



## INSTRUCTIONS TO THE TENDERS

### **Invitation to tender for the provision of assistance to UCLG Africa on ATIA's operationalization services on behalf of the General Secretariat of United Cities and Local Governments of Africa (UCLG Africa)**

Place of execution: Rabat, Morocco

#### PUBLICATION REFERENCE

**N/Ref : N° COF/CONSULTANCY SERVICES-UCLG AFRICA/01-2024**

**When submitting its tender, the tenderer must comply with all the instructions, forms, terms of reference, contractual provisions and specifications contained in these tender documents. Tenderers who fail to provide all the necessary information and documents by the required deadline may have their tender rejected.**

These Instructions to Tenderers set out the tendering, award and implementation rules that apply to this invitation to tender.

#### **1. Services to be provided**

The services required by the contracting authority are described in the terms of reference.

#### **2. Timetable**

	<b>DATE</b>	<b>TIME</b>
<b>Publicatiopn on UCLG Africa Website</b>	18/09/2024	-
<b>On site visit ( if applicable)</b>	-	-
<b>Information meeting ( if applicable)</b>	-	-
<b>Deadline for any requests for clarification to send to the adjudating authority</b>	04/10/2024	5:00 pm

<b>Deadline for any clarification provided by the adjudicating authority</b>	11/10/2024	5:00 pm
<b>Deadline for the submission of the offers</b>	18/10/2024	05:00 pm
<b>Interviews ( if applicale)</b>	-	
<b>Closing date of the evaluation of the technical offers</b>	22/10/2024	-
<b>Notification of award</b>	23/10/2024	-
<b>Signature of contract</b>	23/10/2024	-
<b>Date of beginning</b>	23/10/2024	-

### **3. Participation**

Participation to this contract is open to any physical or legal person.

### **4. Content of the offers**

Tenders, all correspondence and all documents relating to the invitation to tender exchanged between the tenderer and the contracting authority must be written in English.

Supporting documents and brochures or catalogues supplied by the tenderer may be in another language provided that a translation into the language of the procedure is attached. For the purposes of interpreting the invitation to tender, the language of the procedure will prevail.

Tenderers are reminded that the maximum budget available for this contract for the year 2024, as specified in the contract notice, is 45 000 USD.

### **5. Variables**

Tenderers are not permitted to submit a variant to this invitation to tender.

### **6. Validity period of the offers**

Tenderers remain bound by their tenders for 90 days after the deadline for submission of tenders or until they have been notified of their non-selection. In exceptional cases, before the expiry of the tender validity period, the contracting authority may ask tenderers to extend this period for a specified number of days, which may not, however, exceed 40.

The successful tenderer must maintain its tender for a further 60 days. This additional period of 60 days is added to the validity period regardless of the notification date.

### **7. Additional information before the deadline for submission of tenders**

The tender documents must be sufficiently clear to prevent candidates from having to request additional information during the procedure. If the contracting authority, on its own initiative or in response to a request from a candidate, provides additional information on the tender

documents, it must communicate this information in writing to all other candidates at the same time.

Tenderers may send their questions in writing to the following address, no later than 04<sup>th</sup> October 2024, specifying the publication reference and the title of the contract:

**N/Ref : N° COF/CONSULTANCY SERVICES-UCLG AFRICA/01-2024**

For the attention of **Mr. François YATTA**

The awarding authority is under no obligation to provide clarification after this date.

Any tenderer who, during the tender period, attempts to arrange individual interviews with the awarding authority is liable to be excluded from the tender procedure.

Any clarifications to the tender documents will be communicated simultaneously in writing to all tenderers no later than 11<sup>th</sup> October 2024.

No information meetings are planned.

No on-site visits are planned.

Individual visits by potential bidders during the tender period cannot be organised.

#### **8. Submission of the offers**

Tenders must be submitted to the awarding authority in such a way that they are received no later than 18<sup>th</sup> October 2024 at 5:00 pm. They must include the documents required in point 4 above and be submitted by email to the following addresses :

1. [fyatta@uclga.org](mailto:fyatta@uclga.org)
2. [iyamma.p@uclga.org](mailto:iyamma.p@uclga.org)
3. [szeroil@uclga.org](mailto:szeroil@uclga.org)

#### **9. Modification or withdrawal of tenders**

Tenderers may modify or withdraw their tender by giving written notice before the deadline for submission of tenders. No tender may be modified after this deadline.

Any notification of modification or withdrawal must be prepared and submitted in accordance with point 8.

#### **10. Costs incurred in the preparation of tenders**

No costs incurred by the tenderer in preparing and submitting the tender will be reimbursed. All such costs shall be borne by the tenderer.

#### **11. Ownership of Tenders**

The contracting authority retains ownership of all tenders received under this tender procedure. Accordingly, tenderers may not request that their tender be returned to them.

#### **12. Evaluation of tenders**

### **12.1. Evaluation of technical bids**

The quality of each technical tender will be assessed in accordance with the award criteria and the corresponding weighting set out in the contract notice in these tender documents. No other award criteria will be used. The award criteria will be examined in accordance with the provisions contained in the terms of reference.

The evaluation of the technical and financial offers will comply with the procedures in force adopted by the contracting authority.

### **12.2. Evaluation of the financial offers**

Once the technical evaluation has been completed, the financial offers will for those offers that were not eliminated during the technical evaluation will be evaluated. Tenders exceeding the maximum budget available for the contract are not acceptable and will be rejected.

### **12.3. Selection of the successful tenderer**

The tender offering the best value for money is selected on the basis of a weighting of technical quality and price.

### **12.4. Confidentiality**

The entire evaluation procedure is confidential, subject to the contracting authority's rules on access to documents. The evaluation committee's decisions are collegial and its deliberations take place in camera. The members of the evaluation committee are bound to secrecy.

In particular, the evaluation reports and written minutes are for internal use only and may not be disclosed to tenderers or to any other party, with the exception of the contracting authority, the European Commission, the European Anti-Fraud Office and the European Court of Auditors.

## **13. Ethical clauses/Corrupt practices**

a) Any attempt by a tenderer to obtain confidential information, to enter into illicit agreements with its competitors or to influence the evaluation committee or the contracting authority during the procedure for examining, clarifying, evaluating and comparing tenders will result in the rejection of its tender and potentially expose it to administrative sanctions.

b) The tenderer may not have any conflict of interest or equivalent specific relationship in this respect with other tenderers or other parties to the project.

c) The contracting authority reserves the right to suspend or cancel the procedure where it is found that the contract award procedure has been vitiated by substantial errors, irregularities or fraud. Where such substantial errors, irregularities or fraud are discovered after the award of the contract, the contracting authority may refrain from concluding the contract.

## **14. Signature of contract(s)**

### **14.1. Notification of award**

The successful tenderer is informed in writing that his tender has been selected.

#### **14.2. Signature of the contract(s)**

Within 7 days of receipt of the signed contract by the contracting authority, the successful tenderer must sign, date and return the contract to the contracting authority.

Failure by the successful tenderer to comply with this obligation may result in the annulment of the decision to award the contract. In such a case, the contracting authority may award the contract to another tenderer or cancel the tender procedure.

#### **15. Cancellation of the tender procedure**

If a tender procedure is cancelled, tenderers are notified of the cancellation by the contracting authority. Where the tender is cancelled before any tenderer's outer envelope has been opened, the unopened and sealed envelopes are returned to the tenderers.

Cancellation may occur, for example, in the following cases:

- When the call for tenders is unsuccessful, i.e. when no suitable qualitatively or financially acceptable tender has been received or no tender has been received;
- When the technical or economic elements of the project have been fundamentally modified;
- When exceptional circumstances or force majeure make normal performance of the contract impossible;
- When all the technically acceptable offers exceed the financial resources available;
- When substantial errors, irregularities or acts of fraud have been detected during the procedure, in particular when they have prevented fair competition.
- Where the award of the contract does not comply with sound financial management, i.e. the principles of economy, efficiency and effectiveness (e.g. the price offered by the tenderer to whom the contract is to be awarded is objectively disproportionate to the market price).

#### **16. Appeal procedures**

Tenderers who consider that they have been prejudiced by an error or irregularity during the award procedure may lodge a complaint in accordance with the laws and procedures in force in the Kingdom of Morocco.