

## Request for Proposal (RFP) RFP#: PACo\_RFP#001-COP-2024

**ISSUE DATE: 10<sup>th</sup> Feb-2024**

**Closing DATE and Time: 4:00 PM, 29<sup>th</sup> -Feb-20204**

**Tender for Construction OF Two-Story Maternity Building inside Dasht-e-Archi  
District CHC+, Dasht-e-Archi District, Kunduz Province**

### 1. Introduction:

People's Action for change organization (PACo) is a not for profit, non-government organization Registered with government of Afghanistan, with a mission to work with the poor, excluded and marginalized sections of the society by empowering them to lead a life with dignity. PACo priority objectives include empowering people through community organization and capacity development, promoting rights of women and children, ensuring livelihood options to end hunger and food insecurity and respond to calamities and conflicts through humanitarian assistance. PACo operate in Afghanistan since 2012 with active presence in north and central region since 2013, reached to over eighty thousand poor, vulnerable and marginal households through its development and humanitarian intervention.

### 2. Scope of Work:

PACo inviting qualified construction company Registered with government of Afghanistan, to make a firm offer for the offering Construction Services to Construct Two Story Maternity Building inside Dasht-e-Archi District CHC+ in Dasht-e-Archi District of Kunduz Province as per the attached Technical Drawings/Design and BoQ.

The offeror should also demonstrate a clear understanding of the work to be undertaken and of the responsibilities of all parties involved, in coordination with PACo head office in Kabul, PACo regional technical team at the field office shall manage, implement, and supervise the tasks under this RFP to ensure that the services carried out qualitatively and quantitatively acceptable and in accordance to Attached technical specifications, design, drawings, and BoQ.

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

The contract award is subject to availability of funds, successful negotiation of the contract terms, conditions, budget, and consent of UNHCR Contracting Officer, if required. The Contract resulting from this award is envisioned to be a Fixed Price (FP) contract.

#### 2.1 Bid information

The following annexes are the integral part of this Request for Proposal:

- Annex A:** Project Concept Note. (N/A)
- Annex B:** Technical Feasibility Study Report. (N/A)
- Annex C:** Technical Drawings.
- Annex D:** BoQ & Financial Offer Form.
- Annex E:** Technical Specification
- Annex F:** Project Check List (N/A)
- Annex G:** Land Documents. (N/A)
- Annex H:** Agreement from relevant Authority. (N/A)

**Annex H2:** Kunduz DoPH Agreement. (N/A)

**Annex I:** Site Visit Certificate - All bidders are required to fill out, have it signed by the PACo site visit facilitator and submit it together with their technical proposal

**Annex J:** Vendor Registration Form

**Annex K:** UN Supplier Code of Conduct, PSEA, Child Protection, and PACo Code of conduct

**Annex L:** Proposal Submission Checklist

**Annex M:** Construction equipment list

### 3. General Instructions to Offerors

The instructions to Offerors will not form part of the offer or of the Contract. They are intended solely to aid Offerors in the preparation of their proposals.

- Offerors are required to submit any request for clarification or any question in respect of this RFP by e-mail to the Supply Unit at [rfp-paco@pac.org.af](mailto:rfp-paco@pac.org.af).
- The deadline for receipt of questions is 4:00 PM local time on Saturday, **27<sup>th</sup> Feb 2024**. Offerors are requested to keep all questions concise. PACo will compile the questions received and plans to respond to such questions shortly after the closing date/time for clarifications. PACo may, at its discretion, copy any reply to a particular question to all other invited bidders at once.
- This tender is open to all eligible construction and rehabilitation companies in Afghanistan, specifically in based in North and Northeast Region provinces.
- Pursuant to Article 72 in the Afghanistan Tax Law effective March 21, 2009, PACo is obliged to withhold "contractor" taxes from the gross amounts payable to all (for-profit) vendors. In accordance with this requirement, PACo shall withhold two percent (2%) tax from all gross invoices to vendors under this Agreement with active AISA or Ministry of Commerce license. For vendors without active AISA or Ministry of Commerce license, PAC.O shall withhold seven percent (7%) "Contractor" taxes per current Afghanistan Tax Law.
- The proposals and all corresponding documents related to the proposal must be written in the English language.
- No costs incurred by the Offerors in preparing and submitting the proposal are reimbursable by PACo, all such costs will be at the Offeror's expense.
- Financial offer and all cost and price figures must be presented in local currency (AFN). All the given prices should be net of host country VAT, withholding taxes and customs duties.
- The bidder must state in its proposal validity period of its offer. The minimum offer acceptance period for this RFP is **90 days** after closing date of the RFP. Offers with a shorter acceptance period will be rejected. This RFP in no way obligates PACo to award a contract.
- The Offeror should have adequate financial resources including an appropriate bank account with turnovers.
- The Offeror must comply with the required or proposed delivery or performance schedule, taking into consideration all existing commercial and governmental business commitments;
- The Offeror should have a satisfactory performance record;
- The Offer should have necessary technical capacity, equipment and facilities, or the ability to obtain them; and
- The Offeror should comply with the Afghan local laws and must be licensed and authorized to conduct business in Afghanistan.
- **Late Offers:** Offerors are solely responsible for ensuring that their offers are received following the instructions stated herein. Late offers will not be eligible for consideration and will be rejected without evaluation, even if it was late as a result of circumstances beyond the Offeror's control.
- **Modification/Withdrawal of Offers:** Offerors have the right to withdraw, modify or correct their offer after such time as it has been sent to PACo; at the office address stated above and provided that the request is made before the RFP closing date.
- **Disposition of Proposals:** Proposals submitted in response to this RFP will not be returned. Reasonable efforts will be made to ensure confidentiality of both Cost and Technical Proposals submitted by all Offerors. This RFP does not seek information of a highly proprietary nature but if such information is included in the Offeror's proposal, the Offeror must alert PACo and must

annotate the material by marking it “Confidential and Proprietary” so that these sections can be treated appropriately.

- Regardless of the method used in the submission of the proposal, the Technical Proposal and Cost (financial) Proposal must be kept in two different envelop and should be marked separately.
- The offeror accepts to hire local laborers (Skill and unskilled labor) from Host Community, IDP’s and Returnees from within the community of the nearby villages and beneficiaries of PACo activities.
- The offeror is responsible for insurance coverage of their employees (life and medical plan) as well as any other relevant allowances payable following the Afghan Labour Laws.
- PACo reserves the right to accept and/or reject the whole or part of your Offer without having to assign a reason whatsoever, PACo 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. PACo may, at its discretion, extend the deadline for the submission of bids, by notifying all prospective service providers in writing. The extension of the deadline may accompany a modification of the solicitation documents prepared by PACo at its own initiative or in response to a clarification requested by a prospective service provider. Please note that PACo is not bound to select any of the firm’s submitting offers or bids and does not bind itself in any way to select the firm offering the lowest price. Furthermore, the contract will be awarded to the bid considered most responsive to the needs, as well as conforming to PACo’s general principles, including economy and efficiency and best value for money.

#### 4. Proposal Submission

The offer should be prepared in English. Please submit your offer using the Annexes provided. Offers not conforming to the requested formats may be not taken into consideration.

The proposals must be submitted in Hard Documents to the PACo office addressed:

***PACo head office, House # 35, Beside Sangkashan Masjeed, Street 5 Silo, PD 3, Kabul. The Offer submission should be made no later than 4:00 PM, 29-Feb 2024.***

Offers/ Bids submitted after the deadline for submission and Offers/ Bids transmitted in any other manner than those indicated above will not be considered. It is offerors responsibility to verify thier documents and correspondence have been submitted properly before the deadline ends. PACo will not be responsible for locating or securing any information that is not identified in the Offers/ Bids. Accordingly, to ensure that sufficient information is available, the offerors/bidder shall furnish, as part of the offer/bid, any descriptive material such as extracts, descriptions, and other necessary information it deems would enhance the comprehension of its offer.

The proposal should be prepared in two separate offers, **1).** Technical Offer and; **2).** Financial Offer:  
Both offers should be submitted in two separate envelops and both envelops should be sealed in a single pocket

##### 4.1 Content of the Technical Offer:

**4.1.1 Cover Page:** The technical offer should be covered by a cover page with the contents:

- RFP Number:
- Offeror / Company’s Name:
- Offeror/ Company’s Address
- Name of Company’s authorized representative
- Contact number and Email address
- Proposal/ Offer validation date
- Signature, Stamp:
- Submission Date and time:

#### 4.1.2 Technical Offer

The technical proposal should describe how the Offeror intends to carry out the project implementation with the given scope in this RFP. It should also clearly demonstrate the company / corporate capabilities to carry out the work and the extent to which the Offeror company has a demonstrated ability to provide the required services. The Offeror should also include some **CVs of proposed Key Personnel**. The Offeror should have at least 10 years of similar work experience and must provide information about past performance implementing similar work experiences in Afghanistan within the last 10 years. The Offeror should have the capacity to undertake the technical and administrative backstopping of all interventions described in the Scope of Work.

Offeror should also provide a detailed description of existing facilities in Kabul and wider Afghanistan, as well as list construction equipment to use in the project implementation using Annex M.

The Approved Technical Design and BOQ of the services requested by PACo can be found in Annex D and Annex C and Technical Specifications as Annex E for the services requested by PACo can be found in Annexes D. Your technical offer should be concisely presented and structured in the following order to include, but not necessarily be limited to, the following information (please see the technical evaluation matrix below in section 5.1.1 for complete list):

#### 4.2 Financial Offer content

**4.2.1 Cover Page:** The financial offer should be covered by cover page with contents:

- RFP Number:
- Offeror / Company's Name:
- Offeror/ Company's Address
- Name of Company's authorized representative
- Contact number and Email address
- Proposal/ Offer validation date
- Signature, Stamp:
- Submission Date and time:

##### 4.2.2 Financial Offer

The Financial Offer must be prepared separately and contain an overall offer should be in **local currency (AFN)**. The Financial Offer must cover all the services to be provided including cartage of all remaining materials upon completion of the works (price "all inclusive"). Incomplete offers will be disqualified.

The price must remain unchanged for the duration of the Contract.

This RFP in no way obligates PACo to award a contract, nor does it commit PACo to pay any costs incurred in preparation and submission of a proposal in response to the RFP. Furthermore, PACo reserves the right to reject any and all offers, if such, action is in the best interest of PACo

The technical evaluation shall be conducted first and only if the offer is found technically valid then the financial offers shall be opened and will be allowed for further financial evaluation. The technical proposal should obtain at least 40 score out of 65 in order to qualify for further financial offer evaluation. If the offer technical proposal doesn't obtain the minimum (40) score will lead to disqualification or will not be considered for financial review.

The Financial Offer must be submitted as per the approved bills of quantities (Financial offer form) the Annex D attached. Bids that have a different price structure will not be accepted.

The respected offerors are requested to hold your offer valid for at least 90 days or three months from the proposal submission deadline. PACo will make its best effort to select a company within the proposed period.

#### 5. Payment Conditions

PACo's standard payment terms are within 30 working days after satisfactory implementation and receipt of documents in order, however, the payments are subjected to fund availability and transfer by the respected funding partner/donor for this announced project. The cost of preparing a bid and of negotiating a contract, including any related travel, is neither reimbursable nor can it be included as a direct cost of the assignment.

The selected offeror will start site analyze before commencement of any work at site and will provide detail for increasing any volume, increasing volumes during construction will not be payable within the contract unless changes in the drawings offered by client (PACo).

## 6. Contract Termination and Cancellation:

During the implementation of the project, the work may be stop due to any reason by government, relevant authorities and or may result to project cancelation either by client or authorities, in such circumstances the contractor will be only entitled for the actual cost of the work performed, not for materials supplied, employee hired, office rented and or machinery hired. Also, the actual expenses will be subject to donor approval and fund transfer for the approved work measured.

## 7. Delay in Project Execution:

Delay from Client Side: Any delay during the project implementation due to authorities' interference, changes in design, and etc will not be claimed as project delay by contractor, and no penalty will be charged to PACo to be paid to contractor.

Delay from the Contractor Side:

Any delay due to lack of Budget, lack of construction materials, lack of machinery, lack of labors, lack of experts and any other gap will be counted as a project delay, for which a penalty will be charged for the maximum of 0.1% of total contract price on daily delay basses up to maximum 10% of the contract total value.

## 8. Project Personal:

The contractor should to submit an organization chart and project implementation team for the proposed project execution, during the implementation the proposed team is required to be at site, and if due to any reason any of the proposed staff resigns, the substitute staff should be introduced one month in advance to accurately follow the progress. Variations to the terms will result in contract cancelation.

## 9. Site Visit

The site visit is mandatory for Offeror and will be held at the project site on 25<sup>th</sup> Feb, 2024, respectively, from 9:00 am to 12:00 hrs local time. A maximum of 2 representatives per company is allowed.

The site visit facilitator contact numbers are as follow:

0799012634 and alternative contact number 0780569509, 0786 32 32 33

During the site visit, the offeror companies will visit the site in person will be clear about the project site, access, and geographic structure, and shall get a clear picture of local material availability may require in construction work.

Participation in site visit is **MANDATORY**, missing to attend the site visit will result in disqualifying the offer for the review. As no variation in price and/or schedule will be authorized due to lack of knowledge of the site condition. The offeror/bidders should consider their participation in the pre-bid site visit as "cost of doing their business". In this regard, PACo will not reimburse any site visit attendance costs. The participants of site visit must take and obtain the confirmation of PACo site visit facilitator using the **Annex-I** (Site visit Certificate)

## 10. Bid Evaluation

### 10.1.1 Technical and Financial Evaluation:

The award shall be made based on the technical and financial offers evaluation result and based on evaluation criteria that govern the selection process. The percentage assigned to each component is determined in advance as follows:

The Technical Offer will be evaluated using inter alia the following criteria and percentage distribution:

65 % from the total score distribution-based set criteria as follows. Obtaining points shall be made based on the criteria whereas preliminary evaluation shall be made based on site visit certificate, company Profile, and Statutory Documents PASS or FAIL

No	Criteria	Required	Points
1	Preliminary Evaluation	Site visit Certificate, Company Profile and Statutory Documents (missing any of the mentioned documents fails the offer)	Pass or fail
2	Decryption of the Firm and relevant	Year of Experience	3
		Organization structure or Chart (of the Firm)	3

	qualification. Total 15 points	Experience of/or Similar projects	4
		Geographical exposure and previous experience in/ near the project location	3
		Bidders based in the region where the project site is located	2
3	Understanding of PACo 's Requirement. Total 34 points	proposed approach to carry out the works / addressing the requirements outlined in the BoQ	15
		Submission of quality control and safety plan	13
		proposed project schedule- detailed work plan using Gantt chart	3
		project assumptions and constraints based on understanding of the project	3
4	Implementation Capacity	Financial Capacity ( size and level of implemented project with proof)	11
		Equipment - proposed to carry out the contract (refer to Annex.... For minimum required equipment quantity)	5
Total			65

Note: Total 65 points

The cut-off points for submissions to be considered technically compliant will be 40 out of the 65 maximum points

#### 10.2 The Financial Offer Evaluation

The financial offer will use the following percentage distribution: 35% from the total score.

The financial proposal review shall include cost realism. This process will include a review of the cost portion of the Offeror's proposal to determine if the overall costs proposed are reasonable and realistic for the work to be performed, if the cost reflects that the Offeror understands the requirements, and if the costs are consistent with the technical part of the proposal. Cost proposals providing more direct funding towards the program instead of administrative costs will be reviewed favorably in the best value determination. The following financial evaluation will be keeping into consideration while scrutinizing the cost proposal.

Criteria	Points
Cost Relation with the Current Market (Price Proposal)	25 points
Functional Bank account with Offeror company name with at least with at least 60,000 USD or equaling AFN balance during last 6 months (updated and attested by relevant Bank is required to be attend with financial Offer)	10 points
Total score	35 points

#### 10.3 Qualification range for financial proposal:

The financial proposal must obtain minimum 20 score/points out of maximum 35 Points for qualifying, obtaining less than 20 points shall lead to disqualification.

The financial proposal constitutes 35% weights/points. The only in ranged Offerors points for the financial proposals will, therefore, be calculated according to the following formula:

Points = (A/B) \*35; Where A = lowest price among all the bidders and B = price proposed by the service provider

### 11.Vender or Supplier Registration:

The offeror is request to fill the attached vender / supplier registration form; the qualified service provider(s) will be added to the supplier/vendor Database after investigation of suitability (due diligence) based on the submitted Vendor Registration Form (Annex J).

### 12.Advance Payment

Advance payment is not applicable for this tender and subsequent contract.

### 13. Warranty Retainer

The contract award is subject to provision of A total of 10% of the total contract's amount as retention fee for period of 1 year by the winner Offeror. The amount of 10% shall ensure contract security and should be provided by winner offeror either through a reliable bank of deposit or bank grantee. Payment Schedule', above. The retainer will be released after the expiry of the warranty period (defects and liabilities period), 1 year after completion and acceptance.

### 14. Payment Schedule and Terms

Payment to the project execution will be based on project actual progress verifies by QA Engineer based on Join Measurement Certificate, the total project cost splits as per below details:

- a. 1<sup>st</sup> Payment: 30% invoice from the total contract amount After physical completion of 30% of work and site team verification.
- b. 2<sup>nd</sup> Payment: 30% invoice from the total contract amount After physical completion of 60% of work and site team verification.
- c. 3<sup>rd</sup> Payment: 30% invoice from the total contract amount After physical completion of 90% of work and site team verification.
- d. 4<sup>th</sup> Payment: 10% invoice from the total contract amount after 100% completion of the project and Punchlist verification.

10% of each invoiced payment will be withheld as construction performance guarantee and will be returned or paid back after one year of project completion.

### 15. Required Document to be Submitted:

#### 15.1 Technical Proposal package documents

- 1) Copy of Company valid license
- 2) Company Factsheet / Profile
- 3) Evidence of past performance (ongoing projects, implement project contracts and certificates). Reference check will be conducted.
- 4) **Annex I:** Site Visit Certificate – signed and confirmed by PACo site visit facilitator
- 5) **Annex C:** Approved Technical Drawings / Design of the Ministry of Public Health, Signed and stamped by Offeror
- 6) **Annex E:** Technical Specifications of the project- stamped by Offeror
- 7) **Annex J:** signed and stamped Vendor Registration Form
- 8) **Annex K:** UN Supplier Code of Conduct, PSEA, Child Protection, and PACo Code of conduct stamped by Offeror
- 9) **Annex L:** Proposal Submission Checklist signed and stamped by Offeror
- 10) **Annex M:** Signed and stamped list of construction equipment

#### 15.2 Financial Proposal package documents

- 1) **Annex D:** BoQ & Financial Offer, signed and stamped by Offeror
- 2) Company bank statement for at least last 12 months, attested by Bank. Original Copy is required