



**UNHCR**

United Nations High Commissioner for Refugees

**DATE: 21/09/2022**

**REQUEST FOR PROPOSAL: No. RFP/SOADEN/004/22**

**PROVISION OF CUSTOM CLEARANCE SERVICES**

**CLOSING DATE AND TIME: 03/11/2022 – 23:59 hrs. Yemen time**

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## **INTRODUCTION TO UNHCR**

The Office of the United Nations High Commissioner for Refugees was established on December 14, 1950 by the United Nations General Assembly. The agency is mandated to lead and co-ordinate international action to protect refugees and resolve refugee problems worldwide. Its primary purpose is to safeguard the rights and well-being of refugees. It also has a mandate to help stateless people.

In more than five decades, the agency has helped tens of millions of people restart their lives. Today, a staff of some 17,300 people in more than 138 countries continues rendering assistance to over 82 million persons. To help and protect some of the world's most vulnerable people in so many places and types of environment, UNHCR must purchase goods and services worldwide. For further information on UNHCR, its mandate and operations please see <http://www.unhcr.org>.

UNHCR, with its Branch Office Sana'a, and offices in Aden, Hudaydah, Sa'ada and Ibb, has an international mandate to provide international protection and to seek solutions for persons of concern, including refugees and asylum seekers in Yemen. In addition, the Office assumes the lead responsibility for protection, emergency shelter and camp coordination and management for internally displaced persons in Yemen. The work of the Office is of an entirely non-political character and UNHCR engages in partnerships with non-profit organizations and entities that are committed to UNHCR's core values, including professionalism, integrity and respect for diversity and its commitment to persons of concern.

## **1. REQUIREMENTS**

The Office of the United Nations High Commissioner for Refugees (UNHCR), Sub-Office Aden, invites qualified service providers to make a firm offer for the **establishment of Frame Agreements for the Provision of Custom Clearance Services** (referred to hereinafter as "Services") to the UNHCR Sub-office Aden, as specified in the Terms of Reference (ToR).

**IMPORTANT:** The Terms of Reference are detailed in **Annex - A** of this document.

Based on the outcome of this tender, UNHCR may award contracts to primary and backup vendors with initial duration of three (3) years, potentially extendable for a further two (2) periods of one (1) year each. In line with the foreseen contractual arrangements, only if the primary vendor is not capable or willing to honor its contractual obligations for a specific order or for the entire scope of the contract that the backup vendor may be engaged to fulfil the requirements under the Frame Agreement.

The successful bidders will be requested to maintain their quoted price model for the entire duration of the agreement.

The estimated annual requirement for provision of the custom clearance services is specified in the ToR (**Annex - A**). Please note that this information has been stated in order to enable bidders to have an indication of the projected requirements. It does not represent a commitment that UNHCR will purchase a minimum volume of the services. The actual scope of needs may vary and will depend on the actual requirements and funds available regulated by issuance of individual Purchase Orders against the Frame Agreement(s).

Other United Nations Agencies, Funds and Programmes shall be entitled to the same prices and terms as those contained in the offers of the successful bidders and could form the basis for a Service Contract with other UN Agencies.

**IMPORTANT:**

When Frame Agreement is awarded, either Party can terminate the agreement only upon 30 days' prior notice, in writing to the other Party.

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 of Services shall not be deemed to be a "cause" for or otherwise to be in itself a termination clause.

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

Sub-contracting: Please take careful note of **Article 5** of the attached General Terms and Conditions (**Annex - D**).

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

**2. BIDDING INFORMATION:****2.1. RFP DOCUMENTS**

The following annexes form integral part of this Request for Proposal:

- Annex - A: Terms of Reference (ToR);
- Annex - B: Financial Offer Form
- Annex - C: Vendor Registration Form;
- Annex - D: UNHCR General Conditions of Contracts for the Provision of Services – *2018 version*;
- Annex - E: UN Supplier Code of Conduct;
- Annex - F: Staffing capacity;
- Annex - G: Confidentiality Undertaking Form;
- Annex - H: Clients Information and Contracts;
- Annex - I: Submission Checklist and Acknowledgements;
- Annex - J: eTenderBox Supplier User Manual

**IMPORTANT:** Please take careful note of **Annex-A** which is outlining the requirements and references for your technical offer submission documents.

**2.2 ACKNOWLEDGMENT**

We would appreciate your informing us of the receipt of this RFP by return e-mail to [YEMADSU@UNHCR.ORG](mailto:YEMADSU@UNHCR.ORG) as to:

- Your confirmation of receipt of this RFP;
- Whether or not you will be submitting a bid;
- Provide the company's name and contact details.

**IMPORTANT:**

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

**2.3 REQUESTS FOR CLARIFICATION**

Bidders are required to submit any request for clarification or any question in respect of this RFP by e-mail to [YEMADSU@UNHCR.ORG](mailto:YEMADSU@UNHCR.ORG). **The deadline for receipt of questions is on 23/10/2022 at 16:00 hrs Yemen time.** Bidders 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 will result in disqualification of the offer.

UNHCR will compile the questions received and plans to respond to questions shortly after the query closing date by notifying through [www.UNGM.org](http://www.UNGM.org) and [Yemenhr.com](http://Yemenhr.com).

## 2.4 YOUR OFFER

**IMPORTANT:**

Cancellation of Solicitation: UNHCR reserves the right to cancel a Solicitation at any stage of the procurement process prior to final notice of award of a contract.

Your offer shall be prepared in English.

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

**IMPORTANT:**

Inclusion of copies of your offer with any correspondence sent directly to the attention of the responsible buyer or any other UNHCR staff other than submission via eTenderBox will result in disqualification of the offer. Please send your bid directly to the address provided in the “Submission of Bid” section 2.6) of this RFP.

Your offer shall comprise the following two sets of documents:

- Technical Offer;
- Financial Offer.

**IMPORTANT:**

Please read the eTenderBox user manual carefully attached as **Annex-J** for submission of your technical and financial proposals – Offers submitted in any other manner will be disqualified.

### 2.4.1 Content of the TECHNICAL OFFER

**IMPORTANT:**

No pricing information shall be included in the Technical Offer. Failure to comply with this requirement will result in disqualification of the proposal. The technical offer should contain full information required.

**IMPORTANT:**

Condition of the award of contract: The company must be a core-business supplier in the field of custom clearance services.

The Terms of Reference of the Services requested by UNHCR can be found in **Annex - A**. Disclose and clearly state and any discrepancies with the specifications given.

Your Technical Offer should be concisely presented and structured in the following order to include, but not necessarily be limited to, the following information:

Criteria	Description	Pass/Fail
<b>Eligibility Criteria</b>	1. Valid Company registration certificates, valid work permit, trading license and tax membership issued by relevant authorities	Pass/Fail
	2. Your company should have a minimum of <b>five (5) years' experience</b> in rendering custom clearance services (through documented evidence)	Pass/Fail
	3. If your company is not already registered with UNHCR, you should complete, sign and submit with your technical proposal the <b>Vendor Registration Form - Annex C</b>	Pass/Fail
	4. The company is not included into the sanctions/ineligibility lists of the European Union, World Bank, United Nations, including that of the United Nations Security Council	Pass/Fail

Criteria	Description	Maximum Score	Minimum Score
<b>Description of the company and the company's qualifications</b>	Description of the company's activities and specialization/core business	5	3
	Year founded and type of firm; If a multi-location company, specify headquarters location	5	3
	Financial stability, clear evidence of capacity to pre-finance at least equivalent of customs clearance processes: Audit reports and/or bank statements for the last 3 years.	5	3
<b>Understanding of the requirements for services, proposed approach, solutions, methodology and outputs</b>	Provide a detailed list of owned truck fleet composition or copies of sub-contracts with trucking companies and proof of cold chain capacity	10	7
	Experience with carrying out aid/relief cargo customs clearance (through documented evidence): Number of similar and successfully completed contracts (covering minimum the past 5 years), as detailed in <b>Annex-H</b>	5	3
	Track record for similar services with UN agencies, indicating description of contract scope, contract duration, contract value, contact references, as detailed in <b>Annex-H</b>	5	2.5
	Bidder's profile describing nature of business, field of expertise and services in line with ToR and its proposed methodology to carry out the contract	10	5
<b>Proposed personnel to carry out the assignment</b>	General qualification and experience of the management team based in Aden and background of personnel proposed for the assignment (please provide CVs). Fill in <b>Annex F</b> .	10	7
	Organigram	5	5
<b>Total score</b>		<b>60</b>	<b>39</b>

- **Vendor Registration Form:** If your company is not already registered with UNHCR, you should complete, sign and submit with your technical proposal the Vendor Registration Form (**Annex C**).
- **UNHCR General Conditions of Contract for the Provision of Services:** Your technical offer should contain your acknowledgement of the UNHCR General Conditions of Contract for the Provision of Services (which will form an integral part of the Frame Agreement) by signing (**Annex D**).
- **UN Supplier Code of Conduct:** Your technical offer should contain your acknowledgment of the UN Supplier Code of Conduct by signing (**Annex E**).

**However, please note that submitting an offer is deemed as full acceptance of UNHCR's General Conditions of Contract for the Provision of Services (Annex D) and UN Supplier Code of Conduct (Annex E).**

The bidding companies shall demonstrate that they can provide sufficient number of adequately skilled staff members to assume the responsibilities and perform the full range of tasks included in the ToR (**Annex - A**). Holder of the Frame Agreement shall not make staff replacements without receiving prior written consent from an authorized UNHCR representative. The company shall guarantee that the services will be uninterrupted for the duration of the assignment. Absences due to an emergency situation need to be approved by UNHCR and a suitable back-up solution agreed so that the ongoing project is not adversely affected.

**IMPORTANT:**

Failure to send the above requested information may result in disqualification of your offer from further evaluation. However, if any of these documents are missing, you will be requested to provide.

**2.4.2 Content of the FINANCIAL OFFER**

Your separate **Financial Offer** must contain an overall offer in **US Dollars**.

The financial offer must cover all the services to be provided (price “all inclusive” including, *inter alia*, all taxes (with the exception of VAT as specified below), insurance, duties, levies and other charges of any nature imposed by any authority or entity).

The Financial Offer is to be submitted as per the following:

### **Annex B: Financial Offer Form**

Bids that have a different price structure may not be accepted.

UNHCR is exempt from all direct taxes and customs duties. With this regard, price has to be given without VAT.

You are requested to **hold your offer valid for 120 days** from the deadline for submission. UNHCR will make its best effort to select a company within this period. UNHCR’s standard payment terms are within 30 days after receipt of the supplier’s invoice and satisfactory service delivery.

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.

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 acceptance by UNHCR of the services.

## **2.5 BID EVALUATION:**

Each proposal from a Bidder will be considered separately and independently. Bidders shall submit a complete proposal for each solicitation in which they wish to participate. References to previous or on-going proposals will be not considered. Award of a previous contract with UNHCR will not be considered in itself as a preference or guarantee for the award of future solicitations on the same subject.

### **2.5.1 Supplier Registration:**

The qualified supplier(s) will be added to the Vendor Database after investigation of suitability based on the submitted Vendor Registration Form and supporting documents. The investigation involves consideration of several factors such as:

- Financial standing;
- Core business;
- Track record;
- Contract capacity.

Failure to provide the abovementioned documentation, will lead to disqualification.

### **2.5.2 Technical and Financial evaluation:**

For the award of this project, UNHCR has established eligibility and technical evaluation criteria which govern the selection of offers received. Evaluation is made on a technical and financial basis. 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: **60%** from the total score:

The Technical offer score will be calculated according to the percentage distribution for the technical and financial offers.

The cut-off point for submissions to be considered technically-compliant will be **39 points out of 60 points**.

The **Financial offer** will use the following percentage distribution: **40%** from the total score.

The financial component will be analyzed only for those suppliers that pass the technical evaluation.

The maximum number of points will be allotted to the lowest price offer that is opened and compared among those invited firms. All other price offers will receive points in inverse proportion to the lowest price; e.g.,  $[(\text{Lowest-cost Offer} / \text{Cost of the Offer Being Evaluated}) \times 100 \times [\text{Percentage Distribution (40\%)}] = \text{weighted score for the financial offer under evaluation}$ .

Your Offer shall be made in US Dollars only.

### **Clarifications of Proposals:**

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, offered or accepted.

### **Criteria for selection of the best Proposal:**

Combined scoring method: The Technical Proposal will be weighted a maximum of 60 points and combined with the Financial Proposal which will weight a maximum of 40 points.

The evaluation and selection committee will consider the technical merits in accordance with the scoring system; however, it will not select a Proposal or award on the basis of a superior capability without consideration of price.

UNHCR reserves the right to award without clarifications and/or discussions.

If there are arithmetic mistakes in the budget of the technically acceptable applicants, UNHCR will rectify these mistakes on the following basis:

- a) If there is a discrepancy between the unit price and the total price that is obtained by multiplying the unit price and quantity, the unit price shall prevail, and the total price shall be corrected; and
- b) If there is a discrepancy between the amounts in figures and in words, advantage will be given to the amounts in words.

If the correction(s) leads to a different total cost, this new total cost will be evaluated against other technically acceptable Proposals and considered as being part of the Best Value evaluation and selection. UNHCR reserves the right to reject the Proposal if the technically acceptable applicant does not accept the correction of mistakes in the budget by UNHCR.

UN Global Compact and other factors: UNHCR supports the UN Global Compact Initiative put forward on 31 January 1999 by UN Secretary-General Kofi Annan that would bring companies together with UN agencies, labor and civil society to support ten principles in the areas of the human rights, labor, environment and anti-corruption. We encourage our suppliers to sign up with the UN Global Compact Initiative.

## **2.6 SUBMISSION OF BID:**

The offers must bear your official letter head, clearly identifying your company.

Bids should be submitted via eTenderBox online portal and not by hand-delivery.

The Technical and Financial offers are clearly separated by uploading them to the appropriate category on UNHCR eTenderBox online tool. To submit an offer, the bidder needs to complete the registration process that is exclusively for eTenderBox and does not replace any other registrations for UNHCR applications.

Please refer to **Annex J for “Supplier User Manual)** for submission via eTenderBox which can be accessed via the following URL: <http://etenderbox.unhcr.org>

**Note:** Allowed extensions for files to upload on eTenderBox are .doc, .docx, .xls, .xlsx, .rtf, .png, .jpg, .jpeg, .pdf, .txt, .zip, .ppt, .pptx, .bmp, .rar, .gif, .tif and .tiff. **Executable files (.exe, .bat, .cmd, etc.)** should not be uploaded as such extensions are filtered and cannot be uploaded. The maximum size limit per file is **10MB**. The system can handle multiple uploads of which speed depends on the size of the files.

There is only one restriction which is to have at least one file uploaded under either 'Technical' or 'Financial' category before clicking on the 'Save & Submit' button. The system gives the same warning if no file is uploaded before submission. By this feature, Vendors can upload their technical or financial offers and later they can complete their submission by uploading their files under the other category while the tender is still open.

Uploaded files can be amended by the bidder while the tender is open. The selected files for upload are submitted when the 'Save & Submit' button is clicked on. Therefore, this button has to be clicked before the deadline expires. If done so, the selected files will be submitted and uploaded successfully even if the deadline expires during the file upload. It is the bidder's responsibility to ensure that all files of the final offer are submitted by the tender expiration deadline.

Once the deadline for submission is expired, the bid will be automatically closed after which the uploaded files can be reviewed but options for additional upload and deletion of previously uploaded files are not available anymore. In order to ensure the safe submission of the full and final offer, it is recommended to have all files uploaded well before the tender deadline.

**IMPORTANT:**

It is bidder's responsibility to upload only technical documentation under the "Technical" category and financial documentation under the "Financial" category as described in **Annex J**. Failure to do so will result in the disqualification of your offer.

**Deadline: on 03/11/2022 at 23:59 hrs Yemen time.**

**IMPORTANT:**

Any bid received after this date or sent to another UNHCR address will be rejected. UNHCR may, at its discretion, extend the deadline for the submission of bids, by notifying through [eTenderBox.unhcr.org](http://eTenderBox.unhcr.org), [www.UNGM.org](http://www.UNGM.org) and [Yemenhr.com](http://Yemenhr.com).

It is supplier's responsibility to verify that documents and correspondence have been submitted properly before the deadline.

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 offer.

**IMPORTANT:**

The Financial proposal will only be opened for evaluation if the supplier's technical proposal has passed the Technical evaluation and considered as Technically qualified by UNHCR.

## **2.7 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 bidder.


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 offering 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.

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

Any Purchase Order (PO) issued as a result of this RFP will be made in US Dollars. Payment will be made in accordance with the General Conditions of Contract for the Provision of Services and in the USD currency in which the Purchase Order is issued. Payments shall only be initiated after confirmation of successful service delivery by UNHCR business owner.

## **2.9 UNHCR GENERAL CONDITIONS OF CONTRACT FOR THE PROVISION OF SERVICES**

Please note that the General Conditions of Contracts (**Annex D**) will be strictly adhered to for the purpose of any future contract. The Bidder must confirm the acceptance of these terms and conditions in writing.



Dhanu Gurung  
Associate Supply Officer  
Supply Chain Unit  
Sub-Office Aden  
UNHCR Yemen