

## Invitation to Tender

**Tender Number: 6/SCP/2022**

The Hashemite Kingdom of Jordan has received grants from the German Government through KfW in order to support the construction of schools in Jordan. The Programme's objective is to support the Ministry of Education (MoE) in response to the needs of children and youth affected by the Syrian Crisis, in line with the objective "Expanding Access to Formal Education in Host Communities" of the Jordan Response Plan. Part of these grants will be used for the construction of 3 new schools as shown in the package below.

The Ministry of Public Works and Housing (MPWH) in the quality of "Employer" through the Special Tendering Committee (STC) hereby invites Local and International contractors to participate in this tender as follows:

- a- Jordanian contractors classified by (GTD) as First grade in the field of Buildings (Building Construction), and which also have a classification in the Electro-Mechanical & Renewable Energy as First or Second grade, specialized Electro-Mechanical & Renewable Energy.

**Or**

- b- Jordanian contractors classified by (GTD) as First grade in the field of Buildings (Building Construction), in joint venture with local contractor classified by (GTD) in the field of Electro-Mechanical & Renewable Energy, specialized in Electro-Mechanical & Renewable Energy as First or Second grade. Note the contractor classified as Grade 1 in Building shall be the lead.

**Or**

- c- International contractors with the same classifications mentioned above, they may either bid alone or form Joint Ventures with Jordanian contractors and must provide evidence that their own classification in their original countries is equivalent to, or their qualifications are compliant with, GTD classification. They shall fulfil all local registration requirements by the time of award.

### **Important Notes:**

- (i) The lead member of any JV must be in the speciality of building construction
- (ii) In the case of joint venture between two contractors having the same classification as in clause (a) above, one of the contractors should nominate himself as a "Building Contractor" (the leader of the joint venture) and the other as an "Electro-Mechanical Contractor".
- (iii) The maximum number of companies within a Joint venture being two. JV members shall provide a preliminary JV agreement form signed by both parties (Declaration of Association).
- (iv) No company is allowed to participate in more than one JV agreement for the same bid.
- (v) If one member of a Joint Venture withdraws during the period between the submission deadline and the expiration of the bid validity the bid Security could be drawn. Refer to ITB 24.1.
- (vi) The PV works may be undertaken using a sub-contractor.
- (vii) Bidding will be conducted by means of National Competitive Bidding procedure as detailed in the KfW Guidelines for the Procurement of Consulting Services, Works, Plants, Goods a Non-Consulting Services in Financial Cooperation with Partner Countries ("KfW Guidelines 2021"<sup>1</sup>).

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<sup>1</sup>[https://www.kfw-entwicklungsbank.de/PDF/Download-Center/PDF-Dokumente-Richtlinien/Vergaberichtlinien-2019-Englisch-Internet\\_2.pdf](https://www.kfw-entwicklungsbank.de/PDF/Download-Center/PDF-Dokumente-Richtlinien/Vergaberichtlinien-2019-Englisch-Internet_2.pdf)

Bidders shall note that two further Contracts: 7/SCP/2023 and 8/SCP/2023 will be awarded under this programme and that bidders are only eligible to be awarded one of these three packages (6/SCP/2022, 7/SCP/2023, 8/SCP/2023). Note also that the Bidders awarded one of packages 4/SCP/2021 & 5/SCP/2021 will not be eligible to be awarded any of packages 6/SCP/2022, 7/SCP/2023 or 8/SCP/2023.

**1- Description of the Main Works:** The project consists of construction of three new schools including classrooms, laboratories, kindergarten, multipurpose hall, mechanical, electrical, water and sewerage, photovoltaic Net-Zero system, etc. and site works for the school packages as shown in the Tender Documents. The schools are:

School No: 3 – Hind Bint Otbe Mixed Basic School – Amman (coordinates: 31.973322, 35.959) The project consists of a 3-storey building with an approx. area 4,260 m<sup>2</sup>, in addition to the site works as shown in the drawings and BoQ.

School No: 38 – Na’eema Mixed Basic School – Irbid (coordinates: 32.428804, 35.927623) The project consists of a 3-storey building with an approx. area of 4,890 m<sup>2</sup>, in addition to the site works as shown in the drawings and BoQ.

School No: 40 – Al Mansoorah Mixed Basic School – Mafraq (coordinates: 32.417071, 36.168066) The project consists of a 4-storey building with an approx. area of 4,200 m<sup>2</sup>, in addition to the site works as shown in the drawings and BoQ.

Package	School Name	Fee for Bid documents (JOD)	Bid Security (JOD)	Submission Date & Time
6/SCP/2022	Hind Bint Otbe Mixed Basic School, Amman Na’eema Mixed Basic School, Irbid Al Mansoorah Mixed Basic School, Mafraq	1,200	160,000	12.00 hours on Tuesday 21 <sup>st</sup> March 2023

**2- Purchase of Documents:** Tender Documents can be purchased in cash only at the address below starting from Sunday 5<sup>th</sup> February 2023, for a non-refundable fee shown in above table by the Bidder’s authorized representative with a certified and valid copy of its classification certificate and a copy of the invitation letter.

**Ministry of Public Works and Housing**

**5th Floor – SCP Tenders Hall, Room No. 521 (B wing)**

**SCP – Special Tendering Committee**

**8th Circle – King Abdallah II Street – Amman, Jordan**

**Tel.: (962-6) 585-8311/2509**

**Email: [KfW.special@mpwh.gov.jo](mailto:KfW.special@mpwh.gov.jo)**

**Website: [www.mpwh.gov.jo](http://www.mpwh.gov.jo)**

The last day for purchasing the documents is on Sunday 12<sup>th</sup> February 2023 at 12.00 hours Jordanian local time.

**3- Site Visits:** Site visits are tentatively scheduled on Tuesday 14<sup>th</sup> February 2023.

Bidders shall meet at the site:

- 9.00 hours - Hind Bint Otbe Mixed Basic School in Amman
- 11.30 hours - Na’eema Mixed Basic School in Irbid,
- 12.30 hours - Al Mansoorah Mixed Basic School in Mafraq

All bidders should coordinate with Eng. Khaled Al Okoush at MPWH (Tel. 079 559 7396).

These Site Visits are intended as an introduction and general information. Bidders are required to conduct their own full inspection of the sites at their own time and cost.

**4- Pre-Bid Meeting:** A Pre-Bid Meeting – inquiries and clarifications session will be held at MPWH at 10:00 a.m. Jordan local time at the above address on Wednesday 15<sup>th</sup> February 2023.

All Bidders that purchased the Tender Documents are strongly encouraged to participate. Inquiries raised during the Pre-bid Meeting and their clarifications will be included in the minutes of the meeting and distributed to all Tenderers as an addendum.

**5- Inquiries:** Any inquiry regarding the Tender Documents shall be addressed in writing to the chairman of the STC delivered by hand or by e-mail to the above address no later than Monday 20<sup>th</sup> February 2023 by 15.00 hours. Responses to inquiries will be issued on the website of MPWH.

No inquiries will be responded to after the said date. Written responses will be issued on above mentioned website. By submitting the bid, the Bidder acknowledges having reviewed the relevant website and being aware of the contents of the tender documents including all issued addenda.

**6- Bid Security:** All Bids must be accompanied by a Bid Security, where bid and security shall be valid for a minimum of 162 (i.e. 120 + 42) days from the submission date. This Bid Security shall be in the form of an unconditional bank guarantee in original form to the name of H.E. Minister of Public Works and Housing in addition to his post in the amount specified in the table above.

The original Bid Security shall be provided in a separate Envelope included with Envelope 1 (Qualifications Documents).

In the case of a Joint Venture, the Bid Security shall be in the name of the JV that submits the Bid. For further information please refer to ITB 19.8.

Any Bid not accompanied by an enforceable and compliant Bid Security will be rejected by the STC. Certified checks will not be accepted.

**7- Submittal of Bids:** The Documents to be submitted are as follows:

One original and one copy as well as one soft copy (PDF) of all the documents shall be submitted. Note that in the event of a discrepancy the hard copy prevails. The digital copy of the Qualification documents shall be submitted with Envelope 1. The digital copies of the Technical and Financial Proposal shall be submitted with Envelope 2 and Envelope 3 respectively. The digital copy of the priced Bill of Quantities shall be submitted in PDF, as well as in Excel format.

Bidders shall note that no ESHS documents shall be considered from other Envelopes if they are placed in the wrong envelope.

Bids shall be submitted as one sealed package consisting of the following sealed envelopes:

The original Bid Security shall be placed in a separate envelope which shall be submitted in Envelope 1.

- Envelope 1: Qualification Documents.
- Envelope 2: Technical Proposal.
- Envelope 3: Financial Proposal.

For further reference regarding the required documents and forms per envelope refer to “Section VII Table of Forms” and other relevant forms in Section VII.

All three envelopes must be sealed and inserted within the main package, this shall be a box or boxes. Every envelope within the package shall be clearly marked with the number and name of the envelope followed by the name and number of the tender assignment, and the name of the bidder. The Financial Proposal shall be endorsed: Confidential.

Bidders shall note that they shall submit a stamped and signed copy of the original bid documents with their bid.

The full package shall be labelled: Tender Documents for Tender No. 6/SCP/2022 for “School Construction Programme” followed by name of contractor and addressed to the Chairman of the STC. The cover of the main package shall also include a photocopy of the Bid Security.

The Employer will not be responsible for lost and/or undelivered documents sent by mail, courier, or similar means.

Bidders are required to complete and submit the Tender Documents listed under Instructions to Bidders – ITB 11 in an original, one copy and one soft copy (PDF). Bids must be submitted in accordance with the Tender Documents, before 12:00 hours, Jordan local time to the MPWH, at the address shown above. No Bids shall be accepted after this time. Submission and bids opening dates are shown in above table.

The First Public Sessions will take place at 13:00 hours on the same days of Tender Submission as per above table. Envelope 1, the Bid Security and Qualification Documents, will be publicly opened in the presence of the Bidders or their representatives. Bidders may be asked to participate remotely.

**8- Responsiveness Criteria:** The Bid Security and Qualification Documents that shall be examined for completeness and fulfilment of the responsiveness of criteria specified in ITB 26.1 are as follows. Bidders shall note that they are required to have the six documents below arranged in the order shown. A bid not comprising these documents may be considered as being not responsive and may be rejected.

<b>Responsiveness Criteria</b>	
1.	Bid Security
2.	Declaration of Undertaking, signed and stamped (ITB 11.1 (a) (ii))
3.	Financial Capability Statements and supporting documentation, including bank letter(s) (ITB 11.1 (a) (iii); Section IV, Form FIN-3.1)
4.	Letter of Qualification (ITB 11.1 (a)(i))
5.	Power(s) of Attorney authorizing the representative of the Bidder (ITB 11.1 (a)(i))
6.	If the Bidder is an association, either proof of the existing Association Agreement or a Declaration of Association (ITB 11.1 (a) (iii))

The qualification will be evaluated later according to the criteria specified under ITB 26.

For the Second Public Session, those Bidders who have been qualified will be informed by the Employer of the date, time, and place of the second public session for the opening of the qualified Technical Bids. Only the Technical Bids of qualified Bidders will be opened in the second public session, while the rest shall be returned to disqualified bidders unopened.

For the Third Public Session, those Bidders who have been technically qualified will be informed by the Employer of the date, time, and place of the third public session for the opening of the Financial Bids. In the third public session only the Financial Bids of those Bidders who have fulfilled the criteria for the Technical Proposal will be opened, while the rest shall be returned to disqualified bidders unopened.

**9 – Taxes and Customs:** The Contractor and its sub-contractors shall be responsible for meeting all tax liabilities and public duties in connection with the Contract in terms of applicable law in and outside of the Employer’s country except for sales taxes and customs duties (including customs duties for temporary imports) which will be reimbursed by the responsible line Ministry of Education within a period of 30 days after certification by the respective authority. Withholding tax (where this is applicable) will be reimbursed with the final payment certificate.

An official letter from the Ministry of Education committing them to reimburse all customs duties and sales taxes is attached to “Volume 1 – Part 1 Bidding Procedures”.

The Contractor’s Financial Proposal shall be calculated exclusive of any sales tax and customs duties and withholding tax (where this is applicable), with sales tax and withholding tax listed separately for information only. All other taxes, duties, levies and fees payable by the Contractor and

its sub-contractors inside and outside the Employer's country shall be included in their overheads and reflected in the unit prices.

**10- General Notes:** The Employer's STC (Special Tendering Committee) has the right to cancel the tender without giving reasons and without incurring any financial or legal liabilities to Bidders.

Issuance of this Invitation to Tender does not in any way obligate the Government of Jordan or KfW to award a contract nor does it commit the Government of Jordan or KfW to pay for the cost incurred in preparation and submission of this Tender.

**11-** His Excellency the Minister of Public Works and Housing is the authorized signatory for these contracts. Awarding of any tender package requires compliance with all KfW procurement requirements specified in the Tender Documents and subject to KfW review and non-objection.

End of Invitation to Tender