**REQUEST FOR PROPOSAL  
INSTRUCTIONS ON HOW TO SUBMIT A PROPOSAL  
for Specified Goods**

**Procurement No:** **RFP-** **16-G001-23**

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# Instructions on how to submit the Proposal

## General Instructions

The Ministry of Environment, Lands and Agricultural Development, hereinafter referred to as “the Procuring Entity”, invites Tenderers to submit Proposals for the Project as fully described in this RFP. Please follow the instructions below in completing your Proposal. The language of Proposals shall be English.

The Procuring Entity may: (a) reject any or all Proposals, (b) accept other than the lowest cost Proposal, (c) accept more than one Proposal, (d) accept alternative Proposals, (e) waive informalities and minor irregularities in Proposals received, and (f) cancel this RFP.

The Proposal should contain the Tenderer's best financial and technical conditions. The Procuring Entity reserves the right (but is not under obligation) to enter into discussions with one or more Tenderers in order to obtain clarification or additional details, to suggest refinements in the Technical component or other aspects of the Proposal. The Procuring Entity reserves the right to request additional data, information, discussions, or presentations to support part of, or an entire, Proposal.

Proposals and possible Questions shall have been completely, legibly and in full received by the Procuring Entity, to the official email address, no later than the latest date and time specified for submission. It is the full responsibility of the Tenderer to secure that the submitted documents are completely delivered to the Procuring Entity on time. For example, failure of or delay on the Internet or a Tenderer’s email system, or technical incompatibility, are not valid reasons for lateness or incompleteness. Proposals or Questions, or parts thereof, delivered after the latest date and time for submission will not be opened or considered.

By responding to this RFP, the Tenderer accept this RFP’s policies and procedures, including the Specification describing the goods to be delivered. Tenderers shall have no claim whatsoever or right to any kind of compensation or reimbursement for preparation of their Proposal, whether or not it is successful.

Participating Tenderers shall not use or disclose any information, data, or documents they obtained from the Procuring Entity in the course of procurement process for any purpose other than for preparing and participating in the procurement process. Documents submitted in Proposals will be used for evaluation purposes and will not be returned.

### Official email address

The official email address is [procurement@mfep.gov.ki](mailto:procurement@mfep.gov.ki). All correspondence regarding this RFP shall be submitted to this address, and this address only. No copies to other staff of the Procuring Entity shall be submitted in parallel.

### Mandatory requirements

The Certificate of Compliance Form, separately included in this RFP, contains the mandatory requirements, with which the Tenderer, including each member of the consortium, joint venture or other type of association (where the Proposal is submitted by a consortium, joint venture or other type of association) must comply. Therefore, the Certificate of Compliance Form must be signed and attached to the Proposal, certifying that the Tenderer, including each member of the consortium, joint venture or other type of association, complies with all the mandatory requirements. Failure to comply with all the requirements set out below will result in rejection of the Proposal.

### Clarification and amendment of RFP documents

Any participating Tenderer may request further clarification on matters pertaining to this RFP by submitting questions in writing, using Documents in MS Office 2010 format (or later versions) or ISO-compliant Open Document Format for Office Applications (Open Document), via email to the official email address, with the following noted in the subject line: **Tenderers name – RFP Number – Questions**. Pdf format is not accepted. Please, refer to the time schedule for the due date for submission of questions.

The Procuring Entity has a policy to treat all Tenderers equally. Please do not contact other Procuring Entity personnel to discuss the RFP. Any answers from other Procuring Entity personnel shall not be valid, unless confirmed in accordance with the process for Questions and Answers here described. If the Procuring Entity finds out that a Tenderer has tried to get information from other Procuring Entity personnel, the Procuring Entity reserves the right to disqualify a Proposal from such Tenderer having obtained unfair advantages. Questions on the substance of the RFP will be answered (without identifying the source of inquiry) on the Procuring Entity website: [Tender List | Central Procurement Unit](http://www.procurement.gov.ki/tender-list?page=1) or in the case of a direct invitation, directly to all invited Tenderers. See the time schedule for the date when the Procuring Entity will release any clarifications and/or amendments.

### Method of submission and Proposal format

All Proposals must be submitted in electronic version, unless otherwise specified in the RFP, via email to the official email address, with the following noted in the subject line: **Tenderers name – RFP Number – Proposal** followed by the name of the respective ***component a-d***, as defined below, i.e. marked **– Cover letter, – Certificate**, **– Technical Proposal** or **– Financial Proposal**, in addition to the above.

#### Electronic submission

Proposal documents exceeding 2 MB must be compressed, using a standard zip format openly available in the market. In case the Proposal exceeds 2MB, Tenderers may alternatively send multiple emails, with the same marking.

Format of documents submitted shall be as follows:

1. Signed letters in PDF format.
2. Documents and spreadsheets in MS Office 2010 format (or later versions) or ISO-compliant Open Document Format for Office Applications (Open Document). Font size shall be no smaller than 10.
3. Diagrams and drawings in Visio 2010 or PowerPoint Office 2010 form.at (or later versions) or ISO-compliant Open Document Format for Office Applications (Open Document).

#### Other means of submission

For any other means of submission, i.e. delivery in hard copies, by mail, by hand or by courier, they shall be in closed and sealed envelopes or parcels, marked as above.

## Proposal Documents Required to be Submitted

Please do not submit generic marketing materials, broadly descriptive attachments, or other general literature. Responses to this RFP must consist of and be limited to the following, with c and d in separate files, clearly named with the RFP number and “Technical component” and “Financial component” respectively, as described above:

1. Cover letter
2. Certificate of Compliance Form
3. Technical component
4. Financial component, including annual financial reports

The file name of documents related to any of the above shall include the reference to which of a, b, c or d it belongs to.

All Proposals must indicate that they are valid for no less than sixty (60) calendar days from the last day for submission of the Proposal. The Procuring Entity will make its best effort to complete the evaluation and award procedures promptly. If the Procuring Entity wishes to extend the validity period of the Proposals, a Tenderer which does not agree has the right not to extend the validity of their Proposals, and thereby be excluded from the evaluation.

### Cover letter

The cover letter in PDF format must contain:

1. Name and address of the Tenderer;
2. Name, title, telephone number, and e-mail address of the person authorized to commit the Tenderer to a Contract;
3. Name, title, telephone number, and e-mail address of the person (one person only) to be contacted regarding the content of the Proposal, if different from above;
4. A signature of this letter by a duly authorized representative of the Tenderer.

### Certificate of Compliance Form

A signed declaration, including that the Tenderer commits to the terms described in their Proposal and assumes responsibility for any pre-contract costs incurred during the Tender and Contract finalisation phases.

### Technical component

In preparing the Technical component, Tenderers are expected to examine the documents constituting this RFP in detail. Material deficiencies in providing the information requested may result in rejection of a Proposal.

The Tenderer must provide the following information with the RFP:

1. Description of the goods and related services
2. Delivery Time schedule
3. Tenderer’s references

To facilitate faster evaluation and comparative analysis of the Proposals, the Technical component shall be presented as a **Detailed Description of Proposed Goods.** This shall present the technical capability, comments, and suggestions to comply with the Specification.

The Technical component shall not include any information regarding the Financial component.

### Financial component

In preparing the Financial component, Tenderers are expected to take into account the requirements and conditions outlined in the RFP documents. The Financial component shall include the following:

1. Price structure and pricing details in AUD[[1]](#footnote-3);
2. Life-cycle costs, as requested in the Specification;
3. The Tender may be subject to local taxes (such as value added or sales tax, duties, fees, levies) under the Contract. The Tenderer shall include and clearly show all expected taxes in the Financial component.

## Contract Award

After the evaluation procedure, the Tender representing the best Value for Money will be awarded the Contract and the non-successful Tenderers will be informed.

## Complaints

Should a Tenderer not be successful and have relevant cause to disagree with the award decision, the Tenderer may submit a written complaint, which shall be received before the date and time specified in the Award Letter submitted to all Tenderers. A complaint shall be submitted to the Procuring Entity, have valid ground and must clearly account for the reasons for the disagreement. Complaints received after the last date and time will not be considered.

## Contract finalisation

After the complaints period has expired, the Procuring Entity may, at its sole discretion, invite the awarded Tenderer for Contract finalisation. If a Contract has not been concluded after a reasonable time, the Procuring Entity may terminate the attempt to sign a Contract with the awardee and invite the Tenderer whose Proposal received the second highest score to finalise a Contract.

The Tenderer must be aware that the mere act of submission of a Proposal, in and of itself, implies that the Tenderer accepts the terms and conditions of the General Contract Conditions which are attached to the RFP. The Tenderer shall not be allowed to alter the terms of the Contract. If the Tenderer is not able to abide by the terms of the Contract, it may request for a change of the terms in the Proposal or by written request. However, for the sake of equal treatment of all Tenderers, it should be clarified that no material changes will be accepted by the Procuring Entity.

1. Please note that, even though the Proposal should be submitted in AUD, the fees in the Contract may in exceptional cases be paid in another currency, if agreed in advance. For evaluation purposes, the price should be Proposed in AUD. [↑](#footnote-ref-3)