

**DATE: 10 July 2024**

**REQUEST FOR PROPOSAL: No. RFP 2024-04**

**Revision No.1**

**FOR THE ESTABLISHMENT OF FRAME AGREEMENT(S) WITH INITIAL DURATION OF TWO (2) YEARS, POTENTIALLY EXTENDABLE FOR A FURTHER PERIOD OF ONE (1) YEARS**

**FOR MAINTENANCE AND REPAIR SERVICES WITH PROVISION OF ORIGINAL SPARE PARTS TO UNHCR VEHICLES IN UKRAINE**

**CLOSING DATE AND TIME: 20 August 2024 – 23:59 hrs**  
**Ukraine time**

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## **INTRODUCTION TO UNHCR**

The Office of the United Nations High Commissioner for Refugees (UNHCR) was established on December 14, 1950 by the United Nations General Assembly. The agency is mandated to provide international protection and humanitarian assistance and to seek permanent solutions for persons within its core mandate responsibilities. Its primary purpose is to safeguard the rights and well-being of refugees to guarantee that they have the right of asylum in another country as well as to identify durable solution for them, like voluntary repatriation in safe and dignified conditions; local integration in the country of asylum or resettlement in another country. Over time UNHCR's mandate has been expanded to encompass returnees and stateless persons. While there is no general mandate for internally displaced persons, UNHCR may provide protection and humanitarian assistance to these populations in certain circumstances. UNHCR therefore also seeks to ensure the protection of internally displaced persons as well as mitigate the reasons for their displacement.

In more than seven decades, the agency, UNHCR has helped tens of millions of people restart their lives. Today, 16,800 staff in more than 134 countries continue to support about 71 million persons. To help and protect some of the world's most vulnerable people in so many places and types of environments, UNHCR must purchase goods and services worldwide. For further information on UNHCR, its mandate and operations please see <http://www.unhcr.org>.

## **1. REQUIREMENTS**

The Office of the United Nations High Commissioner for Refugees (UNHCR), Representation in Ukraine (referred to hereinafter as UNHCR), invites qualified companies which are registered with the Government of Ukraine to make a firm proposal for the provision of maintenance and repair services with provision of original spare parts to UNHCR vehicles in Ukraine (hereinafter referred to as "Services").

**UNHCR reserves the right to award a primary and a back-up supplier, where, if the primary supplier is unable to fulfill the requirement of a purchase order resulting from the Service Contract, such order will be canceled with a new purchase order issued to the back-up supplier for the provision of Services.**

**IMPORTANT:**

The Terms of Reference (TORs) are detailed in Annex A.1, A.2 and A.3 of this document. Additional requirements are specified in Annex B (Technical Offer Form)

Please note that estimated quantities have been stated in order to enable bidders to have an indication of the projected requirements. It does not represent a commitment that UNHCR will require the totality of the above quantity. Quantities may vary and will depend on the actual requirements and funds available regulated by issuance of individual Purchase Orders against the Frame Agreement.

The tender requirements are segmented into five (5) LOTs, and ten (10) Sub-LOTs, each determined by the specific location, the number of vehicles, and the types of vehicles required at each site. Bidders have the flexibility to submit proposals for one or more LOTs (e.g., LOT 1 and LOT 3) or for a single or multiple sub-LOTs (e.g., LOT 1.a and LOT 4.b). Each sub-LOT will be independently evaluated and awarded, ensuring a fair and thorough selection process.

**2. DURATION**

UNHCR may award Frame Agreements with an **initial duration of two (2) years, potentially extendable for a further period of one (1) year maximum**. The successful bidders will be requested to maintain their quoted price model for the entire duration of the Frame Agreement.

**IMPORTANT: Your financial offer should contain a quotation in a single currency, USD, EUR or UAH. The rates quoted by the awarded bidder(s) can be indexed with the official inflation rate (YOY in% as published by the National Bank issuing the respective currency at the time of the expiry of the prevailing contract year), for the second and subsequent contract years. Any adjustments to the rates are subject to prior written confirmation from UNHCR.**

Additional Frame Agreements may be awarded, depending on the situation and evolution of needs during the period covered by the initial Frame Agreement.

The Frame Agreement will be non-exclusive, without any minimum money transfer volume or another commitment, and UNHCR will have no obligation (i) to deal with the Frame Agreement holder as a provider of exclusive or unique services or (ii) to order or buy a minimum quantity of services from the Frame Agreement holder(s).

Other United Nations Agencies, Funds, Programmes and authorized humanitarian organizations shall be entitled to the same prices and terms as those contained in the proposals of the successful bidders and could form the basis for a Frame Agreement with such other entities.

**IMPORTANT:**

The initiation of conciliation or arbitral proceedings in accordance with **article 18** "settlement of disputes" of the UNHCR General Conditions of Contracts for the provision Services (Annex E) shall not be deemed to be a "cause" for or otherwise to be in itself a termination clause.

It is strongly recommended that this RFP and its annexes be read thoroughly. Failure to observe the procedures laid out therein may result in disqualification from the evaluation process.

Sub-Contracting: Please take careful note of article 5 of the attached UNHCR General Conditions of Contracts for the provision of Services (Annex E).

Note: this document is not construed in any way as a proposal to contract with your firm.

**3. BIDDING INFORMATION:****3.1 RFP DOCUMENTS**

The following annexes form integral part of this RFP:

- Annex A.1: Terms of Reference (TORs)
- Annex A.2: Scheduled Maintenance
- Annex A.3: Estimated Quantity of Vehicle Maintenance Works
- Annex B: Technical Offer Form
- Annex C: Financial Offer Form
- Annex D: Vendor Registration Form
- Annex E: UNHCR General Conditions of Contract for Services
- Annex F: Documentation procedures on tax reporting (for companies with VAT payer status)
- Annex G: Supplier Code of Conduct

### 3.2 **ACKNOWLEDGMENT**

You are requested to inform us of the receipt of this RFP by return e-mail to [ukrkipro@unhcr.org](mailto:ukrkipro@unhcr.org) as to:

- Your confirmation of receipt of this RFP
- Whether or not you will be submitting a bid

**IMPORTANT:**

Failure to send the above requested information may result in disqualification of your proposal from further evaluation.

### 3.3 **REQUESTS FOR CLARIFICATION**

Interested suppliers are required to submit any request for clarification or any question in respect of this RFP by e-mail to [ukrkipro@unhcr.org](mailto:ukrkipro@unhcr.org). **The deadline for receipt of questions is 23:59 hrs CET on 26 July 2024.** Interested suppliers are requested to keep all questions concise.

**IMPORTANT:**

Please note that Bid Submissions are **NOT** to be sent to the e-mail address above. Bid Submissions sent directly to the e-mail address above may result in disqualification of the proposal.

UNHCR will reply to the questions received as soon as possible by means of publication on its website and Zakupki.com and by email to all invited/interested suppliers.

### **PRE-BID CONFERENCE**

An online supplier pre-bid conference will be arranged on **23 July 2024** between **10:00 hrs and 12:00 hrs**. A maximum of two representatives per company are allowed. Names and contact details of the company's representatives must be provided in writing latest by **21 July 2024 13:00 Ukraine time by e-mail to: [ukrkipro@unhcr.org](mailto:ukrkipro@unhcr.org)**.

Changes in participating staff need to be shared in advance, otherwise, they will not be able to participate.

Participation in the pre-bid conference shall be at the bidders' own expenses. There will be no reimbursement from UNHCR. UNHCR will share the link with interested bidders to attend the meeting on Microsoft Teams.

Participation in the pre-bid conference is **STRONGLY RECOMMENDED** given the complexity of the requirements. After the event, a Questions & Answers document will be prepared and distributed among all interested bidders to reiterate responses to the voiced question as well as to respond to the queries which could not be answered during the event.

### 3.4 **YOUR PROPOSAL**

Your proposal shall be prepared in Ukrainian or in English.

Please submit your proposal using the forms provided in the Annexes. Proposals not conforming to the requested formats may not be taken into consideration.

Your proposal shall comprise the following two sets of documents:

- Technical proposal
- Financial proposal

Bidders are required to submit a separate technical and financial offer for each LOT. In each submitted file/zip folder, the LOT number (i.e., LOT 1 or LOT 2 or LOT 3 or LOT 4 or LOT 5) shall be clearly specified in the name of the file/zip folder.

#### 3.4.1 **Content of the TECHNICAL PROPOSAL**

##### **IMPORTANT:**

No pricing information should be included in the Technical proposal. Failure to comply may risk disqualification. The technical proposal should contain all the information required.

##### **Mandatory Requirements**

- **Registration Certificate:** As a mandatory requirement, please provide a copy of your registration certificate with the Government of Ukraine, indicating that the foundation year is at least 3 years prior to the tender deadline. Additionally, in the provided form:
  - Please attach a copy of the registration certificate.
  - Confirm your attachment of the registration certificate by entering "yes" in the designated cell, or indicate "no" if no registration certificate has been attached.
- **Tax and VAT Registration:** As a mandatory requirement, please submit documentation verifying your company's registration status with Ukrainian tax services, including details on general tax conditions, unified taxpayer status, and VAT registration if applicable. Please follow these steps:
  - Attach copies of your tax registration and VAT certificate (if applicable).
  - Confirm your attachment of these certificates by entering "yes" in the designated cell. If no tax certificates have been attached, indicate "no."
- **Acceptance of UNHCR Contract Conditions Requirement:** please confirm your acceptance of the UNHCR General Conditions of Contracts for the Provision of Services – 2018 (signed/stamped Annex E). Please adhere to the following:
  - Attach a document confirming your acceptance.
  - Verify the attachment of the confirmation by entering "yes" in the designated cell. If no confirmation has been attached, indicate "no."
- **Confirmation of Capability to Provide Requested Services:** The company confirms its capability to provide the complete array of requested services outlined in Annex A1, A2, and C.
  - Please indicate confirmation by entering "yes" in the provided cell.
- **Acceptance of of UN Supplier Code of Conduct:** It is mandatory to confirm acceptance of the UN Supplier Code of Conduct (Annex G).
  - Please attach a signed document confirming your acceptance.
  - Indicate the attachment of the confirmation by entering "yes" in the designated cell.

- **Compliance with Maintenance and Repair Facility Standards:** Ensuring adherence to the minimum requirements for the maintenance and repair facility is mandatory.
  - Please attach a detailed description of the proposed maintenance facility, covering all the requirements specified in section 6/b of the TOR (Annex A1).
  - Confirm the attachment of the requested documents by entering "yes" in the provided cell. If not attached, please enter "no".
- **UN Exchange Rate:** Acceptance of UN exchange rates by writing "yes" in cell 1.7 in Annex B Technical Offer Form.

### **Company Qualification and Experience**

- **Company Profile:** The company is required to submit documents describing its profile, encompassing background information, organizational structure, organigram, a duly completed Vendor Registration Form (Annex D), and any other relevant information. Please confirm the attachment of these documents by indicating "yes" or "no" in the designated cell.
- **Experience in providing similar services:** The company must demonstrate its overall experience in delivering comparable vehicle maintenance services over the past three (3) years.
  - Attach completed and/or ongoing contracts for similar vehicle maintenance services within the last three (3) years, along with recommendation letters from clients.
  - Please confirm the attachment of these documents by indicating "yes" or "no" in the provided cell.
- **Experience Working with International Non-Profit Organizations and UN Agencies:** The company is required to provide evidence of its experience in collaborating with international non-profit organizations and UN agencies.
  - Attach at least one contract demonstrating your company's experience in working with international non-profit organizations and UN agencies.
  - Confirm attachment of these documents by indicating "yes" or "no" in the designated cell.
- The company needs to provide its Manufacturer Authorization Certificate for Automotive Services.
- **Workshop Locations:** Please attach a document detailing the locations of the company's car workshops.
- **Qualified Workshop Foreman/Senior Mechanic Requirement:** The presence of a qualified Workshop Foreman/Senior Mechanic with a Diploma in Automotive Mechanical Engineering or a related field and a minimum of 5 years of experience in Car Maintenance and Repair services is necessary. Attach a signed CV of a Senior Mechanic demonstrating at least 5 years of hands-on expertise.
- **Qualified Key Account Manager Requirement:** It is required to have a qualified Key Account Manager with a Diploma in a relevant field and a minimum of 5 years of experience in Car Maintenance and Repair services. Please attach a signed CV of the Key Account Manager demonstrating at least 5 years of hands-on expertise.

### **3.4.2 Content of the FINANCIAL PROPOSAL**

Your separate **Financial Proposal** must contain an overall proposal **in one of the following currencies: USD, EUR or UAH.**

The financial proposal must be comprehensive and cover all fees for the services to be provided (price “all inclusive”).

The Financial Proposal is to be submitted as per the Financial Proposal Form (Annex C). Bids that have a different price structure may not be accepted.

UNHCR is exempt from all direct taxes. With this regard, bidders are expected to provide their proposal exclusive of VAT for service charge. However, if you are a VAT payer in Ukraine, you are requested to indicate clearly and separately the VAT component in your financial offer.

You are requested to hold your proposal valid for **120** days from the deadline for submission. UNHCR will make its best effort to select a company within this period.

**UNHCR will not provide any advance payments or payments by letter of credit.**

The standard payment terms are by bank transfer net thirty (30) days after acceptance of contractor’s invoice and delivery and acceptance of the services by UNHCR.

**IMPORTANT:** Purchase Orders and payments will be made in Ukrainian Hryvnia (UAH). In case your offer is submitted in USD or EUR, it will be converted to UAH for PO and payment purposes in accordance with the United Nations Operational Rate of Exchange (UNORE) in effect on the date the Purchase Order was issued by UNHCR.

### **3.5 BID EVALUATION:**

The tender requirements are segmented into five (5) LOTs, and ten (10) Sub-LOTs, each determined by the specific location, the number of vehicles, and the types of vehicles required at each site. Bidders have the flexibility to submit proposals for one or more LOTs (e.g., LOT 1 and LOT 3) or for a single or multiple sub-LOTs (e.g., LOT 1.a and LOT 4.b). Each sub-LOT will be independently evaluated and awarded, ensuring a fair and thorough selection process.

#### **3.5.1 Supplier Registration:**

The awarded supplier(s) will be required to register themselves in to the UNHCR Supplier Portal based on the submitted Vendor Registration Form, financial statements and other supporting documents. The validation of the supplier profile will involve consideration of several factors such as:

- Financial standing;
- Core business;
- Track record;
- Contract capacity
- Sanctions checks etc.

#### **3.5.2 Technical and Financial Evaluation:**

For the award of a Frame Agreement under this RFP, UNHCR has established evaluation criteria that govern the selection of proposals received. Evaluation is made on a technical and financial basis. The minimum standards related to vehicle maintenance are listed in Annex A – ToR and the criteria and scoring (numerical or Pass/Fail) are determined in advance and specified in Annex B –Technical Offer Form.

The **Technical proposal** will be **60%** of the total score. As part of the technical evaluation of bidding providers, UNHCR may conduct background checks, market research and reference checks with other organizations with which the bidder is already conducting/has conducted business.

### **Clarifications**

To assist in the examination, evaluation and comparison of proposals UNHCR may at its discretion ask the Bidder for clarification about the content of the proposal. The request for clarification and the response shall be in writing and no change in price or substance of the proposal shall be sought, proposed or accepted.

**Financial proposal** will be **40%** of the total score.

**IMPORTANT:** The Financial proposal will only be opened for evaluation if the supplier's technical part of the proposal has scored the minimum obtainable marks by UNHCR's technical evaluation team and has complied with all pass/fail requirements.

The maximum number of points will be allotted to the lowest price proposal that is opened and compared among those invited firms. All other price proposals will receive points in inverse proportion to the lowest price; e.g.,  $[\text{total Price Component}] \times [\text{US\$ lowest}] \div [\text{US\$ other}] = \text{points for other supplier's Price Component}$ .

**For evaluation purposes only**, the proposals submitted in currency other than US Dollars will be converted into US dollars using the United Nations rate of exchange in effect on the date the submissions are due.

### 3.6 **SUBMISSION OF BID:**

The proposals must bear your official letter head, clearly identifying your company. The Technical and Financial proposals shall be clearly separated using **separate emails**.

Bids should be submitted by e-mail and all attachments should be in PDF format. (Copies of the PDF format documents may, as an addition, be included in Excel or other formats etc.). The Technical and Financial proposals shall be clearly separated.

**Bids must be sent by e-mail ONLY to: [UNHCR-UKR-tendercommittee@unhcr.org](mailto:UNHCR-UKR-tendercommittee@unhcr.org)**

**IMPORTANT:**

The technical proposal and financial proposal are to be sent in separate documents and emails. Failure to do so may result in disqualification.

**Proposal Submission Deadline: 20 August 2024, 23:59 hrs CET.**

**IMPORTANT:**

Any bid received after this date or sent to another UNHCR address may be rejected. UNHCR may, at its discretion, extend the deadline for the submission of bids, by notifying all prospective bidders simultaneously.

It is your responsibility to verify that all e-mails have been received properly before the deadline. Please be aware of the fact that the e-mail policy employed by UNHCR limits the size of attachments to a maximum of **8 Mb** so it may be necessary to send more than one e-mail for the whole submission.

Please indicate in e-mail subject field:

- Bid number: RFP 2024-04
- Content of two (2) separate envelope/email
  - o Technical Proposal
  - o Financial Proposal
- Name of your firm with the title of the attachment
- Number of e-mails that are sent (example: 1/3, 2/3, 3/3).
- The Lot you are bidding for (Lot 1 or Lot 2)

For example: RFP 2024-04, Technical Proposal, Company ABC (email 1 of 3), Lot 1.

UNHCR will not be responsible for locating or securing any information that is not identified in the bid. Accordingly, to ensure that sufficient information is available, the bidder shall furnish, as part of the bid, any descriptive material such as extracts, descriptions, and other necessary information it deems would enhance the comprehension of its proposal.

### **3.7 BID ACCEPTANCE:**

UNHCR reserves the right to accept the whole or part of your bid, or allow split or partial awards on this tender.

UNHCR may at its discretion increase or decrease the proposed content when awarding the contract and would not expect a significant variation of the rate submitted. Any such increase or decrease in the contract duration would be negotiated with the successful bidder as part of the finalization of the Purchase Orders for Services.

UNHCR may, at its discretion, extend the deadline for the submission of bids, by notifying all prospective suppliers in writing. The extension of the deadline may accompany a modification of the solicitation documents prepared by UNHCR at its own initiative or in response to a clarification requested by a prospective supplier.

Please note that UNHCR is not bound to select any of the firms submitting bids and does not bind itself in any way to select the firm proposing the lowest price. Furthermore, the contract will be awarded to the bid considered most responsive to the needs, as well as conforming to UNHCR's general principles, including economy and efficiency and best value for money.

The cost of preparing a bid and of negotiating a contract, including any related travel, is not reimbursable nor can it be included as a direct cost of the assignment. Any activity undertaken or expenses incurred in preparation of a contract before an actual contract is signed shall be borne by the Bidder. An advance notice or information of award is not to be considered as a contract.

#### **IMPORTANT:**

Cancellation of Solicitation: UNHCR reserves the right to cancel a Solicitation at any stage of the procurement process.

#### **Some of the reasons for disqualification**

Some of the reasons which may lead to such disqualification of your proposal are as follows:

- Proposal documents are received by a fax number or email address other than that specified in the tender documents; and/or
- Proposal documents are received at any location, or by any person, other than that specified in the tender documents; and/or ;
- Proposal documents are received after the deadline for submission of bids stated in the tender documents; and/or
- Proposal documents are sent via the correct route after having been sent incorrectly;
- The Bidder's qualification or data are proven to be false; and/or
- The Bidder commits a proven unfair or dishonest act in order to acquire rights for agreement award.

### **3.8 CURRENCY AND PAYMENT TERMS FOR PURCHASE ORDERS**



**IMPORTANT:** Purchase Orders and payments will be made in Ukrainian Hryvnia (UAH). In case your offer is submitted in USD or EUR, it will be converted to UAH for PO and payment purposes in accordance with the United Nations Operational Rate of Exchange (UNORE) in effect on the date the Purchase Order was issued by UNHCR.

Payment will be made in accordance to the UNHCR General Conditions of Contracts for the Provision of Services and in the currency in which the PO is issued, Ukrainian Hryvnya (UAH). Payments shall only be initiated after confirmation of successful completion by UNHCR contract manager.

UNHCR will aim to place Purchase Orders for the estimated requirement on a quarterly basis, every three months. The frequency of PO placement may differ, however, and to be determined under the sole discretion of UNHCR.

### **3.9 UNHCR GENERAL CONDITIONS OF CONTRACTS FOR THE PROVISION OF SERVICES**

Please note that the UNHCR General Conditions of Contracts for the Provision of Goods and Services (**Annex E**) will be strictly adhered to for the purpose of any future contract, including any Frame Agreement awarded under this RFP. Bidders must confirm the acceptance of the UNHCR General Conditions of Contracts for the Provision of Goods and Services (**Annex E**) in writing.

Filip Loncar

Associate Supply Officer  
UNHCR CO Kyiv, Ukraine  
Kyiv, Ukraine