

TENDER DOSSIER
INVITATION TO TENDER

Date of issue	7 November 2023
Reference no	2023-03
Contract title	Refreshments For RS And PSS Children.
Closing date	17 November 2023
Tender opening	20 November 2023
Contracting Authority	Borderless NGO

BORDERLESS NGO INVITES SUPPLIERS TO TENDER FOR:

SUPPLY AND DELIVERY OF: REFRESHMENTS FOR RS AND PSS CHILDREN

Please find enclosed the following documents, which constitute the Tender Dossier:

A - Instructions to Tenderers

B - Contract including annexes:

- Annex 1: Technical data form** (to be completed by the Tenderer)
- Annex 2: Tender Submission form** (to be completed by the Tenderer)
- Annex 3: Code of Conduct policy** (to be signed and stamped by the supplier on all pages)
- Annex 4: Tender Notice**
- Annex 5: Tender Guarantee Letter**

All the suppliers are required to sign and stamp on all the pages of all the previous documents, including this tender dossier.

Please inform us of your intention to submit a proposal by sending an email to procurement@borderlessngo.org

A. Instructions To Tenderers

A.1. Scope of supply and related services

The subject of the contract is the supply delivery by the Tenderer of the following supplies:

Item No.	Item	Description	Quantity Per Pack	Unit	Quantity
1	Refreshments For Children	Option 1 (Pack):	• 1	Pack	8250
		• Zaatar Pie	• 1		
		Option 2 (Pack):	• 1		
		• Labneh Sandwich	• 1		
		• Juice			

- **Total Quantity For Item 1 is 8250 Snack Packs.**

The supplies to be purchased are for use by the Contracting Authority in its support of vulnerable populations in Lebanon. The tenderer should submit a tender for all items.

a) Delivery

The Delivery of Items will be in Beirut Area, location to be specified upon signing the contract.
 The Delivery will be dissected over a period of time(4 days/week for 6 months), and **NOT A SINGLE DELIVERY**.
 The Delivery will start by the last week of November 2023

b) Specifications

The supplies must comply fully with the specifications set out in the Tender Dossier and conform in all respects with the, quantities, components, and other instructions. Deviations from the specifications may be considered only if deemed to be in the best interest of the Contracting Authority.

A.2. Cost of Tender

The Tenderer shall bear all costs associated with the preparation and submission of his tender and the Contracting Authority will in no case be responsible or liable for these costs, regardless of the conduct or outcome of the tender process.

A.3. Clarification of tender documents and additional information

Tenderers may submit questions in writing at the latest on the date specified in the timetable in article A4, specifying the tender number, and the contract title mentioned on the first page. Information regarding the interpretation of this invitation to tender must be requested in writing to the Contracting Authority's contact person.

Tenderers are not allowed to approach the Contracting Authority for verbal clarification.

Any clarification of the Tender Dossier given by the Contracting Authority will be submitted to all Tenderers at the latest on the date specified in the below timetable. If the Contracting Authority provides additional information on the Tender Dossier, such information will be sent in writing to all other prospective Tenderers at the same time.

Any prospective Tenderer seeking to arrange individual meetings during the tender period with either the Contracting Authority and/or any other organization with which the Contracting Authority is associated or linked may be excluded from the Tender Procedure.

A.4. Planned timetable

The Contracting Authority reserves the right to alter the dates and time in the following timetable, in which case all Tenderers will be informed in writing and a new timetable will be provided.

	Date	Time
Deadline for request for any clarifications from the Contracting Authority	Monday - 13 November - 2023	3:00 p.m
Last date on which clarifications are issued by the Contracting Authority	Wednesday - 15 November - 2023	3:00 p.m
Deadline for submission of tenders (closing date)	Friday - 17 November - 2023	4:00 p.m
Tender opening session	Monday - 20 November - 2023	11:00 a.m
Contracts award	Wednesday – 22 November - 2023	2:00 p.m
Contract Signing	Friday – 24 November - 2023	12:00 p.m

All times are in the time zone of Beirut, Lebanon.

A.5. Eligibility and qualification requirements

Compliance Eligibility

Tenderers are **not** eligible if they are in one of the situations listed below:

By signing the purchase order, the Seller certifies that he is NOT in one of the situations listed below:

- (a) He is bankrupt or being wound up, is having his affairs administered by the courts, has entered into an arrangement with creditors, has suspended business activities, is the subject of proceedings concerning those matters, or is in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
- (b) He has been convicted of an offence concerning his professional conduct by a judgement that has the force of *res judicata*;
- (c) He has been guilty of grave professional misconduct proven by any means that the Contracting Authority can justify;
- (d) He has not fulfilled obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which he is established or with those of the country of the Contracting Authority or those of the country where the Contract is to be performed;
- (e) He has been the subject of a judgement that has the force of *res judicata* for fraud, corruption, involvement in a criminal organisation, or any other illegal activity;
- (f) He has been guilty of creating an entity under a different jurisdiction with the intent to circumvent fiscal, social, or any other legal obligations of mandatory application in the jurisdiction of his registered office, central administration, or principal place of business.
- (g) They are involved in terrorism activities, providing support to individuals or organisations that support terrorism activities, condone the use of terrorism, or involved in the provision of arms to individuals or organisations involved in terrorism.
- (h) They are on a list of sanctioned parties issued by the United States government, UN, EU, or other government-issued terrorism and sanction lists

Tenderers shall in the Tender Submission Form attest that they meet the above eligibility criteria. If required by the Contracting Authority, the tenderer, for which tender is accepted, shall further provide evidence satisfactory to the Contracting Authority of its eligibility through certificates issued by competent authorities in its country of establishment or operation, or, if such certificates are not available, through a sworn statement.

Tenderers are also requested to sign the Code Of Conduct (Annex 3), and make sure they comply with its terms.

To give evidence of their capability and adequate resources tenderers shall provide the information and the documents requested in the Tender Dossier.

A.6. Exclusion from the award of contracts

Contracts may not be awarded to tenderers who, during the Procurement Procedure:

- (a) are subject to conflict of interest; and/or
- (b) are guilty of misrepresentation in supplying the information required as a condition of participation and eligibility in the Tender Procedure or fail to supply this information.

A.7. Language of Tenders

The tenders, all correspondence, and documents related to the tender exchanged by the tenderer are in the English language.

A.8. Documents comprising the tender

The tenderer shall complete and submit the following documents with his tender (signed and stamped):

- a) Technical Data Form (Annex 1) with supporting documents.
- b) Tender Submission Form (Annex 2) with supporting documents (including financial proposal).
- c) Company registration documents (MOF, Commercial Registry, owners ID).
- d) Company portfolio and qualifications (qualified team and company experience reflecting similar contracted project) (see section A.5).
- e) Tender Guarantee Letter (Annex 5).
- f) Code Of Conduct (Annex 3).
- g) Tender Notice (Annex 4).

A.9. Price

The price quoted by the supplier shall not be subject to adjustments except as otherwise provided in the conditions of the Contract.

The price shall be quoted by item and in fresh USD.

The Contractor guarantees that the price specified in this Tender Dossier is the maximum price that shall remain firm and shall not be increased during the entire term of the Contract, provided, however, that in the event that the successful supplier is able to offer the Contracting Authority a discounted price on the placement of bulk contracts, the unit price shall be reduced for specific contracts.

By signing this Contract, the Contractor certifies that the Contracting Authority, for transactions resulting from this Tender Dossier, is not being charged more than other clients for similar supplies and similar bulk orders and within similar circumstances.

VAT and/or any sales tax applicable to the purchase of supplies shall be indicated separately in the Quotation Submission Form.

A.10. Tender Guarantee Letter

All tenderers must submit a Tender Guarantee Letter(template attached): filled, signed, and stamped accordingly.

A.11. Validity

Tenders shall remain valid and open for acceptance for 30 days after the closing date for the submission of tenders.

Prior to the expiry of the original tender validity period, the Contracting Authority may ask tenderers in writing to extend this period. 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.

A.12. Submission of tenders and closing date

Tenders, as listed in A.8, must be received at the address mentioned below by hand or post not later than the closing date and time specified in the timetable article A.4. Any tenders received after that time will not be considered.

The timely receiving of the quotation and requested documents is the responsibility of the Supplier. Late quotations refer to any quotation arriving at the Contracting Authority after the closing date and time for submitting the quotation. This is irrespective of the reason e.g. a delay in the delivery of mail or due to a technical problem related to electronic data transmission.

Tenders shall be submitted in a sealed envelope bearing the following information:

- Attention: Borderless NGO
- Address: Ouzai - Old Saida Highway, Beirut 1001
(For Your Reference) Google Maps Location:
<https://goo.gl/maps/hkza9ZWcmNMm4RMKA>
- Tender no: 2023-03
- Tenderer Name:
- Date:
- **NOT TO BE OPENED BEFORE THE TENDER OPENING SESSION ON 20 November 2023**

All tenders must be submitted in one original, marked "original", and 2 copies signed in the same way as the original and marked "copy".

No tender may be changed or withdrawn after the deadline has passed.

A.13. Tender opening and evaluation

Tenderers are invited to attend the tender opening. Tenderers are requested to advise the contact person, at least one day in advance of the tender opening if they will attend.

Tender opening will take place at “Borderless Ouzai Community Center” at the time and date specified in article A.4. Tenderers’ representatives who are present shall sign a register indicating their attendance.

At the tender opening, only the tenderers’ names, the total amount of the tenders, and any discount offered will be read aloud and recorded.

Prior to the detailed evaluation of the tenders, the evaluation committee, (established by the Contracting Authority for the purposes of this Tender Procedure), shall ascertain whether the tenders meet the eligibility requirements; have been properly signed, are substantially responsive to the tender documents; have any material errors in computation; and are otherwise generally in order.

If a tender is not substantially responsive i.e. it contains material deviations from or reservations to the terms, conditions, and specifications in the Tender Dossier, it shall not be considered further.

After analysing the substantially responsive tenders, the evaluation committee will examine the technical admissibility of each tender, classifying it as technically compliant or non-compliant. Deviations from the specifications may be considered if deemed to be in the best interest of the Contracting Authority.

Tenders determined to be substantially responsive and technically compliant will be checked by the evaluation committee for any arithmetic errors. Where there is a discrepancy between the amounts in the figures and words, the amount in words will govern. Where there are discrepancies between the unit price and the line item total, derived from multiplying the unit rate by the quantity, the unit rate as quoted will govern. If a tenderer refuses to accept the correction, his tender will be rejected.

Evaluation criteria will be based on:

- Price (85%)
- Menu (5%)
- Delivery Lead Time (10%)

A.14. Award of Contract

The Contracting Authority will award the contract to the tenderer whose tender has been determined to be substantially responsive to the Tender Dossier and technically compliant, and who has offered the best price, provided further that the tenderer has demonstrated the capability and resources to carry out the contract effectively. The contract will be in the Arabic language, and it will be provided by Borderless lawyer.

A Framework Agreement will be signed with the awarded tenderer for the whole period of the supply (Supposedly 6 months).

A Framework Agreement is required to fix the prices of the goods + delivery for the whole period of the supply.

A.15. Signature and entry into force of the Contract

Prior to the expiration of the period of the tender validity, the Contracting Authority will inform the successful tenderer in writing that its tender has been accepted and inform the non-successful tenderers in writing about the result of the evaluation process.

The Contracting Authority reserves the right to adjust the quantities within a range of +/- 25% to remain within the available funds.

Within 7 days of receipt of the contract, not yet signed by the Contracting Authority, the successful tenderer must sign and date the contract and return it to the Contracting Authority. On signing the contract, the successful tenderer will become the Contractor and the contract will enter into force once signed by the Contracting Authority.

If the successful tenderer fails to sign and return the contract within the days stipulated, the Contracting Authority may consider the acceptance of the tender to be cancelled without prejudice to the Contracting Authority's right to claim compensation or pursue any other remedy in respect of such failure, and the successful tenderer will have no claim whatsoever on the Contracting Authority.

A.16. Cancellation for convenience

The Contracting Authority may for its own convenience and without charge or liability cancel the tender process at any stage