

ANNEX 1: INSTRUCTION TO BID

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I- AUTHORIZED SOURCES AND NATIONALITY OF PROCUREMENT

Source: is the country from which a commodity is shipped (or the cooperating country itself if the commodity is located therein at the time of the purchase.

Nationality: refers to the place of incorporation, ownership, citizenship or residence of suppliers of goods and services.

This procurement is under the Handicap International process, therefore, source of commodity and nationality of the bidders are not restricted. HI aims at reducing our operations' environmental impact by promoting local products so that HI can be a part to reduce carbon footprint and long-distance transportation.

Bidders has been informed and accepted that the suppliers are subjected to be verified illicit activities through our HI's system.

Exclusion criteria:

Bidder shall be excluded from the selection and award procedure in the following conditions:

- If they are bankrupt or their affairs are being wound up, their affairs are being administered by the courts, they have entered into an arrangement with creditors, they have suspended business activities, they are the subject of proceedings concerning these matters or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
- If they have been convicted of an offense concerning professional misconduct by a judgment that has the force of *judicata*;
- If they have been found guilty of gross professional misconduct proven by any means which the contracting authorities can justify;
- If they have not fulfilled their obligations relating to the payment of social security contributions or taxes in accordance with the legal provisions of the country in which they are established or with those of the country of the contracting authority or those of the country in which the contract is to be executed;
- If they have been the subject of a judgment that has forced of *judicata* for fraud, corruption, involvement in a criminal organization or any other illegal activity detrimental to the Communities' financial interests;
- If, following another procurement procedure or grant award procedure financed by the community budget, they have been found to be in serious breach of contract for failure to comply with their contractual obligations.

In addition, contracts shall not be awarded to applicants or bidder(s) who, during the procurement procedure:

- are in a position of conflict of interest;
- are guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participation in the award procedure, or fail to supply this information.

II- FRAMEWORK AGREEMENT

The successful bidder(s) will be awarded a *'Framework Agreement'* for a period of one year with possibility to extend two times. Within the Framework Agreement HI and the supplier(s) agree, **not on all matters, but on enough matters (e.g, specifications, lead time, price, warranties etc) to move forward**. The Framework Agreement does not commit HI to any purchases or specific volumes. Any future order which will be completed under Supplier Purchase Orders which will be governed and linked to the original Framework Agreement

III- RESPONSIBILITIES OF BIDDERS

By submitting a bid, bidders accept without restriction to all the general and specific conditions outlined in these specifications as being the only basis for this supply contract procedure, irrespective of their own conditions, which they hereby waive.

Bidders shall carefully examine and comply with all the instructions, forms, clauses and specifications mentioned in this participation file. Failure to submit a bid containing all the information and documents requested by the specified closing date may result in the bid's rejection.

IV- INSTRUCTION:

1- Bid Submission:

1. Bids are required to be submitted to HI no later than 22nd September 2024 (before 5:00 PM), bids must be submitted in English language. If bidders submitted English and Khmer, the English is valid.
2. Submission is online:
Online to: procurement@cambodia.hi.org, Mr. Rathanak SOK, with the subject of the e-mail “**National Call for Tender (NCT) For Framework Agreement to Supply Rubber Feet**”
3. Bids received after the bid submission end date will not be accepted.
4. Bids that are incomplete or ineligible will not be accepted.
5. Bids may not be modified or withdrawn after submission.
6. Opening of bids will take place on the date indicated bid opening date by the appointed HI committee members.
7. For queries or questions related to this bid, please contact the HI contact person as indicated in the Invitation for Bid 3 days before the date of bid submission.

2- Content of bid:

1. Application Form_ Annex 3 (mandatory): must be filled, signed, and stamped.
2. HI Supplier Quote _ Annex 4 (mandatory): The offer from the supplier must be filled to compare the required specifications/terms and conditions to the bidder's offered; must be signed and stamped.
3. An official quotation (optional): the bidders also can submit an official quotation. If any discrepancy information between the HI Supplier Quote and the Official Quotation, HI Supplier Quote is valid.
4. Catalogues/brochures of the submitted products (if available).
5. A copy of the business registration/tax certificate and ID/passport of the company representative or the owner (mandatory).
6. Customer Reference List_ Annex 5: must be filled for the past 2 years and returned as part of the bid (mandatory).
7. Certificate of country of origin and certificate of quality (if applicable).
8. Acknowledgment of Safeguarding Policies and Good Business Practices (Annex 6): must be filled, signed and stamped (mandatory).

3- Timeline of the bidding:

Activities	Date
Issue Invitation to Tender	06- Sep-2024
Deadline for questions from Bidders	19-Sep-2024
Deadline for Bid Submission	22-Sep-2024
Bid Clarifications	23-Sep to 27-Sep
Award Framework agreement	07- Oct to 11-Oct

V- SPECIAL TERMS AND CONDITIONS:

1- Bids:

- Bidders must clearly and concisely respond to all points set in the **Instruction**;
- HI reserves the right to keep unsuccessful bids after the evaluation process is completed;
- Cost related to the submission of the bid (printing, carrier, etc.) is solely the responsibility of the bidders;
- A person duly authorized to sign as the representative shall sign initial on all pages.

2- Bid price:

- All prices, costs, charges, discounts, and other financial aspects of the bid shall be indicated in **USD**
- Price offer should be **Door to Door including insurance**, to the unloaded destination at Phnom Penh - Kien Klang and at the provinces in the Rehabilitation Center at (Siem Reap, Takeo, Prey Veng , Kratie, and Kampong Cham.
- The delivery lead time from placing the order or signing the purchase contract to the place of unloading should be less than 2 months for importing products.
- Product’s warranty 12 months from a manufacturing date.

3- Validity of the bid price:

The bid price valid for 12 months (from Oct-2024) is preferable.

4- List of items and technical specifications of the Rehabilitation equipment:

Please refer to Annex 2

5- No commitment:

- HI does not commit to award a contract or to pay any costs incurred in the preparation or submission of bids;
- HI reserves the right to reject any or all bids received in response to this invitation and reserves the right to relaunch the bid if necessary;
- HI serves the right to award either the whole or joint;
- HI serves the right to increase or decrease the quantity of the order.

6- Negotiation:

HI reserves the right to negotiate further with any or all of the bidders;

- in the event that only one compliant bid has been received and the price is not deemed competitive;
- bids price and specification are exactly the same and it is not possible to identify a winner;
- Offers received barely meet the minimum threshold;
- or any other reasons according to HI interest.

7- Payment terms: Bidders must clearly specify in their bid the payment terms being offered and the details of the bank account.

- Please note that the final payment is conditional on 100% of the product has been delivered to HI with the validation of acceptance;
- Payment will be made within 14 days after receiving an official invoice by bank transfer;
- Any charges for the bank transfer will be the responsibility of the bidder

8- Committee:

HI formed a committee for this tender to open and evaluate the bids. The committee positioned one HI logistics department, one the HI Project Manager, one HI Project Technical Officer.

9- Bid Evaluation:

The evaluation of bids shall be conducted in (03) three sequential stages:

Stage one - Preliminary evaluation

Bids will be checked for their compliance with the formal and eligibility criteria stated in this Tender Document. Preliminary evaluation will determine the eligibility of the bidder and the administrative **compliance and responsiveness/completeness** of the bids received.

The preliminary evaluation is determined on a pass/fail basis and only bids that meet the mandatory criteria will be accepted for further evaluation.

Stage two – Technical evaluation

Bids that pass the preliminary evaluation are subjected to a technical evaluation against the technical and qualification evaluation criteria derived from the requirements specification, as well as from any qualification conditions as specified in this Tender Document. The technical evaluation is determined by:

- Under expectation
- Meet expectation
- Exceed expectation

and only offers that **Meet and Exceed expectations** are considered further. An offer that greatly exceeds the requirements will be ranked the same as one that just meets that same requirement.

Stage three – Commercial evaluation

Offers that have reached this stage are subjected to financial assessment which assesses the price (cost) and any related commercial terms. The lowest-priced offer that meets the minimum technical requirements is considered the one that offers the best value for money.

However, it is not necessary that the evaluation will be based solely on the stated item price. Commercial terms such as product availability, discounts, and other offered services will also be considered in the evaluation process.

10. Tender Cancellation:

In the event of the cancellation of a call for tender procedure, bidders shall be informed by Handicap International.

If the call for tenders procedure is cancelled before any of the external envelopes have been opened, the sealed envelopes shall be returned to tenderers unopened.

A cancellation may occur when:

- The tendering procedure has been unsuccessful, i.e. Handicap International has received no valid or financially viable bids, or no bids at all;
- The project's economic or technical parameters have been fundamentally modified;
- Exceptional circumstances or force majeure makes the normal execution of the project impossible;
- All technically compliant bids exceed the available budget;
- Irregularities have occurred in the procedure, especially if these have prevented fair competition.
- In no circumstances shall Handicap International be liable for damages of any kind (in particular damages for loss of profits) in the event of the cancellation of a call for tenders, even if Handicap International has been warned of the possibility of damages.
- The publication of a purchase notice does not commit Handicap International to implement the announced programme or project.