

Tender Package — Request for Proposal (RFP)



1. Invitation to Tender

Tender Name: TAXI & VEHICLE HIRE SERVICES	Tender No: MCK-MSA-VEH-022-002
Location: NAIROBI and MOMBASA	Correspondence Language(s): ENGLISH
Brief Summary Description of Project: <p>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.</p> <p>Mercy Corps Kenya, through a competitive process, is seeking to contract a taxi, online cab hailing and vehicle hire service provider(s) in Nairobi and Mombasa Counties for a period of 24 (twenty four) months, starting from the time of signing an agreement.</p> <p>Interested vendors are requested to indicate on cover letter the county or counties they would like to be considered in the evaluation of proposals.</p>	

Tender Package Available from: 21 st June 2022	Tender Package Pickup Location: https://www.mercycorps.org/tenders
Deadline for Offer Submission: 1 st July 2022, 1700, Hrs.	Submit Offers to: tenders@mercycorps.org Clearly state Tender number "MCK-MSA-VEH-022-002" on the subject line of the email. ONLY SOFT COPIES OF TENDER APPLICATIONS WILL BE ACCEPTED

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

Questions and Answers (Q&A)	
If any, Submit Questions in writing to: ke-pr@mercycorps.org . Clearly state Tender number "MCK-MSA-VEH-022-002" on the subject line of the email.	
Last Day for Questions: 24 th June 2022, 1700 Hrs.	Questions will be answered by: 28th June 2022
Questions will be answered through: All questions and answers will be posted in Mercy Corps website	

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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

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

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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

Vendors 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

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- 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** 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. Offeror 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
- The offeror must have an online hailing application (either website or mobile phone app)

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:

- Legal Business Registration
- Latest Tax compliance certificate
- Proof of online application by providing a link or name of mobile phone application

Documents to conduct the Technical Evaluation and additional Due Diligence:

- Company profile, 2pages max
- References from previous work projects, preferably INGO, including contact information
- List of corporate clients
- Service Price list

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 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 if applicable in their offer.

3.4 Currency

Offers should be submitted in: **KES**

Payments will be made in: **KES**

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:

All cost should be inclusive of any applicable taxes

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EVALUATION

Evaluation Criteria	Weight (%)	Possible Points (1 to 10)	Weighted Score
TECHNICAL	(A)	(B)	(A*B)
Waiting time from time of booking (< 30min 10pts, > 30min, 5pts)	10%	10	
Proven track record in rendering similar services. (Attach reference list of corporate clients with contact information (4pts) and reference letters from at least 3 organizations (2 pts each).	10%	10	
Methodology of booking (online platform (3.5pts) Mobile app. (3.5pts) Email (3pts)	5%	10	
No. of cars with NTSA/PSV license; (>15 (10pts), 5-10 (5pts), 1-5 (3pts))	25%	10	
Experience in the industry, at least 5 years(>10yrs(10pts); 5-10yrs (5pts) as indicated in reference letters and date of registration	10%	10	
Drivers valid driving license and good conduct; at least 5 samples (2 pts) per complete submission.	10%	10	
TOTAL POSSIBLE SCORE:	70%		
FINANCIAL			
Evaluation will be done for each category of vehicle i.e., Saloon Cars (Taxi), Landcruiser Hard top, Other 4x4, 7-seater Van, 14 seater van, Minibus 22-33 seater, Bus 45+ seater	10%	10	
One way trip (charge per km); Lowest cost get full 10 points; others to be rated relative to this.			
Full day hire (Inclusive of driver and fuel); (12 hours) lowest cost gets (5 points); others to be rated relative to this.	10%	5	
Half day hire (Inclusive of driver and fuel (6 hours) (5points); other to be rated relative to this.		5	
Waiting charges. Lowest get 10pts others to be rated relative to this	5%	10	
Min charge. Lowest gets 10 points others to be rated relative to this	5%	10	

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TOTAL POSSIBLE SCORE:	30%		
TOTAL TECHNICAL + FINANCIAL	100%		

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
- Supplier's facility visits
- 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

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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 “Tender Submittals” section of this Tender Package
- All documents requested in the “Scoring Evaluation” for technical criteria 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 Price Offer detailing the unit price only, using the **Price Offer Sheet** template provided in section 6 or your own price sheet with per kilometer and per kilogram unit costs indicated.
 - ☐ Completed and signed Mercy Corps **Supplier Information Form** (template provided in section 6)
 - ☐ 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 taxi and vehicle hire services to support MC activities in Nairobi and Mombasa

Description of Service

All Motor vehicles provided shall satisfy all legal requirements as follows:

1. Must have a valid Passenger Service Vehicle (PSV) License
2. Must have fully operational approved seat belts and speed governor where applicable in the transport regulations in force
3. All motor vehicles provided shall be in sound mechanical condition.
4. All motor vehicles provided MUST be comprehensively insured
5. All motor vehicles provided MUST be clean (Inside & outside) and hygienic for its passengers.
6. The bidder shall provide drivers with valid driver's licenses who will strictly adhere to the traffic code of conduct.
7. It shall be the responsibility of the bidder to ensure the drivers have allowances and fuel.
8. The drivers should maintain proper hygienic conditions while on duty. Drivers shall not smoke and or drink alcoholic beverages while on duty and must not be intoxicated.
9. The drivers MUST have high standards of customer relations and be courteous. The driver shall ensure that all passengers belt up before commencing any journey
10. The bidder shall give ample notice for any occasioned delays and provide alternative vehicles and drivers of similar or better quality in case of unavoidable delays or breakdowns.
11. The drivers should have first aid and basic emergency response training for safety purpose.

6. Annexes

Annex 1: Sample Contract

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

Annex 2: Supplier Information Form

Annex 3: Price Offer Sheet