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Tender Reference Number: Long Term Agreement (LTA) for the Supply of Food Raw ingredients (TND-LOG-2022-1995-MJA-G)

Contracting Authority: arcenciel, Jisr El Bacha, John Kennedy Street

Tenderer / Bidder: Person, Firm or Company/Co-operative / Consortium submitting a tender/ bid against this “Instruction and Conditions for Invitation to Tender”

1. Goods to be provided

- 1.1 The primary objective of the tender is to sign a Long-Term agreement (LTA) to supply Food related Raw materials for a project aiming to provide around 24,000 hot meals to vulnerable families during a period of 1 year.
- 1.2 The secondary objective of the tender is to potentially identify trusted suppliers to provide necessary Food related raw ingredients to our restaurants at Al Khan Al Maksoud – Taanayel and Galaxy Mall – Chiyah.
- 1.3 The goods must comply fully with the technical specifications set out in the tender dossier and conform in all respects with the specifications referred to in **Annex 10**.
- 1.4 The LTA validity will be 1 year from the date of signature, and prices can be re-evaluated every 3 months, subject to written approval from both parties.
- 1.5 Goods will need to be delivered to arcenciel Galaxy Mall in Chiyah area and/or Al Khan Al Maksoud restaurant in Taanayel, Bekaa.
- 1.6 Submitted Prices should include all delivery charges, fees and taxes.

2. Time Table

	Date	Time
Clarification meeting in Al Khan Al Maksoud Restaurant - Taanayel	15 Nov 2022	11:00
Clarification meeting in Jisr El Bacha Center	16 Nov 2022	11:00
Deadline for requesting clarifications from the Contracting Authority	18 Nov 2022	15:00
Last date on which clarifications are issued by the Contracting Authority	21 Nov 2022	15:00
Deadline for sending the submission form	23 Nov 2022	15:00
Deadline for submission of tenders and samples	28 Nov 2022	15:00
Tenders opening session*	30 Nov 2022	
Notification of award to the successful tenderer *	14 Dec 2022	
Signature of the contract *	16 Dec 2022	

All times are in the time zone of the country of the Contracting Authority provisional date

**Dates may be subject to change*

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3. Clarification Meeting

Clarification meetings will be held to answer all inquiries as follows:

- For The supply of goods to **Taanayel**: On the **15th of Novemeber 2022 @ 11:00am** in Al Khan al Maksoud restaurant – Taanayel
- For The supply of goods to **Galaxy Mall**: On the **16th of Novemeber 2022 @ 11:00am** in arcenciel – Jisr el Bacha, John Kennedy Street

All interested should send an email to procurement@arcenciel.org confirming their presence by the **14th of November 2022 @ 13:00** at the latest indicating:

- Which session they will attend
- Person that will attend
- Representing which company
- Contact details of the person that will attend

4. Eligibility for Participation

4.1 Local tenderers shall be a company that has legal representation in Lebanon and has a registration number at the Ministry of Finance.

4.2 International tenderers shall have

- applicable tax registrations supported by documentary evidence;
- a valid bank account to receive the payments through it.

5. Type of Contract

- Unit-price

6. Currency

Tenders must be presented in USD

7. Lots

7.1 This tender is divided into **2** parts indicated in the BOQ in 2 different sheets (Taanayel & Galaxy Mall), each part contains **4 lots**, all bidders can bid for as many lots as they wish, indicating clearly the part and the lot chosen.

7.2 It is however possible for a tenderer to bid for a partial lot.

7.3 Contracts will be awarded by lot, but if a single tenderer wins more than one lot then a single contract for several lots can be considered by the contracting authority.

7.4 The contracting authority has the right to split out the lot and choose some of its items based on its needs and requirements.

7.5 The contracting authority has the right to sign an agreement with several suppliers for each lot based on required need, and the supplier shall commit to supply all required items without any objection.

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8. Period of Validity

- 8.1 Tenderers shall be bound by their tenders for a period of **60 days** from the deadline for the submission of tenders.
- 8.2 In exceptional circumstances and prior to the expiry of the original tender validity period, the contracting authority may ask tenderers in writing for an extension of this period of **60 days**
- 8.3 Tenderers that agree to do so will not be permitted to modify their tenders. If they refuse, their participation in the tender procedure will be terminated.
- 8.4 The successful tenderer will be bound by his tender for a further period of **365 days** following receipt of the notification that he has been selected.

9. Language of Tenders

The tenders, all correspondence, and documents related to the tender exchanged by the tenderer and the Contracting Authority must be written in the language of the procedure, which is English.

10. Submission of Tender Dossier

The Contracting Authority must receive the tenders before the deadline specified in the letter of invitation to tender. They must include all the documents specified in point 10 of these Instructions and be hand-delivered to the following address: **arcenciel, Jisr El Bacha, John Kennedy Street, 1st floor**

Tender Dossier can be hand delivered in 2 forms:

- **Printed format**
- **Electronic format (on a USB or CD)**

10.1 Hand-delivered Printed format Tender Dossier

Tenders must comply with the following conditions:

- a. All tenders must be submitted in one original, marked 'original'
- b. All tenders must be received at arcenciel, Jisr El Bacha, John Kennedy Street before the deadline: **28 Nov 2022 at 15:00** by registered letter with acknowledgment of hand-delivered against receipt signed by procurement officer or its representative.
- c. All tenders, including annexes and all supporting documents, must be submitted in a sealed envelope bearing only:
 - the above address;
 - the reference code of this tender procedure (**TND-LOG-2022-1995-MJA-G**)
 - the words 'Not to be opened before the tender opening session' in the language of the tender dossier.
 - the name of the tenderer.
- d. The main sealed envelope must contain 3 separate envelopes:
 - First Envelopes inclosing the Administrative and Identification documents as required
 - Second Envelopes inclosing the Technical Specifications and documents as required

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- 10.2 - Third Envelopes inclosing the financial offer.
Hand-delivered electronic format Tender Dossier

Tenders must comply with the following conditions:

- e. All tenders must be submitted on a **USB** (Universal Serial Bus device) or on a **CD** (Compact Disk)
- f. All tenders must be received at arcenciel, Jisr El Bacha, John Kennedy Street before the deadline: **28 Nov 2022 at 15:00** by registered letter with acknowledgment of hand-delivered against receipt signed by procurement officer or its representative.
- g. All tenders, must be submitted in a sealed envelope bearing only:
 - the above address;
 - the reference code of this tender procedure (**TND-LOG-2022-1995-MJA-G**)
 - the words 'Not to be opened before the tender opening session' in the language of the tender dossier.
 - the name of the tenderer.
- h. The Sealed envelope must contain a signed/stamped checklist, indicating all files included in the USB/CD, indicating the file names, Date modified and size.
- i. The USB or CD device must contain 3 separate folders:
 - First Folder inclosing the Administrative and Identification documents as required
 - Second Folder inclosing the Technical Specifications and documents as required
 - Third Folder inclosing the financial offer

11. Content of Tenders

Failure to fulfill the below requirements will constitute an irregularity and may result in the rejection of the tender. All tenders submitted must comply with the requirements in the tender dossier and comprise: one sealed envelope containing the paper documents in 3 sealed envelopes or the electronical device containing 3 separate folders as follows:

N.B. Tenderers are requested to follow this order of presentation.

First Envelope or Folder: Administrative and Identification Documents

All required documents for the administrative compliance

1. Annex 01 Instructions and Conditions for Invitation to Tender: this document is in PDF format. Please fill in your information at the end of the document, sign, and stamp.
2. Annex 03 Code of Conduct for Suppliers: this document is in PDF format. Please fill in your information at the end of the document, sign, and stamp.
3. Annex 04 statement of integrity: this document is in PDF format. Please fill the document with the required information, sign and stamp it.
4. Annex 05 Commitment letter: this document is in PDF format. Please fill the document with the required information, sign and stamp it.

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5. Annex 06 Financial Identification Form in PDF format. Please fill the document with the required information, sign and stamp it.
6. Annex 07 General Terms and Conditions for Goods contract: this document is in PDF format. Please fill in your information at the end of the document, sign, and stamp.
7. Annex 08 Draft Contract: this document is in PDF format. Please fill in your information at the end of the document, sign, and stamp.
8. The personal identity of the supplier
9. Company’ official registration certificate obtained from the relevant national government authority or from the local or international Chamber of Commerce and/or Chamber of Industry;
10. Tax certificate (stating that company is officially registered with the relevant taxation authorities);
11. Duly authorized signature: an official document (statutes, power of attorney, notary statement, etc.) proving that the person who signs on behalf of the company, joint venture or consortium is duly authorized to do so.

Second Envelope or Folder: Technical offer

1. Supplier Portfolio with a narrative describing company’s history and profile including company experience, references from past and current clients.
2. Adequacy and professionalism of staff, skills and certifications (e.g. food safety certificates: ISO 22000, GAP, food safety training certificates, etc.)
3. Certificate of analysis (chemical and microbiological tests) (If any)
4. Product specification sheet (If Any) of tendered items

Third Envelope or Folder: Financial offer

1. Annex 02: The BOQ form in PDF format. Please fill the document with the required information, sign and stamp it

Samples

All samples (if requested by The Contracting Authority) need to be sent in a sealed box bearing the same information found on the main sealed envelope.

12. Additional information before the deadline for submission of tenders

The tender dossier should be so clear that tenderers do not need to request additional information during the procedure. If the Contracting Authority, on its own initiative or in response to a request from a prospective tenderer, provides additional information on the tender dossier, it must send such information in writing to all other prospective tenderers at the same time.

Tenderers may submit questions in writing to the following address Procurement@arcenciel.org up to **10 days** before the deadline for submission of tenders, specifying the tender reference and the contract.

Any prospective tenderers seeking to arrange individual meetings with either the Contracting Authority during the tender period may be excluded from the tender procedure.

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13. Site visit

A site visit will be performed by the Contracting Authority to the shortlisted tenderers of potentially high-risk foods.

Exact date and time will be agreed upon in advance with the supplier.

14. Alteration or withdrawal of tenders

14.1 Tenderers may alter or withdraw their tenders by written notification prior to the deadline for submission of tenders. No tender may be altered after this deadline. Withdrawals must be unconditional and will end all participation in the tender procedure.

14.2 Any such notification of alteration or withdrawal must be prepared and submitted in accordance with Article 9. The outer envelope must be marked ‘Alteration’ or ‘Withdrawal’ as appropriate.

14.3 No tender may be withdrawn in the interval between the deadline for submission of tenders and the expiry of the tender validity period. Withdrawal of a tender during this interval may result in forfeiture of the tender guarantee.

15. Costs of preparing tenders

No costs incurred by the tenderer in preparing and submitting the tender are reimbursable. All such costs will be borne by the tenderer.

16. Ownership of tenders

The Contracting Authority might retain ownership of all tenders received under this tender procedure. Therefore, the contracting authority shall notify tenderers accordingly upon reception of the tendering documents.

17. Opening of Tenders

17.1 The opening and examination of tenders is for the purpose of checking whether the tenders are complete, whether the requisite tender guarantees have been furnished, whether the required documents have been properly included and whether the tenders are generally in order.

17.2 The tenders will be opened on **30 Nov 2022** at arcenciel, Jisr El Bacha by the committee appointed for the purpose and then be evaluated by referring to the evaluation form which will be available upon request.

17.3 At the tender opening, the tenderers’ names, the tender prices, any discount offered, written notifications of alteration and withdrawal, tender guarantee (if required), and such other information as the Contracting Authority may consider appropriate may be announced.

17.4 Any attempt by tenderers to influence the evaluation committee in the process of examination, clarification, evaluation, and comparison of tenders, to obtain information on how the procedure is progressing or to influence the Contracting Authority in its decision concerning the award of the contract will result in the immediate rejection of their tenders.

17.5 All tenders received after the deadline for submission specified in the contract notice or these instructions will be kept by the Contracting Authority. The associated guarantees will be

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returned to the tenderers. No liability can be accepted for the late delivery of tenders. Late tenders will be rejected and will not be evaluated.

18. Evaluation of tenders

The aim at this stage is to check that tenders comply with the essential requirements of the tender dossier. A tender is deemed to comply if it satisfies all the conditions, procedures, and specifications in the tender dossier without substantially departing from or attaching restrictions to them.

If a tender does not comply with the tender dossier, it will be rejected immediately and may not subsequently be made to comply by correcting it or withdrawing the departure or restriction.

a- Administrative Evaluation

For each required document missing, we will deduct 1 point from the evaluation. In case the company registration is not submitted the candidate offer will not be considered.

b- Technical Evaluation

For potentially high risks foods (Meat, Fish, Poultry, Vegetables and Dairy)

	Criteria	Maximum Score
1	Company's History and Reputation (Overall company experience, Company Portfolio and Prominent clients)	15
2	Adequacy and professionalism of staff, skills and certifications (e.g., food safety certificates: ISO 22000, GAP, food safety training certificates, etc.)	10
3	Performance during site inspection (refer to site inspection checklist)	15
4	Compliance with the required organoleptic and physical characteristics	20
5	Certificate of analysis (chemical and microbiological tests)	10
Total Score		70

For potentially low risks foods (Grains, canned food, ...)

	Criteria	Maximum Score
1	Company's History and Reputation (Overall company experience, Company Portfolio and Prominent clients)	15

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2	Adequacy and professionalism of staff, skills and certifications (e.g., food safety certificates: ISO 22000, GAP, food safety training certificates, etc.)	15
3	Compliance with the required organoleptic and physical characteristics	25
4	Certificate of analysis (chemical and microbiological tests)	15
Total Score		70

c- Financial Evaluation

	Criteria	Maximum Score
1	Financial Offer	30
Total Score		30

19. Award criteria

The compliant tender that scores highest in its category will be chosen.

20. Signature of the contract and performance guarantee

- 20.1 If the successful tenderer fails to provide the documentary proof or statement or the evidence of financial and economic standing and technical and professional capacity within 15 calendar days following the notification of award or if the successful tenderer is found to have provided false information, the award will be considered null and void. In such a case, the Contracting Authority may award the tender to the next lowest tenderer or cancel the tender procedure.
- 20.2 By submitting a tender, each tenderer accepts to receive notification of the outcome of the procedure by electronic means. Such notification shall be deemed to have been received on the date upon which the contracting authority sends it to the electronic address referred to in the offer.
- 20.3 The Contracting Authority reserves the right to vary quantities specified in the tender by +/- 25 % at the time of contracting and during the validity of the contract. The total value of the supplies may not, as a result of the variation rise or fall by more than 25 % of the original financial offer in the tender. The unit prices quoted in the tender shall be used.
- 20.4 Within 3 days of receipt of the contract signed by the Contracting Authority, the selected tenderer must sign and date the contract and return it, with the performance guarantee (if applicable), to the Contracting Authority. On signing the contract, the successful tenderer will become the Contractor / Supplier and the contract will enter into force.
- 20.5 If it fails to sign and return the contract and any financial guarantee required within 3 days after receipt of notification, the Contracting Authority may consider the acceptance of the tender to be canceled without prejudice to the Contracting Authority's right to seize the guarantee, claim

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compensation or pursue any other remedy in respect of such failure, and the successful tenderer will have no claim whatsoever on the Contracting Authority.

21. Cancellation of the tender procedure

If a tender procedure is canceled, tenderers will be notified by the Contracting Authority. If the tender procedure is canceled before the tender opening session the sealed envelopes will be returned, unopened, to the tenderers.

Cancellation may occur, for example, if:

- the tender procedure has been unsuccessful, namely where no suitable, qualitatively or financially acceptable tender has been received or there has been no valid response at all;
- the economic or technical parameters of the project have changed fundamentally;
- exceptional circumstances or force majeure render normal implementation of the project impossible;
- all technically acceptable tenders exceed the financial resources available;
- there have been substantial errors, irregularities, or frauds in the procedure, in particular where these have prevented fair competition;
- the award is not in compliance with sound financial management, i.e. does not respect the principles of economy, efficiency, and effectiveness (e.g. the price proposed by the tenderer to whom the contract is to be awarded is objectively disproportionate with regard to the price of the market.

In no event will the Contracting Authority be liable for any damages whatsoever including, without limitation, damages for loss of profits, in any way connected with the cancellation of a tender procedure even if the Contracting Authority has been advised of the possibility of damages. The publication of a contract notice does not commit the Contracting Authority to implement the program or project announced.

22. Withdrawal / Modification of Offers

Requests to withdraw an Offer shall not be honored. If the selected Tenderer withdraws its Offer, arcenciel shall duly register the said Offer and shall evaluate it alongside all other received Offers. If the selected Tenderer has furnished Bid security, arcenciel shall withhold such Bid security until the issue has been resolved.

Withdrawal of an Offer may result in your suspension or removal from arcenciel suppliers List.

A Tenderer may modify its Offer prior to the Invitation to Tender closure. Any such modification shall be submitted in writing and in a sealed envelope, marked with the original Offer number. No modification shall be allowed after the Invitation to Bid closure.

23. Later Offers

All Offers received after the Invitation to Tender closure will be rejected.

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24. Special Conditions

- 24.1 The signed agreement is not binding to arcenciel for any Purchase Order. arcenciel will place purchase orders to the contracted suppliers based on its requirements and needs, without any changes on the prices.
- 24.2 The contracting authority has the right to cancel, postpone, or extend the tender.
- 24.3 The contracting authority is not committed to accepting the least prices, but the best value for money including other criteria such as (and not limited to) quality and delivery conditions.
- 24.4 All samples of the successful tenderer (when applicable) will be kept for quality control and comparison during the period of the one-year agreement. Any change in quality or branding during the agreement will render the agreement cancelled.
- 24.5 The Contracting Authority retains ownership of all tenders received under this tender procedure. Consequently, tenderers have no right to have their tenders returned to them.

25. General Terms and Conditions:

All Tenderers shall acknowledge that the arcenciel General Terms and Conditions for Supply Contracts or Service Contracts, or Works Contracts, as applicable, are accepted.

26. Queries about this Tender

For queries on this Invitation to Tender, please contact arcenciel, Procurement Contact on Procurement@arcenciel.org

Specifications and pictures should be clear enough to give equal opportunities to all contractors to provide proper offers. Should a contractor ask a question, this is only eligible in writing and the reply will be sent transparently and at the same time to all interested contractors.

All questions regarding this Invitation to Tender shall be submitted in writing to the above. On the subject line, please indicate the Tender reference number. Offers shall not be sent to the above email.