

Invitation to Tender

Tender Number: 4/SCP/2021

Tender Number: 5/SCP/2021

The Hashemite Kingdom of Jordan has received grants from the German Government through KfW and from the EU Regional Trust Fund in Response to the Syrian Crisis (EUTF) in order to support the construction of schools in Jordan. KfW has the responsibility for the implementation of the Programme. The Programme's objective is to support 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 5 new schools as shown in the 2 packages 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:

1- For Contract 4/SCP/2021 (funded by the German Government through KfW):

- a-** Jordanian contractors classified by (GTD) as First or Second 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 or Second 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. A Contractor with Grade 1 or 2 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 local contractors, and must provide evidence that their own classification in their original countries is equivalent to GTD classification. They shall fulfil all local registration requirements by the time of award.

2- For Contract 5/SCP/2021 (funded by the EU through EUTF):

- 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 local contractors, and must provide evidence that their own classification in their original countries is equivalent to GTD classification. They shall fulfil all local registration requirements by the time of award.

3- For Contract 4/SCP/2021 and Contract 5/SCP/2021

- (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”¹).

Bidders shall note that three further Contracts: 6/SCP/2021, 7/SCP/2021 and 8/SCP/2021 will be awarded under this programme and that bidders are only eligible to be awarded one of these five packages (4/SCP/2021, 5/SCP/2021, 6/SCP/2021, 7/SCP/2021, 8/SCP/2021)

4- Description of the Main Works: The project consists of construction of 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:

Package 4/SCP/2021 (funded by the German Government through KfW):

School No: 7 – Al Rabi Bint Al Moweth Secondary Mixed School – Al Mafrag (coordinates: 32.3377, 36.19288) The project consists of a 3 storey building with an approx. area of 5,170 m², in addition to the site works as shown in the drawings and BoQ.

School No: 12 – Khalid Bin Alwaleed Basic Mixed School – Irbid (coordinates: 32.6467, 35.99222) The project consists of a 3 storey building with an approx. area of 5,200 m², in addition to the site works as shown in the drawings and BoQ.

Package 5/SCP/2021 (funded by the EU through EUTF):

School No: 5 – Ibn Tofayl Boys Secondary School – Amman (coordinates: 32.054946, 35.87997) The project consists of a 3 storey building with an approx. area of 3,860 m², in addition to the site works as shown in the drawings and BoQ.

School No: 27 – Shafa Badran (Marj Al Ajrab) Basic Boys School – Amman (coordinates: 32.055651, 35.92623) The project consists of a 3 storey building with an approx. area of 3,400 m² in addition to the site works as shown in the drawings and BoQ.

School No: 32 – Al Khansaa’ Basic Boys School – Amman (coordinates: 31.990872, 35.972177) The project consists of a 5-storey building with an approx. area of 4,880 m² 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
4/SCP/2021	Al Rabi Bint Al Moweth Secondary Mixed, Mafraq Khalid Bin Alwaleed Basic Mixed, Irbid	700	125,000	12.00 hours on Sunday 11 th September, 2022
5/SCP/2021	Ibn Tofayl Boys Secondary, Amman Shafa Badran Basic Boys, Amman Al Khansaa' Basic Boys, Amman	1000	160,000	12.00 hours on Monday 12 th September, 2022

5- Purchase of Documents: Tender Documents can be purchased in cash only at the address below starting from **Thursday 28th July, 2022**, 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
Website: www.mpwh.gov.jo

The last day for purchasing the documents is on **Monday 8th August, 2022** at **12.00 hours** Jordanian local time.

6- Site Visits:

Package 04 Site visits are scheduled on **Wednesday 10th August, 2022**, bidders shall meet at the site at:

- **10:00** hours – Al Rabi Bint Al Moweth Secondary Mixed School in Mafraq. (School No. 07; Package 4/SCP/2021)
- 12:00 hours – Khalid Bin Alwaleed Basic Mixed School in Irbid. (School No. 12; Package 4/SCP/2021)

Package 05 Site visits are scheduled on **Thursday 11th August, 2022**, bidders shall meet at the site at:

- **10:00** hours – Ibn Tofayl Boys Secondary School in Amman (School No. 5; Package 5/SCP/2021)
- 10:30 hours – Shafa Badran (Marj Al Ajrb) Basic Boys School in Amman. (School No. 27; Package 5/SCP/2021)
- 11:00 hours – Al Khansaa' Basic Boys School in Amman. (School No. 32; Package 5/SCP/2021)

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.

7- 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 Sunday 14th August, 2022.

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.

8- 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 22nd August, 2022 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.

9- 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.

If a Bidder wants to bid for more than one package i.e. 4/SCP/2021 and 5/SCP/2021, they shall provide one Bid Security for the amount of the highest Bid Security of the Packages they are bidding for. The original Bid Security shall be provided in a separate Envelope included with Envelope 1 (Qualifications Documents) of the first Package bidding for, with copies of the same provided in the submittal of the other packages they are bidding for. A Bidder will only be awarded the contract for one of these three Packages. The award of the three contracts shall be in accordance with the harmonic equation (معادلة توفيقية) to ensure the Employer's best interest.

In the case of a Joint Venture, the Bid Security shall be in the name of the JV that submits the Bid.

Any Bid not accompanied by an enforceable and compliant Bid Security will be rejected by the STC. Certified checks will not be accepted. A missing signed and stamped Declaration of Undertaking will lead to exclusion.

10- 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.

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 or copy of the same in case of submitting bids for more than one package 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 Bid 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. 4/SCP/2021 or 5/SCP/2021 for "School Construction Programme" – as applicable - 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 14:00 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.

11- 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 shall be considered as being not responsive and will be rejected.

Responsiveness Criteria
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.

12- 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 (or it will be exempted through an official letter at a later date) 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.

13- 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.

14- 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.

¹ https://www.kfw-entwicklungsbank.de/PDF/Download-Center/PDF-Dokumente-Richtlinien/Vergaberichtlinien-2019-Englisch-Internet_2.pdf

End of Invitation to Tender