

## **A. INSTRUCTIONS TO TENDERERS**

### **PUBLICATION REF.: 9/E/2019**

**Tenderers are expected to examine carefully and comply with all instructions, forms, 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 will lead to the rejection of the tender. No account can be taken of any reservation in the tender as regards the tender dossier; any reservation may result in the immediate rejection of the tender without further evaluation.**

#### **1. Supplies to be provided**

1.1 The subject of the contract is the supply and delivery by the Contractor of the following:

##### **Triple Quadrupole Mass spectrometer GC-MS**

in one (1) lot. The supplies are to be delivered at Beirut, Lebanon / CNRS-L National Marine Research Centre (Jounieh) within shortest possible delay and not to exceed sixty (60) days maximum after the signature of the contract by CNRS-L.

Training course on the use of the equipment and of the corresponding software(s) shall be provided within 10 days after installation and thereafter depending on need and within the first year after installation.

1.2 Tenderers are not authorised to tender for a variant in addition to the present tender.

## **2. Participation**

- 2.1 Due to needed ancillary services (on the ground training, support, installation and regular maintenance). The present supply contract will be awarded by local open procedure. Under this procedure, a procurement notice will be published on the CNRS-L Website and the contracting authority invites candidates to submit tenders.
- 2.2 Tenderers must provide declarations to the effect that they are not in any exclusion situations. The declarations must cover all the members of a joint venture/consortium. Tenderers who have been guilty of making false declarations may also incur financial penalties and exclusion. **(B5 - Declaration Candidate Exclusion Ground (9-E-2019))**
- 2.3 The exclusion situation referred to above also applies to any subcontractor. Whenever requested by the Contracting Authority, the tenderer/contractor shall submit a declaration from the intended subcontractor that it is not in one of the exclusion situations. In case of doubt on this declaration of honour, the Contracting Authority shall request documentary evidence that the sub-contractor is not in a situation of exclusion.
- 2.4 To be eligible for participation in this tender procedure, tenderers must prove to the satisfaction of the Contracting Authority that they comply with the necessary legal, technical and financial requirements and have the means to carry out the contract effectively.

## **3. Currency**

- 3.1 Tenders must be presented in Euro. The currency of tender shall be the currency of the contract and of payment.

## **4. Period of validity**

- 4.1 Tenderers shall be bound by their tenders for a period of 60 days from the deadline for the submission of tenders.

## **5. Language of offers**

- 5.1 The offers, all correspondence and documents related to the tender exchanged by the tenderer and the Contracting Authority must be written in the language of the procedure which is English.

## **6. Submission of tenders**

- 6.1 Tenders must be received before the deadline specified in 6.3. They must include all the documents specified in point 7 of these Instructions and be sent to the following address:

**ELME Project**  
**Att: Milad Fakhri**  
**National Council for Scientific Research – Lebanon (CNRS-L)**  
**59 Zahia Selman Street, Jnah**  
**Beirut, Lebanon**  
**+961 1 850125**  
**Mail Registration Office, Floor 2, Office 220; During Official Office Hours**

\* The words “Not to be opened before the tender opening session” should be clearly marked on the envelop. (see below)

Tenders must comply with the following conditions:

- 6.2 All tenders must be submitted in one copy marked “original.”
- 6.3 All tenders must be received at CNRS-L before the deadline date and time **(September 19, 2019 at 12:00 pm)** by registered letter with acknowledgement of receipt or hand-delivered against signature.
- 6.4 All tenders, including annexes and all supporting documents, must be submitted in a sealed envelope bearing only:
  - a) the above address;
  - b) the reference code of this tender procedure, (i.e., 9/E/2019);
  - c) the words “Not to be opened before the tender opening session” in the language of the tender dossier;
  - d) the name of the tenderer.

**The technical and financial offers must be placed *separately*, each in a sealed & signed envelope.** The envelopes should then be placed in another single sealed envelope (including all other administrative documentations).

Any alteration or withdrawal of the submitted offer has to be submitted under the same conditions as above before the submission deadline.

## 7. Content of tenders

All tenders submitted must comply with the requirements in the tender dossier and comprise:

Part 1: Technical offer: ***(Place in sealed, separate envelop)***

- a detailed description of the supplies tendered in conformity with the technical specifications, including any documentation required, if applicable;

The technical offer should be presented as per template (annex II+III, the contractor’s technical offer) completed when and if necessary by separate sheets for details.

***(B3. Annex II-III, Technical Specification (9-E-2019)); to also include brochure of the equipment offered)***

Part 2: Financial offer: ***(Place in sealed, separate envelop)***

- A financial offer calculated on the basis of Delivery at Destination – Delivery Duty Paid (CNRS-L Marine Research Centre, Jounieh); to include delivery costs (but not duties and taxes).

This financial offer should be presented as per template (annex IV, budget breakdown), and if necessary completed by separate sheets for the details.

\* ELME Project is exempt of VAT

\* Any Duties and Taxes related to importation that cannot be exempted, will be settled to the tendered on official invoice only (from customs and duties) by the CNRS-L to the tenderer.

***(B4. Annex IV, Budget Breakdown (9-E-2019))***

### Part 3: Documentation:

To be supplied following templates in annex V:

- The “Tender Form for a Supply Contract”, duly completed. *(DI. Tender Form (9/E/2019))*
- The details of the bank account into which payments should be made.
- Details of legal entity and the supporting documents (Registration).

Please provide supporting documents, including:

- Registration Document (إذاعة تجارية)
- Financial Registration Document (شهادة تسجيل مالية)
- Quittance Documents (براءة ذمة مالية) و (براءة من الضمان الاجتماعي)

To be supplied on free formats:

- A description of the warranty conditions;
- A statement by the tenderer attesting the origin of the supplies tendered (or other proofs of origin); an original Certificate of Origin should be provided at installation/delivery;
- An official document from the tenderer attesting that the company is an official dealer for the supplies tendered;
- Description of ancillary services (including training, maintenance and after sales services);
  - A complete on-site training (for 3-5 trainees, minimum 5 days) should be included by the supplier local representative after sales support team within 10 days after installation and thereafter depending on need within the first year.
  - On-site maintenance and support of the Tenderer to be guaranteed within the warranty period, and 2 additional years on-site maintenance agreement, including spare parts to be included in the offer.
  - Support requests to be answered within 72 Hours and resolved within 5 days (unless extenuating circumstances exist and within a maximum of 1 Month)

## 8. Pricing

- 8.1 Tenderers will be deemed to have satisfied themselves, before submitting their tender(s), as to (its)(their) correctness and completeness, to have taken account of all that is required for the full and proper execution of the contract and to have included all costs in their rates and prices.
- 8.2 Depending on whether the supplies proposed are manufactured locally or are to be imported into the country of the Beneficiary, Tenderers must quote, by lot, unit (and overall) prices for their tenders on one of the following bases:
- a) for supplies manufactured locally, unit and overall prices must be quoted for delivery to the place of destination and in accordance with the above conditions, excluding all domestic taxation applicable to their manufacture and sale;
  - b) for supplies to be imported into the country of the Beneficiary, unit and overall prices must be quoted for delivery to the place of destination and in accordance with the above conditions, excluding all duties and taxes applicable to their importation and VAT.
  - c) ELME Project is exempt of Lebanese VAT; Any Other Duties or Taxes will be covered by the CNRS-L (on submission of official tax/custom invoices).

8.3 The prices for the contract are fixed and not subject to revision.

## 9. Additional information before the deadline for submission of tenders

The tender dossier should be clear enough to preclude the need for tenderers to request additional information during the procedure. If the Contracting Authority, either on its own initiative or in response to a request from a prospective tenderer, provides additional information on the tender dossier, it must send such information in writing to all other prospective tenderers at the same time.

Tenderers may submit questions in writing to the following address up to **10 days** before the deadline for submission of tenders, specifying the **publication reference and the contract title**:

**Contact name: Dr. Milad Fakhri**

**Address: ELME Project**

**National Council for Scientific Research, CNRS**

**Beirut, Lebanon**

**E-mail: milosman@cnrs.edu.lb**

Any clarification of the tender dossier will be published on the CNRS-Lebanon website at <http://www.cnrs.edu.lb/english/procurement> at the latest 5 days before the deadline for submission of tenders.

The Contracting Authority has no obligation to provide clarifications after this date.

Any prospective tenderers seeking to arrange individual meetings with the Contracting Authority during the tender period may be excluded from the tender procedure.

## 10. Opening of tenders

The tenders will be opened on **September 20, 2019** at the National Council for Scientific Research, CNRS, Headquarter / 59 Zahia Selman Street, Jnah / Beirut, Lebanon by the committee appointed for the purpose. The committee will draw up minutes of the meeting within 15 days, which will be available on request.

10.1 Any attempt by a tenderer to influence the evaluation committee in the process of examination, clarification, evaluation and comparison of tenders, to obtain information on how the procedure is progressing or to influence the Contracting Authority in its decision concerning the award of the contract will result in the immediate rejection of its tender.

## 11. Evaluation of tenders

11.1 Examination of the administrative conformity of tenders

The aim at this stage is to check that tenders comply with the essential requirements of the tender dossier. A tender is deemed to comply if it satisfies all the conditions, procedures and specifications in the tender dossier without substantially departing from or attaching restrictions to them.

11.2 Technical evaluation

After analysing the tenders deemed to comply in administrative terms, the evaluation committee will rule on the technical admissibility of each tender, classifying it as technically compliant or non-compliant.

The minimum qualifications are to be evaluated at the start of this stage.

Where contracts include after-sales service and/or training, the technical quality of such services should also be evaluated by using yes/no criteria as specified in the tender dossier.

### 11.3 Financial evaluation

- a) Tenders found to be technically compliant shall be checked for any arithmetical errors in computation and summation. Errors 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 be the amount taken into account;
  - 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 be the price taken into account.
- b) Amounts corrected in this way will be binding on the tenderer. If the tenderer does not accept them, its tender will be rejected.

### 11.4 Award criteria

The award criterion will be the price. The contract will be awarded to the lowest compliant tender.

## **12. Signature of the contract and performance guarantee**

- 12.1 The successful tenderer will be informed in writing that its tender has been accepted (notification of award).
- 12.2 The successful tenderer shall then provide any requested evidence of the financial and economic standing and the technical and professional capacity according to the selection criteria for this call for tender.
- 12.3 If the successful tenderer fails to provide the documentary proof or statement or the evidence of the financial and economic standing and the technical and professional capacity within 15 calendar days following the notification of award or if the successful tenderer is found to have provided false information, the award will be considered null and void. In such a case, the Contracting Authority may award the tender to the next lowest tenderer or cancel the tender procedure.
- 12.4 Within 15 days of receipt of the contract already signed by the Contracting Authority, the selected tenderer must sign and date the contract and return it to the Contracting Authority. On signing the contract, the successful tenderer will become the Contractor and the contract will enter into force.
- 12.5 A Performance Guarantee is requested in the form of a Bank Guarantee (10% of Accepted Financial Offer) before the payment settlement and for the duration of 1 year from provisional acceptance by CNRS-L.

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

In the event of a tender procedure's cancellation, tenderers will be notified by the Contracting Authority. If the tender procedure is cancelled before the tender opening session the sealed envelopes will be returned, unopened, to the tenderers.

Cancellation may occur where:

- the tender procedure has been unsuccessful, namely where no qualitatively or financially worthwhile tender has been received or there has been no response at all;
- the economic or technical parameters of the project have been fundamentally altered;
- exceptional circumstances or force majeure render normal implementation of the project impossible;
- all technically compliant tenders exceed the financial resources available;
- there have been irregularities in the procedure, in particular where these have prevented fair competition.

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 procurement notice does not commit the Contracting Authority to implement the programme or project announced.

### **14. Appeals**

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