

## Annex 3 Instructions and Information for tenderers

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### ABOUT US



The Kosovar Civil Society Foundation (KCSF) is the leading organization supporting civic initiatives in Kosovo since 1998. It provides funds for civil society through cutting edge re-granting mechanisms and systems, capacities and knowledge for the sector through its well-established Resource Center, as well as advocates for and defends civic space and the environment of operation for civil society in Kosovo and beyond, through policy research and mobilization.

For more than two decades of operation, it supported financially hundreds of civic initiatives and organizations, built knowledge and capacities of thousands of civil society activists from Kosovo and the Western Balkans through basic and advanced trainings, undertook extensive research and published tens of reports to provide evidence based arguments to policy making process, mobilized hundreds of civil society organizations to defend and advance civic space in Kosovo and the region, and promoted champions of democracy through its annual Democracy Award.

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### GENERAL PROVISIONS



This section provides detailed instructions to follow for responding to this RFP. Guidelines and Information for KCSF are included.

From tenderers is required to submit a Technical and Financial Proposal using forms and templates provided in the tendering documentation. The person responsible for submission of the bid, should sign and stamp the bid. In this tender dossier, you are referred as the “bidder” or the “tenderer”.

Tenderers shall adhere to all the requirements of this tender, including any amendments in writing by the KCSF. This procurement is conducted in accordance with the PROCUREMENT POLICY AND PROCEDURES of the KCSF and rules and practices of procurement issued in accordance with it.

The KCSF principal objective for procurement, is an open and fair competition policy to all vendors providing supplies, works and services from all various countries in order to achieve the best value for money offer.

The issuer of this tender dossier is referred to as the “contracting authority”.

The Contracting Authority as indicated in the invitation letter of this RFP, issues this Tender Dossier for the procurement of Services as specified in the Terms of References, Annex 1.

The contract title and identification number of this procurement activity are indicated in the RFP Invitation Letter.

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### Fraud and Corruption, Gifts and ethics of procurement

KCSF strictly enforces a policy of zero tolerance on proscribed practices, including fraud, corruption, and collusion, unethical or unprofessional practices

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### Conflict of Interest



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and requires all tenderers to observe the highest standard of ethics during the procurement process and contract implementation.

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Any situations of conflict of interest with the business should be declared in the organization in accordance with the KCSF Policy on the Prevention of Conflict of Interest. All tenderers must disclose any actual or potential conflicts of interest and existing business relationships it may have with the KCSF, its Governing Board or appointed officials or employees prior to submission of the bid. Tenders must strictly avoid conflicts with other assignments or their own interests, and act without consideration for future work. Tenderers found to have a conflict of interest shall be disqualified.

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KCSF reserves the right to modify the provisions of this RFP at any time prior to the scheduled date for written responses. Additional scope and requirements can be added. Notification of such changes will be provided to all tenderers.

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## TERMS AND CONDITIONS

### General Considerations



Tenderers must check that all the documents listed in this dossier have been received and are complete in all respects. No claims will be considered by KCSF arising out of failure to study the details contained herein or to obtain such information.

Proposals received after the date for receipt set out in the invitation, or not strictly in accordance with these instructions, may, at the sole discretion of KCSF, be disregarded and returned.

If tenderers have any queries or requests for further information they must be submitted to the email indicated in the Invitation letter by 5 December 2021.

All communications in respect of this invitation must be solely with the signatory on the Invitation letter. Tenderers are cautioned that any other communications whether or not in writing, shall not form part of any contract and may result in your Proposal being disqualified.

KCSF reserves the right to reject any or all accepted Proposals or request for further explanation from the tenderers.

KCSF reserves the right to negotiate with one or more shortlisted tenderers after the initial evaluation of the submitted bids.

No bid and no part thereof shall be deemed to have been approved, unless such approval has been notified in writing by KCSF.

KCSF reserves the right to terminate or modify this RFP and re-issue the RFP.

If necessary, KCSF can request from the tenderers to provide additional information or ask for a quick interview before the award.

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### Structure and content of the tender dossier



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- Invitation letter
  - Instructions and Information for Tenderers
  - Annex 1: Terms of Reference
  - Annex 2: Declaration of honor on exclusion criteria and absence of conflict of interest
  - Annex 3: Proposal Submission Form of Technical Proposal
  - Annex 4: Proposal Submission Form of Financial Proposal
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The content of Technical and Financial Proposal, Terms and Conditions and Type of Contract



Clarification of the Tender Dossier



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## SUBMISSION AND OPENING OF PROPOSALS

Submission



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Deadline for submission of the Proposals and Late Proposals



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Rejections and eligible requirements



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Tenderers are required to submit the offers using the form of the Technical Proposal (Annex 3), and form for the Financial Proposal (Annex 4), along with the signed and stamped declaration of honor on exclusion criteria and absence of conflict of interest (Annex 2). Technical and financial proposals should at least contain information on the requirements presented in the ToRs.

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The type of contract for this procurement activity is Service Contract.

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Tenderers may request clarifications on any of the tender dossier document no later than 5 December 2021. Any request for clarification must be sent in writing.

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Proposals must be submitted in accordance with these instructions and the other documents in the **documents to be submitted** (together with all other relevant information required to sufficiently describe the Proposal fully) not later than the time and date stated in the invitation letter.

The tenderers shall submit a duly signed and complete offer comprising the documents and forms in accordance with the requirements in the tender.

Tenderers will bear all costs and expenses for the preparation and submission of the Proposal.

Tenderers should obtain all expenses and costs for completion and submission of the Proposal.

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The tenderers should submit the offer through an electronic copy at [tender@kcsfoundation.org](mailto:tender@kcsfoundation.org) no later than **8 December 2021** with the subject **"RFP 02/2021 – Baseline Study and Communication Strategy**. All submitted documents must conform with the requirements outlined in the instructions for tenderers and description of scope. All offers should be filled in the following annex of this tender dossier.

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**Documents received after the deadline will not be considered.**

KCSF will entrust this assignment to a registered entity/entities qualified and eligible to perform the work under applicable laws and regulations.

Your tender may be rejected if you do not provide satisfactory answers to the following:

- Any director or partner or any other person with representation powers has been convicted or is under disciplinary investigation for unlawful competition, violation of trade secrets, appropriation or misuse of intellectual property or misuse or unauthorized disclosure of internal information of the Employer or other Contractors of his services.
  - Has, in the past two (2) years, been adjudged to be bankrupt or insolvent by a court of competent jurisdiction, or is currently the subject of proceedings: (i) for a declaration of bankruptcy, (ii) for an order for compulsory winding up or administration by the court or (iii) of any other similar proceedings under the law of Kosovo or any other jurisdiction.
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### Rejection for not providing Capacity/Technical ability and eligibility requirements

- Not providing sufficient information for similar projects/services for the last three years
- Non-compliance with the tender dossier
- Not providing documented evidence of eligibility requirements:
  - a written declaration signed by the tenderer using the form in Annex 2
  - If tender is not compliant with specifications and/or other substantive requirements.

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### Appeals



Tenderers who consider themselves being treated unfairly can file a complaint at the Contracting Authority.

For any reason of filing a complaint, they must be submitted within 2 (two) days from the day the parties were notified, respectively when the official notification regarding the procedure has been made. Complaints of tenderers must be submitted to the KCSF Management, who will decide on eventual complaints no later than 30 days from the day the complaint was filed.

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## EVALUATION OF PROPOSALS

### Examination and evaluation of Tenders



Information relating to the examination, evaluation, and comparison of Proposals, and the recommendation of contract award/s, shall not be disclosed to tenderers or any other persons not officially concerned with such process, even after publication of the contract award.

KCSF will examine the Proposals to determine whether they are complete, whether required information has been provided as underlined in the Bid document, whether the documents have been properly signed, and whether Proposals are generally in order. Eligibility and compliance to all the forms and documents would be the next level of evaluation. Only Proposals which comply to the Eligibility Criteria will be considered for further technical evaluation.

Two approaches shall be used in the evaluation of Proposals: The Technical Evaluation Factors and the Cost Evaluation Factors.

Responsive tenderers/Proposals will be evaluated and compared against the contract award criteria stated in this tender dossier. The bidder/s having submitted the highest ranked Proposal according to the result will be awarded the contract.

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### Questions and Answers



Questions regarding the technical requirements of this RFP may only be made electronically at the address listed on the Invitation letter. Any verbal information received from KCSF employees or any other entity shall not be considered as a formal answer to any questions regarding this RFP.

You are reminded that throughout the process KCSF will continually assess all contact with the tenderers including compliance to the process. KCSF reserves the right at its sole discretion to disqualify without further consideration any submission that does not satisfy this basic requirement.

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### Responsive tenderers



The decision if the Proposal is responsive will be made based on the content of the Proposal. A Proposal is considered substantially responsive if it meets all terms, conditions, ToR and other tender requirements without material deviation, reservation or omission.

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Specifically, a Proposal is considered to be responsive when:

- a. complies administratively with the qualification requirements of the tender dossier;
- b. conforms to all the terms, conditions, TOR, and other requirements of the tender dossier without material deviation, reservation, or omission.
- c. the bidder has submitted all documents and meets the selection criteria set out in this tender dossier.

If a Proposal is not substantially responsive, it shall be rejected by KCSF and may not subsequently be made responsive by the tenderer by correction of the material deviation, reservation, or omission.

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### **Briefings for Unsuccessful Participants**



KCSF intends to offer a feedback session to every unsuccessful tenderer. KCSF reserves the right to control the format and content of any such briefing, and to limit it in any way believed by KCSF to be appropriate (which includes, in exceptional circumstances, the right to refuse a briefing without giving any reason for doing so).

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