

# Tender Package — Request for Bid (RFB)



## 1. Invitation to Tender

Tender Name: Call for Bids for the Provision, Installation, Commissioning, Training, Supplying of spare parts and Maintenance of Dental and Laboratory Equipment.	<b>Tender No:</b> MC-38-2020
<b>Location:</b> Hashemite Kingdom of Jordan	<b>Correspondence Language(s):</b> English

### Brief Summary Description of Project:

Since 2006 Mercy Corps has been working in Jordan to address causes of tension with infrastructure support (e.g. rehabilitation of water, schools, and health clinics) and promote social cohesion by developing stronger communities by equipping community leaders, civil society actors including youth and community-based organizations (CBOs), and local government representatives with the skills necessary to identify and respond to sources of tension, whilst facilitating positive interactions and collaboration.

The influx of more than 635,324 registered Syrian refugees is one of the greatest challenges facing Jordan today. Given the protracted nature of the Syrian war, the Syrian refugee crisis is likely to remain an ongoing and potentially permanent challenge for the Jordanian economy and social landscape. More than 80% of Syrians refugees live among host communities, rather than in official refugee camps. This has placed an enormous strain on the country, and its youth in particular, as they struggle to find jobs and economic opportunities in a context of rising prices. This is compounded by poor or expensive access to housing, water, energy, healthcare, education, and growing dissatisfaction with local government public services.

The quality of life in host communities most affected by the Syrian refugee crisis is declining, particularly in so-called poverty pockets that were impoverished even before the crisis began (both rural and urban). As a consequence, public infrastructure including schools, health centers, roads, and water and wastewater networks are overwhelmed.

<b>Tender package available from:</b> Sunday, December 13, 2020	<b>Tender package available:</b> <a href="https://jordan.mercycorps.org/tenders">https://jordan.mercycorps.org/tenders</a> <b>Also the package can be found on Mercy Corps website at:</b> <a href="http://www.mercycorps.org/tenders">www.mercycorps.org/tenders</a>
<b>Deadline for offer submission:</b> Tuesday, December 22, 2020 till 10:00 am (Amman Time)	<b>Submission of offers:</b> <b>Option 1: Hardcopy submission:</b> <b>Sealed Offers to</b> Mercy Corps, Building No. 8, Tabasheer 3 Street, 7th Circle, Amman Jordan. <b>Option 2: Soft copy submission:</b> <b>Soft copy submission must be only to the following Email address:</b> <a href="mailto:Tenders@mercycorps.org">Tenders@mercycorps.org</a> <i>Any offer sent to another email address will be disregarded.</i>

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

### Questions and Answers (Q&A)

If any, Submit Questions in writing to [jo-tenders@mercycorps.org](mailto:jo-tenders@mercycorps.org) **or** [tenders@mercycorps.org](mailto:tenders@mercycorps.org)

**Attention: Procurement Tenders**

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<b>Last Day for Questions:</b> Wednesday, December 16, 2020 (COB) (COB i.e. 4:30 PM)	<b>Questions will be answered by:</b> Thursday, December 17, 2020 (COB) (COB i.e. 4:30 PM)
<ul style="list-style-type: none"><li>• Questions will be answered in writing through email on given time and date. MC has the right not to consider any more questions after Wednesday, December 16, 2020 (COB)</li><li>• All received questions along with answers will be shared with all prospective bidders who download the tender package. They will also be posted on both MC Jordan website and MC global website (Same websites which the bidders use to download the tender package as described above).</li></ul>	
<b>Documentation Checklist</b>	
These documents are contained within this tender package:	<ul style="list-style-type: none"><li>✓ Invitation to Tender</li><li>✓ General Conditions for Tender</li><li>✓ Criteria and Submittals</li><li>✓ Offer Form</li><li>✓ Bonding Requirements</li><li>✓ Attachment 1      Supplier Information Form</li><li>✓ Attachment 2      Purchase Contract Template</li><li>✓ Attachment 3      Price Offer Sheet</li><li>✓ Attachment 4      Quality Control Plan</li><li>✓ Attachment 5      Technical Specifications</li><li>✓ Attachment 6      Special Conditions</li></ul>

## 2. General Conditions for Tender

Mercy Corps invites offers 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

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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 bids 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](mailto: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 [90 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

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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 bids. Furthermore, Mercy Corps reserves the right to reject any and all offers, if such action is considered to be in the best interest of Mercy Corps.
- Mercy Corps has the right not to disclose the name of the winning offeror to the losing bidders or the terms and conditions offered by the winning bidder.

## 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 must submit an offer in their own format and ensure it contains all the required documents and information specified in this tender. Where an itemized Price Offer Sheet is included in the tender package, the offeror must complete and submit it with the rest of their offer.

## 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 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. By submitting an offer, offerors certify that they understand and agree to all of the terms and clauses contained in attachment 2- Purchase Contract Template
- Attachment 6 of this tender document contains special conditions document for each lot (category of supplies) separately, the bidder shall consider all of the special conditions in their submitted financial offer, by submitting an offer, the bidders certify that they understand and agree to all of the terms and clauses contained in special conditions document of each lot of supplies in attachment 6 – Special Conditions.
- Prospective suppliers will have the option to quote for one or more LOT.
- Prospective suppliers will have the option of partial bidding.
- Mercy Corps reserves the right to award each LOT/item in a LOT to a different bidder individually.
- Mercy Corps reserves the right to award **all or part of the quantities** listed in the BOQ for each LOT.

### 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:

- Proof of local Tax registration
- Proof of local Business registration
- Submission of MC Supplier information form- Attachment 1 (Filled, signed and stamped).
- Submission of 7,000 JOD Tender bond

### 3.3 Tender Submittals

**Submission:** the offers can be submitted either as a hard copy or a soft copy.

1. **Hard copy submission:** Offers should be submitted in three sealed envelopes mentioning the name and number on each envelope separately as shown below.
2. **Soft copy submission:** Offers must be only submitted to the following email address ([tenders@mercycorps.org](mailto:tenders@mercycorps.org)), and the bidder should separate the documents into folders as shown below.

#### ➤ **Envelope 1, containing documents supporting the Eligibility Criteria:**

- Business registration certificate (e.g. to whom it may concern certificate or equivalent )
- A copy of valid tax registration certificate or a copy of the latest tax clearance.
- MC Supplier information form- Attachment 1 (Filled, signed and stamped).
- Submission of 7,000 JOD JOD tender bond.  
(In case of electronic submission of the proposal , the bidders still need to provide a hardcopy for the tender bond following the hardcopy submission conditions as described in section 1 of this document)

➤ **Envelope 2, containing all documents for Technical Evaluation:**

- Supplier past experience (3 pages max.)
- Letter of commitment to supply all equipment in 30 calendar days from contract awarding date.
- Attachment 5 of this tender includes the technical specifications for each item in each LOT with clear and explicit details, the Bidder must answer with YES or NO in the “BIDDERS OFFER” column on whether the proposed item matches MC technical requirement or not.
- A statement of technical violations, if any, should be provided with the necessity to clearly and explicitly indicate the location of the specification violation in Attachment 5 – Technical Specifications.
- Specifications data sheet for each proposed item in each LOT including Manufacturer, Model Number, safety standard, etc. should be provided by the bidder.
- Technical offer should cover all requirements in the special conditions of each LOT as per attachment 6 of this tender.
- Bidders can submit any additional document to support their technical offer, e.g. Catalog, technical specifications datasheet....

➤ **Envelope 3, containing all documents for Financial Offer:**

- Attachment 3a - Price Offer Sheet - list of equipment for each LOT.
- Attachment 3b - Price Offer Sheet - list of spare parts & Maintenance for each LOT.

**Notes:**

- ✓ Attachment 6 of this tender document contains special conditions document for each lot (category of supplies) separately, the bidder shall consider all of the special conditions in their submitted financial offer, By submitting an offer, the bidders certify that they understand and agree to all of the terms and clauses contained in special conditions document of each lot of supplies in attachment 6 – Special Conditions.
- ✓ Prospective suppliers will have the option to quote for one or more LOT.
- ✓ Prospective suppliers shall quote for all items under the LOT/s they intend to participate in, the bidder who does not quote for all items in a certain LOT, will be disqualified for that LOT.
- ✓ Mercy Corps reserves the right to award each LOT/item in a LOT to a different bidder individually.
- ✓ Prospective suppliers will have the option of partial bidding
- ✓ Mercy Corps reserves the right to award **all or part of the quantities** listed in the BOQ for each LOT

**In case the bidder chooses to submit the proposal as a hard copy, the bidder shall provide a CD or Flash memory which must contain all submittals of the three envelopes. The submittals inside the CD or the flash memory must be separated in three separate folders following the submission mechanism described above in section 3.3 tender submittals.**

The hard copy proposal which contains the three envelopes must be addressed to “Mercy Corps Jordan”, Sealed Offer from “Name of offering Supplier” and delivered to Mercy Corps Office, Tabasheer 3 St. Bldg. 8, 7th Circle, Amman – Jordan, Tel 55 485 70/1/2

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.

**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

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added after contract signing. Offerors must show unit prices, quantities, and total price, as displayed in the price offer sheet in attachment 3. All items must be clearly labeled and included in the total offered price. Not using the tender price offer sheet may have the potential to severely and negatively impact the financial evaluation of an offer.

## 3.4 Currency

Offers should be submitted in: Jordanian Dinars  
Payments will be made in: Jordanian Dinars

## 3.5 Tender Evaluation (Low Price Technically Acceptable [LPTA] 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 bids, 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 Technical Evaluation

#### Lowest Price, Technically Acceptable (LPTA)

Mercy Corps Tender Committee will conduct a technical evaluation which will grade technical criteria on a pass/fail basis. Supplier's bids must ***meet the minimum technical standard*** established here in order to receive a passing mark. Any offerors who receive a failing mark on any criteria will be automatically disqualified from the tender process.

Only offerors who pass all criteria will move on to the next round of evaluation.

Pass/fail technical criteria are as follows:

Technical Criteria	Pass Or Fail
Technical specifications & requirements for the proposed items MC Minimum requirements: As per Attachment 5 – Technical Specifications & Attachment 6- Special Conditions. <b>Disqualifying response:</b> <ul style="list-style-type: none"><li>- Any company proposes items with lower specifications than MC minimum technical requirement as per Attachment 5 – Technical specifications will be technically disqualified from the tender.</li><li>- Any technical offer not conforming to the requested specifications by MC as per Attachment 5 – Technical Specifications will be technically disqualified from the tender.</li><li>- Any offer does not meet the special conditions of this tender as per Attachment 6 – Special conditions will be technically disqualified from the tender.</li></ul>	
Delivery time: MC Minimum requirement: 30 calendar days. <b>Disqualifying response:</b> any company proposes delivery time more than 30 calendar days from contract awarding date will be technically disqualified from the tender.	

## 3.5.2 Financial Evaluation and Price/Cost Analysis

All suppliers who passed all technical criteria will move on to the financial evaluation where the lowest price offer(s) 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 3.5.3.

## 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 offeror or offeror(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 with previous clients.
- Supplier's facility visits.
- Auditing Financial Statement.
- Samples
- Any other measures decided by MC selection committee.

## 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 Bid" 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 Bid

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

- Completed and signed Mercy Corps Supplier Information Form –Attachment 1
- Other important documents offeror feels need to be attached to support their bid

The original bid 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 bid shall be initialed by the person or persons signing the bid 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 bid.

## 5. Bonding Requirements:

**Advance Payment Bond:** this bond must be submitted along with the advance payment invoice, having a value equal to the advance payment amount. This bond must be valid for *[the whole contract period]*, in the name of Mercy Corps. This bond shall be returned after completion of all works described in this contract. The maximum amount of the advance payment is 25% of the contract total value.

**Performance Bond:** shall be submitted upon signing the contract with a value equal to **10%** of the total contract value. This bond must be valid up to (at least) 3 months after the contract end date, and addressed to Mercy Corps. The release of performance bond is subject to receiving final completion report from MOH.



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**Maintenance (or Warranty) Bond:** shall be submitted along with the invoice for the final payment, with a value equal to **10%** of the total contract value. This bond must be valid for 2 years after the date of the final delivery and acceptance by Mercy Corps and MOH. This bond must be addressed to Ministry of Health.

## 6. Tender Attachments

- ✓ Attachment 1 Supplier Information Form
- ✓ Attachment 2 Purchase Contract Template
- ✓ Attachment 3 Price Offer Sheet
- ✓ Attachment 4 Quality Control Plan
- ✓ Attachment 5 Technical Specifications
- ✓ Attachment 6 Special Conditions