

GENERAL INSTRUCTION TO BIDDERS

Date : 30 Nov 2016
Reference No.: CON16-003-SAL, KAR, NAJ, KIR, DIY
Project Name : Rehabilitation of Shelter/WASH infrastructure for critical shelter Project in Salah Al Din, Karbala, Najaf, Kirkuk, Diyala

The International Organization for Migration (IOM) is inviting your company to submit an official bid for the project **“Rehabilitation of Shelter/WASH infrastructure for critical shelter Project in Salah Al Din, Karbala, Najaf, Kirkuk, Diyala”**, referred to hereinafter as “Project”. Bidders are expected to read and understand this General Instruction to Bidders (hereinafter referred to as the “Instruction”) and are invited to send all request clarification on any unclear provision of this Instruction to **ALABBASI Ali <ALALABBASI@iom.int>**. All technical queries related to this Instruction should be addressed to Eng. **Raja Segaran (rsegaran@iom.int)**, **Raad Hammodat (rhammodat@iom.int)**.

The winning bidder (hereinafter referred to as the “Contractor”) shall furnish all the necessary and appropriate tools and equipment, labor, supervision, and other services, for the satisfactory and timely completion of the works described in Annex 1 of this Instruction.

1. Scope of Work

- a. The Contractor shall supply the necessary security, equipment, tools, supervision labor and materials to implement the **“Rehabilitation of Shelter/WASH infrastructure for critical shelter Project in Salah Al Din, Karbala, Najaf, Kirkuk, Diyala”** herein after referred to as the “Project”, according to the design and BOQ approved by the International Organization for Migration (IOM).
- b. Description and technical specification of works, materials and equipment to be used in the Project including the technical drawings and implementation work plan are detailed and in the project’s Bill of Quantities or BOQ (**Annex 1**) which are integral parts of this Instruction. All bids must adhere to the specifications and design detailed in the BOQ section. IOM reserves the right to reject any or all bids that fail to comply with BOQ, technical drawings and specification detailed in Scope of Work / BOQ. Bidders must submit bids that fully adhere to the local environmental condition, security and technical drawings and specifications of the Project as described in Annexes 1 ,2 and work schedule .

2. General Conditions

- a. All bidders must provide proof of updated and valid registration with relevant government agency granting them permit to perform the works and services in specified governorates while bidding for in this Project. As prerequisite, bidders must provide detail proof they are NOT black listed by the local government,

- having proven track record in housing project, ongoing works and recently completed works with proven financial capability to undertake the project.
- b. Provide list of completed projects along with up to date list of project personnel and equipment you intend to make available for this project
 - c. All bidders are required to conduct site inspection in order to gain good understanding to the project requirements and the surrounding environment of the project site which will have impact on the implementation strategy to be used in the Project. **IOM reserves the right to reject the bid of any or all bidders who fail to do ocular inspection of the site.**
 - d. Bidders is encouraged to submit as part of their bid documents, company profile along with vendor information sheet (VIS), **value engineering alternate technical drawings** (optional) and specification sheet. IOM reserves the right to reject any or all bids that do not include these documents.
 - e. In order to ensure the quality of materials to be used in the project, bidders are advised to purchase available building materials only from known and reputable sources or suppliers in Iraq. IOM QC engineer reserve the right to inspect and or reject poor quality products and materials.
 - f. Bidders must fully comply with all documentary requirements and must submit all documents required in this instruction or any succeeding correspondence after issuance of this instruction. IOM reserves the right to reject the bid of any bidder that fails to comply with this condition.
 - g. Winning contractor is required to directly manage and supervise the project. With its own manpower. They are not allowed to sell and or sub the project to 3rd party contractor. IOM has the right to black list the contractor with UN agency vendor registration system
 - h. Contractor must have the following insurance cover for the entire period of the project implementation and must provide IOM with corresponding copies of the insurance policies:
 - i. General Liability Insurance to cover any loss or damage due to unforeseeable security threat or theft of materials that the contractor may cause to any party at the work site;
 - ii. Workmen's Compensation and/or Employer's Liability Insurance which comply with the applicable law of Iraq; and
 - iii. Motor Vehicle Public Liability and Property Damage Insurance
 - iv. Performance security 10% of total contract

3. Bidding Schedule

The schedule of activities for this bidding exercise is as follows:

- | | |
|---------------------------------|----------------------------|
| a. Opening invitation | : Nov 30,2016 |
| b. Pre-Bid Meeting (Baghdad) | : Dec 7, 2016 |
| c. Site Visit | : Dec 10, 2016 |
| d. Deadline of Bid Submission | : Dec 13,2016 (12:00 Noon) |
| e. Opening & Evaluation of Bids | : Dec 15,2016 |
| f. Awarding of Contract | : Dec 22, 2016 |
| g. Contractor Mobilization | : Jan 1,Dec 2016 |
| h. Target Completion Date | : Apr 1,2016 |

The schedule above is tentative. IOM reserves the right to change the schedule above.

4. Bid Presentation, Standard Unit of Measure to be Used and Bids Submission

- a. Bidders shall be provided with soft copies (CD) of the Office Bid. Bidders are required to use the Official Bid Template when preparing their official bid. Bidders must use the standard units of measure stipulated in the Annex 2 of this instruction. Unit prices that shall be offered by the Bidders shall be considered binding and shall be used in computing pro-rated adjustments on the resulting contract, should there be any.
- b. The bidder is required to conduct the physical site visit for all sites for complete understanding of scope of work. The site visit will be organized on Dec 10 2016 .
- c. Bidders shall submit their official bids electronically to iomiraqbids@iom.int on or before **12:00 (Noon), Dec 13 ,2016** Bidders should send the following documents as attachments to an email address to the Chairman of IOM Iraq's Bids Evaluation & Awards Committee:
 - i. Official Bid (BOQ cost proposal) and alternate technical proposal (if any) – use Annex 4 of this Instruction
 - ii. Technical Drawing and Product Specification Sheet (total of 4 pages maximum)
 - iii. Detail Proposed Project Implementation – use the template provided in this Instruction (enclosed in annex 1)
 - iv. Bidder's Certification - use the last page of this Instruction
 - v. Bidder financial track record
 - vi. Bidder company project team organization structure (PM, supervisor, skilled staffs, supplier / vendor list)
 - vii. Language of the Bid: English
 - viii. Conditions for Submitting Bid for Parts or sub-parts of the Total Requirements: Not allowed
 - ix. Conditions for Submitting Alternative Bid: Shall not be considered
 - x. Period of Bid validity: 120 days
 - xi. Performance Security: Amount 10% of total contract value in form of Bank guarantee issued by a reputable bank.

- Bid Performance security should be in the name of International Organization of Migration (IOM) / Iraq Mission, The original bid Security must be sent to the following address:
Karadat Mariam, International Zone, UN compound, Baghdad/ Iraq
Attn: Ali Al-Abbasi
- Should be submitted within 7 days upon issuance of letter of intent/contract.
- The proceeds of the Performance Security shall be payable to IOM as a compensation for any loss resulting from the Contractor's failure to complete its obligations under the contract.
- The Performance Security shall be denominated in the currency of the contract valid for a period of 4 months to cover defect liability period.
- Upon successfully completion of Defect Liability period of 4 months and issuance of final completion certificate, IOM will return the Performance Security to the bidder.

xii. Currency of Bid: United States Dollars (US\$)

xiii. Deadline for submitting requests for clarifications/ questions: 2 days before the submission date.

xiv. Contact Details for submitting clarifications/questions: all request clarification on any unclear provision of this Instruction to **ALABBASI Ali <ALALABBASI@iom.int>**). All technical queries related to this Instruction should be addressed to **Eng. Raja Segaran (rsegaran@iom.int), Raad Hammodat (rhammodat@iom.int)**.

xv. Deadline of Bid Submission: on or before 12:00 (Noon), Dec 13, 2016

xvi. Manner of Submitting Bid: Electronic submission of Bid

xvii. Conditions and Procedures for electronic submission:

- Official Address for e-submission: **iomiraqbids@iom.int**
- Format: PDF files only
- Max. File Size per transmission: 10MB
- Max. No. of transmission: no limit

xviii. Mandatory subject of email: **OFDA3 Project**

xix. Time Zone to be recognized: *Baghdad local time.*

xx. Date, time and venue for opening of Bid: Date and Time: **15 Dec 2016 15:00 in the presence of Committee formed by IOM**

xxi. Required Documents that must be Submitted to Establish Qualification of Bidders (In "Certified True Copy" form only) Minimum Qualifying:

xxii. Duration of contract: 105 calendar days

xxiii. IOM will award the contract to: One prospective Bidder

xxiv. Liquidated Damages: Will be imposed under the following conditions:

1% of contract for every (7 calendar days), up to a maximum penalty of 10% Thereafter, the contract will be terminated and contractor will bear all legal and financial consequences

5. Criteria in Evaluating the Bids

- a. IOM shall award the project to the bidder who shall submit the most favourable competitive bid. The bidder who submits the lowest bid will not automatically be award the contract.
- b. Bids will be evaluated using the criteria below:

i. Price	-	50%
ii. Completion Schedule	-	20%
iii. Experience in Implementing similar housing project	-	30%
Total	-	100%

6. Security at the Site (IOM disclaimer)

- a. The winning bidder (hereinafter referred to as the “Contractor”) shall be responsible to put necessary security and safety arrangement for his own staffs, equipment and materials at the site. IOM shall not be responsible for any worker injuries, security threat /breach, loss or damage the contractor may incur at the site. IOM will not reimburse the Contractor for any loss it may suffer while implementing the project.
- b. The bidders must include his / own insurance protection and consideration when preparing his bid.

7. Official Currency

- a. The official currency of this bidding exercise shall be US Dollars (USD). All bids must therefore be in USD.

8. Delivery Schedule, Acceptance of Services Rendered and Penalty for Delays

- a. Within 2 days after the awarding of the contract, the winning bidder (hereinafter referred to as the “Contractor”) must finalize the official implementation schedule (i.e., organogram) with IOM’s Shelter and Resettlement Program Officer overseeing this project. The organogram must show the whole work schedule in three phases (33% completion, and final 100% completion) and must define how much percent of the work must be completed in each phase.
- b. IOM estimates this project must be completed end of April 1 (3 months / 105 calendar days (days /week)) Note: contingency planning for delay mitigation and recovery schedule included in the project duration. Extension of time (EOT)

- either cost or no cost extension will not be considered. IOM reserve the right to impose delay penalty (refer contract agreement). Bidders must submit detail project implementation schedule (i.e., organogram) that shows how the project will be completed in 150 calendar days. The Contractor is expected to mobilize not later than **1 January 2017** and must be able to complete the works not later than **1 April 2017**. Delay in the completion of the project shall be subject to a penalty of 0.1% of the contract amount for every day of delay.
- c. The bidder and or winning contractor should thoroughly study BOQ section (General requirement) and provide all description **at his own cost** and not costed into the project. Otherwise, the bid price will be automatically disqualified.
 - d. Completion date shall be adjusted according upon mutual agreement between the IOM Project Officer, the site supervisor, and the Contractor under unforeseen circumstance "Act of God" and or natural disaster or escalating conflict near or in the region.
 - e. The Contractor will not get advance payment for the project. They shall submit their invoices upon completion of 33%, and 100% of the works done as defined in the official project organogram. The invoices must be supported with project progress report approved by the Sr. Shelter Technical engineer
 - f. Inaccurate and or incomplete Invoice and progress claims will be rejected and may delay the payment. Therefore contractor are advised to use IOM templates in submitting progress claims and invoice.

9. Payment Schedule

- a. IOM shall not pay the contractor any amount in advance for this project. The payment schedule for this project shall be:
 - i. First Payment – 30% of the contract amount upon the contractor's completion of 33% of the works.
 - ii. Second payment – 60 % of the contract amount upon the contractor completion of 66% of the works
 - iii. Third progress Second Payment – 90% of the contract amount upon the contractor's completion of 100 % of the works.
 - iv. Forth Payment (Retention) – 10% of the contract amount due 12 months after IOM's issuance of Certificate of Provisional Acceptance. IOM's acceptance of the final works shall be documented by its issuance of a Certificate of a Final Acceptance.
- b. Payments shall be made either through a check payable to the official company name of the contractor or bank transfer to the contractor's bank account. The bank account must be under the name of the company.

10. Eligible Bidders

- a. This Invitation for Bids is open to local contractors based in Salah Al Din governorates, Baghdad or neighbouring governorates. Preference however shall

- be given to bidders who have extensive experience in doing similar housing type of works in Salah Al Din neighbouring areas.
- b. Bidders should not be associated, or have been associated in the past, directly or indirectly, with a firm or any of its affiliates which have been engaged by IOM to provide consulting services for the preparation of the design, specifications, and other documents to be used in this project.
 - c. Government-owned enterprises in Iraq may participate only if they are legally and financially autonomous, if they operate under commercial law, and if they are not a beneficiary of IOM. Bidders shall not be under a declaration of ineligibility for corrupt, fraudulent and coercive practices issued by IOM in accordance with ITB Clause 8.
 - d. Bidders shall not be involved in terrorist act/criminal activities or associated with individuals and/or entities associated with terrorist act/criminal activities. For this purpose, Bidders shall not be included in the proscribed list of individuals and/or entities as contained in the 1267 Committee of the UN Security Council Counter Terrorism Committee (CTC).
 - e. All bidder required to apply all

11. Eligibility documents:

All the bidders are required to submit the following documents:

- a. Company Profile.
- b. Project Track record in Housing development and medium commercial projects (Salah Al Din Governorates and close by region preferred). (VIS form)
- c. Excellent project financing (bank statement) to carry out projects in challenging environment.
- d. Good resources (Manpower, heavy machinery) and manpower support from local region.
- e. Good track record (not black listed) with local Salah Al Din Government / Municipality.
- f. Had international company (JV) experience. Not prerequisite
- g. Good coordination with local law enforcement unit, border check points, community chiefs (Mukthars), and can overcome regional unpredictable challenging conditions (Critical).
- h. Certificate of Registration (Construction Permit in Salah al Din Governorate) and Valid Government Permits/Licenses
- i. Catalogues/Brochure (if available).
- j. List of construction heavy equipment's (earth work), trucks, tools, portable concrete mixing plant.
- k. Construction materials (readily available), otherwise, explain where is available, any problem in transportation? , how long (timeline) materials can be arrived on site?
- l. QC and Health Safety plan.

- m. Construction Team (Company and Project Organogram), PM, supervisor, skilled and unskilled staffs.
- n. Verify contractor in construction business for at least 3 years in Iraq (Salah al Din preferable)
- o. List 3 projects / clients worked for similar (Housing projects) projects, provide contact details, including email and skype addresses.
- p. Verify if contractor has good reputation with local municipality and Governorate. (ii), contractor has good knowledge and willing to work in conflict and liberated areas (Salah Al Din).
- q. List highest project volume (cost) company has performed in the past and currently ongoing.
- r. Submit Work Schedule approved by the IOM technical supervisor of the project.

12. Corrupt, Fraudulent, Collusive and Coercive Practices

- a. IOM requires that all IOM staff and bidders to observe the highest standard of ethics during procurement and execution of all contracts. IOM shall reject any Bids put forward by Bidders or where applicable terminate their contract, if it is determined that they have engaged in corrupt, fraudulent, collusive or coercive practices. In pursuance of this document, IOM defines, for the purposes of this provision, the terms set forth below as follows:
 - i. “corrupt practice” means the offering, giving, receiving or soliciting directly or indirectly any thing of value to influence the action of the Procuring/Contracting Entity in the procurement process or in contract execution’
 - ii. “fraudulent practice” is any acts or omission, including a misrepresentation, that knowingly or recklessly misleads, or attempts to mislead, the Procuring/Contracting Entity in the procurement process or the execution of a contract, to obtain a financial gain or other benefit to avoid an obligation;
 - iii. “collusive practice” is an undisclosed arrangement between two or more Bidders designed to artificially alter the results of the tender procedure to obtain a financial gain or benefit;
 - iv. “coercive practice” is impairing or harming, or threatening to impair or harm, directly or indirectly, any participant in the tender process to influence improperly its activities in a procurement process, or after the execution of a contract
- b. IOM will reject a proposal for award if it determines that the Bidder recommended for award has engaged in corrupt, fraudulent, collusive or coercive practices in competing for the contract in question.

- c. Award winning Bidder proposal will be terminated at once IOM discovers bidder has engaged 3rd party as sub-contractor and or solicited the project to other party without written consent of IOM

13. Official Language of the Bidding Exercise

- a. The official language for this bidding exercise shall be English and Arabic. All documents and correspondence shall be in English. As the need arises, some instruction and correspondence may be translated to Arabic. However, incase there will be discrepancies between the English and the Kurdish or Arabic versions of the document, the English version shall take precedence

12. IOM's Right to Reject Bids

The terms and conditions above are standard and prescribed by IOM. IOM reserves the right to reject any or all bids that will be found non-compliant to any of the terms and conditions set forth above.

Logistics & Procurement Department
International Organization for Migration
Mission in Iraq, Northern Hub

BIDDER'S CERTIFICATION

This is to certify that I read and fully understand the **Instruction to Bidders No. "Rehabilitation of Shelter/WASH infrastructure for critical shelter Project in Salah Al Din, Karbala, Najaf, Kirkuk, Diyala"**, and all its Annexes.

I further certify that the bid I am submitting in behalf of the company I represent, fully conforms to the requirements and terms and condition of this Instruction to Bidders and its annexes.

Name : _____
Signature over Printed Name

Title : _____

Company / Company rubber stamp: _____

Mobile: _____

Email: _____

Date: _____

End.