description of daily average liquidity
- At minimum, copies of two relevant Contracts (of cash transfer services) with humanitarian organizations in Iraq and/or Syria in past 5 years
- List of current or previous clients from humanitarian sector with their contact details
- Lead time/delivery time to complete the preparation of funds transfer

- Financial Offer (rates for each category for each location)

Price Offer:

The Price offer is used to determine which offer represents the best value and serves as a basis of negotiation before award of a contract. As a Cost Plus Fixed Percentage Fee Contract, the price of the contract to be awarded will be an all-inclusive fixed percentage Fee basis. No profit, fees, taxes, or additional costs can be added after contract signing. Offerors must show prices as displayed in the Offer Sheet in Section 4.

3.4 Currency

Offers should be submitted in: **USD**
Payments will be made in: **USD**

3.5 Tender Evaluation (Trade-Off Selection Method)

Based on the above submittals, a Mercy Corps Tender Committee will conduct a tender evaluation process. Mercy Corps reserves the right to accept or reject any or all proposals, and to accept the offer(s) deemed to be in the best interest of Mercy Corps. MC will not be responsible for or pay for any expenses or losses which may be incurred by any Offeror in the preparation of their tender.

Evaluations will be conducted as described in the following subsections:

3.5.1 Scoring Evaluation

Trade-Off Method

Mercy Corps Tender Committee will conduct a technical evaluation which will grade technical criteria on a weighted basis (each criteria is given a percentage, all together equaling 100%). Offeror's proposals should consist of all required

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technical submittals so a Mercy Corps committee can thoroughly evaluate the technical criteria listed herein and assign points based on the strength of a technical submission.

Award criteria shall be based on the proposal's overall **“value for money”** (quality, cost, delivery time, etc.) while taking into consideration donor and internal requirements and regulations. Each individual criteria has been assigned a weighting prior to the release of this tender based on its importance to Mercy Corps in this process.

Offeror(s) with the best score will be accepted as the winning offeror(s), assuming the price is deemed fair and reasonable and subject to the additional due diligence in [section 3.5.2](#).

When performing the Scoring Evaluation, the Mercy Corps tender committee will assign points for each criteria based on the following scale:

Point	Rationale
0	Not acceptable; has not met any part of the specified criteria
1-4	Has met only some minimum requirements and may not be acceptable
5	Acceptable
6-9	Acceptable; has met all requirements and exceeds some
10	Acceptable; has exceeded all requirements

Evaluation Criteria	Weight (%)	Possible Points (1 to 10)	Weighted Score
	(A)	(B)	(A*B)
Supplier Capacity – Access <ul style="list-style-type: none"> Company profile, short description of the history / background of the Organization, Geographical Access: short description of capacity to reach recipients in geographical areas mentioned in Price Offer Sheets 2.1, 2.2. and 2.3. Short description of availability of network of agents 	15%		
Supplier Capacity – Liquidity <ul style="list-style-type: none"> Describe average daily liquidity that can be supplied to all clients and to Mercy Corps in particular (<i>large demonstration of liquidity is given advantage</i>) 	15%		
Supplier Experience: Definition of acceptability: <ul style="list-style-type: none"> Previous experience in cash hawala transfers for humanitarian organizations in Iraq and/or Syria in past 5 years (copies of minimum two such Framework Contracts (also known as Preferred Supplier Agreements or Master Service Agreements) is required). 	20%		

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<p>(Higher number of years of experience and higher number of NGO experience is given advantage)</p> <ul style="list-style-type: none"> List of current or previous clients from humanitarian sector with their contact details 			
<p>Delivery time</p> <ul style="list-style-type: none"> Definition of acceptability: Ability to complete preparation of funds for transfer (shorter lead time for delivery is given advantage) 	20%		
<p>Price</p> <p>The Offeror's proposed monthly retainership fee (price) will be compared against lowest proposed price.</p> <p><u>The lowest price will get the highest score.</u></p> $\text{Price Criteria} = \frac{\text{Lowest price offer}}{\text{offeror Price}} \times 30$	30%		
TOTAL POSSIBLE SCORE:	100%		

3.5.2 Additional Due Diligence

Upon completion of both the technical and financial evaluations Mercy Corps will engage in additional, thorough due diligence processes with a particular supplier or supplier(s). The purpose of these processes is to ensure that Mercy Corps engages with reputable, ethical, responsible Suppliers with solid financials and the ability to fulfill the contract. Additional due diligence may take the form of the following processes (though it is not limited to):

- Reference Checks (Mandatory)
- Vendor's facility visits (Mandatory)
- Pre-Award Meeting
- Verification of similar works documents
- Analysis of audited financial statements

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4. Offer Form

Offerors must submit their own independent offer including at least (but not limited to):

- All documents requested in the “Eligibility Criteria” section of this Tender Package
- All documents requested in the “Tender Submittals” section of this Tender Package
- All information listed in the “Documents Comprising the Proposal” section below

All offers must be duly signed (including position and full name of the signer) and stamped, with the date of completion.

Documents Comprising the Proposal

The following information must be included in the offer of any potential offeror:

- Cover Letter** explaining interest to be a contracted vendor or supplier, and the details of the Proposal. The content of the cover letter shall include the following information:
 - A detailed specification of the SERVICES (Proposal)
 - Price validity date (for this purpose and as stated on the advertisement, quote given shall remain unchanged for 180 working days)
- A Price Offer detailing the unit price only, using the **Price Offer Sheet**
- Completed and signed Mercy Corps **Supplier Information Form**
- Other important documents offeror feels need to be attached to support their proposal

The original proposal shall be signed by the offeror or a person or persons duly authorized to bind the offer or to the contract. Financial offer pages of the proposal shall be initialed by the person or persons signing the proposal and stamped with the company seal.

Any interlineations, erasures, or overwriting shall be valid only if they are initialed by the person or persons signing the proposal.

5. Scope of Work/Technical Specifications

Mercy Corps seeks to engage with registered hawala companies for the payments/disbursements in multiple scenarios through cost plus fixed percentage fee modality. **Locations and Governorates are mentioned in detail in Price Offer Sheets 2.1., 2.2. and 2.3. (Attached with the Tender Package)**

Required services include:

- Office-managed payments on-site at office facilities (such as Salary Payment to Mercy Corps' Staff);
- Vendor payments to contractors in multiple locations; and
- Programmatic distributions

The Contractor must prepare a secure and uninterrupted cash distribution site for the process of cash transfers, taking into consideration the following important points:

- The distribution site must be approved by Mercy Corps (MC); MC reserves the right to reject any site if it does not meet the following requirements:
 - The site must be air-conditioned for summer and winter.
 - There should be an extra room as waiting area for beneficiaries/recipients
 - At least 2 water coolers with disposable cups.
 - Having sufficient space for car parking.

The Contractor may not change the location without prior notification to MC and re-vetting of the new location by MC.

Interested service providers may expect a high level of throughput on fixed schedules as well as short-notice capacity inquiries in emergency response circumstances.

Attachments:

Attachment 1: Supplier Information Form

Attachment 2.1: Price Offer Sheet (Cash Distribution Governorates/locations)

Attachment 2.2: Price Offer Sheet (Vendors Payments Governorates/locations)

Attachment 2.3: Price Offer Sheet (Staff Salary Payment Governorates/locations)

Attachment 3: Sample Master Service Agreement (Template)

Attachment 4: Donor Clauses

Attachment 5: Quality Control Plan