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WORKS TENDER NOTICE

Sub-agreement title: BSF-IA-02/0757

Donor: BSF

Protocol number: INT/SS/10/OUT/YAM/027

Bid Title: Drilling and rehabilitation of boreholes in Yambio, Nzara and Ezo Counties, Western Equatoria State, Southern Sudan

Contracting Authority: INTERSOS – Humanitarian Aid Organisation
Mission to Southern Sudan
Yambio Office
Yambio, Western Equatoria State
Southern Sudan

Date: 29/11/2010

- 1. PUBLICATION REFERENCE** INT/SS/10/OUT/YAM/027
- 2. PROCEDURE** **LOCAL OPEN TENDER**
- 3. PROGRAMME** Water, Sanitation and Hygiene Basic Services for LRA affected population in Western Equatoria State
- 4. FINANCING** BSF
- 5. CONTRACTING AUTHORITY** INTERSOS – Humanitarian Aid Organisation
Mission to Southern Sudan
Yambio Office
Yambio, Western Equatoria State
Southern Sudan

6. CONTRACT SPECIFICATION **6.1 CONTRACT DESCRIPTION**

The Works subjects of the Contract are:

- the drilling and construction of 15 boreholes, well development, well disinfection, pump testing, water quality testing, supply and installation of hand pump, construction of platform.
- the rehabilitation of 5 borehole, including well development, well disinfection, pump testing, water quality testing, supply and installation of new hand pump, construction of new platform.

The Contractor shall comply strictly with the terms of GCC, SCC, Technical Specifications, Drawing and Forms annex to and forming integral part of the Contract. The locations in where the borehole are to be drilled or rehabilitated are listed in the following tables:

List of locations for borehole drilling			
Location	N	Location	N
Diabio, Naandi Payam, Ezo County	1	Naimaiku, Nzara Payam, Nzara County	1
Hai Kapoeta, Nzara Payam, Nzara County	1	Hai Mathara, Nzara Payam, Nzara County	2
Kasia, Bangasu Payam, Yambio County	2	Donna, Li Rangu Payam, Yambio County	1
Ndvuru, Li Rangu Payam, Yambio County	1	Mokongo, Yambio Town, Yambio County	1
Nakiri, Yambio Town, Yambio County	1	Saura, Yambio Town, Yambio County	1
VTC, Yambio Town, Yambio County	2	Yabongo, Yambio Town, Yambio County	1

List of locations for borehole rehabilitation			
Ezo County	2	Yambio County	3

7. CONDITIONS OF PARTICIPATION

7.1 ELIGIBILITY AND RULE OF ORIGIN

- A) Participation in tendering is open on equal terms to all natural and legal persons in conditions of parity and with no discrimination.

In order to support local economies (those of the intervention countries) preference is given to suppliers from the areas where the operations are to be implemented so long as the products available are of the required quality and are competitively priced. In general, in the event of technically conforming products with the same price, the contract will be awarded to the local tenderer.

The eligibility requirements inclusive also apply to all partners in a joint venture/consortium, all subcontractors and all suppliers to tenderers.

- B) The participants may present themselves as individual tenderers or as a group (consortium) of tenderers. If the Contractor is a joint venture or consortium of two or more persons, all such persons shall be jointly and severally bound to fulfil the terms of the contract according to the law of the state of the Contracting Authority and shall, at the request of the Contracting Authority, designate one of such persons to act as leader with authority to bind the joint venture or consortium. The composition of the joint venture or consortium shall not be altered without the prior consent in writing of the Contracting Authority.

Origin of supplies: No limit

7.2 GROUNDS FOR EXCLUSION

Natural or legal persons are not entitled to participate in competitive tendering or be awarded contracts if:

- a) They are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
 - b) They are the subject of proceedings for a declaration of bankruptcy, for winding-up, for administration by the courts, for an arrangement with creditors or for any similar procedure provided for in national legislation or regulations;
 - c) They have been convicted of an offence concerning professional conduct by a judgement which has the force of res judicata (i.e., against which no appeal is possible);
 - d) They are guilty of grave professional misconduct proven by any means which the contracting authority can justify;
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- e) They have not fulfilled obligations relating to the payment of social security contributions in accordance with the legal provisions of the country where they are established;
- f) They have not fulfilled obligations relating to the payment of taxes in accordance with the legal provisions of the country where they are established;
- g) They are guilty of serious misrepresentation in supplying the information required by the contracting authorities as a condition of participation in a tender procedure or contract;
- h) They have been declared to be in serious breach of contract for failure to comply with obligations in connection with another contract with the same Contracting Authority or another contract financed with the same Donor's funds;
- i) They are in one of the situations allowing exclusion referred to in the **Ethics Clauses** in connection with the tender or contract.

Ethical Clauses

- a) **INTERSOS POLICIES ON ANTI-PERSONNEL MINES & CHILD LABOUR:** INTERSOS require that a contractor guarantees that he **is not engaged in the sale or manufacture, either directly or indirectly, of anti-personnel mines** or any component produced primarily for the operation thereof, and that the contractor represents and warrants that neither he, nor any of its vendors are engaged in any practice inconsistent with the rights set forth in the **“UN Convention on the rights of the child”**.
 - b) Any attempt by a candidate or bidder to obtain confidential information, enter into unlawful agreements with competitors or influence the Evaluation Committee or the Contracting Authority during the process of examining, clarifying, evaluating and comparing tenders will lead to the rejection of its candidacy or tender and may result in administrative penalties.
 - c) When putting forward a candidacy or tender, the candidate or tenderer must declare that he is affected by no potential conflict of interest, and that he has no particular link with other tenderers or parties involved in the project. Should such a situation arise during performance of the contract, the contractor must immediately inform the Contracting Authority.
 - d) The contractor must at all times act impartially and as a faithful adviser in accordance with the code of conduct of its profession. He must refrain from making public statements about the project or services without the Contracting Authority's prior approval. He may not commit the Contracting Authority in any way without its prior written consent.
 - e) For the duration of the contract, the contractor and his staff must respect human rights and undertake not to offend the political, cultural and religious mores of the beneficiary country.
 - f) The contractor may accept no payment connected with the contract other than that provided for therein. The contractor and his staff must not exercise any
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activity or receive any advantage inconsistent with their obligations to the Contracting Authority.

- g) The contractor and his staff are obliged to maintain professional secrecy for the entire duration of the contract and after its completion. All reports and documents drawn up or received by the contractor are confidential.
- h) The contract shall govern the contracting parties' use of all reports and documents drawn up, received or presented by them during the execution of the contract.
- i) The contractor shall refrain from any relationship likely to compromise its independence or that of his staff. If the contractor ceases to be independent, the Contracting Authority may, for any injury suffered by him, terminate the contract without further notice and without the contractor having any claim to compensation.
- j) The Contracting Authority reserves the right to suspend or cancel the contract if 'corrupt practices' are discovered at any stage of the award process or during the implementation of the contract itself. For the purposes of this provision, 'corrupt practices' are the offer of a bribe, gift, gratuity or commission to any person as an inducement or reward for performing or refraining from any act relating to the award of a contract or implementation of a contract already concluded with the Contracting Authority.
- k) Failure to comply with one or more of the ethics clauses may result in the exclusion of the candidate, tenderer or contractor from other contracts. The individual or company in question must be informed of the fact in writing.

7.3 NUMBER OF TENDERS

Tenderers (including firms within the same legal group, other members of the same consortium, and sub-contractors) may submit only one tender for one or more lots. Tenders for parts of a lot will not be considered. Any tenderer may state in its tender that it would offer a discount in the event that its tender is accepted for more than one lot.

7.4 VARIANT SOLUTION

In addition to their tender, tenderers may present a tender containing solution that differs from those called for in the tender dossier.

7.5 TENDER GUARANTEE

Tenderers must provide a tender guarantee of 1% when submitting their tender. This guarantee will be refunded to unsuccessful tenderers once the procedure has been completed and following the signing of the contract by the contracting authority and the successful tenderer. This guarantee shall be invoked in the event that the successful tenderer fails to comply in full with the obligations stipulated in its tender.

7.6 PERFORMANCE GUARANTEE

No performance guarantee will be required for the execution of the works. Instead, retention monies will be applied, for a value of 10% of each instalment.

7.7 INFORMATION MEETING AND/OR SITE VISIT

Not foreseen

7.8 TENDER VALIDITY

Tenders must remain valid for a period of 120 days after the deadline for submission of tenders.

7.9 PERIOD OF EXECUTION

15 Weeks

8. SELECTION AND AWARD CRITERIA

8.1 SELECTION CRITERIA

1. For all the parameters of the financial standing of the candidate and technical capacity will be assigned a score and the total point awarded then will be arranged proportionally in a scale between 0 and 100 point.
2. To the economical offer a score will be assigned in a range between 0 and 100 point, (0 point to the higher and 100 points to the lower offer) proportionally with the tenderer ranking.

8.2 AWARD CRITERIA

The tender will be awarded to the tender who will have the higher total score.

9. TENDERING

9.1 HOW TO OBTAIN THE TENDER DOSSIER

The tender dossier is available:

- ⇒ by E-mail watsan.south.sudan@intersos.org
south.sudan@intersos.org
- ⇒ at the INTERSOS office Juba: Nimra Talata +249 955 228947
Yambio Office +249 904 689529
- ⇒ after a payment of 10 Sudanese Pounds

9.2 HOW TO PRESENT THE TENDER

The tender must be submitted using the standard forms included in the tender dossier, closely following the format and instructions.

9.3 CLARIFICATION/ADDITIONAL INFORMATION

Tenderers who require further clarification regarding the tender may send a specific request by e-mail or through the regular mail, doing so at least 21 days before the deadline for the submission of tenders. The contacting authority shall respond to the queries sent no later than 11 days before the deadline for the submission of tenders.

9.4 DEADLINE AND LOCATION FOR SUBMISSION OF TENDERS

Complete tenders must be submitted no later than **24th December 2010 at 12h00** at the following addresses:

INTERSOS Juba Office, Plot 18 block 3 3rd Class at Nimra Talata, Juba, Southern Sudan

or

INTERSOS Yambio Sub-Office - behind police station, Yambio, Southern Sudan

. Any tender received after the stated deadline shall not be considered.

9.5 TENDER OPENING SESSION

The tenders will be opened in public session on 28th November 2011 at 10h00 am in INTERSOS Yambio Sub-Office, Yambio, Southern Sudan.
