

<b>PR/MAR #: SYD/2020/MAR 017-A/B/C</b>	<b>Tender #:</b>
<b>PR/MAR Description:</b> Master Purchase Agreement supply, handling and transportation of Non-Food Items NFIs.	

### **Essential Specifications and Testing Requirements**

- Bidders are expected to provide the following quality assurance documents:
  - Relevant ISO Certificates per each Non-Food item if available.
  - Country of origin. The information should be printed on the product packaging or the supplier needs to provide a Country of origin certificate.
  - Samples/catalogues/pictures showing as much as possible of the required specifications.
- Quality evaluation of tender samples should be done by a Quality evaluation team who should be nominated by a Tender committee (facilitated by a Procurement team member) composed of various team members.
  - Quality evaluation of bidder samples will be summarized in tender evaluation minutes with brief descriptions.
  - Tender samples should be blinded, identified and saved in a secure place.
  - The Tender Committee should create a Quality evaluation team (at least two members of the Tender Committee) for evaluation for quality of bidder samples.
  - The Quality evaluation team should create a Quality evaluation questionnaire for Quality evaluation of bidder samples. This Questionnaire should be created from the tender specification and has quantitative properties such as yes/no questions for each single item and scoring such as percentage of yes answers and degree (exceed expectation, very good quality, good quality, bad quality, very bad quality etc).
- Quality evaluation team should not know who the different bidders are, when evaluating their samples, so any labels or bidder's logos on the samples should be covered/hidden.
  - After that, the Quality evaluation team evaluates the bidder samples according to tender specifications with the evaluation questionnaire. Each team member should fill and score individually this questionnaire form. Average score should be calculated by team.
  - Then, the Quality evaluation results are shared with the Tender Committee with supported documents (detailed quality reports for each bidders and pictures of each single item of bidder samples, Quality evaluation questionnaire which is filled and signed by each Quality evaluation team members) by the Quality evaluation team. Shared results should be clear such as which bidders disqualified and which bidders qualified with detailed reasons. Even qualified bidder tender samples (some of items) were not matching tender specs or MC standards, this situation has to be shared with Tender committee members for further negotiation with selected bidder or bidders to reach best results.
- Tender Committee reviews the Quality evaluation reports for each bidder and finalizes the tender process with price analysis of bidders etc.
  - The metric for evaluating the quality of the samples is:
    - 1- Meeting the specifications: using qualitative questionnaire form.
    - 2- Providing proof of quality assurance:
      - i. Country of origin certificate.
  - The Tender Committee is a decision maker to select a bidder. The Tender Committee can decide to select a bidder with negotiation for tender samples which are not matching MC tender specs or without negotiation. If the Committee decides for negotiation with a bidder, MC will request new samples from the bidder immediately. Whenever a bidder submits requested samples, the Quality evaluation committee checks quality according to tender spec and informs the tender committee for results.
- All submitted bidder's samples should be saved in a secure place which is locked and each bidder kits should be identified by marking and with clear pictures. Especially approved samples of selected bidders should be saved and separated from others.

6. Original questionnaire forms, quality reports, sample pictures of each bidders should be signed by the Quality evaluation team and saved in the tender files.

### **Contract Testing Requirements**

- Non-Food items commodities will be purchased by Mercy Corps Procurement team from suppliers depending on request of the relevant Mercy Corps program teams or the Program Support Unit (PSU).
- Pre-inspection for the stock should be conducted by the QC team before signing PO to assure whether existing products meet a set type/quality specification standards bids offered by the supplier and purchase contract.
- Based on delivery schedules, goods are received in Mercy Corps NES warehouses and inspected by Mercy Corps NEs QC department and the Operation team except the Procurement team. While receiving goods, the QC team inspects kits by using inspection form. This inspection form should be created from current contract specification and includes some information of item(s) which are purchased by Mercy Corps. After these inspections, the forms should be filed in the QC team's files.
  - First step should be sharing the table of content of purchased goods by program teams or PSU. Then, the inspection form can be created based on the table of content. This inspection form should include contract specification details which can be controlled by visually and technically (measuring, weighing etc.) and identified based on PO#, donor name, inspection date, location, kit name, received quantity, checked quantity & percentage, inspector name and signature, observer name and signature. Observer should be one of the Operation or program team, except the Inspector.
  - Before the inspection, the inspector needs to ensure that required tools/equipment should be ready together with the inspection form.
  - The Inspector has to fill all required information on the inspection forms and signs as well then share it with relevant people *via* email. The Inspector is responsible to inform and explain about the situation of quality of goods and should be sure that the quality of the received kits matches contract specification. Also, the inspection forms should be filed and identified according to donor name, PO#, name of kit and GRN (Good Received Note). If the Inspector faces problem(s) about the quality of kits based on specification, the Inspector is responsible to inform relevant staff with detailed and clear explanation (
  - If any changes are made or amendment to the contract specification, the Inspector should be informed about changes.

Example: Non-Food kit (Goods)

Percent of kits to be inspected against the contracted specifications (%)	Frequency	Percent of tested sampling that needs to fail for the entire order to be considered non-conforming (%)
5%	Per order (PO)	5%

“Quality Control Inspection Form” will be prepared by QC staff later based on the approved items specifications

## **Non-Conformance**

### 1- AUTHORIZED SUBSTITUTIONS

Temporary substitution:

- The Supplier shall notify Mercy Corps prior to signing a Purchase Order if the Supplier wishes to deliver Goods that are different from the exact goods contained in the specifications but are equivalent in price and quality. Mercy Corps may, using its sole discretion, choose to accept such Goods by providing the Supplier with written notice, signed by Mercy Corps’ authorized representative, that it will accept the equivalent substitute Goods. Substitute goods are not acceptable unless otherwise acknowledged and accepted by Mercy Corps in writing prior to delivery.
- If the Supplier requests such substitution, the entire Purchase Order signed by Mercy Corps loses its validity unless accompanied by an authorization to substitute issued by Mercy Corps.
- Should Mercy Corps choose to accept the substitute goods, Mercy Corps will determine the market value of substituted commodities and for those commodities will pay no more than the market value established by Mercy Corps.
- In the eventuality that the market value determined by Mercy Corps is higher than the Supplier’s bid for the item originally contracted, Mercy Corps will pay no more than the price offered by The Supplier in its original bid.
- In addition, due to the disruption caused to Mercy Corps’ supply chain and the additional work required to establish the market value of the substituted items, Mercy Corps will charge a penalty of 1% of the value of the items that the Supplier is attempting to substitute. The value listed in this agreement will be used as the basis for the computation of penalties.

Substitution:

- In the eventuality that the Supplier wishes the substitution item to become the permanently contracted item until the end of the present Agreement, the Supplier may request that an amendment to Annex: Contents, Specifications, and Packaging List, be drafted. Mercy Corps, at its sole discretion, may or may not grant The Supplier’s request.
- Any product substitution which is not communicated to Mercy Corps after the signing of the relevant Purchase Order, will trigger the cancellation of the entire Purchase Order unless Mercy Corps, at its sole discretion, decides otherwise. In the eventuality that Mercy Corps accepts the substitution. In addition, with the exception of the penalty rate, this will be increased to 2% and computed on the same basis, in order to account for the additional delay caused by The Supplier.

### 2- UNAUTHORIZED SUBSTITUTIONS

## Attachment 3.1 **QUALITY CONTROL PLAN**



Any product substitution, which is not communicated to Mercy Corps by the Supplier prior to delivery, will trigger the cancellation of the entire Purchase Order unless Mercy Corps, at its sole discretion, decides otherwise. In the eventuality that Mercy Corps accepts the substitution, Alternatively, Mercy Corps may decide to:

- Reject the entire shipment.
- Reject the substituted goods.