

United Nations  Nations Unies

<b>Procurement</b> <i>Cover Page</i>	
<b>To:</b>	<b>From:</b> Bijay Karmacharya
<b>Attention:</b>	<b>Date:</b> 02-Mar-2018
<b>Fax:</b> <b>Email:</b>	<b>Fax:</b> 951-544531, 545634

Total Number of Pages including this page: 20

Attached is Request for Proposal No.: 3100002830 and all related documentation. Please notify the United Nations immediately if any part of this Request for Proposal is missing and/or illegible at the above facsimile number. Please be advised that this facsimile number may be used only to send queries.

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REQUEST FOR PROPOSAL

3100002830

**SUBJECT: AA. Hiring of Engineering Consultancy Services for Detailed Engineering Design, Specifications and Estimation of 2 Micro-Hydro Power Projects in Myanmar And BB. Intermittent Construction Supervision for on-going Muizawl Micro Hydro Power Project i Micro Hydro Power Project in Chin State, Myanmar**

1. The United Nations (UN) hereby invites you to submit a Proposal to this Request for Proposal (RFP) for the above subject. Proposals are required to be received by the UN no later than **18-Mar-2018 at 05:00 PM (Yangon Time)** (the Closing Time).
2. This RFP consists of this letter, the subsequent instructions and the following annexes:  
**Annex A: Acknowledgement Letter**  
**Annex B: Statement of Work/Requirement**  
**Annex C: Special Instructions and Evaluation Criteria**  
**Annex D: UN Entities Form**
3. You are kindly requested to return the attached Annex A - Acknowledgement Letter, duly signed by an authorized representative of your company, to the UN via facsimile No. , Attention: **Kyaw Swar Soe** [kyawswar.soe@unhabitat.org.mm](mailto:kyawswar.soe@unhabitat.org.mm) (the Procurement Officer), who shall serve as a focal point of contact with regard to this **18-Mar-2018 at 05:00 PM (Yangon Time)**. The Acknowledgement Letter should advise whether your company intends to submit a Proposal, and if not, indicate the reason. The UN may review the registration status of companies which fail to return the completed Acknowledgement Letter.
4. We look forward to your Proposal and thank you in advance for your interest in UN procurement opportunities.



Bijay Karmacharya, Country Programme Manager

Instructions for Submission of Proposals

General

1. The UN solicits Proposals in response to this RFP. Proposers must strictly adhere to all the requirements of this RFP. No changes, substitutions or other alterations to the provisions stipulated in this RFP will be accepted unless approved in writing by the UN. However, whilst fully complying with the RFP requirements, Proposers are encouraged to provide any suggestions and solutions that may achieve a more cost-effective and value-for-money approach to fulfilling the requirements of this RFP.
2. Submission of a Proposal shall be deemed to constitute an acknowledgement by the Proposer that all obligations stipulated by this RFP will be met and unless specified otherwise, the Proposer has read, understood and agreed to all the instructions provided in this RFP.
3. This RFP does not commit the UN to award a Contract or to issue a Purchase Order. Any Proposal submitted will be regarded as a proposal by the Proposer and not as an acceptance by the Proposer of any proposal by the UN.
4. The Proposer shall bear any and all costs and expenses related to the preparation and/or submission of a Proposal, regardless of whether its Proposal is selected or not.
5. Unless otherwise stated in this RFP, all times indicated in this RFP are Yangon Time.

Submission of a Proposal

6. Proposers are required to complete, sign and submit in the English language and in **ONE COPY**, the following documents:
  - 6.1. Technical Proposal.
  - 6.2. Financial Proposal.

The Proposal shall include information in sufficient scope and detail to allow the UN to consider whether your company has the necessary capability, experience, knowledge, expertise, licenses, financial strength and the required capacity to perform the work specified at a high professional level, as well as any attachments and/or appendices required hereunder.

7. The Financial Proposal and the Technical Proposal **MUST BE COMPLETELY SEPARATED** and each of them must be submitted in its own individual sealed envelope/package, clearly marked on the outside as either **TECHNICAL PROPOSAL** or **FINANCIAL PROPOSAL**, as appropriate. The information in Paragraph 8 below must be marked on the outside of each envelope/package. Any and all financial information must **ONLY** be included in the Financial Proposal. No Financial Proposal, quotes or any other related financial information should appear in the Technical Proposal. **Proposals which do not comply with these requirements may be rejected.**

8. **IMPORTANT: Your Financial Proposal and Technical Proposal must be submitted in two separate sealed envelopes/packages, clearly marked and addressed as follows:**

United Nations Human Settlements Programme  
(UN-HABITAT)  
Attn: Tender Opening Committee/ Bid Opening Unit  
Natmauk Road, Tamwe Township, 6, Yangon, 11211,  
Myanmar  
Tel : 951-542910-9 EXT-116

RFP Number: 3100002830

Kyaw Swar Soe

Closing Date & Time: 18-Mar-2018 05:00 PM (Yangon Time)      1. TECHNICAL PROPOSAL

Name of the Proposer:

and

United Nations Human Settlements Programme  
(UN-HABITAT)  
Attn: Tender Opening Committee/ Bid Opening Unit  
Natmauk Road, Tamwe Township, 6, Yangon, 11211,  
Myanmar  
Tel : 951-542910-9 EXT-116

RFP Number: 3100002830

Kyaw Swar Soe

Closing Date & Time: 18-Mar-2018 05:00 PM (Yangon Time)      2. FINANCIAL PROPOSAL

Name of the Proposer:

9. Please note that submissions by fax will be rejected.
10. Alternatively, you may submit your Proposal via email to the UN dedicated email address **N/A** prior to the Closing Time.
11. Please note that submissions by e-tendering will be rejected.
12. The UN does not assume any responsibility for any missing and/or illegible pages of Proposals, and this may result in rejection of your Proposal. The phone number in paragraph 8 should not be used for queries concerning this RFP, but only for facilitating receipt of Proposals delivered by hand or by courier. **Only submission means and addresses indicated above can be used. Submission by any other means, or to any other address, will be rejected. Vendors who submit (a copy of) the Proposal directly to the Procurement Officer (by fax, electronically or by any other means) will be disqualified.**

**Closing Time**

13. It is the responsibility of the Proposer to ensure that the sealed envelopes/packages containing the Proposal reach the above mentioned address before the Closing Time so that it is time stamped and acceptable for opening. Proposals must be delivered to the above mentioned address during UN working hours from 8:30AM to

5PM, Monday through Friday. Except for the UN Holidays. Delivery to any other UN office location will be at the risk of the Proposer and may not meet the Closing Time. Written proof of receipt will not be given by UN staff unless a Postal/Courier service receipt or other form of receipt is presented for signature by the UN. Proposals received after the Closing Time will be rejected and therefore not considered or evaluated, except in exceptional circumstances.

**Clarifications**

14. For clarifications regarding this RFP, you are requested to contact the Procurement Officer, exclusively in writing, via e-mail: [kyawswar.soe@unhabitat.org.mm](mailto:kyawswar.soe@unhabitat.org.mm) or at facsimile: **951-544531, 545634** no later than at **03:00 AM(Yangon Time)**. No communication, written or verbal, is allowed in connection with this RFP, with any UN staff members other than Procurement Officers. Queries received after the above deadline may not be considered.
15. In order to maintain transparency, all Proposers' requests for clarifications and UN responses will be recorded and circulated to all Proposers, without indicating the source of the request.

**Validity of Proposals**

16. Your Proposal shall be irrevocable and remain valid for acceptance for at least **90** calendar days, commencing on the Closing Time.
17. If deemed necessary by the UN, Proposers may be requested to extend the validity of their Proposals for an additional period(s), in order to finalize the solicitation process. If the extension of the validity period is accepted by a Proposer, the Proposer will not be permitted to otherwise modify or consequently withdraw its Proposal, and will be required to extend the validity period of the Bid Security, if so required in this RFP.

**Withdrawal and Modification of Proposals**

18. Proposals may be modified or withdrawn in writing, at any time prior to the Closing Time. Modification and/or any other complementary information shall be submitted in writing and in a sealed envelope, marked and labeled as provided in Paragraph 8 above, before the Closing Time.
19. Proposals may not be modified or withdrawn after the Closing Time. If a Proposal is modified or withdrawn by the Proposer after the Closing Time, the UN shall be entitled, without prejudice to any other remedies available to the UN, to draw on the Bid Security, if required in this RFP. In addition, the Proposer's registration status as a UN Vendor may be subject to review by the UN Vendor Review Committee and may be grounds to suspend or remove the Proposer from the UN vendor roster.

**Public Opening**

20. A public opening of Proposals will take place on **19-Mar-2018 at 03:00 PM (Yangon Time)** in the Bid Room of Natmauk Road, Tamwe Township, 6, Yangon, 11211, Myanmar. The purpose of the public opening is to record the names of Proposers who submitted Proposals by the Closing Time. Only Technical Proposals will be opened to record the Proposers' name. Financial Proposals will not be opened at the public opening. Proposers submitting Proposals are welcome to send one representative to observe the recording of the Proposal opening.

**Rejection of Proposal**

21. The UN reserves the right to reject a Proposal if it does not adhere to the RFP instructions.
22. The UN will provide the Proposers, upon written request, with the reasons for their Proposal rejection.

**Evaluation Criteria**

23. The evaluation criteria are detailed in Annex C.

**Selection Process**

24. The UN reserves the right, at its sole discretion, to:
  - 24.1. Award separate or multiple contracts for same or different elements covered by this RFP in any combination it may deem appropriate, or only a portion of the requirements. If the Proposal is submitted on an "all or none"

basis, it should be clearly stated as such.

24.2. Reject any or all Proposals received in response to this RFP and negotiate with any of the Proposers in any manner deemed to be in the best interest of the UN.

24.3. Add new considerations, information or requirements at any stage of the process.

25. In exceptional situations, the UN may cancel this RFP by a written notification to Proposers.

**Notice of Award**

26. The selected Proposer(s) will be notified in writing that the UN is considering an award of contract. The contract award shall be subject to both parties mutually agreeing to the contract terms and conditions. No legal obligation exists until the contract is finalized and signed by both parties, or the issuance of a Purchase Order (PO) by the UN.

27. Unsuccessful Proposers will be notified in writing. The UN has the right to retain unsuccessful Proposals.

28. Unsuccessful Proposers having questions about the name of selected Proposer(s) and contract(s) value are invited to consult the Awards webpage on the UNPD website at <https://www.un.org/Depts/ptd/>. Please note that Proposers participating in eligible RFPs have the option to request a post award debriefing. For more details on the process and eligibility, please visit our website <https://www.un.org/Depts/ptd/debrief-challenges>.

29. Any Contract or Purchase Order entered into with the successful Proposer will be subject to the UN General Conditions of Contract (UNGCC). You will find the link to the UNGCC at [https://www.un.org/Depts/ptd/pdf/general\\_condition\\_services.pdf](https://www.un.org/Depts/ptd/pdf/general_condition_services.pdf). A Draft Form of Contract may also be included in this RFP. By submitting a Proposal, the Proposer confirms that it has accessed, read, understood, agreed and accepted the UNGCC and the Draft Form of Contract, if applicable and if provided herein. Notwithstanding the foregoing, inconsequential changes to the UNGCC and/or Draft Form of Contract may be proposed, and considered at the UN's sole discretion during the evaluation of Proposals. Note that non-acceptance of the UNGCC and/or Draft Form of Contract may therefore lead to the rejection of your Proposal, if not rescinded.

**Commercial Instructions**

**Payment Terms**

30. The standard UN terms of payment are net 30 calendar days following satisfactory delivery of goods, performance of services and submission of an invoice, whichever is later. Payment for any goods or services by the UN shall not be deemed an acceptance of the goods or services. The provisions of Incoterms 2010 shall apply to any delivery terms specified in this RFP.

31. The UN policy is to preclude advance payments or payment by Letters of Credit. Such provisions in a Proposal will be prejudicial to its evaluation by the UN.

**Currency**

32. Prices may be quoted in a currency other than the US Dollar. However, for the purposes of commercial evaluation and comparison of all Financial Proposals, the UN will convert the currency quoted in the Financial Proposal to US Dollar, in accordance with the prevailing UN Operational Rate of Exchange at the Closing Time.

33. The Contract/Purchase Order awarded to the selected Proposer, Proposer's invoices and the UN payments, will be made in the currency as originally quoted by the Proposer in its Financial Proposal.

**Price**

34. The offered price should be all inclusive. If your price excludes certain fees and/or charges, you must provide a detailed list of excluded fees, with a complete explanation of the nature of those fees. Unless otherwise provided in this RFP, the contract shall be concluded on a Firm Fixed Price basis, and shall not be subject to any adjustment, including the actual cost incurred by the Proposer in performing the contract or any market price

change.

**GSA Clause (for USA vendors only)**

35. The UN is officially eligible, under the United States Foreign Assistance Act of 1961, to receive full benefits under General Services Administration (GSA) Contracts. Accordingly, Proposal must specify whether or not items quoted by the Proposer are currently subject to GSA Federal Supply pricing and indicate the GSA Contract Number and Expiration Date, wherever applicable.

**Bid Security**

36. Not Applicable

**Performance Security**

37. Not Applicable

**Liquidated Damages**

38. Not Applicable

**Miscellaneous**

39. Proposers may find the UN Procurement Manual and the UN Financial Rules and Regulations, which are applied to this RFP, at <https://www.un.org/Depts/ptd/pdf/pm.pdf>.

40. If so requested, the Contractor shall furnish to the UN, within 5 business days of the UN's request, an electronic copy of the applicable price list(s) including item identification references, which shall serve as a catalogue of goods and/or services that can be ordered by the UN.

41. **Vendor registration and update of information:** Only vendors registered with the UN Secretariat in the United Nations Global Marketplace (UNGM) can participate in this solicitation. Vendors must be registered at the appropriate level in UNGM in order to be considered for award. In the event that a vendor fails to achieve the required registration level by the time the UN is ready to make an award, the UN reserves the right to award an alternative vendor. Vendors are responsible to ascertain their registration level at <http://www.ungm.org> and, if in doubt, contact the UN Secretariat at [register@un.org](mailto:register@un.org). For UNGM account-related issues, please contact: [registry@ungm.org](mailto:registry@ungm.org). Vendors are responsible for keeping their information up-to-date in UNGM. More information can be found at <https://www.un.org/Depts/ptd/vendor-registration>.

42. **Code of Conduct.** By submitting a Proposal, the Proposer confirms that it has accessed, read, understood and agrees to comply with the UN Supplier Code of Conduct, which, amongst others, prohibits collusive bidding, anti-competitive conduct, improper assistance and corrupt practices. Proposers should refer to the UN Supplier Code of Conduct for further information at [https://www.un.org/Depts/ptd/pdf/conduct\\_english.pdf](https://www.un.org/Depts/ptd/pdf/conduct_english.pdf).

43. The procurement of goods and/or services by the United Nations shall be in compliance with Security Council resolutions, and the rules, regulations and policies promulgated by the United Nations' principal organs.

**Confidentiality**

44. Unless otherwise indicated by the UN, the UN will consider and treat the Proposals received as confidential and commercially proprietary.

45. This RFP is confidential and proprietary to the UN, contains privileged information, part of which may be copyrighted, and is communicated to and received by Proposers on the condition that no part thereof, or any information concerning it may be copied, exhibited, or furnished to others without the prior written consent of the UN; except that the Proposer may exhibit the specifications to prospective sub-contractors for the sole purpose of obtaining proposals from them. The Proposer shall remain responsible towards the UN for any act or omission of such prospective sub-contractor, including breach of confidentiality obligation.

46. The confidentiality obligations hereof shall survive the expiration of this RFP, and shall be binding to all the

Proposers who received the RFP, regardless of whether or not they submit a Proposal and/or are awarded a resulting contract.

**UN Entities**

47. The selected Proposer may be required to make the benefits of any contract(s) resulting from this solicitation available to other UN Entities, subject to the UN Entities and the successful Proposer signing of the "Form for Participation in the Contract by the UN Entity" included in such contract(s). The list of UN Entities eligible to place orders can be found at [https://www.un.org/Depts/ptd/pdf/un\\_entities.pdf](https://www.un.org/Depts/ptd/pdf/un_entities.pdf).

**Independent Price Determination**

48. Consistent with the UN Supplier Code of Conduct, by submitting a Proposal, the Proposer certifies that:

- 1) the prices offered in the Proposal have been arrived at independently, without any consultation, communication, or agreement in any manner that would result in restriction of competition with any other Proposer or competitor relating to (a) those prices, (b) the intention to submit a Proposal, and/or (c) the methods or factors used to calculate the prices offered;
- 2) the prices in the Proposal have not been and will not be knowingly disclosed by the Proposer, directly or indirectly, to any other Proposer or competitor before the UN issues an award under this solicitation; and
- 3) no attempt has been made or will be made by the Proposer to induce any other entity to submit or not to submit a Proposal for the purpose of restricting competition.

Failure to comply with the above Independent Price Determination provisions shall result in the rejection of the Proposal(s). In addition, the UN reserves the right to exercise any other rights and remedies available to it.



**IMPORTANT: In order for your company to remain in good standing as a registered vendor, you must return a completed copy of this acknowledgement letter even if you do not intend to submit a Proposal/Bid at this time.**

**ANNEX A**  
**ACKNOWLEDGEMENT LETTER**

**SUBJECT: AA. Hiring of Engineering Consultancy Services for Detailed Engineering Design, Specifications and Estimation of 2 Micro-Hydro Power Projects in Myanmar And BB. Intermittent Construction Supervision for on-going Muizawl Micro Hydro Power Project i Micro Hydro Power Project in Chin State, Myanmar**

We, the undersigned, acknowledge receipt of your Request for Proposal (RFP) No. 3100002830 and hereby confirm that we:

INTEND                       DO NOT INTEND

to submit a Proposal/Bid to the UN by the deadline date of **18-Mar-2018 at 05:00 PM (Yangon Time)** and that, if we submit a Proposal/Bid, we:

INTEND                       DO NOT INTEND

to send one (1) authorized representative to observe the public opening procedure.

**NOTE: Due to the current security arrangements, your authorized representative must present a completed copy of this letter in order to observe the public opening procedure.**

We acknowledge that this RFP is confidential and proprietary to the United Nations, and contains privileged information. Upon request, we will return this RFP or any part thereof, and all copies thereof, to the United Nations.

Name & Title of Authorized Representative: \_\_\_\_\_

Signature: \_\_\_\_\_

Company Name and Address : \_\_\_\_\_

Telephone No.: \_\_\_\_\_ Email: \_\_\_\_\_

If you do not intend to submit a bid to the United Nations, please indicate the reason:

- We do not have the capacity to submit a bid at this time.
- We cannot meet the technical requirement for this RFP.
- We do not think we can make a competitive offer at this time.
- Others: (Please specify: \_\_\_\_\_ )

Kindly return this Acknowledgement Letter immediately via fax , to Natmauk Road, Tamwe Township, 6, Yangon, 11211, Myanmar Tel: 951-542910-9 EXT-116. Attention: **Kyaw Swar Soe**

**ANNEX D**  
**FORM FOR PARTICIPATION IN THE CONTRACT BY THE UN ENTITY**

UNITED NATIONS LETTERHEAD

Date:

[Contractor] Attention:

*SUBJECT: Contract no. PD/C0xxx/xx between the United Nations and Vendor for the provision of \_\_\_\_\_ for the United Nations and the UN Entities*

Dear [ ]:

Please be advised that the undersigned (UN Entity Name) ("UN Entity") wishes to use the Contract No. **PD/C0XXX/XX** between VENDOR and the United Nations ("Customer") dated ..., and annexes and schedules thereto (the "Contract") to purchase directly from VENDOR the Goods and Services listed in the Contract for its internal use.

The undersigned UN Entity represents that it has reviewed the Contract, and agrees to the following:

**Article 1.** The UN Entity will abide by all of the terms and conditions of the Contract, including any amendments thereto as of the date of any purchase order submitted by the UN Entity.

**Article 2.** The UN Entity shall be responsible for obtaining and adhering to the terms of any amendments to the Contract executed by the Parties to the Contract.

**Article 3.** The undersigned UN Entity represents that the terms and conditions of the Contract including any subsequent amendments are binding and fully enforceable against such UN Entity as if it were an original Party to the Contract.

**The undersigned represents that he/she is a duly authorized representative of UN Entity. If you have any questions, please feel free to contact the undersigned at tel. ( ) \_\_\_\_\_ or email \_\_\_\_\_.**

Very truly yours,  
(UN Entity)

Agreed & Accepted:  
[CONTRACTOR]

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_