

1. Invitation to Tender

Tender Name: Call for Bids for the Supply of Pipes, fittings, tools and pump maintenance equipment for different JVA water projects in Jordan		Tender No: MC-20-2021
Location: Jordan - Jordan Valley/Dair Alaa - fanoosh Warehouse		Correspondence Language(s): English
Brief Summary Description of Project: <p>Jordan has one of the lowest levels of water availability per capita in the world. With the Syrian crisis adding a dramatic population increase, and the population expected to double by 2047, meeting water demand has become more critical than ever. The Government of Jordan (GOJ) and its development partners have prioritized the availability of clean drinking water, but a balance must be made between drinking water needs and industrial and irrigation water requirements. The agricultural sector consumes 50 per cent of the country's water (while contributing only 3 per cent to Gross Domestic Product). Meanwhile, many Jordanians continue to believe that water supply issues are only linked to poor water delivery infrastructure and inequity in distribution. Few recognize how their own water use behavior directly relates to unsustainable water consumption.</p> <p>In March 2017, Mercy Corps began implementing the five-year USAID funded Water Innovations Technologies (WIT) project. WIT seeks to sustainably increase water conservation by focusing on water efficiency in both the agricultural sector and amongst communities and households. WIT's sustainability ambition is underpinned by its adoption of a market systems development approach. The project targets the northern region where water reserves are under extreme pressure, exacerbated by the influx of refugees from Syria, and the Jordan Valley. Both these areas host intensive groundwater-fed agriculture. By 2022, WIT seeks to have saved 18.5 million cubic Meters of water through adoption of new and proven water saving practices and technologies. This will contribute to a more secure water supply for the people of Jordan.</p> <p>Mercy Corps is seeking local (Jordanian) companies to provide Pipes, fittings, tools and pump maintenance equipment for different JVA water projects in Jordan. The equipment's will be used for maintenance purposes such as pump stations and water networks.</p>		

Tender package available from: Thursday, September 9, 2021,	Tender Package available: https://jordan.mercycorps.org/tenders and www.mercycorps.org/tenders
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Tender Package — Request for Bid (RFB)

**Deadline for Offer Submission:**

Thursday, September 23, 2021 till 3:00 pm

Submission of Sealed Offers (hard copy) to:

Mercy Corps, Building No. 8, Tabasheer 3 Street, 7th Circle, Amman Jordan.

Or

Soft copy submission must be only to the following Email address:

tenders@mercycorps.org

Any offer sent to another email address will be disregarded.

Note: The size of the attachments in each email should not exceed 15 MB.

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.

Attention: Procurement tenders (mentioning the tender name /number in the email subject).

Last Day for Questions:

Tuesday September 14, 2021 (COB)

Questions received after closing date and time will not be addressed. (COB i.e. 4:30 PM)

Questions will be answered by:

Sunday, September 19, 2021 (COB i.e. 4:30 PM)

- **Questions will be answered in writing through email on a given time and date. No more questions will be considered after Tuesday September 14, 2021 (COB)**
- **All received questions along with their answers will be shared with all prospective bidders. They will also be published on the same Google Link that the bidders used to download the tender package.**

Open Q&A Session (Mandatory)

Date / Time: Tuesday, September 14, 2021, at 1:00 PM (Amman Time)

Location: MC premises - Mercy Corps, Building No. 8, Tabasheer 3 Street, 7th Circle, Amman Jordan.

Point of Contact: Procurement Tenders Team

A mandatory open Q&A session is needed to explain to the prospective bidders the split awarding, MC delivery requirements, the Tax and clearance process.

This session will be facilitated by procurement team in presence of the technical specialist from JVA, a representative from MC engineering department, a representative from the program and a representative from our finance team.

- **Any bidder interested in participating in the tender should fill the “Intent to Bid” form attachment 8 expressing his interest to participate in the tender and to attend the session. The signed “Intent to Bid” form should be sent to jo-tenders@mercycorps.org.**
- **Any Supplier who fails to attend the Q&A session will be **disqualified** from participating in this tender.**

Documentation Checklist

These documents are contained within this tender package)	✓	Invitation to Tender	(This document)
	✓	General Conditions for Tender	(This document)
	✓	Criteria and Submittals	(This document)
	✓	Offer form	(This document)
	✓	Bonding policy	(This document)
	✓	Supplier Information Form	(Attachment 1)
	✓	Purchase Contract Template	(Attachment 2)
	✓	Quality control plan	(Attachment 3)
	✓	Tax Exemption letter	(Attachment 4)
	✓	Price Offer Sheet/ BOQs	(Attachment 5)
	✓	Response sheet	(Attachment 6)
	✓	Technical specification data sheet	(Attachment 7)
	✓	Intent to Bid	(Attachment 8)

2. 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.
- 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 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.

3. Criteria & Submittals

3.1 Contract Terms

- Mercy Corps intends to issue a **Fixed Price Purchase Contract** to one or more company/s. The successful offeror 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.
- **Mercy Corps has the right to modify the quantity mentioned in the tender package -price offer sheet (either increase or decrease or delete any item(s) in the BOQ lists) or to award one or more of the BOQ lists or any sole item of it, based on the actual need at the time of awarding and item availability at the supplier's end. MC will pay the awarded Bidder the price of the actual number of the received items, and this will be reflected on the contract.**

- If an advance payment is requested by the awarded bidder, an advance payment bond must be submitted with the same advance payment value, valid throughout the whole contract period. Furthermore, advance payments cannot exceed 30% of the total contract value. Please refer to section 5 below “Bonding Requirements” for full details about MC policy in terms of bonds and bank guarantees.
- The supplier MUST handle all procedures and costs for shipping, insurance, taxes, export and import duties including custom clearance without any involvement of Mercy corps.
- The cost of RSS tests that will be done after receiving must be covered by the awarded supplier.
- After signing the contract(s) with the selected bidder(s); MC will have the right to terminate the contract with any Bidder who fails to commit to the agreed delivery period.
- **Documents that need to be provided upon Delivery:**
 - The contractor shall submit at least the following documents:
 - Certificate of origin.
 - Packing list.
 - Full instruction manuals, which describe the correct methods and procedures necessary to construct the pipeline system in accordance with best practice.
 - Upon request, the Contractor has to provide test certificates from the manufacturer’s internal quality control.
 - Any other documents requested by the Engineer and the hand over committee.
 - All above documents must be valid and in English.

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:

1. Commitment letter for the delivery timeline not exceeding 45 calendar days from signing the contract for all items.
2. Tender bond 20,000 JOD, in the name of Mercy Corps, valid for at least 3 months of the tender closing date.
3. Proof of local tax registration.
4. Proof of local business registration in Jordan
5. MC **supplier information form**- Attachment 1 (Filled, signed and stamped).
6. Commitment letter to handle all procedures and costs for shipping, insurance, taxes, Export and import duties including custom clearance without any involvement of Mercy corps. Mercy corps will NOT be responsible to provide any documents or assistance at the clearance stage. Tax exemption letters shall be only used when the supplier does the sales tax reporting and sales tax return process.

3.3 Tender Submittals

Submission: Offers should be submitted in three sealed envelopes:

- ❖ **Envelope 1, containing documents supporting the eligibility criteria:**

- Commitment letter for the delivery timeline not exceeding 45 calendar days from signing the contract for all items.
- Submission of Tender bond 20,000 JOD in the name of Mercy Corps, valid for at least 3 months of the tender closing date.
- Submission of local tax registration proof.
- Submission of local registration in Jordan.
- Submission of **MC supplier information form- Attachment 1** (Filled, signed and stamped).
- Commitment letter to handle all procedures and costs for shipping, insurance, taxes, Export and import duties including custom clearance without any involvement of Mercy corps. Mercy corps will NOT be responsible to provide any documents or assistance at the clearance stage. Tax exemption letters shall be only used when the supplier does the sales tax reporting and sales tax return process

❖ **Envelope 2, containing all documents for technical evaluation:**

- Filled **Response sheet Attachment 6** (to verify the Country of Origin and specs for each item).
- Submission of data sheets for all offered materials/equipment (when applicable. It's reflected in "**attachment 6- Response sheet**" which items exactly need data sheets)
- Submission of valid materials tests and certificates to be included for all offered items (when applicable).
- Submission of operation and maintenance manuals for all offered items (when applicable)
- Manufacturer's Authorization Form.
- Manufacturer experience certificates; a certificate from the manufacturer (self-declaration) that he has at least 10 years in the field of production for pipes and fittings.
- Quality assurance certificate (ISO 9001).
- Internal Quality System.
- The supplier/ contractor shall supply full technical specifications and catalogues highlighting the items to be supplied.
- Method of traceability system followed by the manufacturer (the manufacturer shall clearly mention the method by which he can keep records and trace of the manufactured pipes, fittings,...etc. to ensure the capability of going back to the records for the manufactured item in case any problems accrues after the installation).

❖ **Envelope 3, containing the financial Offer:**

- Filled Price offer sheet (BOQ) **Attachment 5** (4 lists).

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 added after contract signing. Offerors must show unit prices, quantities, and total price, as displayed in the price offer sheet in **attachment 5**. All items must be clearly labeled and included in the total offered price.

3.4 Currency

Offers should be submitted in: JOD

Payments will be made in: JOD

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 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 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 requirements** 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 eligibility & technical criteria are as follows:

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

Technical Criteria	Pass/Fail
<p>Commitment to the technical specifications for each item mentioned in the response sheet</p> <p>Disqualifying response: Any company proposes an item with specifications that do NOT meet MC requirements/specs will be technically disqualified for that item</p>	
<p>Commitment to the Countries of Origin mentioned in the “O&M - Operation & Maintenance Tools and Equipment” list-4</p> <p>Disqualifying response: Any company proposes an item with a Country of Origin different from the ones mentioned in that list will be technically disqualified for that item</p>	
<p>Submission of Data Sheets for all items when applicable (Attachment 6 “Response Sheet” reflects which items exactly need data sheets)</p> <p>Disqualifying response: Any company that does not submit the data sheet for a certain item, will be technically disqualified for that item</p>	

3.5.2 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):

- Reference Checks.
- Analysis of audited financial statements.
- Interviews
- Site visits
- Determination of relations and affiliations between offerors.
- Other appropriate documented method giving Mercy Corps increased confidence in the supplier’s ability to perform.

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 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:

- A detailed specification of the offered goods, services and/or works (Proposal)
- Delivery timeline.
- Price validity date (for this purpose and as stated on the advertisement, quote given shall remain unchanged for 180 working days)
- 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. 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 30% of the contract total value.
- **Performance Bond:** this bond must be submitted along with the advance payment invoice, having a value of 10% of the total contract value. This bond must be valid for *[the whole contract period and minimum one month after the expiry of the contract]*, in the name of Mercy Corps. The bond must be extended in case a time extension was granted to the Contractor, such that it remains valid until one month after the Contract's new end date. The Contractor shall bear all fees/expenses related to the bond extension. This bond shall be returned when the warranty bond is submitted. The Performance bond must be renewed until the warranty bond is submitted to Mercy Corps.
- **Warranty Bond:** this bond should be submitted along with the invoice for the final payment, equal to 10% of the total contract value in the name of the final owner (JVA); which will remain in effect for a period of at least one year after full delivery. This bond will be returned to the supplier after all items pass RSS tests. If the items (or some of them) do not pass those tests, the supplier shall replace them and re-do the tests until satisfactory results are obtained. Otherwise, penalties will be deducted by liquidating the warranty bond.

6. Attachments to the Tender Package

✓	Invitation to Tender	(This document)
✓	General Conditions for Tender	(This document)
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