

Ufficio di Yangon

Project AID 11087 – CIG Code n. 75125586FA

Invitation to bid for IT equipment supply for FERD (Naypyidaw) for the project activities of the Italian Agency for Development Cooperation – AID 11087

ANNEX E - TEMPLATES

Here you can find Templates for the following Documents to be included in the Bidding Dossier:

1. **TEMPLATE – LETTER OF INTENT FOR ASSOCIATION OF ORGANIZATIONS**
2. **TEMPLATE – POWER OF ATTORNEY FOR INDIVIDUAL BIDDER**
3. **TEMPLATE - POWER OF ATTORNEY FOR ASSOCIATION OF ORGANIZATION**
4. **TEMPLATE – PERFORMANCE GUARANTEE**

Please be reminded that all 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 attached.

1. *TEMPLATE - LETTER OF INTENT FOR ASSOCIATION OF ORGANISATIONS*

[This letter must be written on the official letterhead paper of the organisation.]

Project: Capacity Development for Donor Coordination in Myanmar - AID 11087

Invitation to bid for IT equipment supply for FERD (Naypyidaw) for the project activities of the Italian Agency for Development Cooperation

CIG n. 75125586FA

This letter is to confirm that *[name of the Bidder]*, represented by *[name of the legal representative – person with the Power of Attorney]* is intending to participate to the Invitation to Bid: **Invitation to bid for IT equipment supply for FERD (Naypyidaw) for the project activities of the Italian Agency for Development Cooperation** as an association of organisations.

The association is composed of the following organisations:

Name of the organisation	Details of the legal representative
<u>Lead organization:</u> _____	
Partner organization:_____	
Partner organization:_____	
Partner organization:_____	

An Agreement among the organizations will be signed and executed in case our Bid will be successful. A copy of the Proposed Agreement is attached to this Letter.

The person with the Power of Attorney is identified within the Lead Organization in the person of: _____ (see also Annex D – Self Declaration Form)

Date

Signature of the person with the power of attorney

Signature from Partner Organizations legal representatives

2. TEMPLATE - POWER OF ATTORNEY FOR INDIVIDUAL BIDDER

POWER OF ATTORNEY

(INDIVIDUAL BIDDER)

KNOW ALL MEN BY THESE PRESENTS, We [*insert the name and address of the registered office*] do hereby constitute, appoint and authorize Mr. / Ms. [*insert the name and residential address*] as our true and lawful attorney, to do in our name and on our behalf, all such acts, deeds and things necessary in connection with or incidental to submission of our Bid for the envisaged Project named “Capacity Development for Donor Coordination in Myanmar - AID 11087” – “Invitation to bid for IT equipment supply for FERD (Naypyidaw) for the project activities of the Italian Agency for Development Cooperation” CIG: 75125586FA , including signing and submission of the Bid and all documents specified in the Invitation to Bid.

We hereby agree to ratify all acts, deeds and things lawfully done by our said attorney pursuant to this Power of Attorney and that all acts, deeds and things done by our aforesaid attorney shall be deemed to have been done by us.

All terms used herein but not defined shall have the meaning ascribed to such terms under the Invitation to Bid.

IN WITNESS WHEREOF, We have signed this Power of Attorney this [*insert the number of the day*] day of [*insert the month*], 2017.

[*name and signature of the Organization's Representative*]

the name and signature of the delegated person

Kindly attach the following documents:

1. a copy of the relevant document granting Power to the Company's Representative and
2. Identity documents of both the Company representative and of the delegated person

This document cannot be considered valid without the above listed documents.

3. TEMPLATE - POWER OF ATTORNEY FOR ASSOCIATION OF ORGANIZATION
POWER OF ATTORNEY

(BIDDER PRESENTING AS TEMPORARY ASSOCIATION OF ORGANIZATION)

KNOW ALL MEN BY THESE PRESENTS, We [*insert the names and addresses of the registered office for Association member 1*, *insert the names and addresses of the registered office for Association member 2*, etc.] do hereby constitute, appoint and authorize Mr. / Ms. [*insert the name and residential address of the person representing the leading member of the Association*] as our true and lawful attorney, to do in our name and on our behalf, all such acts, deeds and things necessary in connection with or incidental to submission of our Bid for the envisaged Project named “Capacity Development for Donor Coordination in Myanmar - AID 11087” – “Invitation to bid for IT equipment supply for FERD (Naypyidaw) for the project activities of the Italian Agency for Development Cooperation” CIG: 75125586FA, including signing and submission of the Bid and all documents specified in the Invitation to Bid.

We hereby agree to ratify all acts, deeds and things lawfully done by our said attorney pursuant to this Power of Attorney and that all acts, deeds and things done by our aforesaid attorney shall be deemed to have been done by us.

All terms used herein but not defined shall have the meaning ascribed to such terms under the Invitation to Bid.

IN WITNESS WHEREOF, We have signed this Power of Attorney this [*insert the number of the day*] day of [*insert the month*], 2017.

[*name and signature of the Organization # 1 Representative*]

[*name and signature of the Organization # 2 Representative*]

[*name and signature of the Organization # 3 Representative*]

[*the name and signature of the delegated person
for the Association of Organization*]

Kindly attach the following documents:

1. a copy of the relevant document granting Power to the Organization’s Representative and
 2. Identity documents of both the Organization representative and of the delegated person
- This document cannot be considered valid without the above listed documents.**

4. TEMPLATE - PERFORMANCE BANK GUARANTEE

[To be filled on paper bearing the letterhead of the financial institution]

For the attention of:

Italian Agency for Development Cooperation (AICS) – Yangon Office, 41-7B, Inya Myaing, Shwe Taung Gone, Bahan Township, Yangon, Myanmar.
referred to below as the “Contracting Authority”

Date: *[insert date]*

PERFORMANCE GUARANTEE No.: *[insert Performance Guarantee number]*

Performance Guarantee for the full and proper execution of the Contract for the “IT equipment supply for FERD (Naypyidaw) for the project activities of the Italian Agency for Development Cooperation” CIG: 75125586FA within the Project “Capacity Development for Donor Coordination in Myanmar - AID 11087”

We have been informed that *[insert name of Organization]* (hereinafter called "the Service Provider") has entered into Contract No. *[insert CIG of the Contract]* dated [] with you, for the “Invitation to bid for IT equipment supply for FERD (Naypyidaw) for the project activities of the Italian Agency for Development Cooperation” CIG: 75125586FA within the Project “Capacity Development for Donor Coordination in Myanmar - AID 11087”

[insert name of Contract and brief description of Works] (hereinafter called "the Contract").

Furthermore, we understand that, according to the conditions of the Contract, a Performance Guarantee is required.

At the request of the Service Provider, we *[insert name of Bank]* hereby irrevocably undertake to pay you any sum or sums not exceeding in total an amount of *[insert amount in figures]* (*[insert amount in words]*),¹ such sum being payable in the types and proportions of currencies in which the Contract Price is payable, upon receipt by us of your first demand in writing accompanied by a written statement stating that the Service Provider is in breach of its obligation(s) under the Contract, without your needing to prove or to show grounds for your demand or the sum specified therein.

This Guarantee shall expire no later than thirty days from the date of issuance of the Final Acceptance Certificate, calculated based on a copy of such Certificate which shall be provided to us, or on the *[insert number]* day of *[insert month]*, *[insert year]*,² whichever occurs first. Consequently, any demand for payment under this guarantee must be received by us at this office on or before that date.

The law applicable to this guarantee shall be the Italian Law. Any dispute arising out of or in connection with this guarantee shall be referred to the courts of Rome, Italy.

This Guarantee shall enter into force and take effect upon its signature.

[signature(s) of an authorized representative(s) of the Bank]

¹ The Guarantor (bank) shall insert an amount representing the percentage of the Contract Price specified in the Contract and denominated either in the currency(ies) of the Contract or a freely convertible currency acceptable to the Contracting Authority.

² Insert the date twenty-eight days after the expected Completion date. The Contracting Authority should note that in the event of an extension of the time for completion of the Contract, the Contracting Authority would need to request an extension of this Guarantee from the Guarantor. Such request must be in writing and must be made prior to the expiration date established in the Guarantee. In preparing this Guarantee, the Contracting Authority might consider adding the following text to the form, at the end of the penultimate paragraph: “The Guarantor agrees to a one-time extension of this Guarantee for a period not to exceed *[six months]* *[one year]*, in response to the Contracting Authority’s written request for such extension, such request to be presented to the Guarantor before the expiry of the Guarantee.”