

# INSTRUCTIONS TO TENDERERS

**REFERENCE: REF REF. Act. 1.2 – Consultancy on Analysis of stakeholders**

**When submitting their tenders, tenderers must follow all instructions, forms, terms of reference, contract provisions and specifications contained in this tender dossier. Failure to submit a tender containing all the required information and documentation within the deadline specified may lead to the rejection of the tender.**

## 1. Services to be provided

The services required by the Contracting Authority are described in the Terms of Reference. They are set out in Annex II to the draft contract, which forms Part B of this tender dossier.

## 2. Timetable

	DATE	TIME*
<b>Deadline for submitting tenders</b>	12 April 2023	16.00
<b>Completion date for evaluating technical offers</b>	At most 5 days after deadline for tenders <sup>□</sup>	-
<b>Contract signature</b>	20/04/2023	-

## 3. Participation

Participation is open to all NGOs and consultancy firm in Albania.

## 4. Content of tenders

Offers, all correspondence and documents related to the tender exchanged by the tenderer and the Contracting Authority must be written in English.

The tender must comprise of a Technical offer and a Financial offer’.

### 4.1. Technical offer

The Technical offer must include the following documents:

- (1) **Tender submission form** (see Part D of this tender dossier) including:
  - a) A signed **bidders binding declaration (FORMULARI PËRMBLEDHËS I VETËDEKLARIMIT)**
  - b) The **legal entity file**
  - c) CV of the key experts
  - d) CV/profile of company/NGO

After the award decision the successful applicant will be required to submit:

- Copy of the TIN (NIPT); Registration Act;
- The Bank Account number

In case that the first qualified applicant does not submit the required documents, the Contracting Authority will invite the second qualified, and so on.

Tenderers are reminded that the provision of false information in this tender procedure may lead to the rejection of their tender and to their exclusion from EU-funded procedures and contracts.

#### **4.2. Financial offer**

The Financial offer must be presented as an amount in Euro and must be submitted using the template for the global-price version of template providing to this tender dossier.

### **5. Submission of tenders**

Tenders must be delivered to the Contracting Authority before April 12<sup>th</sup>, 2023; time 16.00. They must include the requested documents in clause 4 above and be sent:

- **EITHER** by recorded delivery (official postal service) to:

Institute for Nature Conservation in Albania  
Rruga “Islam Alla”, pallati IVEA, Kati I Pare, Tirana, Albania

In this case, the delivery record makes proof of compliance with the time-limit for receipt.

- **OR** hand delivered (including courier services) directly to the Contracting Authority against a signed and dated receipt to:

Institute for Nature Conservation in Albania  
Rruga “Islam Alla”, pallati IVEA, Kati I Pare, Tirana, Albania;

- Or by e-mail in [Info@inca-al.org](mailto:Info@inca-al.org)

Time: 16.00

Tenders by recorded or hand delivery must be submitted using the double envelope system, i.e., in an outer parcel or envelope containing two separate, sealed envelopes, one bearing the words ‘**Envelope A — Technical offer**’ and the other ‘**Envelope B — Financial offer**’.

The outer envelope should provide the following information:

- a) the address for submitting tenders indicated above;
- b) the reference code of the tender procedure: REFERENCE: Act. 1.2 – Consultancy on Analysis of stakeholders
- c) the words ‘Not to be opened before the tender-opening session’ and “Te mos hapet perpara sesionit te hapjes se tenderit”;
- d) the name of the tenderer.

Tenders submitted by e-mail must be delivered in two folders bearing the words as above.

### **6. Evaluation of tenders**

#### **6.1. Evaluation of technical offers**

The quality of each technical offer will be evaluated in accordance with the award criteria and the weighting detailed in the evaluation grid in Part C of this tender dossier. No other award criteria will be used. The award criteria will be examined in accordance with the requirements indicated in the Terms of Reference based on the CV of the key expert and profile of NGO/Company.

The evaluation of the technical offers will follow the procedures set out in Section 3.3.10 of the EU Practical Guide (available on the internet at <http://ec.europa.eu/europeaid/prag/document.do>).

#### **6.1.1. Interviews**

No interviews are foreseen.

#### **6.2. Evaluation of financial offers**

Upon completion of the technical evaluation, the envelopes containing the financial offers for tenders that were not eliminated during the technical evaluation will be opened (i.e. those with an average score of 75 points or more). Tenders exceeding the maximum budget available for the contract are unacceptable and will be eliminated.

#### **6.3. Choice of selected tenderer**

The best price-quality ratio is established by weighing technical quality against price on an 80/20 basis.

#### **6.4. Confidentiality**

The entire evaluation procedure is confidential, subject to the Contracting Authority's legislation on access to documents. The Evaluation Committee's decisions are collective and its deliberations are held in closed session. The members of the Evaluation Committee are bound to secrecy. The evaluation reports and written records are for official use only and may be communicated neither to the tenderers nor to any party other than the Contracting Authority and the Auditors.

### **7. Ethics clauses / Corruptive practices**

- a) Any attempt by a tenderer to obtain confidential information, enter into unlawful agreements with competitors or influence the Evaluation Committee or the Contracting Authority during the process of examining, clarifying, evaluating and comparing tenders will lead to the rejection of its tender and may result in administrative penalties.
- b) The tenderer must not be affected by any conflict of interest and must have no equivalent relation in that respect with other tenderers or parties involved in the project.
- c) Tenders will be rejected or contracts terminated if it emerges that the award or execution of a contract has given rise to unusual commercial expenses. Such unusual commercial expenses are commissions not mentioned in the main contract or not stemming from a properly concluded contract referring to the main contract, commissions not paid in return for any actual and legitimate service, commissions remitted to a tax haven, commissions paid to a payee who is not clearly identified or commissions paid to a company which has every appearance of being a front company.
- e) The Contracting Authority reserves the right to suspend or cancel the procedure, where the award procedure proves to have been subject to substantial errors, irregularities or

fraud. If substantial errors, irregularities or fraud are discovered after the award of the Contract, the Contracting Authority may refrain from concluding the Contract.

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

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

The successful tenderer will be informed in writing that its tender has been accepted.

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

Within 10 days of receipt of the contract already signed by the Contracting Authority, the selected tenderer shall sign and date the contract and return it to the Contracting Authority.

Failure of the selected tenderer to comply with this requirement may constitute grounds for annulling the decision to award the contract. In this event, the Contracting Authority may award the tender to another tenderer or cancel the tender procedure.

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

In the event of cancellation of the tender procedure, the Contracting Authority will notify tenderers of the cancellation. If the tender procedure is cancelled before the outer envelope of any tender has been opened, the unopened and sealed envelopes will be returned to the tenderers.

Cancellation may occur, for example, where:

- the tender procedure has been unsuccessful, i.e., no suitable, qualitatively or financially acceptable tender has been received or there is no valid response at all;
- there are fundamental changes to the economic or technical data of the project;
- exceptional circumstances or force majeure render normal performance of the contract impossible;
- all technically acceptable tenders exceed the financial resources available;
- there have been substantial errors, irregularities or frauds in the procedure, in particular if they have prevented fair competition;
- the award is not in compliance with sound financial management, i.e. does not respect the principles of economy, efficiency and effectiveness (e.g. the price proposed by the tenderer to whom the contract is to be awarded is objectively disproportionate with regard to the price of the market).

In no event shall the Contracting Authority be liable for any damages whatsoever including, without limitation, damages for loss of profits, in any way connected with the cancellation of a tender procedure, even if the Contracting Authority has been advised of the possibility of damages. The publication of a contract notice does not commit the Contracting Authority to implement the programme or project announced.

## **10. Appeals**

Tenderers believing that they have been harmed by an error or irregularity during the award process may file a complaint.