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**Contact: Martin Winterhoff**  
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**Date: Aachen, 28.05.2019**

**Closing Date:**  
**28.06.2019, 22:00 CET (+ 2**  
**Hours Nairobi time)**

### **Invitation to Tender (ITT)**

Supply, installation and training of e-learning systems in the refugee camps of Dadaab and Kakuma in Kenya

Reference No.:

**141.201802.0529b**

Please quote in all correspondence

Dear Sir / Madam,

BEGECA is launching an Invitation to Tender for supply and installation and training of e-learning tablet systems in 45 schools in the refugee camps in Kakuma and Dadaab in Kenya. This ITT includes supplies and services.

We hereby invite you to submit your firm offer before the closing time on the basis of the terms set out below.

The project is implemented by The Lutheran World Federation-World Service, Kenya-Djibouti-Somalia (LWF-WS, KDS) Program in Kenya. The program is financed by The German Government through Diakonie and Development for Bread for the World.

BEGECA is an EU recognized non-profit Humanitarian Procurement Centre in Germany, owned by NGOs. BEGECA has been engaged by LWF Nairobi for tendering and contracting services for this project.

## Content of the Tender Dossier:

A – Instructions to tenderers

B – Terms of Reference

C – Annexes:

1. Technical Requirements
2. Bill of Quantities
3. Vendor Registration Form
4. General Purchase Conditions
5. Code of Conduct
6. Draft Contract

## **A INSTRUCTIONS TO TENDERERS**

In submitting a proposal, the Tenderer accepts in full and without restriction the conditions including annexes in this Tender Dossier as the sole basis of a contract. The Tenders are expected to examine carefully and comply with all instructions, forms, contract provisions and specifications contained in this Tender Dossier.

### **A.1. SCOPE OF SUPPLIES AND SERVICES**

The Supplies and Services required by the Buyer are described in the Terms of Reference under article B in this document. Offers which do not comply with the requirements described in the Terms of Reference will be rejected.

### **A.2. COST OF TENDER**

The Tenderer shall bear all costs associated with the preparation and submission of his/her proposal and the Buyer is not responsible or liable for these costs, regardless of the conduct or outcome of the process.

### **A.3. ELIGIBILITY AND QUALIFICATION REQUIREMENTS**

Tenderers are not eligible to participate in the tender procedure if they are in one of the situations listed in the **Vendor Registration Form** under **Annex 3**.

Tenderers are also requested to certify that they comply with the **Code of Conduct for Contractors** as per **Annex 5**.

To give evidence of their capability and adequate resources, tenderers shall provide the information and the documents requested and described further in this Tender Dossier.

### **A.4. PARTICIPATION IN THE ITT PROCEDURE**

This ITT is restricted to specialized companies which provide e-learning tablets including software in

full compliance with KICD content and quality requirements and training of teachers.

**A.5. CONSORTIUMS (GROUPING of ECONOMIC OPERATORS)**

Consortium is not permitted.

**A.6. SUBCONTRACTING**

Subcontracting is not permitted.

**A.7. EXCLUSION FOR AWARD OF CONTRACTS**

Contracts may not be awarded to Tenderers who, during the procurement procedure:

- (a) are subject to conflict of interest; and/or
- (b) are guilty of misrepresentation in supplying the information required as a condition of participation and eligibility in the tender procedure or fail to supply this information.

**A.8. DIVISION INTO LOTS**

The tender is not divided into Lots

**A.9. COMMERCIAL CONTRACTUAL TERMS**

The **Draft Contract** under **Annex 6** is an example of the proposed contract with the successful bidder.

Commercial Contractual Terms subject to this tender dossier:

Currency:	Kshs or USD or Euro
Payment:	50% after conclusion of contract against bank guarantee for the amount payable 50% after finalization as per contract
Performance guarantee:	10% of the contract value in form of a bank guarantee or bank cheque, valid until 31.12.2019
Warranty:	For technical components provided as per producers warranty; details to be provided in the technical offer.
Delivery Time	Until 15.08.2019
Penalties:	Up to 10% of the contract value for delays in delivery; 1 ‰ per day of delay for the outstanding supplies.

**A.10. SUBMISSION OF FIRM OFFERS**

Companies interested in taking part in this ITT procedure are requested to submit their firm offer and relevant documents before the closing of this ITT as indicated under point 2 below. Working

language is English. Documents submitted in any other language must be accompanied by a translation into English language provided by an authorized translator.

**The following bid information and documents must be submitted:**

1. Full technical specifications of the items/solutions offered as per *Annex 1, Technical Requirements*
2. The firm Financial Offer signed by the authorised representative and stamped
3. Time schedule for the implementation and finalization  
**Note: the timely completion has high priority**
4. Copy of company registration certificate
5. Copies of valid tax compliance certificates
6. Completed and signed form **Annex 3 Vendor Registration Form**
7. Documents relating to economic and financial capacity:
  - Bank statements previous six months
8. Documents relating to professional and technical capacity:
  - Company brochure and detailed description of activities
  - Certifications (e.g. ISO)
  - List of previous contracts for the supply of e-learning systems
  - References for the successful installation of solar systems indicating:
    - Brief project description
    - Name of Organisation
    - Contact person
    - Position of contact person
    - Tel. and email

**A.11. CLOSING DATE AND PROCEDURES FOR THE SUBMISSION OF FIRM OFFERS**

The closing date for the submission of Firm Offers is **28.06.2019 22:00 hours CET** (+2 hours local time Nairobi). Documents received after this deadline will be deemed inadmissible.

1. Documents may be submitted only by email to

[tenders@begeca.de](mailto:tenders@begeca.de) **and** [lwf.closetender@gmail.com](mailto:lwf.closetender@gmail.com)

with the following reference:

141.201802.0529b [name of the bidding company]

**Emails submitted to any other email address, even in CC or BCC, will be rejected! .**

It is recommended to submit all attachments in a WinZip file. Files on an external server

(cloud) are not accepted.

To ensure that the email has been submitted, the automatic confirmation for the email submission should be activated.

#### **A.12. TERMS AND CONDITIONS GOVERNING THE ITT**

1. Submission of Tender implies acceptance of the terms and conditions laid down in this tender dossier.
2. Submission of Tender entails the waiver by Participants of their own conditions of sale or service. Submission of a Tender shall bind the Participant during performance of the contract, should it be awarded to him.
3. Before submitting a Tender, Participants must take all the steps required to gain a proper understanding of the scale and nature of the subject of the invitation to Tender.
4. The **period of validity of Tenders**, during which Participants are required to maintain all the terms and conditions in their Tenders, **is 45 days from the closing date**.
5. Submission of a Tender shall in no way entitle a Participant to the award of a supply contract. BEGECA may cancel the procurement procedure, without candidates or participants being able to claim any compensation for any expenses incurred. Where applicable, the reasons for that decision will be stated and communicated to all the candidates or Participants.
6. Tenders will remain the property of BEGECA/LWF.
7. It is the clear intention to place orders for the total number of e-learning systems as per Bill of Quantity (BOQ). Should however the approved budgets prove to be insufficient to finance all planned and tendered systems, the quantities contracted will be reduced accordingly. Reductions of up to 25% of the quantities tendered will not result in any changes of the prices in the firm offer. For necessary reductions above 25% the selected supplier will be contacted before award of contract to reconfirm the Financial Offer. In case of price increases, a comparison with the other tenders will be done to establish the lowest bid.

#### **A.13. CONTACTS DURING THE ITT PROCEDURE**

1. Prior to the closing date for the submission of Tenders:

- **On the initiative of Participants**, in order to receive additional information for the sole purpose of clarifying the nature of the contract. Participants who wish to obtain additional information on the documents making up the invitation to Tender should submit their questions solely **in writing**:
- By e-mail to the following address: [winterhoff@begeca.de](mailto:winterhoff@begeca.de)

Any request in writing for additional information must bear the following:

**ITT No. 141.201802.0529b**

No response will be given to any request for additional information received less than five (5) working days before the closing date for the submission of Tenders, namely after 12.00 hours.

BEGECA will not respond to oral questions, questions submitted after the deadline or questions which are incorrectly worded or addressed.

Any questions received, together with the relevant replies, will be shared with all participants of this ITT who have confirmed their intention to participate in the tender.

2. After the Tenders have been opened and on BEGECA's initiative:

- If the Tender gives rise to requests for explanations, or with a view to correcting material errors in the wording of the Tender, BEGECA may take the initiative in contacting the participants by email. Any such contact may not result in the terms of the Tender being modified.

**A.14. OPENING**

Documents received will be opened at BEGECA's premises in Aachen, on 1.07.2019.

The opening session is not public. Attendance of participants or their representatives is not permitted.

**A.15. EVALUATION OF TENDERS – ADMINISTRATIVE COMPLIANCE**

Prior to the Technical and Financial evaluation of the tenders, all offers will undergo an administrative compliance control, to ascertain whether the Tenders meet the eligibility requirements and are substantially responsive with the Tender document administrative requirements. I.e. have the Tenders been properly signed, received timely at the correct location / e-mail address and submitted the mandatory and requested documents and information.

**If a Tender is not administratively compliant i.e. it contains material deviations from or reservations to the terms, conditions and specifications in the Tender, it shall not be considered further.**

**A.16. TECHNICAL EVALUATION OF TENDERS AND AWARD CRITERIA**

Tenders determined to be administratively compliant will proceed for the Technical evaluation of offers.

The Technical evaluation committee will examine the technical appropriateness of each tender. Candidates which have presented appropriate offers will be invited to present their product to the Technical evaluation committee at LWF-offices in Nairobi upon invitation.

Technical evaluation committee will score offers against the indicated criteria and weights in below Technical Evaluation Table.

Technical evaluation		Maximum Points	Candidate				
			A	B	C	D	E
<b>Expertise of the Candidate submitting proposal</b>							
1	Candidates' specialised knowledge and experience with comparable projects	20					
<b>Sub-total Candidate and/or Organisation</b>		<b>20</b>					
<b>Technical Offer</b>							
1	The proposed technical solution	20					
2	The quality of the technical components	20					
3	Compliance of e-learning software (KICD)	20					
4	The timetable and implementation plan	20					
<b>Sub-total Technical Offer</b>		<b>80</b>					
<b>Total Technical Score</b>		<b>100</b>					

#### A.17. FINANCIAL EVALUATION

Tenders determined to be administratively and technically compliant will be financially evaluated and checked for any arithmetic errors. Where there is a discrepancy between the amounts in the figures and words, the amount in words will govern. Where there are discrepancies between the unit price and the line item total, derived from multiplying the unit rate by the quantity, the unit rate as quoted will govern. If a tenderer refuses to accept the correction, his tender will be rejected.

#### A.18. OVERALL EVALUATION AND AWARD OF CONTRACT

Tenders will be ranked according to their combined technical (St) and financial (Sf) scores using the weights of 50% for the technical proposal; and 50% for the offered price. Each tender's overall score shall therefore be:  $St \times 50\% + Sf \times 50\%$ .

The Buyer will award the contract to the Tenderer whose tender has been determined to be substantially responsive to the Tender Dossier and technically compliant, and who has obtained the highest overall score, provided further that the Tenderer has demonstrated the capability and resources to carry out the contract effectively.

#### A.19. SIGNATURE AND ENTRY INTO FORCE OF THE CONTRACT

Prior to the expiration of the tender validity period, the Buyer will inform the successful Tenderer in writing that its tender has been accepted and inform the non-successful tenderers in writing about the result of the evaluation process.

Within 7 days of receipt of the Contract, not yet signed by the Buyer, the successful Tenderer must sign and date the Contract and return it, to the Buyer. On signing the Contract, and subject to the provision of a valid Performance Guarantee, the successful Tenderer will become the Candidate and

the Contract will enter into force once signed by the Buyer.

If the successful Tenderer fails to sign and return the Contract within the days stipulated, the Buyer may consider the acceptance of the Tender to be cancelled without prejudice to the Buyer's right to claim compensation or pursue any other remedy in respect of such failure, and the successful Tenderer will have no claim whatsoever on the Buyer.

## **B TERMS OF REFERENCE**

### **B.1. PROJECT DESCRIPTION**

LWF Kenya-Djibouti-Somalia Program supported by Diakonie Katastrophenhilfe and funded by the German Ministry of Development and Cooperation plans to implement the provision and installation of e-learning systems in up to 45 schools in Kakuma Refugee Camp and Dadaab Refugee Camps in Kenya including transit centre in Nadapal along Kenya-South Sudan Boarder in Turkana County. The schools serve more than 90,000 students in the camps.

The project intends to enhance the quality of primary education through access to e-learning platforms and learning materials for both learners and teachers.

The Lutheran World Federation (LWF) is an International Non-Governmental Organization working in Kenya, Djibouti and Somalia providing humanitarian and assistance services to refugees in the areas of Community services, Education and sustainable livelihoods projects.

### **B.2. TECHNICAL REQUIREMENTS**

The technical requirements and specifications are described in Annex 1

### **B.3. Delivery Terms**

The contractor (awarded company) will be responsible for the supply of the e-learning systems to the LWF field offices in Dadaab and Kakuma.

### **B.4. SERVICES**

The contractor will conduct training for teachers in a centralized location in Kakuma and Dadaab thus tow separate trainings.



**B.5. BILL OF QUANTITY**

The Bill of Quantity (BOQ) is provided in **Annex 2**

A handwritten signature in black ink, appearing to read 'M. Winterhoff', written in a cursive style.

Martin Winterhoff      Aachen, 28.05.2019  
BEGECA