



## **VIRUNGA FOUNDATION**

Audley House  
13 Palace Street  
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United Kingdom

### **SUPPLY OF FENCE**

#### **RUMANGABO AND ISHASHA CORRIDOR, DR OF CONGO**

- 1. Publication reference**  
VF/11Fed/2016/07/Fence
- 2. Procedure**  
Open
- 3. Programme title**  
FED
- 4. Financing**  
11<sup>th</sup> FED
- 5. Contracting authority**  
Virunga Foundation

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### **CONTRACT SPECIFICATIONS**

#### **6. Description of the contract**

The subject of the contract is the supply, manufacture and delivery by the Contractor of the following goods: Electric Fence length: 36 000 metres: 26 000 metres in Ishasha and 12 000 metres in Rumangabo, ontime monitoring system and Skills transfer to Virunga National Park team.

Supplies are to be delivered at Ishasha and Rumangabo, Rutshuru Territory, Northern Kivu Province, Democratic Republic of Congo.

- 4. Number and titles of lots**  
One lot

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### **TERMS OF PARTICIPATION**

#### **5. Eligibility and rules of origin**

Participation in tendering is open on equal terms to natural and legal persons (participating



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either individually or in a grouping – consortium - of tenderers) which are established in one of the Member States of the European Union, ACP States or in a country or territory authorised by the ACP-EC Partnership Agreement under which the contract is financed (see also item 22 below). Participation is also open to international organisations. All goods supplied under this contract must originate in these countries.

All supplies under this contract must originate in one or more of these countries.

### **6. Grounds for exclusion**

Tenderers must submit a signed declaration, included in the Tender Form for a Supply Contract, to the effect that they are not in any of the situations listed in point 2.3.3 of the Practical Guide.

### **7. Number of tenders**

Tenderers may submit only one tender per lot. Tenders for parts of a lot will not be considered. Any tenderer may state in its tender that it would offer a discount in the event that its tender is accepted for more than one lot. Tenderers may submit a tender for a variant solution in addition to their tender for the supplies required in the tender dossier.

### **8. Tender guarantee**

Tenderers must provide a tender guarantee of EUR 5000 or USD 5500 when submitting their tender. This guarantee will be released to unsuccessful tenderers once the tender procedure has been completed and to the successful tenderer[s] upon signature of the contract by all parties. This guarantee will be called upon if the tenderer does not fulfil all obligations stated in its tender.

### **9. Performance guarantee**

The successful tenderer will be asked to provide a performance guarantee of 5% of the amount of the contract at the signing of the contract. This guarantee must be provided together with the return of the countersigned contract no later than 30 days after the tenderer receives the contract signed by the Contracting Authority. If the selected tenderer fails to provide such a guarantee within this period, the contract will be void and a new contract may be drawn up and sent to the tenderer which has submitted the next cheapest compliant tender.

### **10. Information meeting and/or site visit**

No information meeting is planned

### **11. Tender validity**

Tenders must remain valid for a period of 90 days after the deadline for submission of tenders.

### **12. Period of implementation of tasks**

The successful tenderer will have 120 days from the moment of contract signature until provisional acceptance.



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## **SELECTION AND AWARD CRITERIA**

### **13. Selection criteria**

The following selection criteria will be applied to tenderers. In the case of tenders submitted by a consortium, these selection criteria will be applied to the consortium as a whole unless specified otherwise. The selection criteria will not be applied to natural persons and single-member companies when they are sub-contractors:

- 1) Economic and financial capacity of tenderer (based on i.a. item 3 of the Tender Form for a Supply Contract). In case of tenderer being a public body, equivalent information should be provided. The reference period which will be taken into account will be the last three years for which accounts have been closed.
- 2) Professional capacity of tenderer (based on i.a. items 4 and 5 of the Tender Form for a Supply Contract). The reference period which will be taken into account will be the last 3 years from submission deadline.
- 3) Technical capacity of tenderer (based on i.a. items 5 and 6 of the Tender Form for a Supply Contract). The reference period which will be taken into account will be the last 3 years from submission deadline.

This means that the contract the tenderer refers to could have been started or completed at any time during the indicated period but it does not necessarily have to be started and completed during that period, nor implemented during the entire period. Tenderers are allowed to refer either to projects completed within the reference period (although started earlier) or to projects not yet completed. In the first case the project will be considered in its whole if proper evidence of performance is provided (statement or certificate from the entity which awarded the contract, final acceptance). In case of projects still on-going only the portion satisfactorily completed during the reference period will be taken into consideration. This portion will have to be supported by documentary evidence (similarly to projects completed) also detailing its value.

Capacity-providing entities



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An economic operator may, where appropriate and for a particular contract, rely on the capacities of other entities, regardless of the legal nature of the links which it has with them. Some examples of when it may not be considered appropriate by the Contracting Authority are when the tender rely in majority on the capacities of other entities or when they rely on key criteria. If the tender rely on other entities it must prove to the Contracting Authority that it will have at its disposal the resources necessary for performance of the contract, for example by producing a commitment on the part of those entities to place those resources at its disposal. Such entities, for instance the parent company of the economic operator, must respect the same rules of eligibility and notably that of nationality, as the economic operator. Furthermore, the data for this third entity for the relevant selection criterion should be included in the tender in a separate document. Proof of the capacity will also have to be furnished when requested by the Contracting Authority.

With regard to technical and professional criteria, a tenderer may only rely on the capacities of other entities where the latter will perform the tasks for which these capacities are required.

With regard to economic and financial criteria, the entities upon whose capacity the tenderer relies, become jointly and severally liable for the performance of the contract.

### **14. Award criteria**

Price

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## **TENDERING**

### **15. How to obtain the tender dossier**

The tender dossier is available from Virunga Foundation, and can be requested from the email address [Tenders@virunga.org](mailto:Tenders@virunga.org), quoting the publication reference shown in item 1.

Tenders must be submitted using the standard Tender Form for a Supply Contract included in the tender dossier, whose format and instructions must be strictly observed.

Tenderers with questions regarding this tender should send them in writing to

Virunga Foundation, 142 Avenue des Ronds-Point, Enceinte OVG, Goma, Nord Kivu, DRC.

Email addresses [Tenders@virunga.org](mailto:Tenders@virunga.org) (mentioning the publication reference shown in item 1) at least 21 days before the deadline for submission of tenders given in item 19. Virunga Foundation shall reply to all tenderers' questions at least 11 days before the deadline for submission of tenders. Eventual clarifications or minor changes to the tender dossier shall be published at the latest 11 days before the submission deadline on Virunga Foundation's website.

### **16. Deadline for submission of tenders**

By January 3, 2017, 10:00 am Central European Time.



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Any tenders received by Virunga Foundation after this deadline will not be considered.

### **17. Tender opening session**

3<sup>rd</sup> January 2017 at 1:00 pm Central European Time, at the offices of Virunga Foundation, 142 Avenue des Ronds-Point, Enceinte OVG, Goma, Nord Kivu, DRC.

### **18. Language of the procedure**

All written communications for this tender procedure and contract must be in English or French.

### **19. Legal basis**

Annex IV to the Partnership Agreement between the members of the African, Caribbean and Pacific Group of States of the one part, and the European Community and its Member States, of the other part, signed in Cotonou on 23 June 2000 as amended in Luxembourg on 25 June 2005 and in Ouagadougou on 22 June 2010. Reference is made to Annex IV as revised by Decision 1/2014 of the ACP-EU Council of Ministers of 20 June 2014.