



TENDER DOCUMENT

NEPAL – MOTORABLE LOCAL ROADS BRIDGE PROGRAMME PHASE IV (Exit Phase)

1st January 2021 – 31st December 2024

Open procedure

23.07.2020

Contents

Abbreviations	1
1. Abstract	2
PART A: DESCRIPTION OF PROGRAMME AND TERMS OF REFERENCE	3
2. Background of the Programme	3
2.1. Context	3
2.2. Geographic Focus	3
2.3. Development Goals	3
3. Programme	4
3.1. Phases	4
3.2. Prior Involvement	5
3.3. Programme Phase Objectives / Outcomes / Outputs of the Programme	5
3.4. Programme Set-Up	5
3.5. Financial Volume of the Programme	6
4. Mandate	7
4.1. Terms of Reference (Tasks and Outputs of the Mandate)	7
4.2. Profile of the Bidder	8
4.3. Volume of the Mandate	10
PART B: BID	11
5. Evaluation of the bid	11
5.1. Formal Requirements	12
5.2. Suitability Criteria	12
5.3. Award Criteria	16
6. Contents of bid	21
PART C: ADMINISTRATIVE ASPECTS	23
7. Contracting authority	23
7.1. Official name and address of the contracting authority	23
7.2. Type of contracting authority	23
7.3. Type of procedure	23
7.4. Type of commission	23
7.5. According to GATT/WTO agreement, respectively treaty	23
8. Timetable of the tender procedure	24
8.1. Timetable Tender Procedure	24
8.2. Tender Documentation	24
8.3. Desired deadline for questions in written form	24
8.4. Submission of offers	25
8.5. Opening of the bids	26
8.6. Evaluation	27
8.7. Negotiations	27
8.8. Award decision	27

8.9.	Conclusion of contract	27
8.10.	Electronic bill.....	27
8.11.	Follow-up mandates	27
9.	Procurement object.....	27
9.1.	Type of commission.....	27
9.2.	Location where service is supplied	27
9.3.	Lots, variants, partial offers	27
9.4.	Implementation date.....	28
10.	Conditions	29
10.1.	General conditions of participation	29
10.2.	Deposits/guarantees	29
10.3.	Consortium of bidders	29
10.4.	Subcontractor	29
10.5.	Multiple bids.....	29
10.6.	Remuneration for offers.....	29
10.7.	Validity of offers.....	29
10.8.	Languages of tendering documentation	29
11.	Further information	30
11.1.	Conditions for countries not party to the WTO agreement.....	30
11.2.	General Conditions of Business	30
11.3.	Basic procedural principles	30
11.4.	Additional information	30
11.5.	Confidentiality.....	30
11.6.	Integrity clause	30
PART D: ANNEXES.....		32

Abbreviations

Abbreviation	Definition
AC	Award Criterion / Criteria
CSPM	Constitution Sensitive Program Management
DOLI	Department of Local Infrastructure
DPR	Detailed Project Report
FG	Federal Government
GESI	Gender Equity and Social Inclusion
GON	Government of Nepal
IDOs	Infrastructure Development Offices
LGs	Local Governments
LRBSU	Local Roads Bridge Support Unit
MB	Motorable Bridge
MOPID	Ministry of Physical Infrastructure Development
MOFAGA	Ministry of Federal Affairs and General Administration
PRBSU	Provincial Roads Bridge Support Unit
PGs	Provincial Governments
PPA	Federal Act on Public Procurement
PPO	Federal Ordinance on Public Procurement
PRA	Partner Risk Assessment
PSC	Provincial Steering Committee
PSU	Program Support Unit
PTAP	Provincial Assistance Technical Provider
SC	Suitability Criterion Mandatory/ Criteria
SCS	Swiss Cooperation Strategy for Nepal 2018-21
SDC	Swiss Agency for Development and Cooperation
SOR	Service Oriented Remuneration
SPOC	Special Person of Contact
TA	Technical Assistance
TIDD	Transport Infrastructure Development Directorate

1. Abstract

SDC has engaged in the motorable bridge sector since 2011 through 3 phases of Motorable Local Roads Bridge Programme (MLRBP). The previous phases successfully transitioned from a 'Centre and District' structure to a provincially-based system. Programme restructuring at a Provincial level supports Nepal's federalization initiatives and clarity of road & bridge 'ownership' at the Provincial level. This helped reduce duplication and interference. People marked 10-20% reductions in trip duration and 20-25% in trip costs to schools, health posts, markets, administrative and financial services, etc. Majority of bridges recorded annual traffic growth of between 20-80% above the baseline. These results provide a strong justification of the success of the programme. The programme generated over 1.2 million person-days of work, of which over 80% went to members of the disadvantaged groups in the community through construction of 358 bridges. (Source: Draft External Review Report 2019).

Based on the experiences of the last three phases, this exit phase of Motorable Local Roads Bridge Programme is designed to transfer Swiss technical expertise in bridge building to the Provinces and contribute to reinforce the federal system in Nepal. Further, it will increase trust of the people in the capacity of the local authorities to address and respond to their demand for better access to services and economic opportunities through Swiss technical assistance for bridges construction.

The mandated partner is expected to provide TA in the following four components:

- 1. Consolidation of the initiatives from previous phases and scaling up of bridge construction:** Capitalizing on the past achievement, accompany the PGs in all the provincial roads bridge activities – planning, budgeting, checking and verifying bridge designs, assuring quality of bridges, managing contracts for construction and supervision of bridges with a focus on replication and scaling up.
- 2. Research and development for technology transfers:** Undertake research and development for innovative bridge technology and assist in knowledge transfer of such technology.
- 3. Strengthening GoN Institutions:** Support PGs with required legal frameworks and regulations including technical, social, environmental, digital information related to provincial roads bridges.
- 4. Capacity building:** Accompany private sector consultants/contractors engineers and bridge builders hired by PGs to transfer the knowledge and capacities in bridge building by collaborating with engineering educational institutes to offer bridges courses, training, coachings, promote –the-job traineeships and research opportunities.

While most of these are executed at PGs, the mandate also foresees to coordinate at the FG for budgeting (conditional grants to PGs), advising on uniform technical norms, standards and guidances.

The bidder/consortia of bidders must have a proven track-record of execution of the programme of the scale and nature of this mandate in the above mentioned four components. The bidders must be committed to devolution; have an unshakable faith in the value of diversity and uncompromising in establishing a diverse workforce in the programme team. The bidders must have the capacity to manage complex, multi-stakeholders programmes with prior experience working with the multi-tier governments in a federalized and devolved context.

The overall budget of the programme for this phase is estimated to be around **CHF 150 million** including the contribution of the SDC for TA, contributions from the FG (for federal conditional grants) and the contribution of the PGs (from their own resources). For the volume of Phase IV please refer to point 4.3.

PART A: DESCRIPTION OF PROGRAMME AND TERMS OF REFERENCE

2. Background of the Programme

2.1. Context

Nepal is at a crucial juncture in the implementation of its new Constitution promulgated in 2015. The Constitution provides exclusive and concurrent rights and mandates to Federal (FG), Province (PG), and Local (LG) governments. This is a critical moment for establishing federal governance institutions and procedures in coherence of these mandates.

According to the Constitution, national highways fall under FG jurisdiction, provincial road network under PG and local roads under LGs. Most of the then 57'000 kilometers of district roads and the associated bridges now fall under provincial mandate. SDC through the current phase of this programme have support the GoN to make necessary adaptations in establishing institutional and procedural mechanisms to support bridges on provincial roads at provincial level.

The programme is expected to contribute to the consolidation and institutionalization of Swiss knowhow transfer in the bridge building sector by supporting the GoN in the federalization of local infrastructure to provincial levels. This will increase people's access to basic services and economic opportunities, while strengthening their confidence in the new federal system.

2.2. Geographic Focus

The programme will be implemented in all seven provinces of the country.

2.3. Development Goals

The overall goal of the **Swiss Cooperation Strategy** (SCS) 2018-21 is: "women and men benefit from equitable socio-economic development and exercise their rights and responsibilities in an inclusive federal state". The proposed program is part of the Domain 2: *Employment and Income*. The program will contribute to the overall goal of "women and men, especially from disadvantaged groups (DAGs), find employment and increase their income".

The proposed program contributes to **Sustainable Development Goal** indicator 9.1.1 by "bringing proportion of the rural population who live within 2 km of an all season road, with a focus to deliver affordable and equitable access for all", indicator 16.6 by "developing effective, accountable and transparent institutions at all levels"; and indicator 16.7 by "ensuring responsive, inclusive and participatory decision-making" respectively. It contributes to several of the strategic objectives of the Dispatch on "Switzerland's International Cooperation 2017–2020", in particular, to promote conflict transformation, to support sustainable access to services for all, to strengthen democratic participation; and to strengthen gender equality.

The Government of Nepal (GoN) has prioritized the development of **transport infrastructure as a key strategy and means to economic inclusion and prosperity**. In alignment with this priority, the proposed phase will support in the implementation of Province led Provincial Roads Acts and Road Sector Master Plans.

3. Programme

3.1. Phases

The programme started in February 2011 with its first phase, which consisted of five years. It primarily established the institutions (the Local Bridge Section at the centre and the Bridge Sections in the districts) and procedures (bridge selection criteria, methodology to survey, investigation of hydrological and geological parameters in design and preparation of detail programme reports (DPRs), determining bridge design types for different sites, and introduce new bridge technologies. Programme introduced the technology of micro-pile foundation suitable and cost effective for softer soil in Terai using drilling machine against traditional manual boring technology, which is more efficient and cost-effective. Similarly, programme also introduced an exemplary and a break-through technology for lifting the sunken bridge foundations in terai bridges as part of bridge maintenance in the sector. In addition, programme collaborated with the engineering institutes in Nepal, introduced, and continued with the bridge curriculum as an elective course in the bachelor's degree of civil engineering and students' research projects for fulfilling the master's degree of engineering studies.

In this phase, 91 bridges were built. As part of testing new designs, the first phase included piloting 25 bridges of different design types in Nepal with the grant assistance of SDC. The design types included inclined leg-framed bridges, composite steel plate girders and reinforced concrete modular bridges. The

The second phase was a short one of 9 months duration to bridge the gap between the third and first phase. programmeA total of 35 bridges were built in this phase. Until the end of this phase, the TA was provided in the previous government structures (centre and districts). As the new Constituion of Nepal was enacted in 2015, preparations were made to hand over the bridges both constructed and on-going to the provincial government institutions at the end of the phase.

The third phase was of 3.5 years, mainly consisted of restructuring the programme into provincial structures as per the spirit of the new constitution and its mandates (PGs to take over the implementation or execution of bridges on local roads). As a result, the TA teams were mobilized at each of the provinces and assisted the PGs in taking over from the previous district structures. It has helped the PGs to build 201 bridges of different types, helped to establish legal framework (Provincial Roads Act) and related policies and procedures (Provincial Transport Master Plans) in some provinces. In addition, multi-year bridge business plans, while continuing with the necessary technical assistance to all the seven PGs in design, construction supervision, contract management and quality assurances of bridges.

All the past three phases were mandated by SDC to AF-Itenco AG Switzerland based engineering consulting firm, which technically assisted the GoN in all these areas. AF-Itenco AG was selected through a two stage tendering process in 2010.

This phase is proposed to be the last and exit phase, expected to start from January 2021. This phase contributes to legal, policy and institutional reforms in line with the new constitution of Nepal by supporting the GoN to implement bridge building at provincial level. Continuation of the Swiss TA at this stage is very crucial in order to establish/retain the governance of bridge building in the spirit of constitutional provisions and discourage regression if any.. On the other hand, it is also to bridge the gap in the service delivery by the PGs, particularly, in providing motorable access to their people, while strengthening these new institutions and their political system. By the end of this final phase, it is expected that, institutions, legal frameworks and procedures and capacities are established as per the federal spirit of the Constitution in the PGs and that they function effectively and efficiently

3.2. Prior Involvement

This phase is developed by SDC internally with the assistance of the consultant team members (Mr Rod Stickland and Mr. Neeraj Shah), who conducted the external review of the third phase of the programme. Because of their involvement in the preparation of the Programme Document (ProDoc), they are not allowed to participate or be involved in preparation of any bid, nor are they entitled to provide any information to potential bidding organisations (for this, a declaration each by these two consultants was obtained). They and their companies are excluded as single bidders and as consortium partners or as subcontractors nor are they entitled to provide any information to bidding organisations. Any involvement of these two persons in a bid would result in an exclusion of the related bid.

The AF-Iteco AG has implemented the previous three phases of the programme. As the results of these phases are shared with all bidders (see Annex 17: MLRBP III External Review Report 2019) and none of their programme team members of MLRBP were engaged in the design of the programme document they are as well admitted to submit a bid.

3.3. Programme Phase Objectives / Outcomes / Outputs of the Programme

Programme objectives

The **goal** of the Programme is: **People in all seven provinces economically and socially prosper through better connectivity** provided by bridges.

It is recognised that, in rural areas of Nepal, there is a strong correlation between a lack of motorable access and observed levels of poverty. The provision of all-weather motorable access leads to reductions in poverty levels and to improved overall social and economic conditions. The theory of change stipulates that the PGs will be able to provide this much needed services if they are equipped with legal frameworks, strengthened institutions and capable human resources at their disposal. A well-functioning PG further strengthens people's confidence in the new federal system, increase their access to basic services and economic opportunities leading to a harmonious and prosperous Nepal.

The proposed phase contributes to reforms in line with the new constitution of Nepal by supporting the GoN to implement bridge building at provincial level. As explained above, discontinuation of the Swiss TA at this stage on the one hand might lead to the FG regressing on constitutional provision by recentralizing this mandate and on the other will create a big gap in service delivery by the PGs, potentially resulting in loss of faith of the common people on new institution and political system.

The programme has two expected outcomes:

Outcome 1: Government apply and enforce Constitution friendly bridge strategy to expand all weather road network at provincial level. The programme will assist the PGs to build institutions, legal and policy frameworks and capacities to implement and manage bridge building in provincial road networks. A total of 200 bridges will be built making 3000 Kms of road pliable around the year.

Outcome 2: People have access to economic opportunities and basic services using the provincial road network. There will be 20% reduction in transport costs (fares and freights); 30% increase in traffic and freight volumes; and travel time saving.

Please refer to the ProDoc (Annex 14) for the details of indicators, outputs and activities.

3.4. Programme Set-Up

The programme will be coordinated at Federal level by MoFAGA through DoLI. The Swiss mandated TA provider will help the DoLI in the formulation of uniform sets of technical designs, standards, norms and manuals for PGs. In addition, the programme will support in coordinating relevant federal ministries (finance, planning etc) for reporting, budgeting and fiscal transfers. The seven PGs are the implementing agencies. Capital investments for the construction of bridges will come from government budgets. Collectively PGs are expected to allocate CHF 20 mio annually. FG is expected to allocate additional CHF 15 mio annually as a conditional grant and transfer them to the PGs. The Swiss mandated TA provider will assist them to draft road Acts, formulate a 5 year Provincial Roads Master Plans (PRMPs) and endorse 'Priority Investment Plans' ensuring a disciplined selection and prioritization of bridges. The TA will also help to establish 'Bridge Units' within seven PGs with detailed institutional terms of reference and organigram.

The bridge units will outsource survey and design works to the Provincial Technical Assistance Providers (PTAPs) - private sector consultants and construction of bridges through contractors. The Swiss mandated TA provider will assist the bridge units in preparing bidding documents, bid evaluations, contract management and both technical assurance and social safeguards during construction. The Swiss mandated TA provider will also accompany the PTAPs in transferring knowledge in bridge designing and construction supervision. Relying on the Swiss know-how, it will introduce technological innovations and economical bridge design models for replication. The bridge unit personnel will also be trained in these aspects.

The capacity of the private sector is considered vital for a sustained evolution of this sector. The programme will devise modules in training the consultants and contractors. The programme will work with the engineering institutes to develop bridge curriculum in their engineering studies and provide internships to fresh female engineering graduates.

For detail programme set up, please refer to ProDoc (Annex 14)

3.5. Financial Volume of the Programme

The estimated duration of the whole programme is 13 years (2011-2024) with four phases. The total financial volume of the Swiss Technical assistance for all the phases including administered programme funds) is estimated to be at around CHF 44 million.

4. Mandate

4.1. Terms of Reference (Tasks and Outputs of the Mandate)

Government of Switzerland will mandate a selected partner to provide financial and technical assistance to the GoN. The mandated partner will form a Local Roads Bridge Support Unit (LRBSU) to channel such financial and technical support. The LRBSU will consist of a demographically diverse, competent and experienced team of experts. The LRBSU will be a Technical Assistance (TA) team of technical and management experts led by the Team Leader, who, will support the Ministry of Federal Affairs and General Administration (MoFAGA)/Department of Local Infrastructure (DoLI) at the federal level for developing, compiling and endorsing the technical norms and standards. The MoFAGA/DoLI is the main coordinating agency for the programme at the federal level.

The LRBSU will also support the seven PGs with the TA in the application, execution and implementation of the motorable bridges programme in the provincial road network following the appropriate technical standards and norms developed and recommended by DoLI/MoFAGA. The Program Coordination Unit (PCUs) within Ministry of Physical Infrastructure Development (MoPID)/Transport Infrastructure Development Directorate (TIDD) in seven provinces will implement the programme. The PGs will construct the motorable bridges through their own annual budgets and through the federal conditional grants made available by the FG.

LRBSU will have its extended arms in the form of seven Provincial Road Bridge Support Units (PRBSUs). The PRBSUs will have competent human resource deputed from LRBSU, which will provide technical assistance at the provincial levels. The purpose of the PRBSU is to assist the provincial PCU, which is located within the MoPIDs/TIDDs as well as the IDOs in the provinces for the overall implementation activities of the programme.

The LRBSU and the respective PRBSUs are expected to provide the following support under each of the four main components of the programme.

1. Consolidation of the initiatives from previous phases and scaling up of bridge construction:

- Continue to build on the achievements made during Phase I, II and III of the programme in order to improve bridge governance and management systems on Provincial Road network (PRN);
- Followup of new legal frameworks, provincial institutional setup and processes
- Accompany and coordinate all provincial road bridge activities (i.e. planning, budgeting, checking and verifying the bridge designs, assuring the quality of bridges technical, social, financial, and backstopping in efficient management of contracts etc.);
- Supervision of construction work through PTAPs; and
- Monitoring and inspection, supervision and quality assurance of construction work in the provinces;

2. Research and development for technology transfers

- Undertaking of research, development, piloting, and replication of appropriate type of bridges on the provincial road network;
- Introduce labour based approaches wherever appropriate;
- Assessment of the need for technological transfers appropriate for Nepal; and
- Document knowledge and reports (bi-annual, annual, end of phase) and special reports on technology transfers for sustainability

3. Strengthening GoN Institutions

- Provide support to PGs in establishing further legal framework and systems that PGs requires (Provincial roads Act, Bridge strategies and selection criteria, Provincial Roads Master Plans, Medium Term Investment framework for provincial roads bridges, Multi-year business plans of bridges).
- Establish an effective digital bridge MIS systems within the PGs and the FG.
- Provide punctual support, in cases where the TIDDs/PCUs themselves have hired engineering consulting firms to carry out survey and design;
- Establish effective national capacity building in the sub-sector;
- Monitoring of social and social welfare issues during construction;
- Hosting and updating an effective bridge information management system;
- Design verification of DPRs prepared by private consultants outsourced by PGs; and
- Establishing bridge maintenance regime and gradual take-over of the programme.
- Establish a standard and transparent contracts management protocol within the TIDD and IDOs

4. Capacity building

- Training of private sector consultants/contractors engineers and bridge professionals;
- Training of engineers/managers of private sector consultants in bridge designing, preparing standard documents and drawing, construction management, quality assurance of bridges and testing of materials;
- Coaching of PGs' programme managers to manage procurements and contracts, to verify designs prepared by private sector consultants;
- Promote traineeships and internships for fresh female engineering graduates in bridge engineering;
- Provide research opportunities collaborating with engineering institutes and offering bridge courses to potential students; and
- Offering traineeship and on-the job training to fresh engineering graduates including female engineers in bridge engineering.
- Coach and mentor the PTAPs procured by the provinces for a long-term sustainability of bridge building on provincial roads.

In addition to the above, LRBSU will support DoLI at the federal level in preparing their annual budgets, filling up the respective LMBIS (Line Ministry Budget Information System), developing the manuals for norms and standards for approval and use of PGs.

4.2. Profile of the Bidder

The bidder must meet the requirements listed below:

The bidder/consortia bidders must have a proven track-record of execution of the programme of the scale and nature of this mandate – i.e. strengthening institutions, building and transferring knowledge and capacities, legal reforms, coordination and influencing policies related to local roads and bridges and supported the institutions including private sector in building bridges (designing, supervising the construction with quality control and management of contracts).

The bidders must be committed to the Constitutional mandate and devolution; have an unshakable faith in the value of diversity and uncompromising in establishing a diverse workforce in the programme team.

The bidders must have the capacity to manage complex, multi-stakeholders programmes with prior experience working with governments, both at technocratic/bureaucratic and political levels in a federalized and devolved context. Subcontracting for professional services including short-term experts/consultants are permitted in the programme. The bidder must meet the requirements listed below.

SN	Requirement
1	<p>Knowledge:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Substantial knowledge on sectoral devolution (in roads and bridge infrastructure sector), in developing countries of Asia; preferably in Nepal. <input type="checkbox"/> Leader and believer in a devolution process in a federalized context. <input type="checkbox"/> Understanding of how government works and its functioning particularly in the federalized or devolved context <input type="checkbox"/> Knowledge in policy support, institution building of government departments <input type="checkbox"/> Knowledge of defining and mobilizing technical assistance in bridge sector <input type="checkbox"/> Experience of working in the transitional and evolving political context <input type="checkbox"/> Knowledge on the influence of the different stakeholders, particularly in the context of Federalization in Nepal, and result based monitoring and evaluation <input type="checkbox"/> Flexible in programme management – adjusting its strategy to ever evolving context in a very close collaboration with the employer; with an aptitude to accept more responsibilities demanded by the evolving context that performing only those written down in the contract <input type="checkbox"/> Share the core values and approaches of Swiss Development Cooperation and contribute to the strategic goal of federal state building of Nepal. This includes targeting approach, gender mainstreaming, and notably the application of constitution sensitive programme management (CSPM) principles, which implies the need for supporting GoN institutions to establish legal systems for increased devolution of powers and functions, an intimate knowledge of the evolving context and its major stakeholders, as well as participatory and transparent working methods to ensure acceptance of the programme's intervention.
2	<p>Experience:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Managed bridge infrastructure related development programmes of the scale and nature of this mandate as detailed in the section 4.1 above in the last 5 years. <input type="checkbox"/> Competent and experienced personnel (both at specialized technical and managerial levels) in bridge infrastructure sector. <input type="checkbox"/> Experience and knowledge in introducing labour-based technologies in infrastructure sector. <input type="checkbox"/> Successfully provided development technical assistance to government counterparts. <input type="checkbox"/> Track record of capacity building of government and private sector entities and provide technical assistance to the governments in bridge infrastructure sector, particularly in federalized/devolved context <input type="checkbox"/> Successful implementation record of initiatives with multi-sectoral government stakeholders, policy dialogues. <input type="checkbox"/> Experience in programme steering and monitoring with multiple stakeholders, including government, private and engineering institutions.

	<input type="checkbox"/> Experience in outcome/results based performance and remuneration/payment systems; and monitoring and reporting on development log frames, especially on results/ outcomes. <input type="checkbox"/> Knowledge in bringing together different stakeholders and coordinating their actions – particularly in monitoring, supervision, guiding of implementing partners and reporting to the development partner <input type="checkbox"/> Track record of managing sound decision support system (management information system) for the government
3	Set-up: <ul style="list-style-type: none"> <input type="checkbox"/> National or international non-governmental or private sector organization <input type="checkbox"/> Single or Consortia of bidders are permitted, the consortium members shall be jointly and individually liable. <input type="checkbox"/> Has adequate organizational settings including the back stopper/specialists for technical support on system building, institution building in the bridge infrastructure sector <input type="checkbox"/> Sound internal control system, good governance, multicultural work environment and compliance to all the statutory systems including personnel insurance and social security <input type="checkbox"/> Registered in Nepal as per the applicable rules of Government of Nepal or commitment of registration of the programme entity in Nepal once the contract is awarded. <input type="checkbox"/> Openness to continue with selected experienced human resource of the current phase.

4.3. Volume of the Mandate

The total volume of administrated programme funds (Part 4 of the SOR budget which is CHF 2.066 million) is allocated for some activities under the components of research and development, and capacity building for this phase IV (January 2021 to December 2024).

Part 1-3 of the SOR budget form have to be calculated by the bidder. This amount will be evaluated under the award criteria (AC 4).

PART B: BID

5. Evaluation of the bid

The bidder and the bids are evaluated on the basis of the following model:

Step 1 Formal Requirements: The bidder must fully comply with the Formal Requirements specified in Section 5.1. Otherwise the bid will not be considered.

Step 2 Suitability Criteria: The suitability criteria specified in Section 5.2 must be complete and without limitation or modification with the submission of the bid, and proven. Otherwise the bid will not be considered.

Only those bidders and bids that fulfil all formal requirements and suitability criteria will be evaluated on the basis of the award criteria. The other bidders and bids will be excluded from the further procedure.

Step 3 Award Criteria: The bids will be evaluated on the basis of the award criteria and the evaluation scale specified in Section 5.3. The economically most favourable bid will be awarded the mandate.

5.1. Formal Requirements

Compliance with the deadline to submit a bid: The bids must be submitted by the specific deadline.

Compliance with the form: The bids must be submitted in the form described in Section 6.

5.2. Suitability Criteria

The following suitability criteria must be complete and without limitation or modification with the submission of the bid. Otherwise the bid will not be considered.

SC	Suitability Criteria	Evidence
SC 1	<p>Acceptance GCB The bidder shall explicitly confirm, without limitation or modification, the acceptance of the FDFA's General Conditions of Business (GCB) as per annex 1 of the present tender document.</p> <p><u>In case of consortia, confirmation must be submitted for every member of the consortium.</u></p>	Written confirmation (format – Annex 16)
SC 2	<p>Bidder information The bidder has to fill in the bidder information.</p> <p><u>In case of consortia, all consortium members have to sign the bidder information..</u></p>	Written confirmation, signed by the bidder as per format provided in annex 2.
SC 3	<p>Legal Documents Certificate of legal registration of the bidding organization in Nepal or letter of undertaking committing to register the programme entity in Nepal for the execution of the mandate before conclusion of the contract.</p> <p><u>ALL consortia members have to fulfil this criterion and to hand in the documents.</u></p>	<p>Submission of legal documents including:</p> <ul style="list-style-type: none"> • certificate of legal registration of firm, • certificates of VAT (Value Added Tax) / PAN (Permanent Account Number) • registration and their renewals <p>required by Inland Revenue Department of respective countries etc. Bidders from abroad are required to present comparable current foreign official certificates (copy of original; not older than 12 months)</p>
SC 4	<p>Economic (ECO) / financial (FIN) / organizational (ORG) capability The bidder or all members of the consortium have sufficient economic/financial / organizational capability to carry out the mandate and meet their legal obligations concerning taxes, duties and social security contributions.</p> <p><u>ALL consortia members have to fulfil this criterion and to hand in the documents.</u></p>	<p>External independent audit report of last 3 financial years</p> <p>AND</p> <p>Bylaws and/or organization chart</p> <p>AND</p> <p>Confirmations that statutory social insurance</p>

SC	Suitability Criteria	Evidence
	<p><u>If based on the national legislation, the bidding organisation is not required to publish an annual report or by law is not obliged to have external audits, it is requested to provide a signed written justification that the company is in a good financial and economic condition and has no current debt enforcement.</u></p>	<p>contributions, taxes, etc. provided by the national law have been paid. (Format - Annex 16)</p> <p>AND</p> <p>Written confirmation that contracting authority reserves the right to ask for bank guarantee before conclusion of contract (Format - Annex 16)</p> <p>AND</p> <p>Code of conduct for staff, contractual partners, suppliers of bidder (Format - Annex 16)</p>
SC 5	<p>Compliance with working conditions, workplace health and safety regulations and requirement of equal pay for men and women</p> <p>Compliance with procedural principles The bidder confirms that his/her company (and their subcontractors and sub-suppliers mandated by said company) comply with the procedural principles according to the self-declaration of the federal procurement conference. <u>In case of a consortium each member has to fill in and sign the self-declaration.</u></p>	<p>Legal signature on the self-declaration form provided in Annex 3.</p>
SC 6	<p>Acceptance electronic bill Contractors are obliged to submit an electronic bill to the FDFA if the contract value is above CHF 5'000 (excl. VAT). Information on the electronic billing system is available under the following link: www.e-rechnung.admin.ch. (Refer to Annex-4 for information on e-billing)</p> <p>The bidder/ the bidding consortium shall confirm that he/she is willing to submit an electronic bill to the FDFA.</p>	<p>Written confirmation (Format - Annex 16)</p>
SC 7	<p>Procurement Guideline for FDFA contractors for the award of mandates to sub-contractors within the programme administered funds Contractors of the present mandate who are required to award mandates to sub-contractors within the programme administered funds using FDFA resources need to apply the rules according to the FDFA procurement guideline.</p>	<p>Written confirmation, indicating the ability of the bidder to carry out procurement procedures according to the Procurement Guideline for FDFA Contractors. (Format - Annex 16)</p>

SC	Suitability Criteria	Evidence
	<p>The bidder/ the bidding consortium has to confirm to have read the guideline available under https://www.eda.admin.ch/eda/de/home/dienstleistung-enundpublikationen/auftraege/informationen-downloads/informationen.html and to be able to carry out procurement procedures according to the rules described in the guideline.</p>	
SC8	<p>Experience (To be assessed in AC 3)</p> <p>The bidder/the bidding consortium in its entirety has enough experience in providing Technical Assistance to Government entities in infrastructure related programmes including bridges.</p> <p>The bidder/the bidding consortium in its entirety should have demonstrated programme results, learnings comparable with the present mandate in terms of scope, financial extent.</p> <p>In case of single bidder: Bidder proves this experience by submitting <u>at least 3 and max. 10 project references</u> in the last 5 years.</p> <p>In case of consortium: Consortium proves this experience by submitting <u>at least 3 and max. 10 project references</u> in the last 5 years (each consortium member has to bring at least one and max. 3 references). Consortium lead organization provides <u>additional one reference</u> proving that it has worked successfully as a consortium member in a project in the last 5 years.</p> <p>In case of subcontractor proposed to provide <u>essential services</u> as part of the present mandate, the <u>subcontractor must also provide proof</u> of suitable experience in the field of activity for this mandate.</p>	<p>Written proof of the references giving at least the following data (format - Annex 10) :</p> <ul style="list-style-type: none"> – Name of company and address of contact person(s) and telephone numbers; – Time and place of execution of the mandate; the service costs managed within the last 5 years. – Contracts with the clients, programme completion certificates, related recommendations by clients. <p>The contracting authority reserves the right to contact the contact persons indicated.</p>
SC 9	<p>Personnel resources (to be assessed in AC 1)</p> <p>The bidder/the bidding consortium in its entirety has the necessary personnel and on-call consultants at its/their disposal to be able to fulfil the mandate. The bidder/the bidding consortium shall also propose the key experts to execute the mandate as described in the functional specification (Terms of reference of key experts provided in the Annex 14 Prodoc).</p>	<p>Provide List of personnel in-house and on-call consultants (Format – Annex 11.1); and provide CVs of key experts proposed to execute the mandate. (Format - Annex 11)</p>
SC10	<p>Contact partner</p> <p>The bidder has a contact person at its disposal (SPOC) who is able to do what is necessary so that decisions can be taken and who takes responsibility</p>	<p>Written confirmation, giving the family name and first name, contact data, function name and deputy of the SPOC (Format – Annex 16)</p>

SC	Suitability Criteria	Evidence
	for the mandate in the event of an escalation of problems.	
SC11	Language skills of the key persons The bidder is willing to deploy key persons except the expatriate who can communicate in English and Nepalese language both orally and in writing and are able to compile and supply the programme results and documentation in both the languages.	Written confirmation with clearly understandable documentation about the language skills of the key persons. (Format - Annex 16)
SC12	Acceptance Contract and code of conduct for FDFA The bidder shall confirm that he/she is willing to sign the contract template in annex 5 and the code of conduct, annex 6. In case of consortia, confirmation must be submitted for every member of the consortium.	Written confirmation (Format - Annex 16)
SC13	Internal control system (Link to AC 3.6 – qualitative assessment for e.g. financial, procurement, human resource policies and procedures in place, implementation of such policies/procedures, independent auditors reports along with the management letters and bidders responses, clients' recommendations and work completion certifications) The bidder/ the bidding consortium has an adequate internal control system which is implemented.	Written proof of existence and use of the ICS-System. Please provide details asked in the Annex-7. ICS-System will be verified by SDC before the conclusion of contract.
SC14	Partner Risk Assessment The bidder accepts that a Partner Risk Assessment (PRA) will be carried out during the evaluation process or after the award of the mandate (see annex-8How-to-Note PRA). The SC is considered fulfilled if the PRA results in a positive assessment of the risks. If the PRA is only carried out after a mandate has been awarded and if identified risks are high during the assessment process, a mandate already awarded can be revoked.	Written confirmation for acceptance of PRA to be conducted by SDC and for the revocation of contract if the risks are found to be high. (Format - Annex 16)

SC	Suitability Criteria	Evidence
SC15	<p>Declaration from the bidder/consortia bidder that they are not blacklisted or sanctioned by any institution of the Government of Nepal or by any institution in any other countries in the last 5 years.</p> <p>Anti-corruption clause/ Prevention of irregularities The bidder confirms that all persons involved in the tendering process and/or programme implementation as well as subcontractors:</p> <ul style="list-style-type: none"> a) Have not been condemned, in Switzerland or abroad, of an offence related to the fulfillment of a contract in the last 5 years.¹ b) Are not included on the sanctions list of an international financial institution ². c) Have not acted in a manner which would compromise or call into question the competitive neutrality and equal treatment or the most economically execution of the contract in the context of this tender procedure. <p>The bidder also confirms that he has taken appropriate and proportionate measures (compliance process) to prevent, detect at an early stage and reduce the damage caused by criminal offences related to the contract.</p>	Written confirmations with legal signature. Points a, b and c must be confirmed individually (Format - Annex 16)

5.3. Award Criteria

The following table provides an overview of the evaluated award criteria (AC) and the corresponding weighting:

AC	Award Criteria	Weighting
	Technical Proposal	70%
AC1	Qualification and experience of nominated team (Key experts) by the bidder (the national team should be diverse in terms of Gender, caste, and ethnicity corresponding to the population of Nepal).	25%

¹ The following are considered as criminal offences linked to the fulfillment of a contract : Offences against property (Art. 137- 172 Swiss Criminal Code), Offences against sexual integrity (Art. 187 – 212 Swiss Criminal Code), Criminal organization (Art. 260ter Swiss Criminal Code), Financing terrorism (Art. 260 quinquies Swiss Criminal Code), Money laundering (Art. 305bis Swiss Criminal Code), Bribery (Art. 322ter-322octies Swiss Criminal Code) and unfair and illegal behavior according to the Swiss law on unfair competition.

² These include the following international financial institutions:

- [African Development Group](#)
- [Asian Development Bank](#)
- [European Bank for Reconstruction and Development](#)
- [Inter-American Development Bank](#)
- [World Bank Group](#)

AC	Award Criteria	Weighting
AC.1.1	<p>Qualification of the Team Leader (This position will be national)</p> <ol style="list-style-type: none"> 1) Confirmed experience in the management of a programme and a team of comparable in size and scope of this mandate 2) Confirmed experience of delivering infrastructure programmes in the devolved and federalized context in Asia 3) Experience in using evolving new information technology effectively for achieving the programme results 4) Demonstrated knowledge in management of national procurements and contracts 5) Experience in the MLRBP with demonstrated performance and a good recommendation 	25%
AC 1.2	<p>Qualification of the Chief Technical Coordinator (this position will be international)</p> <ol style="list-style-type: none"> 1. Demonstrated experience of delivering bridge infrastructure programmes 2. Experience of coaching and mentoring programme and counterpart's and staff for delivery of programme results 3. Technically sound in bridge designs and their execution with quality control 4. Experience in innovations, knowledge management of and communication 	20%
AC.1.3	<p>Qualification of the other key expert members (Finance & Controlling manager, Capacity and federal institution building manager, Planning results monitoring and reporting manager, senior bridge design engineer and admin & human resource manager) as mentioned in the ToRs of key professionals in the Prodoc (Annex 14)</p> <ol style="list-style-type: none"> 1) Knowledge and experience of working in their respective fields (preferably in bridge infrastructure sector) 2) Experience in the MLRBP phase III with demonstrated performance and a good recommendation 3) Received professional training in relevant fields (national or international) 4) Demonstrated knowledge and experience of working with the government in federalized context 5) Experience in coaching and mentoring of staff under his/her supervision 	15%
AC 1.4	<p>Qualification of the other members for Provincial Team (Provincial Bridge Coordinators and Provincial Support Engineers) as mentioned in the ToRs of key professionals in the Prodoc (Annex 14)</p> <ol style="list-style-type: none"> 1. Knowledge and experience of working in the bridge sector (experience in relevant fields) 2. Experience in the MLRBP phase III with demonstrated performance and a good recommendation. 3. Received professional training in relevant fields (national or international) 4. Demonstrated knowledge and experience of working with the government in federalized context 	15%
AC 1.5	Diversity of the proposed team in terms of gender, caste and ethnicity	15%
AC 1.6	List of permanent personnel and on-call consultants/professionals at the disposal of Bidders	5%

AC	Award Criteria	Weighting
AC2	Programme understanding by the bidder	20%
AC2.1	Understanding of the context, mandate and proposed approach for governance in bridge building as per the mandate of the Constitution of Nepal 2015, programme appreciation and understanding of the constitutional mandate in bridge building, programme strategy of intervention and of the approach of the programme for the execution of the main tasks mentioned in the programme document and this document, including communication strategy)	25%
AC2.2	Approach, tools and proposed strategy for assuring the sustainability of the programme results including provision of the technical assistance, transfer of knowledge and experiences to the GoN and Nepali stakeholders, strategy of strengthening the capacities of partners (tailor made trainings, coaching, mentoring), flexible programme management (which includes working closely with SDC seeking directions and instructions in its steering and interpretation of federal mandates, constitution sensitive programme management, and mainstreaming of gender equality and social inclusion issues in Nepalese context)	25%
AC2.3.	Rationality of the proposed organisational structure, coherence of the distribution of responsibilities, complementarity of the team, coverage of the fields of interventions including the proposed system of monitoring field interventions, reporting, system of ensuring quality, coaching and backstopping of stakeholders including the staff	20%
AC2.4	Description of the risks, constraints and opportunities in programme operation and the means identified for addressing them	10%
AC2.5	Proposed approach and strategy for exit, knowledge sharing mechanism, handing over and closure of the programme (management of knowledge, information, assets, and inventory)	20%
AC 3	Relevant experiences and profile of the bidder	25 %
AC3.1	Bridge execution and management related experiences (in numbers of bridges)	30%
AC3.2	Managing financial volume of the technical assistance services provided annually, preferably managed annual volume of CHF 1.5 -2.0 million for services.	20%
AC3.3	Managing TA for other infrastructure related projects	20%
AC3.4	Proven record of knowledge and technology transfer to other actors (Number of technologies introduced and number of actors adopted the technology introduced)	10%
AC3.5	Proven record of capacity building of government and private sector entities, particularly in federalized/devolved context (number/types of entities accompanied/coached/trained)	10%
AC 3.6	Element of ICS - financial, procurement, human resource policies and procedures, implementation of such procedures, auditors comments in the management letters and mitigation measures taken, clients recommendations with satisfactory work completion certifications	10%
	Financial Proposal	
AC4	Financial Proposal	30%

AC	Award Criteria	Weighting
AC4.1	Clarity of the proposition, full character of the cost structure, realistic estimation of the costs ³	20%
AC4.2	<p>Price formula</p> <p>Overall amount of service costs (part 1-3 of SOR budget) in CHF</p> $\text{Score} = \left(\frac{P_{\min} \times \text{max.Points}}{P} \right)$ <p>P = Price of the Proposal to be assessed P min = Price of the lowest Proposal Max.points = 5</p>	80%

³ This means the costs proposed are close to SDC estimates

Each award criterion (AC) will be evaluated according to the following score table:

Score	Fulfilment and quality of the criteria	
0	Cannot be established	<ul style="list-style-type: none"> • Information has no significance
1	Very bad fulfilment	<ul style="list-style-type: none"> • Information is insufficient. • Data quality is very poor.
2	Bad fulfilment	<ul style="list-style-type: none"> • Information relates inadequately to the requirements. • Data quality is poor.
3	Average fulfilment	<ul style="list-style-type: none"> • Information globally responds inadequately to the requirements. • Data quality is adequate.
4	Good fulfilment	<ul style="list-style-type: none"> • Information focuses well on requirements • Data quality is good.
5	Very good fulfilment	<ul style="list-style-type: none"> • Information clearly relates to the achievement of outputs • Data quality is excellent.

6. Contents of bid

Please respect the following structure for your offer and requested documents, which is compulsory. The indicated number of pages for each section must be respected (exclusive CVs). Exceeding pages will not be taken into consideration.

Chapter	Description	No. pages max	SC/ AC ⁴
0	Cover letter with signatures and official seal of the bidding firm. Consortia agreement (In case of a Consortium bidder)	2	
	Presentation of the bidder (to be organised and labelled in this order)		
1	Acceptance GCB	Template provided in Annex 16	SC 1
2	Declaration of bidder	Template provided in Annex 2	SC 2
3	Legal Documents	Copy of complete set of legal documents	SC 3
4	Economic, financial, organizational capability <ul style="list-style-type: none"> • Annual report • External independent audit report • Bylaws and/or organisation chart • Excerpts from the commercial and debt recovery register 	Copy of documents in the prescribed chronological order	SC 4
5	Compliance with working conditions, workplace health and safety regulations and requirement of equal pay for men and women Self-declaration completed with legally valid signature	template provided in Annex 3	SC 5
6	Acceptance electronic bill	Link provided Template provided in Annex 16	SC 6
7	Procurement according Guideline for FDFA contractors	Link provided Template provided in Annex 16	SC 7
8	Experience of the bidder	Templates provided in Annex 9 (financial capacity) and	SC 8

⁴ Reference to Suitability Criterion (SC) or Award Criterion (AC)

		Annex 10 (references of projects)	
9	Personnel resources	Templates provided in Annexes 11 & 11.1	SC9
10	Contact partner	Template provided in Annex 16	SC 10
11	Language skills of the key persons	Template provided in Annex 16	SC 11
12	Acceptance Contract and code of conduct (Contract template with code of conduct provided in annex 5 & 6)	Template provided in Annex 16	SC 12
13	Internal Control System	Template provided in Annex 7	SC 13
14	Acceptance of Partner Risk Assessment (Refer Annex-8 for procedures)	Template provided in Annex 16	SC 14
15	Declaration of not blacklisted and acceptance of Anti-corruption clause/ Prevention of irregularities	Template provided in Annex 16	SC 15
2	Technical proposal		
2.1	Qualification and experience of nominated team (key experts) by the bidder and the list of permanent human resources and consultants at the disposal of bidders	CV templates provided in Annexes 11 and the list of personnel (permanent and on-call consultants) provided in Annex 11.1	AC 1
2.2	Programme understanding by the bidder	Template provided in Annex 12	AC2
2.3	Relevant experiences and profile of the bidder	Template provided in Annex 9 and Annex 10	AC 3 (Link to SC 8)
3	Financial Offer		
3.1	The financial offer is to be submitted in accordance with annex 13 <i>SOR offer form</i> in CHF and according to the principles stated in annexes 13.1 and 13.2	Annex 13	AC 4

PART C: ADMINISTRATIVE ASPECTS

7. Contracting authority

7.1. Official name and address of the contracting authority

Federal Department of Foreign Affairs FDFA
Swiss Agency for Development Cooperation
Embassy of Switzerland in Nepal
Ekantakuna, Jawalakhel
P.O. Box 113, Kathmandu, Nepal
Email: kathmandu@eda.admin.ch

7.2. Type of contracting authority

Confederation (Central federal administration)

7.3. Type of procedure

Open procedure

7.4. Type of commission

Order for services

7.5. According to GATT/WTO agreement, respectively treaty

No, the tender proceeds in accordance with Section 3 of the Federal Ordinance on Public Procurement (PPO). There is no right of appeal.

8. Timetable of the tender procedure

8.1. Timetable Tender Procedure

This is the planned schedule at the time of the publication of the invitation for bids. The issuing authority reserves the right to make amendments.

Date / Deadline	Activity
23.07.2020	Tender publication on www.simap.ch
07.08.2020	Submission of written questions on www.simap.ch
14.08.2020	Publication of answers on www.simap.ch
03.09.2020	Deadline for submission of complete offers
September-October.2020	Evaluation of submitted bids
	Negotiations (remain reserved)
Mid November.2020	Evaluation decision
End November.2020	Communication on decision to all bidding organizations, publication of award
December.2020	Signing of Contract between SDC and implementing organization
December.2020	Handing over of the programme from the outgoing team/phase to the newly selected mandated partners Team
01.01.2021	Start of phase IV

8.2. Tender Documentation

Further information to obtain the tender documentation: The documentation on the public call to tender for the programme mentioned can be downloaded from the platform www.simap.ch under: Running procedures, Confederation, Invitations to tender. In order to do so, you first have to register in the mentioned programme. You will then be able to log in and use the password that you will have been sent by e-mail to download the documentation desired.

8.3. Desired deadline for questions in written form

No information is given by telephone. Any question can be made by 07.08.2020 anonymously in the forum space at www.simap.ch. Questions submitted late cannot be answered. Answers will be published on www.simap.ch by 14.08.2020. Bidders are themselves responsible for downloading the answers from SIMAP and for taking them into consideration in the preparation of the bids.

8.4. Submission of offers

8.4.1. Formal requirements

Bids contain all documentation in accordance with Section 6 *Contents of Bid* and are to be submitted as follows:

The “Technical Proposal” and “Financial Proposal” shall be submitted in one envelope and shall contain

- a. one original signed hard copy of the Technical and Financial Proposal labelled “Original”
- b. two signed copies of the Technical and Financial Proposal labelled, “Signed Copy”
- c. one data storage device (e.g. USB-Memory Stick) of all Technical Proposal and all Financial Proposal Documents.

Alternative for submission of offers due to exceptional situation of Covid-19:

Due to the exceptional situation of Covid-19 the bidders are allowed to submit the bid via email too. In this case bidders send the bid (format pdf file – secured/write-protected) to kathmandu@eda.admin.ch by 03.09.2020 by 23:59 Swiss time. Bids received late cannot be taken into consideration.

The email must mention “MLRBP - BID” in the reference line. And bidders must confirm in the email the binding force of the bid.

The receipt of the bids submitted via email will be acknowledged via email.

Language for offers: English

8.4.2. Deadline and address for submitting offers

The complete bid is to be submitted by 03.09.2020 at the latest to one of the addresses indicated below. Look carefully at the conditions (a,b,c and d) described below.

SDC Head Office in Bern

PLEASE DO NOT OPEN - MLRBP BID

Sonia Carlotti
Programme Officer Nepal
Asia Division
Federal Department of Foreign Affairs FDFA

Swiss Agency for Development Cooperation
Freiburgstrasse 130, CH-3003 Bern

Switzerland
Office: A1505

OR

Swiss Representation in Nepal

PLEASE DO NOT OPEN – MLRBP-BID

Ambassador

Federal Department of Foreign Affairs FDFA
Swiss Agency for Development Cooperation
Embassy of Switzerland in Nepal
Ekantakuna, Jawalakhel
P.O. Box 113, Kathmandu, Nepal

a) Submission of bid at the incoming goods department at Freiburgstrasse 130 in Berne by the bidder or courier: The bid must be handed in by the above-mentioned deadline at the latest during the opening hours of the incoming goods department i.e. Monday-Friday from 07.30-11.30 a.m. and from 1.30-4.30 p.m. or at the reception office of the responsible cooperation office in Nepal (Monday to Friday from 9:00 a.m. to 5:30 p.m.). Written confirmation of receipt is given by the incoming goods department or by the reception office.

b) Submission of bid by Post: Concerning observance of the deadline, the date of postmark or the bar code docket of a Swiss Post Office provides proof of the date of posting (company franking marks are not valid as postmarks). The bids submitted to the post office other than Swiss Post Office should reach to the SDC Head office in Bern or Swiss Representation in Nepal by date and time mentioned above.

c) Submission of bid at a Swiss diplomatic or consular representation abroad: Foreign bidders may hand in their bids by the above-mentioned deadline at the latest during office hours at a Swiss diplomatic or consular representation in their country. The representation provides written confirmation of receipt. Bidders are obligated to send the receipt of the representation concerned by the deadline at the latest by email (kathmandu@eda.admin.ch) to the contracting authority.

d) Due to the exceptional situation of Covid-19 the bidders are allowed to submit the bid via email too. In this case bidders send the bid (format pdf file – secured/write-protected) to kathmandu@eda.admin.ch by 03.09.2020 by 23:59 Swiss time. Bids received late cannot be taken into consideration.

The email must mention “MLRBP - BID ” in the reference line. And bidders must confirm in the email the binding force of the bid.

The receipt of the bids submitted via email will be acknowledged via email.

In all cases the bidder must safeguard proof of the timely submission of the bid.

8.4.3. Late submission of bids

Bids submitted late cannot be taken into consideration. They will be returned to the bidder.

8.5. Opening of the bids

The bids are not opened publicly.

In accordance with PPA Art. 8 para. 1d, the contracting authority safeguards the confidential character of all information provided by the bidder. The information to be published after the award of the mandate and the information to be disclosed in the framework of the PPA Art. 23 para. 2 and 3 remain subject to reservation.

8.6. Evaluation

The evaluation is carried out in accordance with the procedure described in Section 5 and the formal requirements and suitability and award criteria set out in Sections 5.1, 5.2 and 5.3.

8.7. Negotiations

Remain reserved

8.8. Award decision

The award is published at www.simap.ch. All bidders will be informed in writing of the award decision.

8.9. Conclusion of contract

The contract is subject to the prior signing of a bilateral agreement between the Government of Nepal.

8.10. Electronic bill

The Contractor is obliged to submit an electronic bill to the FDFA, except for local Contractors of the FDFA representations abroad. Information on the electronic billing system is available at www.e-rechnung.admin.ch.

8.11. Follow-up mandates

This is the exit phase of the Programme and in principle there is no follow up mandates planned. In exceptional circumstances when and if the exit phase needs to be extended, the option of directly awarding follow up mandate is reserved.

9. Procurement object

9.1. Type of commission

Order for services

9.2. Location where service is supplied

Nepal

9.3. Lots, variants, partial offers

Division into lots?

No.

Will variants be accepted?

No. Variants will not be accepted.

Are partial offers permitted?

No.

9.4. Implementation date

Start: 01.01.2021 and end: 31.12.2024

10. Conditions

10.1. General conditions of participation

None

10.2. Deposits/guarantees

None

10.3. Consortium of bidders

Consortia of bidders are permitted. All parties must sign, having first designated a person to represent the consortium vis-à-vis SDC. If a bidder participates in the procedure as part of a consortium he must identify a member of the consortium who performs the lead function (deputisation, co-ordination). The representative is expressly authorized to act for and on behalf of the consortium members. The consortium members shall be jointly and severally liable. The bidder lists all members and their roles of the consortium.

Consortia members are allowed to participate exclusively in one bid [one bidder is allowed to participate in ONLY one bid either independently or in a form of consortium).

10.4. Subcontractor

Subcontractors are permitted. If the bidder engages a subcontractor to provide certain services, the bidder bears full responsibility for the provided services. He lists all subcontractors involved with their assigned roles according to annex 2 *Declaration of bidder*.

10.5. Multiple bids

Consortia members are allowed to participate exclusively in one bid. The bidder lists all members and their roles.

Single bidders are allowed to participate exclusively in one bid.

Subcontractors are allowed to participate in different bids.

10.6. Remuneration for offers

There is no remuneration for offers.

10.7. Validity of offers

180 days after deadline for receipt of offers.

10.8. Languages of tendering documentation

The tender documentation is available in English.

11. Further information

11.1. Conditions for countries not party to the WTO agreement

None

11.2. General Conditions of Business

General Conditions of Business (GCB) for Programme Implementation Mandates – Version November 2019.

These General Conditions of Business (GCB) shall be deemed accepted by the Contractor on submission of the offer.

11.3. Basic procedural principles

The contracting authority awards public contracts for services provided in Switzerland only to bidders who ensure compliance with the health and safety regulations and employment conditions for employees, as well as equal pay for women and men.

If the service is provided abroad, the bidder must ensure at least compliance with the International Labour Organization's fundamental conventions in accordance with Annex 2a PPO.

The self declaration form "Compliance with working conditions, workplace health and safety regulations and requirement of equal pay for men and women: Declaration by the supplier" has to be signed and is to be submitted with the offer.

11.4. Additional information

This is the exit phase of the Programme and in principle there is no follow up mandates planned. In exceptional circumstances when and if the exit phase needs to be extended, the option of directly awarding follow up mandate is reserved.

11.5. Confidentiality

All information of any kind that comes to the attention of the bidder in connection with the tendered mandate of the awarding authority is to be treated as confidential. The content of the present tender may only be made available to persons taking part in the preparation of the bid.

The tender documentation may not be used for any other purposes than preparation of the bid, even in extracts.

Bidders treat facts as confidential that are not public knowledge or publicly available. In cases of doubt, facts are to be treated as confidential. This obligation to secrecy remains valid even after conclusion of the tender procedure.

The awarding authority undertakes to maintain confidentiality about this bid towards third parties subject to the reserve of statutory publication requirements.

11.6. Integrity clause

Bidders undertake to take all necessary measures to avoid corruption, especially not to offer or accept payments or other advantages.

Bidders who violate the integrity clause are required to pay a contractual penalty to the contracting authority amounting to 10% of the contract sum or at least CHF 3,000 per violation.

The bidder notes that a violation of the integrity clause leads as a rule to the cancellation of the award or to early termination of the contract by the contracting authority for important reasons.

The Parties shall inform each other in case of any well-founded suspicions of corruption.

PART D: ANNEXES

No. of Annex	Details of Annexes
1	General Conditions of Business (GCB) for Programme Implementation Mandates – Version November 2019
2	Bidder Information
3	Form Compliance with working conditions
4	Information E-Billing
5	Mandate for Programme Implementation contract Template
6	FDFA Code of Conduct Contractual Partners
7	Internal Control system (ICS)
8	SDC Partner Risk Assessment (PRA) process
9	Form for Administrative and Financial Capacity
10	Form for experience
11	Form for CVs of human resources proposed for this mandate
11.1	Form for the list of bidder's human resources including the consultants at the disposal of the bidder
12	Form for proposing programme implementation approach
13	Service oriented remuneration offer form
13.1	Information on Service Oriented Remuneration
13.2	Service oriented remuneration (SOR): What will be charged where? What are the rules?
14	Draft Programme Document (ProDoc) for MLRBP Phase IV
15	Swiss Cooperation Strategy for Nepal 2018-2021
16	Form for submitting written declaration concerning SC1, SC4, SC6, SC7, SC10, SC12, SC13, SC14, and SC15
17	Report on External Evaluation of MLRBP Phase III