# Invitation to Tender

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| **Tender Name: Provision of Vehicle Repair and Maintenance Service** | | **Tender No: MCK/MSA/VEH/002/2023** |
| Location: **Nairobi** | Correspondence Language(s): English | |
| Brief Summary Description of Project:  Provision of vehicle maintenance services to Mercy Corps Kenya fleet of vehicles in Nairobi. The service provider will provide vehicle maintenance services as per the required and agreed terms and conditions. Mercy Corps is seeking to contract a potential vehicle maintenance service provider for a period of 24 (twenty-four) months, starting from the time of signing the agreement. Mercy Corps is inviting sealed bids from eligible applicants for this service. | | |

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| **Tender Package Available from:**  **(26 / 06/ 2023)** | **Tender Package Pickup Location:**  <https://www.mercycorps.org/tenders> |
| **Deadline for Offer Submission:**  **(4 / 07 / 2023; 1700hrs)** | **Submit Offers to:**  [tenders.mck@mercycorps.org](mailto:tenders.mck@mercycorps.org)  **Clearly state Tender number** “**MCK/MSA/VEH/002/2023**” 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*

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| **Questions and Answers (Q&A)** | |
| If any, Submit Questions in writing to: [ke-pr@mercycorps.org](mailto:ke-pr@mercycorps.org) Clearly state Tender number “**MCK/MSA/VEH/002/2023”** on the subject line of the email. | |
| Last Day for Questions:  (29/ 06 / 2023; 1700hrs) | Questions will be answered by:  ( 3/ 07 / 2023; 1700hrs) |
| Questions will be answered through: All questions and answers will be posted in the 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 * Sample Contract- this is an anticipated 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:

[**http://mercycorps.org/integrityhotline**](http://mercycorps.org/integrityhotline)

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) or individuals. 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 |
| **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:**   * Certificate of incorporation * Valid Tax compliance certificate * Business permit * Kenya Motor Repairs Association Certificate ( KEMRA)   **Documents to conduct the Technical Evaluation and additional Due Diligence:**   * References from previous work projects (including contact information) * Submitted price offer sheet   **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 all applicable taxes 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%). Offeror's 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:   |  |  | | --- | --- | | **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 |  |  |  |  |  | | --- | --- | --- | --- | | **Evaluation Criteria and scoring criteria** | **Weight**  **(%)** | **Possible Points**  **(1 to 10)** | **Weighted Score** | | **(A)** | **(B)** | **(A\*B\*10)** | | Proven track record in rendering similar services. (Attach reference letters from at least 3 organizations(2 each reference letter; and a list of corporate clients (2) with value of contract indicated (2) | 10 % | 10 | 10 | | Years of experience in the industry{15 or more years gets 10 points; below 10 years scored relative to max score with 15 years as base} | 10 % | 10 | 10 | | Presence and ability to offer services for MC Nairobi fleet(must have a branch in Nairobi); branch in Nairobi (10) no branch in Nairobi (0) | 10 % | 10 | 10 | | Organizational systems and processes from vehicle hand over (attach copy of vehicle hand over forms) (2), vehicle inspection and diagnosis (attach copy of vehicle inspection forms) (2), Equipment loss and accident in the garage insurance (attach proof of insurance) (2), security systems at the gate and within garage (attach proof of security availability) (4). | 25 % | 10 | 25 | | List of qualified technicians/mechanics with their qualifications{List attached and at least 5 staff qualified(2 each staff), List attached but staff not qualified/no qualification stated(1 each staff), No list attached(0)} | 25% | 10 | 25 | | Parts manufacturers authorization ( authorization letter attached (10pts) no authorization attached (0) | 10 % | 10 | 10 | | Financial bid {Sample Price sheet attached you can use your format as long all information is captured ; indicate scheduled maintenance quote (minor service, middle service, major service), indicate the particulars of service i. e what each service level entails and break down of each cost: All vehicle types quoted for and for all 3 service categories (Each vehicle type complete quote gets 0.7, an incomplete quote i. e at least 1 service category missing gets 0 for that line), | 10 | 10 | 10 | | **TOTAL POSSIBLE SCORE:** | **100%** | **70** | **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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# Offer Form

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| **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   **All offers must be duly signed (including the 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 detailed specification of the offered goods, services and/or works (Proposal)
* Warranty (if necessary and appropriate)
* Delivery time
* Price validity date (for this purpose and as stated on the advertisement, quote given shall remain unchanged for 180 working days)
* A Price Offer detailing the unit price only, using the **Price Offer Sheet** template provided in **section 6**
* Completed and signed Mercy Corps **Supplier Information Form** template provided in **section 6**
* Other important documents the 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.

# Scope of Work/Technical Specifications

Provision of vehicle repair and maintenance service for Mercy Corps Kenya fleet.

# Annexes

# Annex 1: Sample Contract

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



**Annex 2: Supplier Information Form**

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**Annex 3: Price Offer Sheet**

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