# Invitation to Tender

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| **Tender Name: ACCOMMODATION AND CONFERENCE SERVICES** | **Tender No: MCK-MSA-MA-005-2020** |
| Location: Lamu, Kilifi, Tana River, Mombasa, Taita Taveta & Kwale counties | Correspondence Language(s): ENGLISH |
| Brief Summary Description of Project: Mercy Corps is a global team of humanitarians, working together on the front lines of today’s biggest crises to create a future of possibility, where everyone can prosper.Mercy Corps Kenya, through a competitive process, is seeking to contract hotel accommodation and conference service provider(s) in any of these counties; Kwale, Mombasa, Kilifi, Lamu, Tana River and Taita Taveta counties, for a period of 24 (twenty-four months), starting from the time of signing an agreement.Interested suppliers are requested to indicate on cover letter the county or counties they would like to be considered in the evaluation of proposals. |

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| **Tender Package Available from:****11th September, 2020** | **Tender Package Pickup Location:** Link to be provided for download |
| **Deadline for Offer Submission:** **22nd September, 2020 at 1700 Hrs.** | **Submit Offers to:** tenders@mercycorps.orgClearly state Tender number “MCK-MSA-MA-005-2020” on the subject line of the email. |

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

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| **Questions and Answers (Q&A)** |
| If any, Submit Questions in writing to: ke-pr@mercycorps.org |
| Last Day for Questions:**15th September, 2020** | Questions will be answered by:**17th September, 2020** |
| Questions will be answered through: ke-pr@mercycorps.org |

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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 Sheet
* Supplier Information Form
* Scope of Work/Technical Specifications/BoQ
* Sample Contract
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# General Conditions for Tender

Mercy Corps invites proposals for the goods, services and/or works 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**

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 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 can either utilize the response documents contained in this tender package to submit their offer or 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.

# Criteria & Submittals

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| **3.1 Contract Terms** Mercy Corps intends to issue a **Fixed Price** contract to one or several company(ies) or organization(s). The successful offeror(s) shall be required to adhere to the statement 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:* The offeror must be legally registered
* The offeror must be in good standing with its governing tax authority
* Copy of current Health Clearance Certificate for the staff
* Proof of insurance cover Fire, Burglary, WIBA
* Business permit
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| **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:**

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| Provide a copy of the company’s Certificate of Incorporation/Business Registration Certificate |
| Provide copy of the company’s current Tax Compliance issued by Kenya Revenue Authority (KRA) valid up-to at least the date of tender opening |
| Provide Supplier information Form as provided in the Tender Document |
| Copy of current Health Clearance Certificate for the staff |
| Proof of insurance cover Fire, Burglary, WIBA |
| Valid copy of valid Business Permit from relevant County Government |

**Documents to conduct the Technical Evaluation and additional Due Diligence:** * **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 Fixed-Price contract, the price of the contract to be awarded will be an all-inclusive fixed price basis, either in the form of a total fixed price or a per-unit/deliverable fixed price. No profit, fees, taxes, or additional costs can be added after contract signing. Offeror must show unit prices, quantities, and total price, as displayed in the Offer Sheet in Section 4. All items must be clearly labeled and included in the total offered price.Offerors must include VAT and customs duties in their offer. |
| **3.4 Currency** Offers should be submitted in: KES Payments will be made in: KES |

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| **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%). Offerors’ proposals should consist of all required 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:

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| **Evaluation Criteria** | **Scoring Rationale** | **Weight****(%)** | **Possible Points** **(1 to 10)** | **Weighted Score** |
| **(A)** | **(B)** | **(A\*B\*10)** |
| **Experience:** Evidence of experience in similar assignments for at least 5 corporate clients, preferably NGOs, in the past 2 years demonstrated by LPOs, LSOs or contracts, or award letters. | Each corporate/NGO client in the last 2 years scores 2 marks up to a maximum of five (5) Clients | 30% | 10 | 30 |
| **Establishment**:Number of years in business of hospitality/hotel management (Attach Evidence e.g. Certificate of incorporation) | * 5 years and above (10)
* 4 years (5)
* 3 years (3)
* 2 years (2)
* 1 Years or less (1)
 | 10 % | 10 | 10 |
| **Reputation**:Proof of satisfactory service – List of client references from five (5) major client, summary of services rendered, value of contract and contact persons, address and telephone numbers for each  | Each satisfied client confirmed scores two (2) marks up to a maximum of five (5) clients |  20 % | 10 | 20 |
| **Managerial and** **Key Personnel** Competence and qualification; Provide 3 CVs of Manager & 2 technical staff with details of relevant qualification | Academic/Professional qualifications or accreditations e.g. degree, diploma in hospitality/hotel management food & beverage, executive chefs (Each relevant CV/professional qualification (10/3)) | 10 % | 10 |  10 |
| **Quality Certification** Star rating accredited by relevant body and or other similar certificates, accreditations, awards and citations received by the bidder  | Document showing star rating (5 marks); Other relevant accreditations/awards received (each (1) up to 5 certifications) | 15 % | 10 |  30 |
| **Proximity to the office (**Mercy Corps Mombasa office, Located along customs road opposite Links Garden estate in Nyali**)** | Hotel/residence close to the office location (Less than 10kms) 10mksMore than 10kms-15kms 6mksGreater than 15kms 3mks | 15% |  |  |
| **TOTAL POSSIBLE SCORE:** |  | **100%** |  |  |

**3.5.2 Financial Evaluation and Price/Cost Analysis**The financial proposals for bidder scoring a total of 70% and above in technical evaluation will be examined for services listed below as applicable to the rate of tenderer’s hotel.

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| **Type of Hotel(Tick your appropriate hotel rating)** | **Name of hotel for the respective star hotel** | **Description** | **Service Description** | **Indicate room capacity/ equipment capacity as applicable** | **Amount in Kes; Indicate rate per person per day for accommodation and rate per day for conference facilities/equipment** |
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| **FIVE STAR** |  |
| **FOUR STAR** |  |
| **THREE STAR** |  |
| **TWO STAR** |  |
| **ONE STAR** |  |

 |  | Accommodation on standard room single occupancy | Full board |  |  |
|  | Half board |  |  |
|  | Bed and Break fast |  |  |
| Bed only |  |  |
| Accommodation on standard Room Double Occupancy | Full Board |  |  |
| Half Board |  |  |
| Bed and Break fast |  |  |
|  | Bed only |  |  |
|  | Accommodation on Long stay ( 14 days and above) | Full Board |  |  |
|  | Half Board |  |  |
|  | Bed and breakfast |  |  |
|  | Bed only |  |  |
|  | Conference services | Full day package |  |  |
| Half day package |  |  |
|  | Conference equipment/Facilities-(Indicate if inclusive of the conference package quoted above) | Hire of LCD Projector |  |  |
|  | Hire of public address system |  |  |
| Hire of table mics |  |  |
| Hire of HDMI &VGA Cables |  |  |
| Hire of Plasma Screens 42”45” & 65” |  |  |
| Hire of Lapel mics |  |  |
|  | Outside catering services | Full breakfast package |  |  |
| 10 o’clock tea with snacks |  |  |
| Buffet Lunch/ Dinner |  |  |
| 4 o’clock tea with snacks |  |  |

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| **3.5.3 Additional Due Diligence**Upon completion of both the technical and financial evaluations Mercy Corps may choose to engage in additional 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):* Supplier’s facility visits
* Safety/security assessments
* Analysis of audited financial statements
* Determination of relations and affiliations between Offerors
* Other appropriate documented method giving Mercy Corps increased confidence in the supplier’s ability to perform

Only offers that pass additional due diligence will be selected for contracting. |

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# 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

***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 Price Offer detailing the unit price only, using the **Price Offer Sheet** template provided in section 7.
* Completed and signed Mercy Corps **Supplier Information Form** (template provided in section 7)
* 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 offeror 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

Provision of accommodation and conference services on need basis to support Mercy Corps activities in Kwale, Mombasa, Kilifi, Lamu, Tana River and Taita Taveta counties

# 6. Sample Contract

This is the anticipated contract. However, if required, additional terms and conditions may be added by Mercy Corps in the final contract.



# 7. Attachments to the Tender Package

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