



For a world without hunger

Dear Sir,

Subject: **INVITATION TO TENDER
CONSTRUCTION MATERIALS**

Ref: **WHH/KEN 1168/T-02 CO-1268**

Welthungerhilfe (German Agro Action / WHH) was established in 1962. It is today one of the largest private organizations working in the area of development cooperation and humanitarian aid in Germany. The organization is non-profit-seeking, non-partisan and non-denominational. Donations from the population at large fund our work in Africa, Asia and Latin America. In addition, Deutsche Welthungerhilfe e.V. receives grants from the Federal German Government, the European Union and the United Nations.

Dependent on the availability of the means and with funds from **CHARITY WATER**, we are in the market today for the following construction materials:

Lot 1: Assorted Tools

Lot 2:1 Masonry Tank Materials
Lot 2:2 Pipeline materials
Lot 2:3 Water kiosk and tanks materials

Lot 3:1 Masonry tank materials
Lot 3:2 Pipeline materials
Lot 3:3 Water kiosk and tanks materials

Lot 4:1 Masonry tank materials
Lot 4:2 Pipeline materials
Lot 4:3 Water kiosk and tanks materials

Please refer to the attached BoQs for specific details.

Quantities and contents are subject to alteration.

Nairobi, 14.01.20

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Country Office
Kenya,
Riverside Mews off Riverside Drive
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Prof. Dr. Conrad Justus Schetter
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Mathias Mogge

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1. **General remarks and special condition**

All items must be sound, fair and in merchantable quality. The quality must be in line with the technical specifications stated in this invitation to tender. The bidder has to clearly indicate and specify the details of the offered product in case of an alternative offer.

- **If tender is awarded, delivery shall be immediate.**
- **All offered products must meet national/international standards such as DIN/ISO**
- **We prefer one single supplier. But we reserve the right to divide the order into lots and order from various bidders.**
- **Timely arrival is of utmost importance.**
- **Bidders are requested to bid per lot including transport.**
- **Part shipment will not be allowed without the authorization of WHH.**

2. **Specifications / Quantities**

Specifications and quantities are contained on the attached BoQs (refer to the attached BoQs for **Lot 1-4**). Please take note of the sub lots from Lot 2-4.

3. **Marking**

Not Applicable

4. **Packaging and picking**

The packaging has to be appropriate to the nature (size, weight) of the items. The packaging should avoid transport damages and protect the goods from bad weather conditions. Packaging should be such that easy off loading, by manpower is appropriate. Loading and packaging costs must be included in the unit costs..

5. **Samples/Pictures/Specifications**

All technical specifications need to be provided with the financial tender documents.

Shortlisted suppliers may be contacted and requested to provide samples of specific items to the Country Office Nairobi. The provision of samples would be an essential part of the tender evaluation for the shortlisted suppliers. The unsuccessful bidders would be informed to collect the samples. Please note that the process of samples evaluation may involve opening of certain packages. Bidders must therefore consent to this action.

6. **Delivery conditions**

All items are to be supplied DDP (Incoterms 2010). Delivery point shall be to Welthungerhilfe field office in **Makindu town**.

Transportation cost must be included per lot. Partial shipment without the authorization of WHH will not be accepted. Each shipment must be announced with 24hrs prior notice before delivery.

7. **Delivery schedule**

Initial delivery will be required within 7 calendar days from the date of receipt of order. Offers must indicate availability status and realistic delivery period/lead time per lot.

8. **Prices**

Prices to be indicated in KES only. Quotations stated in other currencies will not be considered in the awarding process. Prices must include all possible taxes and charges.

9. **Accessing the Tender**

The tender document will be accessible on-line free of charge (on WHH tenders website <https://www.welthungerhilfe.org/tenders> and will also be available at Welthungerhilfe Country Office Nairobi for collection.

10. Inspection

Consignment shall be inspected for conformity by WHH representatives and an external independent surveyor at the point of loading and offloading. The inspection will be on the account of Welthungerhilfe. Goods not meeting required standards will be rejected. In case goods are rejected, the Supplier will contractually be obliged to pay already incurred fees for rejected goods and also for such fees which will become payable towards inspection.

11. Ordering Party

Welthungerhilfe
Country Office Nairobi
P. O. Box 38829-00623
Nairobi

12. Consignee/Notify

Welthungerhilfe
Field Office in Makindu

13. Paying authority

Welthungerhilfe
Country Office Nairobi

14. Documents

Following documents must be submitted before tender closing:

Following documents must be included in the bid document:

- Quotation/Bid **on the tenderer's letterhead** submitted in hard copy (in sealed envelope) dropped in the Tender box at Welthungerhilfe Country Office Nairobi located on Riverside Mews off riverside drive, Nairobi.
- Supplier Prequalification document (3 pages), **must be filled and attached to the offer.**
- Copy of Valid Tax Compliance (on the bidding company name) for the current year.

15. Payment Conditions

Cash against documents (CAD). Payment within 10 working days upon receipt of Original Invoice and delivery note. Payment shall be effected through bank transfer.

16. Performance bond

The successful bidder will provide a bank-guarantee to confirm the fulfilment of any obligations arising from the relevant order. The amount of the performance bond shall be 6% of the relevant order sum. This guarantee must be expressed in the currency of the order and shall be limited within the delivery period. The Performance bond may be released by WHH only. The performance bond must be provided not later than 14 days after firm order.

17. Penalties

In the event of delay in delivery caused other than by force majeure WHH is entitled to make use of a penalty of 5/1000 per calendar day of the total value of the consignment still to be delivered. The penalty will be deducted from the invoice. In the event of incomplete delivery caused by the Supplier, WHH is entitled to deduct the losses from the invoice. In case of damaged cargo caused by inappropriate packaging WHH reserves the right to deduct from the relevant order sum an amount according to the variance to the requested specification. In case the quality is not in line with specifications initially agreed by both sides, the Supplier has to inform WHH as soon as possible. Goods not meeting agreed quality will be rejected by WHH, but if WHH accepts these goods a deduction from the order sum and a penalty will be applied.

18. Evaluation and qualification criteria

- We prefer one single supplier for all the lots, but reserve the right to divide the order per lot to different suppliers.
- Suppliers not providing all necessary documents, properly signed and stamped will be excluded.
- The deadline for the submission of the requirements is firm and non –negotiable. Late submission of offers will not be taken into consideration.

The following criteria will be considered in the contract granting:

- 70% price (total cost per lot for materials + transport)
- 20% proposed delivery period.
- 10% past experience

19. Tender deadline

Deadline of submission shall be **Thursday 23rd January 2020 at 11:00AM Kenyan time**

20. Tender Conditions

The tender must be valid 21 days from tender deadline **at minimum**.

Quotations must specify all details according to the tender text. Incomplete offers and offers that arrive later than the deadline for reply will automatically be excluded. All responses will be opened by the WHH tender committee only. Suppliers who do not receive a written feedback 21 days after expiry of the deadline should consider themselves unsuccessful.

In case of any questions contact The Head of Logistics at Welthungerhilfe Country Office Kenya on email address diana.awino@welthungerhilfe.de. Phone number +254 723942890

21. Terror Policy

Welthungerhilfe renounces all forms of terrorism and will never knowingly support, tolerate or encourage terrorism or the activities of those who embrace terrorism or money laundering. Consistent with numerous United Nations Security Council resolutions, including S/RES/1269(1999), S/RES 1368(2001) and S/RES1373(2001) and the European Union, Welthungerhilfe is firmly committed to the international fight against terrorism and in particular against the financing of terrorism. It is the policy of Welthungerhilfe to seek to ensure that none of its and its donor funds are used, directly or indirectly, to provide support to individuals or entities associated with terrorism or money laundering. Therefore, Welthungerhilfe will match their suppliers and Service providers against the Sanctions lists on a regular basis. By submitting an offer, suppliers and service providers agree to this.

This tender is valid without original signature as well.

ANNEXES:

- I. Prequalification documents (3 pages)**
- II. Bill of Quantities**
- III. WHH Terms and Conditions for International Procurement of Goods & Services**

Welthungerhilfe Supplier Qualification Form

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1. We want some information about your company

Company Name	
Legal Form	
Founded (Year)	
Established in (Country)	
Bank Details (Account Holder, Bank Name, IBAN, BIC, Swift, Currency)	
VAT-Registration Number	
Physical Address	
Name of Chief Executive Officer (CEO)	
Place and Date of Birth of CEO	
Name of Owner	
Place and Date of Birth of Owner (if individual)	
Website	
Sales & Marketing Contact	
Range of Services provided by the Company (Company Portfolio)	
For internal use of WHH only	

Welthungerhilfe Supplier Qualification Form

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2. Policy Statement of Welthungerhilfe

a. Welthungerhilfe supports the goals of the UN Global Compact

The UN Global Compact is a strategic policy initiative for businesses that are committed to aligning their operations and strategies with [ten universally accepted principles](#) in the areas of [human rights](#), [labour](#), [environment](#) and [anti-corruption](#).

Human Rights

- [Principle 1](#): Businesses should support and respect the protection of internationally proclaimed human rights; and
- [Principle 2](#): make sure that they are not complicit in human rights abuses.

Labour

- [Principle 3](#): Businesses should uphold the freedom of association and the effective recognition of the right to collective bargaining;
- [Principle 4](#): the elimination of all forms of forced and compulsory labour;
- [Principle 5](#): the effective abolition of child labour; and
- [Principle 6](#): the elimination of discrimination in respect of employment and occupation.

Environment

- [Principle 7](#): Businesses should support a precautionary approach to environmental challenges;
- [Principle 8](#): undertake initiatives to promote greater environmental responsibility; and
- [Principle 9](#): encourage the development and diffusion of environmentally friendly technologies.

Anti-Corruption

- [Principle 10](#): Businesses should work against corruption in all its forms, including extortion and bribery.

The Global Compact is global and local; private and public; voluntary yet accountable.

Further information is available on this website in different languages :

<https://www.unglobalcompact.org>

b. Welthungerhilfe (WHH) renounces all forms of terrorism and money laundering

Welthungerhilfe renounces all forms of terrorism and will never knowingly support, tolerate or encourage terrorism or the activities of those who embrace terrorism or money laundering.

Consistent with numerous United Nations Security Council resolutions, including

S/RES/1269(1999), S/RES 1368(2001) and S/RES1373(2001) and the European Union,

Welthungerhilfe is firmly committed to the international fight against terrorism and in particular against the financing of terrorism. It is the policy of Welthungerhilfe to seek to ensure that none of its and its donor funds are used, directly or indirectly, to provide support to individuals or entities associated with terrorism or money laundering. Therefore, Welthungerhilfe will match their suppliers and Service providers against the Sanctions lists on a regular basis. By submitting an offer, suppliers and service providers agree to this.

Welthungerhilfe Supplier Qualification Form

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3. Supplier Declaration

We, _____ (name of company) hereby declare that

- a) we are not in bankruptcy proceedings, judicial insolvency proceedings or in liquidation, that we have not ceased our commercial activities and are not in a comparable situation by virtue of similar proceedings referred to in the national legal provisions,
- b) we have not received a sanction by legally binding judgment for reasons which bring into doubt our professional reliability,
- c) we comply with our duty to pay social insurance contributions, taxes or other levies in accordance with the legal provisions of the state in which we have our office, the state of the consignee, or the state where the contract is performed. We assure that we will comply with the legislation applicable and common standards in terms of wages, social legislation and occupational safety and health.
- d) we have not received a legally binding sentence due to fraud, corruption, participation in a criminal association, or another act directed against the financial interests of the International Humanitarian Aid Community,
- e) no serious breaches of contract due to non-performance of our contractual obligations have been ascertained in connection with another contract or a contract awarded from the International Humanitarian Aid Community,
- f) we are providing you with all the information required in connection with participation in a tender,
- g) in respect of contracts which are ultimately paid for out of European Community funds, no one has accused us of breach of contract due to gross violation of our contractual obligations,
- h) we have not been excluded as a contract partner by the European Community due to ethical issues,
- i) we assure the European Commission, the European Anti-Corruption Bureau and the auditors of the European Community reasonable access on demand to our business and accounting documents for the purpose of checks and audits,
- j) we respect basic social rights and condemn child labor,
- k) we are informed that Welthungerhilfe will conduct a check to ensure that partners/suppliers do not appear on official sanctions lists of UN and the European Union.

Date, Company Name, Signature of Owner of CEO, Name in Block letters, Stamp