Bidding Conditions for local & regional tender

These conditions apply unless different conditions are set out in specific invitations to tender.

1. Form and submission

Requests to participate and bids must be submitted according to the requirements in the invitation letter.

2. Declarations of eligibility and requests to participate

2.1 Declarations of eligibility and requests to participate in restricted procedures and in negotiated procedures with calls for competition must be submitted as a signed PDF format addressed to AU_Quotation@giz.de

2.2 Declarations of eligibility in open procedures and negotiated procedures without a prior call for competition must be submitted **as a signed pdf-document** separate from the technical and price bids.

2.3 Only bidders whose declaration of eligibility are duly fulfilled and accompanied with all relevant documents will be accepted for the eligibility assessment. Incomplete declaration of eligibility or missing supporting documents may result in your request to participate being rejected.

2.4 Please note that we are a regional procurement unit with a limited regional mandate and our tenders are local / regional tenders and not an international tender. You will therefore be eligible to participate only if you are registered in at least one of the member states of the African Union. International tenders from GIZ are available for you here.

3. Deadlines

The bidder is bound by the bid until the end of the contract award period.

4. Costs

There will be *no remuneration* for preparing a bid or any enclosed documents. These, together with the enclosed documents, become the property of GIZ.

5. Modification

Subsequent corrections or modifications to the request to participate and bid can be submitted up to the deadline for submission and must be made in the same form as the bid or request to participate (see 1 above).

6. General Terms and Conditions of Contract

The bid must be based on the General Terms and Conditions of Contract ('Terms and Conditions') for supplying services and work on behalf of the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH (AVB local). In the event of an award of contract, they will become an integral part of the contract. The bidder's general terms and conditions of business or payment do *not* apply. By submitting a bid, the bidder agrees with the AVB local.

7. Bidding consortia and associations

Bidding consortia must designate a lead member and authorize this member to represent the consortium and receive payments for all members in discharge of GIZ's liability. A formal agreement to this effect must be signed by each member of the consortium and attached to the request to participate or – if the open procurement procedure or negotiated procedure without a prior call for competition is used – to the bid. This can be done using the specimen supplied by GIZ. As a minimum requirement, an original signature is required from at least the lead member.

8. Statement of Integrity

With the submission of an offer the bidder or in case of a bidding consortium, the bidding consortium accepts the contents and the principles of our *Declaration of integrity*[1] If the said contents and principles of the Statement of Integrity are violated by the bidder or the bidding consortium, GIZ reserves the right to exclude the bid.

[1] See Self declaration of eligibility

As evidence of acknowledgement and confirmation, the declaration of integrity must be submitted together with the technical bid.

9. Content of the technical offer

9.1. Unless otherwise specified in the ToR, the technical offer shall not have more than 10 pages (excluding annexes) and shall follow the same order as the technical evaluation grid. Technical offers may be downgraded if they exceed 10 pages considerably.

9.2. If requested in the terms of reference (ToR), the *technical offer submitted* must contain a detailed methodological concept in accordance with the terms of reference which allows technical evaluation in terms of the objective of the measure.

9.3. Confirmation of the *start of work* as requested in the invitation to tender, or the *earliest possible starting date* (possibly with alternatives).

9.4. *Curricula vitae* for the experts proposed for the project. CVs should include information on:

- name, title, nationality, date and place of birth, education and professional training (from age 17),
- professional experience showing length of employment, countries of assignment, employers, positions held, projects and programmes and responsibilities and management experience,
- special knowledge, language skills showing fluency (categories: spoken, written, reading/comprehension, time spent in language region),
- comments.

If requested Curricula vitae of the experts for assignment can also be submitted in German or one of the other common languages of the country of assignment (Spanish, French).

9.5. Experts who have *an employment relationship with GIZ*, or who have entered into a *topping-up agreement as Integrated Experts* with the Centre for International Migration and Development (CIM), or who have been assigned by *GIZ as development workers* on the basis of the German *Entwicklungshelfergesetz* (Development Workers Act), may not be proposed by the bidder.

9.6. Information on necessary *equipment and supplies to be procured* generally by GIZ, terms of reference for planned *subcontracts* and other specific tasks desired in connection with the *terms of reference*.

9.7. The *technical offer* may not include *any price information*.

10. Content of the price offer

10.1. The price bid must be in the currency indicated in the invitation letter and structured in accordance with the price sheet and GIZ's General Terms and Conditions of Contract (AVB local); all items must be costed in accordance with the established price bid configuration rules.

10.2. The price bid is to contain the specification of inputs as required in the terms of reference (number of experts and number of corresponding expert days/expert hours).

11. Advance payment

11.1. For contracts for services or work the contractor must pre-finance expenses itself to a certain degree.

11.2. Contracts for the supply of services below EUR 20,000 and/or with a duration below 1 month as well as contracts for consulting services for the supply of work (regardless of the contract value) are not subject to an advance payment

11.3. For contracts with companies for the supply of services with a value above EUR 20,000 and a duration from 1 to 6 months, maximum 40% of the contract amount can be agreed; final invoice must account in full for correct use of funds.

11.4. For contracts with companies for the supply of services above 20,000 with a duration above 6 months, an advance payment equal to the quarterly needs can be agreed.

12. Contract currency

12.1. For regional tenders, the respective GIZ Country office will contact the awarded bidder and conclude a service contract according to the local legal regulations and in the local currency.

12.2. If for regional tenders a bidder based in Ethiopia is awarded, the contract will be concluded by the GIZ Country Office Ethiopia / Djinouti according to the local legal regulations. The contract currency will be ETB.

13. Storage and processing of personal data

The bidder shall agree to the storage and processing of personal data by GIZ. GIZ will process personal data only to the extent required for the contract award procedure and to meet its statutory record-keeping and storage obligations. This personal data comprises in particular the name, address, performance profile, qualifications, assignment area/measure, evaluation of results and contracts to be entered into with the bidder, including terms and conditions.

14. Evaluation of requests to participate

Requests to participate will be checked for compliance with the minimum requirements and to ensure that there are no grounds for exclusion. If a limit has been placed on the number of applicants, submissions will be rated in accordance with the grid for assessing the eligibility of consulting firms specified in the contract award documentation.

15. Evaluation of bids

Bids are first rated on their technical merits in accordance with the technical assessment grid for offers specified in the contract award documentation.

Once the bids have been evaluated in this way, only technical bids awarded more than 500 points will be included in the evaluation of price bids. Technical bids that fail to reach this cut-off point will be regarded as unsuitable. The technical bid is weighted at T: 70%, the price bid at F: 30%. Weighting is based on the formula:

$$= \frac{\text{Technical assessment of bidder x 70}}{\text{Assessment of best technical bid}} + \frac{\text{Lowest price bid x 30}}{\text{Bidder price}}$$

16. Procedural questions

Bidders must direct any questions they may have on commercial, technical or procedural matters in written form solely to the Procurement Unit at GIZ AU as indicated in the invitation to tender documentation. In the case of open procurement procedures, any such questions and answers that are of general interest will be made available in anonymous form to all bidders who will request the tender documents via the e-mail address AU_Bidderquestions@giz.de. In the case of procedures involving a prior call for competition (pre-qualification), questions and answers will be published on the procurement platform only up to the deadline for submitting requests to participate. Thereafter GIZ will only communicate directly with those applicants invited to submit a formal bid.

17. Other provisions

17.1. You must treat the documents attached to the request to tender *as confidential* and may only make them accessible to third parties in connection with the present tender.

17.2. If the letter indicates that GIZ has not yet been commissioned by the German Federal Ministry for Economic Cooperation and Development (BMZ) with the services for which a contract is to be awarded, and if no commission is subsequently placed with GIZ, GIZ reserves the right to cancel the tender and not award any contract. In this case, claims for damages by bidders/applicants are excluded.

18. Applicable statutory provisions

The award procedures are implemented in accordance with the valid provisions of the German Act against Restraints of Competition (GWB) and the German Regulation on the Award of Public Contracts (UVgO).