

## **SUPPLY CONTRACT NOTICE**

**Contract title: Supply and Delivery of Motor Vehicles & Motorcycles to the Ministry of Agriculture Animal Industry & Fisheries – Support to Promoting Commercial Aquaculture Project in Uganda**

**Location – Entebbe, Uganda, East Africa**

**1. Publication reference**

FED/2018/397-275/MV/MAOPE 02

**2. Procedure**

Open

**3. Programme title**

Multi Annual Programme Estimate - Support to Promoting Commercial Aquaculture project in Uganda – FED/2018/397-275

**4. Financing**

11<sup>th</sup> EDF – Support to Promoting Commercial Aquaculture Project in Uganda - FED/2016/038-334

**5. Contracting authority**

Ministry of Agriculture Animal Industry & Fisheries (MAAIF)

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## **CONTRACT SPECIFICATIONS**

**6. Description of the contract**

The subject of the contract is the supply and delivery of 4 (four) 4 x 4 wheel drive motor vehicles and 3 (three) motorcycles in 3 (three) lots to the Ministry of Agriculture Animal Industry & Fisheries, Support to Promoting Commercial Aquaculture project in Uganda Delivery Duty paid within 60 days following the signature of the contract.

The supplies must comply fully with the technical specifications set out in the tender dossier (technical annex) and conform in all respects with the quantities, models and other instructions.

**7. Number and titles of lots**

3 lots.

Lots Titles:

Lot 1: Supply of 1 (one) 4 x 4 Station Wagon Motor vehicle

Lot 2: Supply of 3 (three) 4 x 4 Double Cabin Motor vehicles

Lot 3: Supply of 3 (three) Motorcycles

## **TERMS OF PARTICIPATION**

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### **8. Eligibility and rules of origin**

Participation in tendering is open on equal terms to natural and legal persons (participating either individually or in a grouping – consortium – of tenderers) which are established in one of the Member States of the European Union, ACP States or in a country or territory authorised by the ACP-EC Partnership Agreement under which the contract is financed (see also item 22 below). Participation is also open to international organisations.

All supplies under this contract must originate in or more of these countries for Lot 2.

All supplies under this contract may originate from any country for Lot 1 and Lot 3.

For UK candidates or tenderers: Please be aware that following the entry into force of the EU-UK Withdrawal Agreement\* on 1 February 2020 and in particular Articles 127(6), 137 and 138, the references to natural or legal persons residing or established in a Member State of the European Union and to goods originating from an eligible country, as defined under Regulation (EU) No 236/2014\*\* and Annex IV of the ACP-EU Partnership Agreement\*\*\*, are to be understood as including natural or legal persons residing or established in, and to goods originating from, the United Kingdom \*\*\*\*. Those persons and goods are therefore eligible under this call.

\* Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community.

\*\* Regulation (EU) No 236/2014 of the European Parliament and of the Council of 11 March 2014 laying down common rules and procedures for the implementation of the Union's instruments for financing external action.

\*\*\* Annex IV to the ACP-EU Partnership Agreement, as revised by Decision 1/2014 of the ACP-EU Council of Ministers (OJ L196/40, 3.7.2014)

\*\*\*\* including the Overseas Countries and Territories having special relations with the United Kingdom, as laid down in Part Four and Annex II of the TFEU.

### **9. Grounds for exclusion**

Tenderers must submit a signed declaration, included in the tender form for a supply contract, to the effect that they are not in any of the situations listed in Section 2.6.10.1. of the practical guide.

Tenderers included in the lists of EU restrictive measures (see Section 2.4. of the PRAG) at the moment of the award decision cannot be awarded the contract.

### **10. Number of tenders**

The candidates may submit an application for one lot only, several lots or all of the lots, but only one application may be submitted per lot. Tenders for parts of a lot will not be considered. Tenderers may not submit a tender for a variant solution in addition to their tender for the supplies required in the tender dossier.

Contracts will be awarded lot by lot and each lot will form a separate contract. Any tenderer may state in its tender that it would offer a discount in the event that its tender is accepted for more than one lot.

#### **11. Tender guarantee**

No tender guarantee is required.

#### **12. Performance guarantee**

No performance guarantee is required.

#### **13. Information meeting and/or site visit**

No information meeting is planned

#### **14. Tender validity**

Tenders must remain valid for a period of 90 days after the deadline for submission of tenders. In exceptional circumstances, the contracting authority may, before the validity period expires, request that tenderers extend the validity of tenders for a specific period (see para 8.2 of the instructions to tenderers).

#### **15. Period of implementation of tasks**

The period of implementation is 60 days from the date of last signature of the contract until the provisional acceptance.

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### **SELECTION AND AWARD CRITERIA**

#### **16. Selection criteria**

The following selection criteria will be applied to tenderers. In the case of tenders submitted by a consortium, these selection criteria will be applied to the consortium as a whole unless specified otherwise. The selection criteria will not be applied to natural persons and single-member companies when they are sub-contractors:

- 1) Economic and financial capacity of tenderer (based on i.a. item 3 of the tender form for a supply contract). In case of tenderer being a public body, equivalent information should be provided. The reference period which will be taken into account will be the last three years for which accounts have been closed.

The selection criteria for tenderers to lot n° 1 are as follows:

- the average annual turnover of the tenderer for the last three years must be at least EUR 50,000.00.

The selection criteria for tenderers to lot n° 2 are as follows:

- the average annual turnover of the tenderer for the last three years must be at least EUR 150,000.00.

The selection criteria for tenderers to lot n° 3 are as follows:

- the average annual turnover of the tenderer for the last three years must be at least EUR 20,000.00.

Tenderers for more than one lot must have the cumulative turnover required for the specific number of lots being applied for.

- 2) Professional capacity of tenderer (based on i.a. items 4 and 5 of the tender form for a supply contract). The reference period which will be taken into account will be the last three years from submission deadline.
- the tenderer must be a firm duly registered and authorised to carry out supplies specified under this contract according to the national laws such as a trading licence from the local authority permitting the supply of the specified commodities (**copies of certificates are to be included in the tender**); and
  - has a professional certificate appropriate to this contract (**copies of certificates are to be included in the tender**); and
  - at least 4 staff currently work for the tenderer in fields related to this contract.
- 3) Technical capacity of tenderer (based on i.a. items 5 and 6 of the tender form for a supply contract). The reference period which will be taken into account will be the last three years from submission deadline.

The selection criteria for tenderers to lot n° 1 are as follows:

- the tenderer has delivered supplies under at least 2 contracts with a budget of at least EUR 60,000 in supply of motor-vehicles which were implemented during the following period: (2017 – 2020).

The selection criteria for tenderers to lot n° 2 are as follows:

- the tenderer has delivered supplies under at least 2 contracts with a budget of at least EUR 100,000 in supply of motor vehicles which were implemented during the following period: (2017 – 2020).

The selection criteria for tenderers to lot n° 3 are as follows:

- the tenderer has delivered supplies under at least 2 contracts with a budget of at least EURO 12,000 in supply of motor cycles which were implemented during the following period: (2017 – 2020).

This means that the contract the tenderer refers to could have been started or completed at any time during the indicated period but it does not necessarily have to be started and completed during that period, nor implemented during the entire period. Tenderers are allowed to refer either to projects completed within the reference period (although started earlier) or to projects not yet completed. In the first case the project will be considered in its whole if proper evidence of performance is provided (statement or certificate from the entity which awarded the contract, final acceptance). In case of projects still on-going only the portion satisfactorily completed during the reference period will be taken into consideration. This portion will have to be supported by documentary evidence (similarly to projects completed) also detailing its value.

## Capacity-providing entities

An economic operator may, where appropriate and for a particular contract, rely on the capacities of other entities, regardless of the legal nature of the links which it has with them. Some examples of when it may not be considered appropriate by the contracting authority are when the tenderer relies in majority on the capacities of other entities or when they rely on key criteria. If the tenderer relies on other entities it must prove to the contracting authority that it will have at its disposal the resources necessary for performance of the contract, for example by producing a commitment on the part of those entities to place those resources at its disposal. Such entities, for instance the parent company of the economic operator, must respect the same rules of eligibility and notably that of nationality, as the economic operator relying on them and must comply with the selection criteria for which the economic operator relies on them. Furthermore, the data for this third entity for the relevant selection criterion should be included in the tender in a separate document. Proof of the capacity will also have to be furnished when requested by the contracting authority.

With regard to technical and professional criteria, a tenderer may only rely on the capacities of other entities where the latter will perform the tasks for which these capacities are required.

With regard to economic and financial criteria, the entities upon whose capacity the tenderer relies, become jointly and severally liable for the performance of the contract.

## 17. Award criteria

Price (or, if appropriate after prior approval, the best price-quality ratio which is a combination of quality and price)

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# TENDERING

## 18. How to obtain the tender dossier

The tender dossier is available from the following Internet address: <https://www.finance.go.ug>. The tender dossier is also available from the contracting authority. Tenders must be submitted using the standard tender form for a supply contract included in the tender dossier, whose format and instructions must be strictly observed.

Tenderers with questions regarding this tender should send them in writing to:

**The Permanent Secretary,  
Support to Promoting Commercial Aquaculture Project in Uganda  
Ministry of Agriculture Animal Industry & Fisheries (MAAIF),  
Plot 16–18, Lugard Avenue, P. O. Box 102,  
Entebbe, Uganda  
Main Office Building, Former Library Premises  
Attention to: Mr. Paul Omanyi**

**E-mail address: [ps@agriculture.go.ug](mailto:ps@agriculture.go.ug) with copy to [paulomanyi@gmail.com](mailto:paulomanyi@gmail.com)**

(mentioning the publication reference shown in item 1) at the latest 21 days before the deadline for submission of tenders given in item 19. The contracting authority must reply to all tenderers' questions at the latest 11 days before the deadline for submission of tenders. Eventual clarifications or minor changes to the tender dossier shall be published at the latest 11 days before the submission deadline on the website of the Ministry of Finance, Planning &

Economic Development, Kampala – Uganda at:

<https://www.finance.go.ug>

and also in the local newspapers/press.

## **19. Deadline for submission of tenders**

The tenderer's attention is drawn to the fact that there are two different systems for sending tenders: one is by post or private mail service, the other is by hand delivery.

In the first case, the tender must be sent before the date and time limit for submission, as evidenced by the postmark or deposit slip<sup>1</sup>, but in the second case it is the acknowledgment of receipt given at the time of the delivery of the tender which will serve as proof.

**The Deadline for the submission of tenders is ..... @ ..... hours Uganda time.**

Any tender submitted to the contracting authority after this deadline will not be considered.

**The contracting authority may, for reasons of administrative efficiency, reject any tender submitted on time to the postal service but received, for any reason beyond the contracting authority's control, after the effective date of approval of the evaluation report, if accepting tenders that were submitted on time but arrived late would considerably delay the evaluation procedure or jeopardise decisions already taken and notified.**

### **How tenders may be submitted**

Tenders must be submitted in English exclusively to the contracting authority in a sealed envelope:

- EITHER by post or by courier service, in which case the evidence shall be constituted by the postmark or the date of the deposit slip, to :

**The Permanent Secretary,  
Ministry of Agriculture Animal Industry & Fisheries (MAAIF),  
Support to Promoting Commercial Aquaculture Project in Uganda  
Plot 16–18, Lugard Avenue,  
P. O. Box 102,  
Entebbe, Uganda  
Main Office Building, Former Library Premises**

### **Attention to: Mr. Paul Omanyi**

- OR hand delivered by the participant in person or by an agent directly to the premises of the contracting authority in return for a signed and dated receipt, in which case the evidence shall be constituted by this acknowledgement of receipt, to:

**The Permanent Secretary,  
Ministry of Agriculture Animal Industry & Fisheries (MAAIF),  
Support to Promoting Commercial Aquaculture Project in Uganda  
Plot 16–18, Lugard Avenue,  
P. O. Box 102,**

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<sup>1</sup> It is recommended to use registered mail in case the postmark would not be readable.

**Entebbe, Uganda  
Main Office Building, Former Library Premises**

**Attention to: Mr. Paul Omanyi**

The project offices are open Monday to Friday from 08:30 hrs to 16:30 hrs (Uganda time).

The contract title and the Publication reference (see item 1 above) must be clearly marked on the envelope containing the tender and must always be mentioned in all subsequent correspondence with the contracting authority.

Tenders submitted by any other means will not be considered.

By submitting a tender candidates accept to receive notification of the outcome of the procedure by electronic means. Such notification shall be deemed to have been received on the date upon which the contracting authority sends it to the electronic address referred to in the tender.

## **20. Tender opening session**

The tenders will be opened on \_\_\_\_\_ at \_\_\_\_\_ Uganda time at the following venue \_\_\_\_\_.

In the case that at the date of the opening session some tenders have not been delivered to the contracting authority but their representatives can show evidence that they have been sent on time, the contracting authority will allow them to participate in the first opening session and inform all representatives of the tenderers that a second opening session will be organised.

## **21. Language of the procedure**

All written communications for this tender procedure and contract must be in English.

## **22. Legal basis<sup>2</sup>**

Annex IV to the Partnership Agreement between the members of the African, Caribbean and Pacific Group of States of the one part, and the European Community and its Member States, of the other part, signed in Cotonou on 23 June 2000 as amended in Luxembourg on 25 June 2005 and in Ouagadougou on 22 June 2010. Reference is made to Annex IV as revised by Decision 1/2014 of the ACP-EU Council of Ministers of 20 June 2014.

## **23. Additional information**

Financial data to be provided by the tenderer in the standard tender form must be expressed in EUR. If applicable, where a candidate refers to amounts originally expressed in a different currency, the conversion to EUR shall be made in accordance with the InforEuro exchange rate of the applicable InforEuro exchange rate, of September 2020, which can be found at the following address:  
<http://ec.europa.eu/budget/graphs/inforeuro.html>.

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<sup>2</sup> Please state any specificity that might have an impact on rules on participation (such as geographic or thematic or long/short term).