

**AGENZIA ITALIANA PER LA COOPERAZIONE ALLO SVILUPPO (AICS)**

**IL TITOLARE DELLA SEDE AICS YANGON**

**Determina a contrarre**

**Oggetto: Selezione di un operatore economico per l'erogazione di corsi di lingua inglese a favore dei funzionari del Foreign Economic Relations Department (FERD) del Ministero degli Investimenti e delle Relazioni Economiche Estere**

**Procedura di gara aperta a valere sul progetto CAD-MM (AID 11087)**

**VISTA** la Legge n.125 dell'11/08/2014 ed in particolare l'art. 18, che stabilisce che all'Agenzia è attribuita autonomia organizzativa, regolamentare, amministrativa, patrimoniale e di bilancio;

**VISTO** il Regolamento recante lo Statuto dell'Agenzia Italiana per la Cooperazione allo Sviluppo, approvato con DM n. 113 del 22/07/2015, ed in particolare l'art. 5, comma 1, lett. f), che prevede che l'Agenzia adotti gli atti di gestione necessari per il conseguimento dei propri obiettivi e, nell'ambito della programmazione annuale, eserciti i relativi poteri di spesa, fermo restando il limite di cui all'art. 17, comma 6, della L. 125/2014;

**VISTO** il decreto del Ministro degli affari esteri e della cooperazione internazionale del 15 dicembre 2015 n. 2438, recante approvazione del "Regolamento di organizzazione dell'Agenzia italiana per la cooperazione allo sviluppo" e successive modifiche e integrazioni;

**VISTO** il decreto del Ministro degli affari esteri e della cooperazione internazionale di concerto con il Ministro dell'economia e delle finanze del 15 dicembre 2015 n. 1002/2500, recante approvazione del "Regolamento interno di contabilità dell'Agenzia italiana per la cooperazione allo sviluppo";

**VISTA** la legge 7 agosto 1990, n. 241 e s.m.i., "Nuove norme in materia di procedimento amministrativo e di diritto di accesso ai documenti amministrativi";

**VISTA** la Direttiva 2014/24/UE del Parlamento europeo e del Consiglio, del 26 febbraio 2014 sugli appalti pubblici;

**VISTO** il decreto legislativo 18 aprile 2016, n. 50 e s.m.i., disciplinante il Codice dei Contratti Pubblici, in particolare l'art. 1 comma 7 che dispone circa le procedure di scelta del contraente e l'esecuzione del contratto da svolgersi all'estero, tenendo conto dei principi fondamentali del medesimo Codice dei Contratti Pubblici e delle procedure applicate dall'Unione europea e dalle organizzazioni internazionali;

**CONSIDERATA** l'esigenza di dare attuazione ai principi desumibili dall'articolo 32, comma 2, del succitato Codice dei Contratti Pubblici, individuando preventivamente gli elementi essenziali del contratto e i criteri di selezione degli operatori economici e delle offerte;

**VISTO** il decreto del Ministro degli affari esteri e della cooperazione internazionale del 2 novembre 2017, n. 192 "Regolamento recante disciplina delle procedure per l'affidamento e la gestione dei contratti da eseguire all'estero", in particolare l'art. 21 che dispone l'applicazione della versione più aggiornata delle PRAG (Procurement And Grants for

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European Union external actions – A Practical Guide) per i contratti relativi agli interventi di cooperazione allo sviluppo dei quali una sede estera dell'Agenzia Italiana per la cooperazione allo sviluppo risulti stazione appaltante, fermi restando gli articoli 4, 5, 6 e 8 nonché i commi 5, 6 e 7 dell'art. 7 del Regolamento MAECI;

**VISTO** il D. Lgs. n. 50 del 18/04/2016 e s. m. i., disciplinante il nuovo Codice dei Contratti Pubblici relativi a lavori, servizi e forniture (di seguito denominato “**Codice degli Appalti**”);

**VISTO** il Regolamento approvato con DPR n. 207 del 5/10/2010 di esecuzione ad attuazione del D. Lgs. n. 163 del 12/04/2006 e s.m.i., per quanto applicabile ai sensi dell'art. 217, comma 1, lett. u), del Codice degli Appalti;

**VISTO** il Decreto del Ministro degli Affari Esteri e della Cooperazione Internazionale n. 192, del 2 novembre 2017, recante approvazione del “Regolamento recante le direttive generali per disciplinare le procedure di scelta del contraente e l'esecuzione del contratto da svolgersi all'estero, ai sensi dell'art. 1, comma 7, del decreto legislativo 18 aprile 2016, n. 50. (17G00213)”;

**VISTA** la Legge n. 125 dell'11 agosto 2014 “*Disciplina generale sulla cooperazione internazionale per lo sviluppo*”;

**VISTO** il Decreto del Ministro degli Affari Esteri e della Cooperazione internazionale di concerto con il Ministro dell'economia e delle finanze 22 luglio 2015, n.113 “*Statuto dell'Agenzia italiana per la cooperazione allo sviluppo*”;

**VISTO** il Decreto del Ministro degli affari esteri e della cooperazione internazionale di concerto con il Ministro dell'economia e delle finanze del 15 dicembre 2015 n. 1002/2500, recante approvazione del “*Regolamento interno di contabilità dell'Agenzia italiana per la cooperazione allo sviluppo*”, ed in particolare il capo IV concernente l'attività negoziale per la quale occorre far riferimento al Codice degli Appalti;

**VISTO** il Decreto n. 2016/341/000043/0 del 04/01/2016 recante il “*Regolamento dell'Agenzia Italiana per la cooperazione allo sviluppo per l'acquisizione in economia di beni, lavori e servizi*”;

**VISTA** la Delibera n. 20 del 10 marzo 2017 con la quale il Direttore Generale dell'Agenzia Italiana per la Cooperazione allo Sviluppo (AICS) ha approvato il finanziamento dell'iniziativa “Supporto al Coordinamento dell'APS in Myanmar: Capacity Development of Donor Coordination (CAD-MM); AID n. 11087” per un ammontare di 950.000,00 Euro;

**VISTO** il Piano Finanziario (P.O.G.) della citata iniziativa, inviato con messaggio AICS Yangon n. 345 del 04/07/2017 e approvato originariamente da Delibera n. 20 del 14-03-2017;

#### **PREMESSO**

- che l'Agenzia Italiana per la Cooperazione allo Sviluppo con sede a Yangon (“**AICSY**”) nel quadro delle attività dell'AID 11087, ritenendo necessaria l'acquisizione di un servizio specialistico di erogazione di corsi di lingua inglese a favore dello staff del FERD (l' “**Appalto**”), ha l'esigenza di procedere con il lancio di una procedura di selezione al fine di assegnare suddetti servizi;
- Che il FERD continua a necessitare di attività formative per il miglioramento delle capacità del suo personale;
- che questa Sede ha manifestato il proprio interesse a finanziare tali servizi con lettera al FERD (riferimento AICSY-OUT-519-2018-07-11) per una durata di 14 mesi e di estendere eventualmente il periodo di tale supporto previa ricezione di una valutazione positiva dei servizi offerti e dei Termini di Riferimento (ToR) relativi all'incarico;

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- che, avendo ricevuto risposta positiva da parte del FERD circa la manifestazione di interesse surriferita, questa Sede nel 2018 ha attivato una procedura di selezione di un operatore economico per l'erogazione dei corsi di lingua inglese, che sono poi stati regolarmente svolti nel corso del 2018;
- che, a fronte di una valutazione positiva dei servizi offerti nel corso del 2018/019, il FERD ha richiesto tramite lettera AICSY-IN-531-2019-11-07 in data 7 Novembre 2019 a questa Sede AICS la disponibilità a proseguire la fornitura dei medesimi servizi di erogazione di corsi di lingua inglese;
- che si rende pertanto necessario individuare un operatore economico a cui affidare l'esecuzione dell'Appalto, il cui importo massimo stimato, pari a Euro 85.000, si reputa adeguato;
- che l'Appalto è volto all'erogazione di un servizio per un importo totale inferiore alla soglia comunitaria di Euro 300.000;
- che sussistono le condizioni per utilizzare una procedura di gara aperta

**CONSIDERATO**

- che l'art. 7 comma 4 del Decreto del Ministro degli Affari Esteri e della Cooperazione Internazionale n. 192 del 2 novembre 2017 dispone che la procedura aperta o ristretta può essere utilizzata anche per contratti di importo inferiore alle soglie indicate previste dalle direttive europee, purché la sede estera motivi l'esercizio di tali facoltà nel primo atto della procedura per l'affidamento del contratto o in atto separato;
- che l'AICSY, in qualità di stazione appaltante, considerando la necessità di dare massima pubblicità e trasparenza al procedimento, ha deciso di avviare il presente affidamento di servizi tramite procedura aperta di cui al punto 2.6.2 delle PRAG (Procurement And Grants for European Union external actions – A Practical Guide), anche in considerazione della difficoltà di individuare operatori economici idonei da consultare, tramite indagini di mercato o elenchi appositamente redatti;

**VERIFICATA**

**la sussistenza delle necessarie risorse finanziarie nel competente capitolo di spesa per l'AICSY - AID 11087;**

**DETERMINA**

L'avvio di una procedura per la selezione di un operatore economico per fornire corsi di lingua inglese ai funzionari e dirigenti del Dipartimento Relazioni Economiche Estere (FERD) del Ministero degli Investimenti e delle Relazioni Economiche Estere, basato a Nay Pyi Taw.

Il servizio verrà affidato per un importo non superiore ad Euro 85.000,00 a seguito di un processo di selezione svolto tramite procedura di gara aperta sotto soglia di rilevanza comunitaria.

Lo svolgimento della procedura aperta pone il termine per la ricezione delle offerte entro almeno 30 giorni dalla sua data di pubblicazione.

L'incarico di R.U.P., ai sensi dell'art 31 del Codice degli Appalti e dell'art. 4 comma 2 del Decreto del Ministro degli Affari Esteri e della Cooperazione Internazionale n. 192/ 2017, è affidato al Titolare della sede estera AICS Yangon, Ing. Walter Zucconi.

Il R.U.P., dopo aver ottenuto il Codice Identificativo della Gara (C.I.G.), pubblicherà sul sito dell'Ambasciata d'Italia in Myanmar, sui siti dell'AICS di Roma e dell'AICS di Yangon, e su siti specializzati richiamando l'attenzione delle

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società locali specializzate, o di altre organizzazioni competenti le quali dovranno inviare la documentazione comprovante il possesso dei requisiti richiesti, l'offerta tecnica e l'offerta economica come richiesto nel bando di concorso.

Al ricevimento della documentazione, una Commissione di gara appositamente nominata, esprimerà un'analisi comparativa della documentazione comprovante il possesso dei requisiti richiesti, le caratteristiche tecniche ed economiche delle offerte, scelta l'offerta economicamente più vantaggiosa, indicherà l'operatore economico selezionato al quale verrà trasmessa la richiesta di disponibilità ad effettuare il suddetto servizio.

Al ricevimento della documentazione, il R.U.P. effettuerà i necessari controlli e trasmetterà tutta la documentazione al titolare dei fondi, il quale con proprio provvedimento:

- a) disporrà l'affidamento del servizio all'operatore economico individuato per l'importo pattuito;
- b) stipulerà il relativo contratto in regola con la normativa vigente in materia di tracciabilità dei flussi finanziari;
- c) pubblicherà un avviso di post – informazione sul sito dell'Agenzia Italiana di Cooperazione, sezione gare ed incarichi.

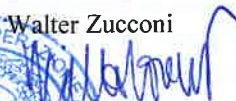
Il Titolare della Sede

**Allegati:**

1)	Lettera di conferma della necessita' del servizio
2)	Invitation to bid



Walter Zucconi





**The Republic of the Union of Myanmar**  
**Ministry of Investment and Foreign Economic Relations**  
**Foreign Economic Relations Department**

D.O. 64 76 10 ( 4369 /2019)

Date. 7<sup>th</sup> November 2019

Walter Zucconi,

Director, Italian Agency for Development Cooperation – Yangon

**Subject: Request for Continued Support for Provision of high quality English Language and Communication Skills Teaching**

Dear Mr. Zucconi,

Greetings from the Foreign Economic Relations Department (FERD) of the Ministry of Investment and Foreign Economic Relations (MIFER).

I would like to once again express our thanks to the Italian Agency for Development Cooperation (AICS) for your continuous support to FERD.

As we discussed during our meeting on 23 October 2019, we would very much like to request AICS to consider extending the provision of high quality English language and communication skills to FERD in FY 2019/2020 and possibly beyond. We understand that the AICS financing envelope that may be available is slightly less than what was available during the 2018/2019 period however, we are confident that this money could still well used.

We have in mind the provision of English Language and Communications Skills for approximately 50 people over a 10-12 month period. We would prefer classes be conducted early morning and late evening to accommodatethebusy staff work-days.

In addition to what has been included in the current Terms of Reference (ToR), we would also like to include a component focused on improving staff speech writing and briefing note/talking point drafting.

Finally, if there are resources available, it would be useful to arrange separate classes for senior staff (Director-level and above).

If possible, we would like to request AICS to provide us with an updated ToR including the above components for our review and as a basis for further discussion.

I kindly request that AICS be in contact with Daw Thu Zar Khin, Director, FERD to explore whether it might be possible to take this timely and important initiative forward.

Thank you once again for your continued support.

Sincerely,

  
(Than Aung Kyaw)

Director General



CC:

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Project AID 11087 - CIG 8184084372

Prot. No. AICSY-OUT- 65 - 2020 - 01 - 28

### INVITATION TO BID

**Subject: Invitation to bid for the provision of English Training Courses to the Foreign Economic Relations Department (FERD) of the Ministry of Investment and Foreign Economic Relations in Nay Pyi Taw, under the Italian Agency for Development Cooperation project “Capacity Development for Donor Coordination in Myanmar – CAD-MM” – AID 11087**

Within the Project “Support to the ODA coordination in Myanmar: Capacity Development of Donor Coordination (CAD-MM) - AID 11087”, the Italian Agency for Development Cooperation (AICS) intends to support the Government of the Republic Union of Myanmar in improving the coordination of Official Development Assistance (ODA) in the country, to rationalise International Donors interventions and facilitate an active role of the Myanmar Government in the division of labour among International Donors.

A specific component of CAD-MM project aims to strengthen the capabilities of the Foreign Economic Relations Department (FERD) of the Ministry of Investment and Foreign Economic Relations for the ODA database and its coordination role, through the provision of trainings, courses and equipment.

Within this framework, the Italian Agency for Development Cooperation in Yangon (AICSY), upon specific request of FERD, intends to select one organization to ensure provision of English training courses. The content of the courses will be based on the needs identified by AICSY and requests outlined by FERD in order to comply with the CAD-MM (AID 11087) project activities and results, managed by AICSY.

The AICSY invites all the interested organizations (NGOs/Private Companies/Entities) operating in Myanmar to submit an application for this Bid procedure. All the documents must be written in English; documents in other languages will not be considered. Wherever the original documents are in Myanmar Language, an English translation must be provided.

Organizations may associate (Bid Association) to enhance their qualifications. In this case, the name or names of associated companies should be provided, and the Partner in Charge of the association specified. The Partner in Charge will take the legal responsibility of the bid for the Bid Association. In absence of this information the bid will be rejected.

**The maximum total amount available under this contract is of EUR 85.000,00. The Contract will have a duration of 14 months**

The Technical Assistance services will be provided through a Contract that will be signed by AICSY with the successful bidder. The Contract will have a duration of 14 months

The domains to be covered by the English Training Courses are described in the “Annex A - Terms of Reference” and are detailed in paragraph “8 – Requirements”.

AICSY will choose the offer with best value for money for the assignment on the basis of the technical quality of the bid and the price of the services. The management fee applied by the Organization will be included in



the price of the services in the Economic Offer. AICSY will conclude a Contract with the selected Organization.

Interested organizations (NGOs/Private Companies/Entities) may be eligible for this service, provided that they are operational in Myanmar according to the competent national regulations and can therefore carry out relevant activities in the Country; all the bidders must provide evidence of experience relevant to the scope of the Contract.

Interested Organizations shall submit their applications according to the information provided in the present document.

### 1. SUBMISSION OF PROPOSAL

Interested Organizations are requested to submit their Bid proposal with the required documents in English Language (the Copies of Original Documents in Myanmar Language shall be accompanied by translation), by hand, in a sealed envelope (directly or through an authorized representative) to the address below:

**ITALIAN AGENCY FOR DEVELOPMENT COOPERATION — YANGON OFFICE  
41/7B INYA MYAING, SHWE TAUNG GONE  
BAHAN TOWNSHIP — YANGON**

### 2. DEADLINE FOR SUBMISSION

The closing time for receipt of bids is the 27th of February 2020, 5:00 p.m. Yangon time. Bids must be delivered to the designated address during AICSY working hours from 9:15 am to 5:00 pm. Monday through Friday. Bids received after this time and date shall not be considered.

Lodging of the bid will be acknowledged by means of a receipt dated and signed by the official of the above-mentioned office the documents are handed over to. AICSY will keep a copy of the receipt.

### 3. REQUESTS FOR CLARIFICATION

The Organizations may submit requests for clarification only in writing at least twenty-one (21) days before the closing date, that is by the 5th of February 2020, 5:00 p.m. Yangon Time.

In the subject of the email should be specified the Invitation to bid reference:

**“Invitation to bid for English training courses to the Foreign Economic Relations Department (FERD) of the Ministry of Investment and Foreign Economic Relations in Nay Pyi Taw – AID 11087”.**

Each question must start with an indication of the paragraph of the Invitation to Bid documents to which the question relates.

Questions should be sent to the following email address:

**[Aics.info@aicsyangon.org](mailto:Aics.info@aicsyangon.org)**

Bidders are reminded that the above e-mail address may be used only to send queries. Please note that clarifications requested by phone will not be considered. AICSY will reply to all tenderers' questions no later



than 11 days before the deadline for receipt of tenders by publishing a clarification note on the website [www.aicsyangon.org](http://www.aicsyangon.org), that is by the 15<sup>th</sup> of February 2020. A clarification meeting will be held at the Contracting Authority premises (AICS Yangon Office see address above in paragraph 1) the 3<sup>rd</sup> February 2020 at 11 a.m.. During the meeting, the bidding documents and relevant procedures will be presented and explanations to questions previously received, if any, will be provided. The presence of the bidder will be recorded by the Contracting Authority and Bidders representatives will be asked to sign a form. All the clarifications provided during the Clarification Meeting will be made available in the website [www.aicsyangon.org](http://www.aicsyangon.org) within 15<sup>th</sup> February 2020. These answers will complement the original Invitation to Bid and Terms of Reference.

#### 4. CONTRACT DESCRIPTION

The General Terms of Reference related to the contract are described in "Annex A –Terms of Reference

**The maximum total amount available under the contract is of EUR 85.000,00 for the whole period of duration of 14 months.**

The Bidder is the only entity responsible for the payment of service, tax, insurance (medical, against accidents at the work) and all other taxes and government dues if applicable. In no case the AICSY will be responsible to pay taxes for the Service Contract.

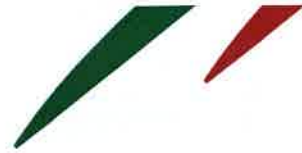
It must be clear and understood by the Bidder that the persons in charge of implementing the activities under the contract regulated by the present bid are directly employed or hired by the bidder for all intents and purposes and that there is no direct relationship between employer and employee between the said persons and the Italian Agency for Development Cooperation (Yangon Office).

Moreover, the Bidder shall also be solely responsible for providing all the statutory benefits (as per Myanmar relevant laws) to the eligible staff/consultants employed or hired by it and it shall make payment of compensation (as per Myanmar relevant laws) in case of injury or death of any of its personnel.

AICSY reserves itself the right to request the replacement of the personnel employed or hired by the organization in the following cases:

- disseminating (directly and indirectly) of knowledge or information acquired during his service and related to the work that has been done;
- putting into action behaviors which may involve criminal acts (corruption, fraud, misuse of office equipment and funds, use or distribution of illegal substances);
- demonstrating misconduct, proved incompetence, hierarchical insubordination, unjustified absence from work, failure to comply with schedules and work assignments, voluntary damage of the Office property.

The organization's personnel must have the features of expertise, decorum, confidence, experience and professionalism.



If the quality of the Technical Assistance services provided will be not considered satisfactory by AICSY, the contestation of charge will be notified to the organization which will proceed to the replacement of the personnel deemed unsuitable. If the termination is requested by the person, the organization will notify it to AICSY.

## 5. REQUIRED DOCUMENTS, SEALING AND MARKING OF THE PROPOSAL

The interested organizations shall submit their Proposals/Bids in an outer sealed envelope containing three inner separated and sealed envelopes. The inner and outer envelopes must be sealed with adhesive tape and the Organization/Bidder must sign across the tape seal.

### 5.1. Outer Envelope

The following information should be clearly marked on the outer envelope:

- Closing Date of the Invitation;
- **Invitation to bid for “English training courses to the Foreign Economic Relations Department (FERD) of the Ministry of Investments and Foreign Economic Relations in Nay Pyi Taw – AID 11087”;**
- Name of the Organization/Bidder;
- DO NOT OPEN.

### 5.2. Inner envelopes:

**5.2.1. The first (sealed) envelope, marked as "Administrative Documents and the name of the Bidder" shall contain:**

- BID SUBMISSION FORM (see ANNEX B) duly filled, signed and stamped;
- Legal Entity Declaration;
- Details of the CONTACT PERSON within the Organisation responding for the present Bid as per “Annex B.3. - Contact Person” (for this Bid);
- Reporting on economic and financial capability to carry out the requested Technical Assistance and qualified services relevant to the Service hereby described;
- Specific experience of the organization & areas of specialisation listing and describing the experience of the Organization in carrying out similar Services, relevant tasks and assignments with specific reference to Myanmar. The list shall be provided with duration of assignments, organizations funding the Contracts, specific expertise provided and (if possible) reference letters of performance; the areas of specialization shall be also detailed clearly;
- CERTIFICATE OF REGISTRATION AS NATIONAL ORGANIZATION in Myanmar proving that the Bidder is authorized to perform the contract;
- In case of association of organisations, a copy of the AGREEMENT entered into by all organisations or alternatively, a LETTER OF INTENT (as per “Annex E.1 Template - Letter of Intent for association of organisations) to execute the agreement shall be provided, signed and stamped. In case of Individual Bidder this Document will not be needed;



- VIII. POWER OF ATTORNEY, providing evidence that the Person signing the Documents is legally entitled to do so, duly signed and stamped (Please see in "Annex E Templates -2. Power of Attorney for Individual Bidder or 3. Power of Attorney for Association of Organizations"), together with a copy of valid Identity Card or Passport of the Signatory Persons;
- IX. SELF DECLARATION FORM (see ANNEXB), duly filled, signed and stamped, containing:
- a. A duly signed self-declaration stating that the criminal records of the persons having power of representation, or decision making, or control over the organization, is clean;
  - b. A duly signed self-declaration proving that the person who signs on behalf of the organization is duly authorised to do so;
  - c. A duly signed self-declaration stating that the organization is not in any of the following categories:
    - i. bankrupt, or being wound up, or having its affairs administered by the courts, or entered into an arrangement with creditors, or suspended its business activities, or is in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
    - ii. is the subject of proceedings for a declaration of bankruptcy, for winding-up, for administration by the courts, for an arrangement with creditors or for any similar procedure provided for in national legislation or regulations;
    - iii. the organization, or persons having power of representation, or decision making, or control over them have been convicted of an offence concerning professional conduct by a judgment which has the force of res judicata;
    - iv. is guilty of severe professional misconduct proven by any means which the contracting authority can justify;
    - v. the organization, or persons having powers of representation, or decision making or control over them, have been the subject of a judgment which has the force of res judicata for fraud, corruption, involvement in criminal organization, money laundering or any other illegal activity;
    - vi. is not in compliance with its obligations relating to the payment of social security contributions, or payment of taxes in accordance with the legal provisions of Myanmar;
- X. The BIDDER DECLARATION of acceptance of the Bid clauses (Please see in "Annex B.7 - Bidder Statement"), duly signed and stamped;
- XI. The CONTRACT TEMPLATE duly signed and stamped (Please see Annex C - Contract Template" and Annex L "Generale Conditions"), with each page initialed. Please note that the Contract template shall not bear any additional information, but only signature, stamp and each page initialed. (Bidders are informed that at the moment of contract signature - and following the completion of the selection procedure - the contract content might be updated in order to be aligned with the current legislation);
- XII. BANK STATEMENTS for the last 3 years and AUDITED FINANCIAL STATEMENTS for the last 3 years;
- XIII. A SIGNED COPY OF THE IDENTITY CARD of the attorney of the Bidder or his duly authorized representative.



**5.2.2. The second (sealed) envelope, marked as "Technical Documents and the name of the Bidder" shall contain:**

- I. THE TECHNICAL OFFER (see ANNEX F) including:
  - a. Methodology. The methodology must be drawn up by the Bidder using the format in "Annex F";
  - b. A Brief summary of the average annual manpower (use "Annex F");
  - c. CVs of staff/trainers/teachers will be employed under this bid (to be attached to "Annex F");
  - d. Description of similar contracts performed (see "Annex F");

Bidders are informed that their methodology will need to be updated (or confirmed) based on the results of the English language placement test to be carried out at the beginning of the contract. Bidders should take into consideration this element while preparing their proposed methodology and the Technical Offer.

**5.2.3. The third (sealed) envelope, marked as "Economic Offer and the name of the Bidder" shall contain:**

- I. THE ECONOMIC OFFER (see ANNEX G):

Bidders have to provide the total cost for the delivery of English language training activities detailed in "Annex A – Terms of Reference" by filling the "Annex G – Economic Offer".

Bidders have also to fill the Budget Template provided in "Annex H – Budget Template" and provide a cost breakdown detailing for each contract activity the cost of each budget item, specifying the relative unitary price, number of units and total cost.

Bidders are requested to fill the budget lines based on their proposed methodology and are allowed to add budget lines to the template in order to specify the type of resources they are proposing to use.

Bidders are informed that their methodology will need to be updated (or confirmed) based on the results of the English language placement test to be carried out at the beginning of the contract. Bidders should take into consideration this element while preparing their Economic Offer. The update of the methodology will happen within the execution of the contract and in any case, it will not have to lead into any change of the cost of the contract. The Economic Offer has to be duly stamped and signed by the Bidder or his duly authorized representative and clearly legible to eliminate any possible doubt as to wording or figures. The economic offer must be in EURO currency only. No other currency will be accepted.

## **6. BIDS OPENING**

Envelopes will be opened on 28th of February 2020, at 10.00 a.m. (Yangon local time) at the Contracting Authority premises (see above). The evaluation of the Offers will follow and will be done by an Evaluation Committee duly appointed for the purpose by the Responsible of the Procedure (RUP) of the Contracting Authority. The Committee consists of at least three (3) members from AICSY Office. A representative of the FERD may assist to the evaluation procedures as observer.

Bidders may be present at the opening session with the personnel duly appointed.





## 7. EVALUATION OF BIDS

The evaluation based on the information provided in the submitted bid and the criteria expressed in the following paragraphs and it takes place in three steps:

- I. Opening of the outer envelope, verification of administrative compliance and verification of non-exclusion and of eligibility of bidders on the basis of the exclusion criteria and of the participation rules (see paragraph 5.1).  
The Bids not matching the administrative requirement, as per point 7.1 below, will not be admitted to the technical Evaluation Phase. A communication of this fact will be issued.
- II. The envelope containing the technical offer for bids which were not eliminated during the administrative compliance check will be opened. Evaluation of the technical offer is based on the criteria expressed in paragraph 7.2.  
The Bids which do not reach the minimal threshold of 50 points (as per clause 7.2 below) will not be admitted to the Economic Evaluation Phase. A communication of this fact will be issued.
- III. Upon completion of the technical evaluation, the envelope containing the economic offer for bidders that were not eliminated during the technical evaluation will be opened. Evaluation of the financial offer is based on the criteria expressed in paragraph 7.3.

### 7.1. Administrative compliance, eligibility and exclusion criteria

The Committee checks the compliance of bids with the instructions given in point 5 and using the administrative documents checklist (ANNEX B). Failure to respect the administrative requirements in the present document and the invitation to bid will constitute an irregularity and may result in the rejection of the bid.

The Committee checks the compliance of bids with the eligibility and exclusion criteria set out in this paragraph respectively based on the information provided by the bidder in their bid submission form, supporting documents and signed declaration regarding exclusion.

Organizations are not entitled to participate in this bidding procedure or be awarded a contract if they are in any of the situations listed in the Self Declaration Form (ANNEX B), duly signed and dated by an authorized representative, stating that they are not in one of the situations of exclusion listed in the template.

Bidders guilty of making false declarations will be excluded by the bid.

In order to prove the economic and financial capacity, the bidders must comply with the following criteria. If any of the requirements, are not met, the bid will be rejected.

- I. The bidder's average annual turnover for the last 3 years must exceed EUR 40,000.00. The information must be given in the Bid Submission Form (ANNEX B, point 4).
- II. Bidders must provide evidence showing that they reach the sums required above, such as an extract from the consolidated profit and loss accounts, banks statement balance sheets and cash flow statements for the last 3 financial years. The figures to be taken into account must be clearly shown

- in the documentary evidence i.e. the annual turnover figure in each document(s) provided must be clearly highlighted in order to allow easy evaluation.
- III. If documents provided are in a currency different from EUR, the exchange rate for conversion will be set using the InforEuro rate of the month in which the bid has been released.
  - IV. In case organizations will associate the average annual turnover for the last 3 years must be as following: i) all partners combined must meet the EUR 40,000.00 requirement, ii) each partner must meet 25% of the EUR 40,000.00 requirement, and iii) at least one partner must meet 50% of the EUR 40,000.00 requirement.
  - V. If, for some exceptional reason which AICSY considers justified, a bidder is unable to provide one or other of the above documents, he or she may prove his or her economic and financial capacity by any other document which AICSY considers appropriate. In any case, AICSY must at least be notified of the exceptional reason and its justification in the bidding proposal.

The Committee reserves the right to request any other document enabling it to verify the bidder's economic and financial capacity.

In order to prove the technical and professional capacity, the Bidders must proof their specific experience of the organization & areas of specialization. If any of the requirements, are not met, the bid will be rejected. The information requested must be given on the bid submission form (Annex b, point 5). The Bidder must comply with the following criteria:

- I. The bidder shall have performed at least 2 certified activities covering the following areas:
  - English language courses;
  - English learning solutions on specific sectors (i.e. economic development in theory and practice; political science; finance and banking);
  - English learning solutions for Governmental entities;
  - Releasing language certifications recognized worldwide.

## 7.2. Evaluation of Technical Offer

The quality of each technical offer will be evaluated in accordance with the award criteria and the associated weighting as follow:

### Technical Score (TS). Maximum points: 100

	Criteria	Maximum number of points
1	Quality of the methodology for delivering the services required and general understanding of the requirements, challenges and tasks of the Contract.	25
2	Organization management structure and approach: how the organization will work to deploy and deliver required outputs.	20
3	Technical and professional capacity of the proposed staff/trainers/teachers based on CVs submitted	20
4	Technical and professional capacity of the organization based on description of similar contracts and related historical records.	35



No other award criteria will be used. The award criteria will be examined in accordance with the requirements as indicated in the Invitation to bid and in the Terms of Reference.

**The Bidder comprising less than 75 points score will be disqualified for the evaluation of the Economic Offer.**

Out of the tenders reaching the 75-point threshold, the best technical offer is awarded 100 points. The others receive points calculated using the following formula:

Technical score = (final score of the technical offer in question/final score of the best technical offer) x 100.

### **7.3. Evaluation of Economic Offer**

Upon completion of the technical evaluation, the envelope containing the economic offer for bid that were not eliminated during the administrative compliance check and the technical evaluation will be opened. The financial score is calculated using the following formula:

**Economic Score: Points\* Value Score**

Maximum points: 100 Value Score—  $Ox/Omin$

Ox: value offered by the bidder

Omin: value of the most convenient offer.

The evaluation committee reserves the right to request the Bidder to further clarify any fees proposed.

### **7.4. Choice of selected Bidder**

The bid which represents best value for money is selected. The best value for money is established by weighing technical quality (technical score) against price (economic score) on a 80/20 basis.

**Total Score = 0.8 TS + 0.2 ES**

Where TS is Technical Score and ES is Economic Score.

## **8. PROPOSAL VALIDITY**

Period of validity of the Bid/Proposal is ninety (90) days from the deadline for submission. Shorter period of validity will not be accepted and may lead to the exclusion of the Bidder from the selection. The Bidder must declare to understand and accept the validity period in the Bid Submission Form (ANNEX B, point 7).

## **9. SIGNATURE OF CONTRACT**

### **9.1. Notification of award**

Bidders will be informed of the outcome of their Bids/Proposals and the final outcome will be published on the following website: [www.aicsyangon.org](http://www.aicsyangon.org). The successful Bidder will be informed also by email that its bid has been selected. After the notification and before signature of the Contract, AICSY may proceed with further verification of declarations and documents.



### **9.2. Signature of the contract and entry into force**

Within the period indicated in the notification letter, the selected Bidder shall sign and date the contract and return it to AICSY. The Contract will entry into force following its countersignature.

### **9.3. Deliverables**

Deliverables, if any, are defined in the specific TOR of the contract. In any case, all the documents, researches and products prepared within the Contract should always carry the logo of AICS.

### **9.4. Payment**

A template of the Contract is provided as "Annex C" and "Annex L" (General Conditions) for reference. Bidders are requested to check the details of the Contract template, sign and stamp it, with each page being initialed and submit it, with no modification or addition, together with the Administrative Envelope as indicated in Par.5.2.1.XI of the present Invitation to B.

The Payment Schedule proposed in the contract template provides evidence to the fact that the payments will be executed based on the successful achievement of contract deliverables listed in the "Annex A – Terms of Reference" paragraph "5 – Scope of Work". Only if deemed favourable by the Contracting Authority, the Payment instalments may be adjusted according to the implementation/schedule proposed by the Awarded Organization (hereinafter referred to as Service Provider).

Payments shall be made by Bank transfer on the account in Euro that will be communicated in writing to the Contracting Authority through the Bank Account Form in "Annex G". Should the Bidder not be provided with a Bank Account in Euro currency, evidence of the commitment of the Bidder to open an Account in such currency shall be provided in the terms of a Declaration as indicated in "Annex G".

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## **10. CLARIFICATION AND CORRECTION OF ERRORS**

If, after the Bids have been opened, some clarification is required in connection with the bid, AICSY may contact the Bidder for further clarifications.

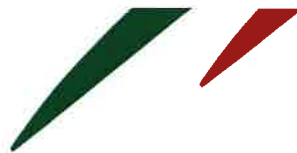
## **11. ITALIAN AGENCY FOR DEVELOPMENT COOPERATIONS'S RIGHT**

This Invitation to Bid is in no way binding upon the Italian Agency for Development Cooperation (AICS). The AICS's contractual obligation commences only upon signature of the contract with the successful Bidder. AICSY may, before the contract is signed, either abandon the procurement or cancel the award procedure without giving rise to any compensation entitlement on the part of the Bidders. Where appropriate, such decision must be substantiated and be brought to the attention of the Bidders.

Furnishing of false, misleading, inaccurate information or particulars in the Bid/Proposal document or in any other manner shall lead to the disqualification of the Bid and Bidder at any stage or time. It shall also lead to termination of the contract, if awarded.

If the contracted Organization fails to supply the specific Services within the period specified by the Contract (six months from the Contract Signature), the Contracting Authority will, without prejudice to its other remedies under the Contract, deduct from the Contract price, as liquidated damages a sum equivalent to point





two percent (0.2%) per day of delay calculated on the value of the Contract until actual delivery, up to a maximum deduction of ten percent (10%) of the value of the Contract.

Please notify this Office immediately if any part of this Invitation to Bid is missing and/or illegible. Bidders are reminded that e-mail address [Aics.info@aicsyangon.org](mailto:Aics.info@aicsyangon.org) may be used only to send queries (see Paragraph 3 - Requests for clarification).

Annexes:

Annex A	Terms of Reference
Annex B	Admin Envelop Forms
Annex C	Contract Template
Annex D	Timeline Chart
Annex E	Templates
Annex F	Technical Offer Form
Annex G	Economic Offer Form
Annex H	Budget Template
Annex I	AICS logo
Annex L	General Conditions



AICS Yangon Director

Ing. Walter Zucconi