



**International Community
of Women Living with HIV
Eastern Africa**

Republic of Uganda

International Community of Women Living with HIV Eastern Africa

**SHORT LISTING (PRE-QUALIFICATION) OF PROVIDERS FOR WORKS,
SERVICES OR SUPPLIES**

MARCH 2018

TABLE OF CONTENTS

Preface.....	3
PART I: GENERAL PART.....	4
1.1 <i>Scope of Application</i>	4
1.2 <i>Source of Funds</i>	4
1.3 <i>Corrupt Practices</i>	4
PART II: INSTRUCTIONS TO PROVIDERS	5
2.1 <i>Introduction</i>	5
2.2 <i>Objectives</i>	5
2.3 <i>Eligible Applicants and Countries</i>	5
2.4 <i>Cost of Applying</i>	6
2.5 <i>Clarification of short listing Documents</i>	7
2.6 <i>Amendment of Short listing Document</i>	7
PART III: PREPARATION OF APPLICATIONS	7
3.1 <i>Language of Application</i>	7
3.2 <i>Documents Establishing Applicant’s Eligibility and Qualifications</i>	7
3.3 <i>Format and Signing of Applications</i>	8
PART IV: SUBMISSION OF APPLICATIONS.....	8
4.1 <i>Sealing and Labelling of Applications</i>	8
4.2 <i>Deadline for Submission of Applications</i>	9
4.3 <i>Late Applications</i>	9
PART V: OPENING AND EVALUATION OF APPLICATIONS.....	9
5.1 <i>Opening of Applications by the [Procuring and Disposing Entity]</i>	9
5.2 <i>Evaluation of Applications:</i>	9
5.3 <i>Clarification of Applications</i>	10
5.4 <i>Contacting the Procuring and Disposing Entity</i>	10
5.5 <i>Confidentiality</i>	10
PART VI: SHORT LISTING.....	11
6.1 <i>Notification to the Short listed Applicants</i>	11
6.2 <i>Inspection</i>	11
6.3 <i>Currency</i>	11
6.4 <i>Changes in Qualifications of Applicants</i>	11
ANNEX A: FORM A1: APPLICATION SUBMISSION SHEET.....	Error! Bookmark not defined.
ANNEX B: STATEMENT OF REQUIREMENTS	15

Preface

Short-listing is a pre-tender process that provides for a shortlist of providers from which providers are obtained to bid. Short listing is used where works, services or supplies are of a routine nature. Short-listing shall be open to all providers who shall be invited using a short list notice.

A short list notice shall be published in at least one publication of wide circulation to ensure effective competition.

The short listing document is divided into:

- Part I: General Part
- Part II: Instructions to Bidders
- Part III: Preparation of Applications
- Part IV: Submission of Applications
- Part V: Opening and Evaluation of Applications
- Part VI: Shortlisting

Appendices:

- A: Application Submission Sheet
- B: Statement of Requirements
- C: Evaluation Criteria

PART I: GENERAL PART

1.1 Scope of Application

- 1.1.1 The International Community of Women living with HIV Eastern Africa (ICWEA) invites applications for the short list of works, services and supplies described in **Appendix B**.
- 1.1.2 Throughout this document:
 - (a) The “Applicant” means the bidder submitting an application; and
 - (b) “Application” means a bid or submission to be short-listed.

As defined in the Public Procurement and Disposal of Public Assets Act and Regulations, 2003 of the Government of Uganda.

1.2 Source of Funds

- 1.2.1 International Community of Women living with HIV Eastern Africa (ICWEA) has an approved budget towards the cost of the procurements described in **Appendix B**. ICWEA intends to use these funds for payments under the contract(s) resulting from the bidding for which this short list is conducted.

1.3 Corrupt Practices

- 1.3.1 It is ICWEAs policy to require that ICWEA staff as well as Applicants and Providers, observe the highest standards of ethics during procurement and the execution of contracts. In pursuit of this policy, ICWEA:
 - (a) Defines, for the purposes of this provision, the terms set forth below as follows:
 - (i) “corrupt practice” includes the offering, giving, receiving, or soliciting of anything of value to influence the action of a staff of ICWEA in the procurement process or in contract execution; and
 - (ii) “fraudulent practice” includes a misrepresentation of facts in order to influence a procurement process or the execution of a contract to the detriment of ICWEA and includes collusive practices among Providers prior to or after bid submission designed to establish bid prices at artificial, non-competitive levels and to deprive ICWEA of the benefits of free and open competition;
 - (b) will reject a recommendation for award if it determines that the Bidder recommended for award has engaged in corrupt or fraudulent practices in competing for the Contract; and
 - (c) will suspend a Provider from engaging in any procurement related to ICWEA proceeding for a stated period of time, if it at any time determines that the Provider has engaged in corrupt or fraudulent practices in competing for, or in executing, a contract.
- 1.3.2 In pursuit of the policy, ICWEA requires representatives of both ICWEA and of Providers to adhere to the relevant codes of ethical conduct. The Code of Ethical Conduct for Providers is available at ICWEA and Providers are required to indicate their acceptance of this code through the declarations in the **Application Submission Sheet**.

PART II: INSTRUCTIONS TO PROVIDERS

2.1 Introduction

The International Community of Women Living with HIV will evaluate and short list all eligible companies for the provision of various works, services or supplies for the Financial Years **April 2018 – March 2019**, **April 2019 – March 2020** and **April 2020-March 2021**. Once a firm has been short listed, it will be invited, several times during the financial year, to submit a proposal for the provision of some or all of the works, services or supplies. The International Community of Women Living with HIV Eastern Africa reserves the right to add similar types of works, services or supplies to the list in **Appendix B**.

2.2 Objectives

The International Community of Women Living with HIV Eastern Africa invites sealed Applications from reputable providers for works, services or supplies for 2 Financial Years [*April 2018 – March 2019, April 2019 – March 2020 and April 2020-March 2021*]

The list of items required during the above mentioned financial years is given in **Appendix B**.

2.3 Eligible Applicants and Countries

2.3.1 An Applicant, and all parties constituting the Applicant, shall meet the following criteria to be eligible to participate in pre-Qualification of suppliers:

- (a) The applicant has the legal capacity to enter into a contract;
- (b) The applicant is not:
 - (i) Insolvent;
 - (ii) In receivership;
 - (iii) Bankrupt; or
 - (iv) Being wound up
- (c) The applicant's business activities have not been suspended;
- (d) The applicant is not the subject of legal proceedings for any of the circumstances in (b); and
- (e) The applicant has fulfilled his or her obligations to pay taxes and social security contributions.

2.3.2 All East African countries are eligible except countries subject to the following provisions. A country shall not be eligible if:

- (a) as a matter of law or official regulation, the Government of Uganda prohibits commercial relations with that country, provided that the Government of Uganda is satisfied that such exclusion does not preclude effective competition for the provision of supplies or related services required; or
- (b) by an act of compliance with a decision of the United Nations Security Council taken under Chapter VII of the Charter of the United Nations, the Government of Uganda

prohibits any import of Supplies from that country or any payments to persons or entities in that country”.

- 2.3.3 An Applicant shall be a natural person, private entity, subject to 2.3.9, or any combination of them with the formal intent to enter into an agreement or under an existing agreement in the form of a joint venture, consortium or association. In the case of a joint venture, consortium or association, unless otherwise specified in the **Application Submission Sheet**, all parties shall be jointly and severally liable.
- 2.3.4 An Applicant and all parties constituting the Applicant shall have the nationality of an eligible country. An Applicant shall be deemed to have the nationality of a country if the Applicant is a citizen, or is constituted, incorporated or registered and operates in conformity with the provisions of the laws of that country.
- 2.3.5 This criterion shall also apply to the determination of the nationality of proposed subcontractors or providers for any part of the Contract including related services.
- 2.3.6 Applicants shall not have a conflict of interest. All Applicants found to be in conflict of interest shall be disqualified. Applicants shall be considered to have a conflict of interest with one or more parties in this short listing process, if they:
- (a) Have controlling shareholders in common; or
 - (b) Receive or have received any direct or indirect subsidy from any of them; or
 - (c) Have the same legal representative for purposes of this application; or
 - (d) have a relationship with each other, directly or through common third parties, that puts them in a position to have access to information about or influence on the application of another Applicant, or influence the decision of the Procuring and Disposing Entity regarding this short listing process; or
 - (e) Participated as a consultant in the preparation of the design or technical specifications of the works, services or supplies that are the subject of this short listing.
- 2.3.7 A firm shall submit only one bid in the same bidding process, either individually as a Bidder or as a partner of a joint venture. No firm can be a subcontractor while submitting a bid individually or as a party of a joint venture in the same bidding process. A firm, if acting in the capacity of Subcontractor in any bid, may participate in more than one bid, but only in that capacity. A Bidder who submits, or participates in, more than one bid will cause all the proposals in which the Bidder has participated to be disqualified.
- 2.3.8 A firm that is under a declaration of suspension by the Authority at the date of submission of the application or thereafter
- 2.3.9 Applicants shall provide such evidence of their continued eligibility satisfactory to the ICWEA, as ICWEA shall reasonably request.

2.4 Cost of Applying

The Applicant shall bear all costs associated with the preparation and submission of its Application. The applicant shall deposit Thirty US dollars only (\$30) or the equivalent in Uganda shillings, One hundred thousand shillings only (UGX 100,000/=) nonrefundable on ICWEA account (**Account No; USD 8702013359800, UGX 0102013359800, Account Name: ICW Living with HIV**) before submission of the bid document. ICWEA will in no case be responsible or liable for those costs, regardless of the conduct or outcome of the short listing process.

2.5 Clarification of short listing Documents

A prospective Applicant requiring any clarification of the short listing documents may notify the International Community of Women Living with HIV Eastern Africa in writing or by cable (hereinafter, the term cable is deemed to include telephone, e-mail and facsimile) at the client's address indicated below. ICWEA will respond in writing to any request for clarification on the short listing documents, which it receives no later than seven (7) days prior to the deadline for the submission of Applications. Written copies of ICWEA's response (including an explanation of the query but without identifying the source of inquiry) will be sent to all prospective applicants that have received the short listing documents.

For clarification purposes only, the Procuring and Disposing Entity's address is:

Attention: Executive Director

Street Address: Plot 1106, Ssenge Kawanda Road, Off Kayunga, Kampala, Hoima Road

Town/City: Ssenge-Wakiso District

Postal Code/P. O. Box No: 32252, Kampala Uganda

Country: Uganda

Telephone: +256 414 531913

Electronic mail address: admin@icwea.org

2.6 Amendment of Short listing Document

- 2.6.1 At any time prior to the deadline for submission of applications, ICWEA may amend the Short listing Document by issuing addenda.
- 2.6.2 Any addendum issued shall be part of the Short listing Document and shall be communicated in writing to all who have obtained the short listing document from ICWEA.
- 2.6.3 To give prospective Applicants reasonable time to take an addendum into account in preparing their applications, ICWEA may, at its discretion, extend the deadline for the submission of applications.

PART III: PREPARATION OF APPLICATIONS

3.1 Language of Application

The Application prepared by the Applicant, as well as all correspondence and documents relating to the Application exchanged by the Applicant and ICWEA shall be written in English. Supporting documents and printed literature provided by the Applicant may be in another language provided they are accompanied by an accurate translation of the relevant passages in English, in which case, for purposes of interpretation of the Application, the translation shall govern.

3.2 Documents Establishing Applicant's Eligibility and Qualifications

The Applicant shall provide as part of its Application, the documentary evidence of the Applicant's legal status, financial, written confirmation of authorization to commit the

bidder, for the technical and production capability to provide the services if a contract is awarded in the format provided in the Application Submission Sheet (**Forms A1 – A3**). Failure to provide the required information shall result in disqualification.

3.3 Format and Signing of Applications

- 3.3.1 The Applicant is requested to submit its Short listing Documents (included in Annex A) in one envelope marked: **“Short listing Documents for the provision of works, services or supplies to ICWEA for the Financial Years 2018 - 2021.”**The envelope shall contain one (1) original and two (2) copies or specified on subject matter for documents to be sent via email.
- 3.3.2 The original and the copies of the Application shall be typed or written in indelible ink, and shall be signed by the Applicant or a person or persons duly authorized to sign the short listing documents. All pages of the Application, except for unprinted literature, shall be initialed by the person or persons signing the Application and each page numbered.
- 3.3.3 Any interlineations, erasures, or overwriting shall be valid only if they are initiated by the person or persons signing the Application.
- 3.3.4 All Pages of the proposal **MUST** be numbered sequentially starting with page number one (1) being the cover page.

PART IV: SUBMISSION OF APPLICATIONS

4.1 Sealing and Labelling of Applications

- 4.1.1 The Short listing Application shall be composed of one envelope or subject of email marked “Short listing Document for the provision of works, services or supplies”. It shall contain one (1) original (marked “Original”) and two (2) copies (marked “Copy”) OR by Email.
- 4.1.2 For application submission purposes only, the Procuring and Disposing Entity’s address is:

Attention: **The Executive Director**
Street Address: **Plot 1106, Ssense Kawanda Road, Off Kayunga, Kampala, Hoima Road**
Town/City: **Wakiso District –**
Postal Code: **PO Box 32252, Kampala Uganda**
Country: **Uganda**
Email: **admin@icwea.org**
The deadline for application submission is:
Date: April 30th, 2018
Time (local time): 4pm East African Time

4.1.3 The envelope or email title shall also indicate the name and address of the Applicant to enable the Application to be returned unopened in case it is declared “late”.

4.1.4 If the envelope is not sealed and marked as required by Clause 4.1, ICWEA will assume no responsibility for the Applications misplacement or premature opening.

4.2 Deadline for Submission of Applications

Applications must be received by ICWEA at the address specified under Clause 4.1.2 no later than *April 30th, 2018* at **4pm** East African time.

4.3 Late Applications

Any Application received after the deadline for submission of Applications prescribed by ICWEA will be rejected and returned unopened to the Applicant.

PARTV:

OPENING AND EVALUATION OF APPLICATIONS

5.1 Opening of Applications by ICWEA

5.1.1 ICWEA will read out Applicants’ particulars in the presence of Applicants’ representatives who choose to attend, on 4th May 2017 at 10.00am at ICWEA offices in Wakiso. The Applicants’ representatives who are present shall sign a register as evidence for their attendance.

5.1.2 No Application shall be rejected at Application opening, except for late Applications, which shall be returned unopened to the Applicants.

5.1.3 The International Community of Women Living with HIV Eastern Africa will prepare minutes for the Application opening.

5.2 Evaluation of Applications:

(a) ICWEA will carry out the evaluation of proposals on the basis of their responsiveness to:

- Legal Status
- Tax Payment/Tax Clearance Certificate
- Financial Position – Presentation of copies of Audited reports for the last two years. Experience and qualifications for individual consultants
- Specific evaluation criteria for each category as given in *Appendix C*.

- (b) Any application that fails to meet the requirements in 5.2 (a) will be considered unsuitable and shall be rejected at this stage. ICWEA shall notify the Applicant of the rejection of their application.

5.3 Clarification of Applications

- 5.3.1 During evaluation of the Applications, ICWEA may, at its discretion, ask the Applicant for clarification of its Application. A request for clarification shall be signed and sent to a bidder by the chairperson of the evaluation committee and all requests for clarifications shall be copied to all bidders for information purposes only and noted in the evaluation report.
- 5.3.2 A bidder shall be instructed to reply to clarifications in writing within a specified time, addressing their responses to the Finance and Administration Manager.
- 5.3.3 The Finance and Administration Manager shall ensure that all replies are promptly forwarded to the chairperson of the evaluation committee.
- 5.3.4 Failure of a bidder to respond to a request for clarification may result in the rejection of its bid.

5.4 Contacting the Procuring and Disposing Entity

- 5.4.1 No Applicant shall contact ICWEA on any matter relating to its Application from the time of Application opening to short listing of Applicants.
- 5.4.2 Any effort by the Applicant to influence ICWEA in its decisions on the Application evaluation may result in the rejection of the Application.

5.5 Confidentiality

- 5.5.1 Information relating to the evaluation of applications, and recommendation for short listing, shall not be disclosed to Applicants or any other persons not officially concerned with such process until the notification of short listing is made to all Applicants.
- 5.5.2 From the deadline for submission of applications to the time of notification of the results of the short listing, any Applicant that wishes to contact ICWEA on any matter related to the short listing process, may do so but only in writing.

PART VI: SHORT LISTING

6.1 Notification to the Short listed Applicants

ICWEA will notify all Applicants in writing by registered letter or by email, that they have been short listed to provide works, services or supplies for the Financial Years 2018-2021

6.2 Inspection

ICWEA reserves the right to conduct a physical inspection of the premises of the Applicant at its own cost and discretion. If, after the inspection, it is deemed that the physical structure and quality of service equipment is unsatisfactory, then the Application will be rejected. The Procuring and Disposing Entity reserves the right to verify all information submitted.

6.3 Currency

All monetary/financial information furnished, must be quoted in Uganda Shillings for Ugandan based Bidders and US Dollars for foreign bidders.

6.4 Changes in Qualifications of Applicants

- 6.4.1 Applicants and those subsequently short listed or conditionally short listed, shall inform ICWEA of any material change in information that might affect their qualification status. Providers shall be required to update key short listing information at the time of bidding.
- 6.4.2 Prior to award of contract, the best evaluated bidder will be required to confirm its continued qualified status in a post-qualification review process.

FORM A1: APPLICANT INFORMATION SHEET

STRUCTURE AND ORGANIZATION

1 Name of Company:

[insert full legal name]

Physical address:

[insert street/ number/ town or city/ country]

Postal address:

Telephone number:

Telefax number:

Email:

2 Description of the Company's/Individual's activities:

3 Number of years of experience in the provision of the works, services or supplies under reference

-
- 4 In case of a Joint Venture, the following documentation shall be required for each member of the joint venture:
- a. a copy of the Bidder's Trading licence or equivalent;
 - b. a copy of the Bidder's Certificate of Registration or equivalent;
 - c. a copy of the Bidder's income tax clearance certificate or equivalent;
 - d. a copy of the Bidders VAT registration or equivalent;
 - e. Power of Attorney of the signatory(ies) of the bid authorizing signature of the bid on behalf of the joint venture;
 - f. A certified copy of the Joint Venture Agreement, which is legally binding on all partners, showing that all partners shall be jointly and severally liable and one of the partners will be nominated as being in charge, authorised to incur liabilities, and receive instructions for and on behalf of any and all partners of the joint venture.

The Applicant's authorised representative for information is:

Name: *[insert full legal name]*

Address: *[insert street/ number/ town or city/ country]*

Telephone/Fax numbers: *[insert telephone/fax numbers, including country and city codes]*

E-mail address: *[indicate e-mail address]*

-
- 5 Please indicate here or attach an organization chart showing the company structure including key personnel or Attach CVs for individual service providers

-
- 6 What are the specific types of supplies, services or works that the company provides? (E.g. Printing, Hotel services, e.t.c.)

-
- 7 Please indicate full details of services, supplies or works to be provided
-

FORM A2: FINANCIAL STATEMENT

1. Please attach copies of the company's audited accounts for the previous two years (profit/loss, assets/liabilities) and any financial data, which you consider to be useful in the shortlisting. Please list all the attachments below.

FORM A3: LEGAL STATUS	
1	Enclose a copy of the Certificate of Incorporation or its equivalent.
2	Enclose an Income Tax Clearance Certificate addressed to the ICWEA, for this particular purpose. ICWEA shall only accept original income tax clearance certificates. <ul style="list-style-type: none">• Enclose an Annual Tax Clearance certificate for the previous year.• Attach a copy of VAT Registration Certificate for Ugandans
3	Please enclose a copy of a Trading License for the previous year <u>certified</u> by an issuing authority for Ugandan Organization's.

ANNEX B: STATEMENT OF REQUIREMENTS

List and codes of works, services or supplies to be provided include but are not restricted to the following:

SUPPLIES:

CODE	ITEM
Sup/1000	Stationery, Office Supplies and Office Equipment
Sup/2000	Furniture and Fittings
Sup/3000	Computers, Printers, Photocopiers, Scanners and accessories

SERVICES:

CODE	ITEM
Svcs/1000	Air Ticketing, Tours & travel
Svcs/2000	Consultancy services
	Svcs/2001: IT services
	Svcs/2002: Translation (French, English and Kiswahili)
Svcs 3000	Transport services (Vehicle Hire)
Svcs 4000	Internet Services
Svcs/5000	Motor Vehicle repairs and maintenance
Svcs/6000	Garbage collection & Disposal
Svcs/7000	Hotel & Conference facilities
Svcs/8000	Insurance (Fixed Assets)
Svcs/9000	Printing, art & design (T-shirt's, calendars, Banners, brochures, toolkits etc)
Svcs/10000	Office cleaning & Fumigation

ANNEX C: EVALUATION CRITERIA

The evaluation criteria is usually based on four main areas namely eligibility, experience, and capacity, technical and quality requirements. The following are examples of what Procuring and Disposing Entities might use as evaluation criteria: The list is not exhaustive:

SUPPLIES:

Eligibility

- General Eligibility
- Nationality
- Conflict of Interest
- Suspension
- Origin of Supplies

Capacity

- Financial position

Experience

- Experience of firm
- Qualifications and Competence
- Experience in subject

SERVICES:

Eligibility

- General Eligibility
- Nationality
- Conflict of Interest
- Suspension
- Joint Venture

Experience

- Experience of firm
- Qualifications and Competence
- Experience in subject