

SECTION I INSTRUCTIONS TO BIDDERS

In submitting a bid, the bidder accepts in full and without restriction the special and general conditions governing the contract as the sole basis of this tendering procedure, whatever its own conditions of sale may be, which it hereby waives. Bidders are expected to examine carefully and comply with all instructions, forms, contract provisions and specifications contained in this tender dossier. Failure to submit a bid containing all the required information and documentation within the deadline specified will lead to the rejection of the bid. No account can be taken of any reservation in the bid as regards the tender dossier; any reservation may result in the immediate rejection of the bid without further evaluation.

These instructions set out the rules for the submission, selection and implementation of contracts financed under this call for bids, in conformity with the provisions of the practical guide, which is applicable to the present call (available on the internet at this address: <http://ec.europa.eu/europeaid/prag/document.do>).

GENERAL PART

1. GENERAL INSTRUCTIONS

Bidders must bid for the whole of the works required by the dossier. Timetable:

	DATE	TIME*
Clarification meeting	19/05/2025	10 AM
Site visit	21/05/2025	10 AM
Deadline for request for any additional information from the contracting authority	26/05/2025	5 PM
Last date on which additional information are issued by the contracting authority	30/05/2025	-
Deadline for submission of bids	10/06/2025	5 PM
Bid-opening session	16/06/2025	10 AM
Notification of award to the successful bidder	*23/06/2025	-
Signature of the contract	*30/06/2025	-

*Provisional Dates

TENDER EXPENSES

The bidder will bear all costs associated with the preparation and submission of the bid. The contracting authority will in no case be responsible or liable for such costs, whatever the conduct or outcome of the procedure.

The contracting authority will neither be responsible for, nor cover, any expenses or losses incurred by the bidder through site visits and inspections or any other aspect of its bid.

CLARIFICATION MEETING

The clarification meeting will be held on May 19th, 2025 at 10 AM at Doctors with Africa CUAMM main office: Bole Subcity, Woreda 3, House nr. 2434, Addis Ababa

The meeting will provide clarifications only on the tender dossier documentation to be provided.

SITE VISIT

A site visit will be held by the Contracting Authority on May 21st, 2025, at 10 AM at the Black lion NICU Hospital Addis Ababa, Ethiopia.

TENDER DOCUMENTS

2. CONTENT OF TENDER DOCUMENTS

Bidders bear sole liability for examining with appropriate care the tender documents, including those design documents available for inspection and any modification to the tender documents issued during the tendering period, and for obtaining reliable information with respect to any and all conditions and obligations that may in any way affect the amount or nature of the tender or the execution of the works. In the event that the bidder is successful, no claim for alteration of the tender amount will be entertained on the grounds of errors or omissions in the obligations of the bidder described above.

3. EXPLANATIONS CONCERNING TENDER DOCUMENTS

Bidders may submit questions in writing up to 13 days before the deadline for submission of bids, specifying the publication reference and the contract title, to:

Biruk Admassu
Bole Subcity, Woreda 3, house nr. 2434, Addis Ababa
b.admassu@cuamm.org
cc
g.berardi@cuamm.org

The contracting authority has no obligation to provide additional information after this date. Any clarification of the tender dossier will be communicated simultaneously to all bidders at the latest 8 calendar days before the deadline for submitting bids.

4. MODIFICATIONS OF TENDER DOCUMENTS

The contracting authority may amend the tender documents up to 8 calendar days before the deadline for submission of bids.

Any modification of the tender dossier will be communicated in writing to all invited service providers simultaneously.

The contracting authority may, as necessary and in accordance with clause 12, extend the deadline for submission of bids to give bidders sufficient time to take modifications into account when preparing their bids.

BID PREPARATION

5. LANGUAGE OF BIDS

The bid and all correspondence and documents related to the bid exchanged by the bidder and the contracting authority must be written in the language of the procedure which is English.

If the supporting documents are not written in English, a translation into the language of the call for tender must be attached.

6. CONTENT AND PRESENTATION OF BIDS

The bid must be signed by a person or persons empowered by the power of attorney submitted in accordance with Annex 11 of the tender dossier.

All bids must comprise the following information and duly completed documents:

- 6.1 Tender form (03), in accordance with the Form of Volume 1, Section 2, together with the 'Declaration on Honour on exclusion criteria and selection criteria'¹ as an Annex.
- 6.2 Evidence of the bidder's fulfilment of the following eligibility and selection criteria:
- the eligibility requirements in section 14 of the attached contract notice, through the tender form and the Legal entity form (Annex II). Copies of the most recent documents showing legal status and place of registration of the headquarters of the bidder are to be attached;
 - the economic and financial capacity requirements in section 14.a and 14.b of the attached contract notice, through the Technical Offer (Annex IV); Copies of the Audit Reports for the year 2023 and 2024.
- 6.3 Financial offer, in accordance with Financial Offer (Annex XII);
- The breakdown of the lump-sum price does not derogate in any way to the clause according to which, in a lump-sum contract, the total contract price remains fixed irrespective of the quantities of work actually carried out. The prices filled in Annex XII are deemed to have been determined on the basis of the conditions in force 30 days prior to the latest date fixed for submission of bids.
- 6.4 Technical offer, which must include this information:
- a list of the staff proposed for the execution of the contract, with the CVs of key staff - Technical Offer (Annex IV);
 - a work plan with brief descriptions of major activities Technical Offer (Annex IV), showing the sequence and proposed timetable for the implementation of the tasks.
- 6.5 a **power of attorney** empowering the person signing the bid and all related documentation attached to the Legal Identity Form (Annex II).
- 6.6 a **cash-payment order (CPO)**, with a minimum validity of one (1) month, for the value of 2% of the bid submitted. The CPO will be returned to unsuccessful bidders when they are notified of the outcome of the tender, while the successful bidder will receive their CPO back upon signing the tender contract.
- 6.7 the Financial identification form (Annex V);

Bids submitted by companies in partnerships forming a joint venture/consortium must also fulfil the following requirements:

- The bid must include all the information required by Sub-clause 8.2 above for each member of the joint venture/consortium and the summary data for execution of works by the bidder.

¹ See detailed instructions on p.5 of annex ds4c

- The bid must be signed in a way that legally binds all members. One member must be appointed lead member and that appointment confirmed by submission of powers of attorney signed by legally empowered signatories representing all the individual members. See the tender form.
- All members of the joint venture/consortium are bound to remain in the joint venture/consortium for the whole execution period of the contract. See the declaration in the tender form.
- **Bidders must also submit a digital copy (CD Rom or Flash Drive) of the whole tender dossiers in a closed envelop.**

7. TENDER PRICES

The currency of the tender is the ETB. The bidder must provide a breakdown of the lump-sum price in ETB.

The tender price must cover the whole of the works as described in the tender documents. No payment will be made for items which have not been costed; such items will be deemed to be covered by other items on the breakdown of the lump-sum price.

8. PERIOD OF VALIDITY OF BIDS

Bids must remain valid for a period of 90 days from the deadline for submission of bids indicated in the contract notice, the invitation to tender or as modified in accordance with Clause 6 and/or 12.

The successful bidder must maintain its bid for a further 60 days. The further period is added to the validity period irrespective of the date of notification.

SUBMISSION OF BIDS

9. SUBMISSION OF BIDS

The complete bid must be submitted in one original, clearly marked 'original' and copies, also clearly marked 'copy'. In the event of any discrepancy between them the original will prevail.

The technical and financial offers must be placed together in a sealed envelope. The envelopes should then be placed in another sealed envelope/package, unless their volume requires several envelopes/packages.

Bidders must also submit a digital copy (CD Rom or Flash Drive) of the whole tender dossiers in a closed envelop.

All bids must be sent to the contracting authority before the deadline for submission of bids specified in the table in point 1 above:

EITHER by post or by courier service, in which case the evidence shall be constituted by the postmark or the date of the deposit slip², to:

Doctors with Africa CUAMM
Bole Subcity, Woreda 3, House nr. 2434, Addis Ababa

OR hand delivered by the participant in person or by an agent **directly** to the premises of the contracting authority in return for a **signed and dated receipt**, in which case the evidence shall be constituted by this acknowledgement of receipt, to:

Doctors with Africa CUAMM
Bole Subcity, Woreda 3, House nr. 2434, Addis Ababa

The contracting authority may, for reasons of administrative efficiency, reject any request to participate or bid submitted on time to the postal service but received, for any reason beyond the contracting authority's control, after the effective date of approval of the evaluation report, if accepting bids that were submitted on time but arrived late would considerably delay the evaluation procedure or jeopardise decisions already taken and notified.

The technical and financial offers must be placed together in one sealed envelope. This envelope should then be placed in another sealed envelope/package, unless their volume requires a separate submission for each lot.

The outer envelope should provide the following information:

- a) the address for submitting bids indicated above;
- b) the reference code of the tender procedure is:
16/CUAMM/ETH/2025/ AID 012958/ETH
- c) the words 'Not to be opened before the bid-opening session;
- d) the name of the bidder.

Each envelope must include an index of its contents. The pages of the technical and financial offers must be numbered.

10. EXTENSION OF THE DEADLINE FOR SUBMISSION OF BIDS

The contracting authority may, on its own discretion, extend the deadline for submission of bids when issuing a modification. In such cases, all rights and obligations of the contracting authority and the bidder regarding the original date specified in the contract notice will be subject to the new date.

11. LATE BIDS

All bids received after the deadline for submission specified in these instructions will be kept by the contracting authority.

No liability can be accepted for late delivery of bids. Late bids will be rejected and will not be evaluated.

² It is recommended to use registered mail in case the postmark would not be readable.

12. ALTERATION AND WITHDRAWAL OF BIDS

Bidders may alter or withdraw their bids by written notification prior to the above deadline. No bid may be altered after the deadline for submission. Withdrawals must be unconditional and will end all participation in the tender procedure.

Any such notification of alteration or withdrawal must be prepared and submitted in accordance with Clause 11 above, and the envelope must also be marked with 'alteration' or 'withdrawal' as appropriate.

OPENING AND EVALUATION OF BIDS

13. OPENING OF BIDS

The opening session will be held on June 16th, 2025 at 10 AM at Doctors with Africa CUAMM main office in Addis Ababa:

Doctors with Africa CUAMM
Bole Subcity, Woreda 3, House nr. 2434, Addis Ababa

14. EVALUATION OF BIDS

The contracting authority reserves the right to ask a bidder to clarify any part of the offer that the evaluation committee may consider necessary for the evaluation of the offer. Such requests and the responses to them must be made in writing. They may in no circumstances alter or try to change the price or content of the bid, except to correct arithmetical errors discovered by the evaluation committee when analysing bids. The contracting authority reserves the right to check information submitted by the bidder if the evaluation committee considers it necessary.

The evaluation of bids will be conducted according to Section 5.3.9.4 of the practical guide:

14.1 Examination of the administrative conformity of bids

The evaluation committee will check that each bid:

- has been properly signed;
- all the elements in the administrative compliance grid are acceptable;
- has complete documentation and information;
- substantially complies with the requirements of these tender documents.

14.2 Examination of the selection criteria

The evaluation committee will check whether the bidders meet the eligibility and selection criteria.

14.3 Technical evaluation

The evaluation committee will analyse the bids' technical conformity in relation to the technical specifications, classifying them technically compliant or non-compliant.

14.4 Financial evaluation

Once the technical evaluation has been completed the evaluation committee checks that the financial offers contain no arithmetical errors. When analysing the

bid, the evaluation committee will determine the final tender price after adjusting it on the basis of Clause 17.

14.5 Award criterion

The sole award criterion will be: the most economically advantageous bid among the financially and technically compliant bids rated 75 point and above.

15. CORRECTION OF ERRORS

Possible errors in the financial offer will be corrected by the evaluation committee as follows:

- where there is a discrepancy between amounts in figures and in words, the amount in words will prevail;
- except for lump-sum contracts, where there is a discrepancy between a unit price and the total amount derived from the multiplication of the unit price and the quantity, the unit price as quoted will prevail.

The amount stated in the bid will be adjusted by the evaluation committee in the event of error, and the bidder will be bound by that adjusted amount.

CONTRACT AWARD

16. NOTIFICATION OF AWARD, CONTRACT CLARIFICATIONS

Prior to the expiration of the period of validity of bids, the contracting authority will notify the successful bidder, in writing, that its bid has been selected and draw its attention to any arithmetical errors corrected during the evaluation process. This notification may take the form of an invitation to clarify certain contractual questions raised therein, to which the bidder must be prepared to reply. This clarification will be confined to issues that had no direct bearing on the choice of the successful bid. The outcome of such clarifications will be set out in a memorandum of clarifications, to be signed by both parties and incorporated into the contract.

By submitting a bid, each bidder accepts to receive notification of the outcome of the procedure by electronic means. Such notification shall be deemed to have been received on the date upon which the contracting authority sends it to the electronic address referred to in the offer.

The successful bidder will be informed in writing that its bid has been accepted (notification of award).

17. CONTRACT SIGNING

Within 10 days of receipt of the contract already signed by the contracting authority, the selected bidder must sign and date the contract and return it to the contracting authority. On signing the contract, the successful bidder will become the contractor and the contract will enter into force.

If it fails to sign and return the contract within 10 days after receipt of notification, the contracting authority may consider the acceptance of the bid to be cancelled without prejudice to the contracting authority's right to claim compensation or pursue any other remedy in respect of such failure, and the successful bidder will have no claim whatsoever on the contracting authority.

18. CANCELLATION OF THE TENDER PROCEDURE

In the event of a tender procedure's cancellation, bidders will be notified by the contracting authority. In case of paper submission and if the tender procedure is cancelled before the bid-opening session the sealed envelopes will be returned, unopened, to the bidders.

Cancellation may occur where:

- the tender procedure has been unsuccessful, namely where no qualitatively or financially worthwhile bid has been received or there has been no valid response at all;
- the economic or technical parameters of the project have been fundamentally altered;
- exceptional circumstances or force majeure render normal execution of the project impossible;
- all technically compliant bids exceed the financial resources available;
- there have been irregularities in the procedure, in particular where these 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 bidder to whom the contract is to be awarded is objectively disproportionate with regard to the price of the market.

In no event will the contracting authority be liable for 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 informed of the possibility of damage. The publication of a procurement notice does not commit the contracting authority to implement the programme or project announced.

19. DATA PROTECTION

Processing of personal data related to this tender procedure by the contracting authority takes place in accordance with the national legislation of Ethiopia.

Details concerning processing of your personal data by the Commission are available on the privacy statement at:

<http://ec.europa.eu/europeaid/prag/annexes.do?chapterTitleCode=A>

In cases where you are processing personal data in the context of participation in a bid (e.g. CVs of both key and technical experts) and/or implementation of a contract (e.g. replacement of experts) you shall accordingly inform the data subjects of the possible transmission of their data to EU institutions and bodies and communicate the above mentioned privacy statement to them.

20. EARLY DETECTION AND EXCLUSION SYSTEM

The bidders and, if they are legal entities, persons who have powers of representation, decision-making or control over them, are informed that, should they be in one of the situations of early detection or exclusion, their personal details (name, given name if natural person, address, legal form and name and given name of the persons with powers of representation, decision-making or control, if legal person) may be registered in the early detection and exclusion system (EDES) and communicated to the persons and entities concerned in relation to the award or the execution of a procurement contract.