



USAID Economic Resilience Activity (USAID ERA)

Request For Proposals (RFP)

No. RFP-DC-23-0007

Procurement of Loading Equipment for Grain in Ports and Transshipment Facilities

Issue Date: October 06, 2023

WARNING: Prospective Offerors who have received this document from a source other than the ERAhoprocurement@dai.com should immediately contact procurement@dai.com and provide their name and mailing address in order that amendments to the RFP or other communications can be sent directly to them. Any prospective Offeror who fails to register their interest assumes complete responsibility in the event that they do not receive communications prior to the closing date. Any amendments to this solicitation will be issued through ERAhoprocurement@dai.com.

DAI conducts business under the strictest ethical standards to assure fairness in competition, reasonable prices and successful performance or delivery of quality goods and equipment. DAI does not tolerate corruption, bribery, collusion or conflicts of interest. Any requests for payment or favors by DAI employees should be reported as soon as possible to ethics@dai.com or by visiting www.dai.ethicspoint.com. Further, any attempts by an offeror or subcontractor to offer inducements to a DAI employee to influence a decision will not be tolerated and will be grounds for disqualification, termination and possible debarment. See provision No. 9 for more details.

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Synopsis of the RFP

RFP No.	RFP-DC-23-0007
Issue Date	October 06, 2023
Title	Procurement of Loading Equipment for Grain in Ports and Transshipment Facilities
Issuing Office & Email/Physical Address for Submission of Proposals	USAID Economic Resilience Activity (USAID ERA). . For proposals submissions the email address to use is ERAhoprocmnt@dai.com
Deadline for Receipt of Questions	October 13, 2023 , no later than 5:30pm, U.S. Eastern Standard Time to the email address ERAhoprocmnt@dai.com . All questions will be collected and replies to them will be sent via email to tender participants.
Deadline for Receipt of Proposals	October 29, 2023 , no later than 5:30pm US Eastern Standard Time to the email address ERAhoprocmnt@dai.com
Point of Contact	ERAhoprocmnt@dai.com
Anticipated Award Type	Firm Fixed Price Purchase Order (PO) Issuance of this RFP in no way obligates DAI to award any subcontract and Bidders will not be reimbursed for any costs associated with the preparation of their proposal.
Basis for Award	An award will be made based on the Trade Off Method. The award will be issued to the responsible and reasonable offeror who provides the best value to DAI and its client using a combination of technical and cost/price factors.

1. Introduction and Purpose

1.1 Purpose

DAI, the implementer of the **USAID Economic Resilience Activity (USAID ERA)** invites qualified offerors to submit proposals to buy Loading Equipment for Grain in Ports and Transshipment Facilities to support the program implementation. This procurement will help USAID ERA beneficiary companies to increase the volume of processed goods and increase the export of agricultural products.

USAID ERA plans to support our beneficiary companies in the logistics and export sector by purchasing equipment for transshipment and transportation of agricultural products, which will help the company to increase the volume of grain and oilseed exports from Ukraine by railway transport.

1.2 Issuing Office

The Issuing Office and Contact Person noted in the above synopsis is the sole point of contact at DAI for purposes of this RFP. Any prospective offeror who fails to register their interest with this office assumes complete responsibility in the event that they do not receive direct communications (amendments, answers to questions, etc.) prior to the closing date.

1.3 Type of Award Anticipated

DAI anticipates awarding a Fixed Price Purchase Order.

A Firm Fixed Price Purchase Order is: An award for a total firm fixed price, , for the provision of specific services, goods, or deliverables and is not adjusted if the actual costs are higher or lower than the fixed price amount. Offerors are expected to include all costs, direct and indirect, into their total proposed price.

2. General Instructions to Offerors

2.1 General Instructions

“Bidder”, “Offeror” or “Subcontractor” means a firm proposing the work under this RFP.

“Proposal” means the package of documents the firm submits in response to this RFP

Bidders wishing to respond to this RFP must submit Proposals, **in English**, in accordance with the RFP instructions. Bidders are required to review all instructions and specifications contained in this RFP. Failure to do so will be at the Bidder’s risk. If the solicitation is amended, then all terms and conditions not modified in the amendment shall remain unchanged.

Issuance of this RFP in no way obligates DAI to award a subcontract or purchase order. Bidders will not be reimbursed for any costs associated with the preparation or submission of their proposal. DAI shall in no case be responsible for liable for these costs.

Proposals are due no later than **October 29, 2023, 5:30 pm**, US Standard Eastern Time to the email address ERAhoprocedure@dai.com .

Please note that Bidders shall submit proposals only electronically via email address ERAhoprocedure@dai.com.

Late proposals will be rejected except under extraordinary circumstances at DAI’s discretion.

The submission to DAI of a proposal in response to this RFP will constitute a proposal and indicates the Bidder’s agreement to the terms and conditions in this RFP and any attachments hereto. DAI reserves the right not to evaluate a non-responsive or incomplete proposal.

The RFP number and title shall be indicated in the subject line of emails.

Bidders shall sign and date their proposal cover letter. The Bidder shall submit this letter in .pdf format.

Bidders shall submit a cost proposal in accordance with the instructions in Attachment B: VOLUME II Price Schedule/Bill of Quantities and indicate its date. Bidders must indicate the prices of goods in the US Dollars currency.

Value Added Tax (VAT) shall not be included in the Price Schedule.

These services are eligible for VAT exemption on the basis of the USAID Contract №72012118C00004 registered with the Secretariat of Cabinet of Ministers of Ukraine, registration card #3987-17 dated March 06, 2023, accreditation certificate #288 dated January 11, 2017 (with amendments).

Each Bidder, and any of its subsidiaries, shall submit only one proposal.

2.2 Proposal Cover Letter

A cover letter shall be included with the proposal on the Offeror's company letterhead with a duly authorized signature and company stamp/seal using **Attachment C** as a template for the letter's format. You can find the **Attachment C** in this template. The cover letter shall include the following items:

- The Offeror will certify a validity period of 60 calendar days for the prices provided.
- Acknowledge the solicitation amendments received.
- To confirm that offeror is not providing any goods and/or services that utilize telecommunications and video surveillance products from the following companies: Huawei Technologies Company, ZTE Corporation, Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company, or any subsidiary or affiliate thereof, in compliance with FAR 52.204-25.

2.3 Questions regarding the RFP

Each Bidder is responsible for reading and complying with the terms and conditions of this RFP.

Requests for clarification or additional information must be submitted in writing via email ERAhoprocurement@dai.com as specified in the Synopsis above.

Questions will not be answered by phone. Any verbal information received from a DAI or USAID ERA employee or other entity shall not be considered as an official response to any question regarding this RFP. Copies of Questions and Responses will be distributed in writing to all prospective Bidders who are on record as having received this RFP after the submission date specified in the Synopsis above. .

3. Instructions for the Preparation of Technical Proposals

Technical proposals shall be sealed in a separate envelope from cost/price proposals and shall be clearly labeled as "VOLUME I: TECHNICAL PROPOSAL".

Technical proposals shall include the following contents.

1. Technical Specifications : Proposals will be evaluated for solution quality based on the requirements of the RFP and the Bidder's technical ability to deliver an acceptable solution. Bidder demonstrates technical competency and product specifications that demonstrate superior quality, product robustness, warranty, efficiency & performance, serviceability. The proposed equipment and vendor should be suitable and adequate to deliver solutions for use

within the Ukrainian market. Vendors must be authorized distributors for the brand/manufacturer of equipment they are proposing in their proposal.

2. **Delivery Timeline:** The bidder shall specify the timelines around which the appropriate equipment can be delivered and / or installed at the designated location.
3. **Past Performance:** The bidder must provide evidence through references, trade publications, or online research of the bidder’s experience selling similar equipment in the last three years. The bidder must provide minimum 3 years of experience in provision of relevant goods/ services (please fill Attachment E: Past Performance).

The bidder must provide a list of at least three (3) recent awards of similar scope and duration. The information shall be supplied as a table and shall include the legal name and address of the organization for which services were performed, a description of work performed, the duration of the work and the value of the contract, description of any problems encountered and how it was resolved, and a current contact phone number of a responsible and knowledgeable representative of the organization. Please fill Attachment E of the RFP: Past Performance.

3.1 Services Specified

For this RFP, DAI is in need of the goods described in Attachment A, Detailed Technical Specification.

3.2 Technical Evaluation Criteria

Each proposal will be evaluated and scored against the evaluation criteria and evaluation sub-criteria, which are stated in the table below. Cost/Price proposals are not assigned points, but for overall evaluation purposes of this RFP, technical evaluation factors other than cost/price, when combined, are considered approximately equal to cost/price factors.

Evaluation Criteria	Evaluation Sub-criteria	Maximum Points
Technical Specifications	<p>Proposals will be evaluated for solution quality based on the requirements of the RFP and the Bidder’s technical ability to deliver an acceptable solution. /</p> <p>Bidder demonstrates technical competency and product specifications that demonstrate superior quality, product robustness, warranty, efficiency & performance, serviceability.</p> <p>The proposed equipment and vendor should be suitable and adequate to deliver solutions for use within the Ukrainian market.</p> <p>Vendors must be authorized distributors for the brand / manufacturer of equipment they are proposing in their proposal.</p>	50 points

Timeliness of Delivery	The bidder shall specify the timelines around which the appropriate equipment can be delivered and / or installed at the designated location.	30 points
Past Performance	Provide evidence through references, trade publications, or online research of the bidder's experience selling similar equipment in the last three years.	20 points
Total Points		100 points

4. Instructions for the Preparation of Cost/Price Proposals

4.1 Cost/Price Proposals

Cost/Price proposals shall be sent in a separate attachment from technical proposals and shall be clearly labeled as "VOLUME II: COST/PRICE PROPOSAL". Provided in **Attachment B** is a template for the Price Schedule, for fixed price awards. Bidders shall complete the template including as much detailed information as possible. Pricing must be inclusive of all costs and include any installation/ assembly, setup services, any logistics, final delivery, equipment insurance cost and training services if required.

These goods are eligible for VAT exemption on the basis of the USAID Contract #72012118C00004 registered with the Secretariat of Cabinet of Ministers of Ukraine, registration card #3987-17 dated March 06, 2023, and accreditation certificate #288 dated January 11, 2017 (with amendments).

5. Basis of Award

5.1 Best Value Determination

DAI will review all proposals, and make an award based on the technical and cost evaluation criteria stated above and select the Bidder whose proposal provides the best value to DAI. DAI may also exclude a Proposal from consideration if it determines that an Bidder is "not responsible", i.e., that it does not have the management and financial capabilities required to supply and deliver the goods required.

Evaluation points will not be awarded for cost. Cost will primarily be evaluated for realism and reasonableness. DAI may award to a comparatively higher priced Bidder if a determination is made that the higher technical evaluation of that Bidder merits the additional cost/price.

DAI may award to a Bidder without discussions. Therefore, the initial Proposal **must contain the Bidder's best price and technical terms.**

5.2 Responsibility Determination

DAI will not enter into any type of agreement with an Offeror prior to ensuring the Offeror's responsibility. When assessing an Offeror's responsibility, the following factors are taken into consideration:

DAI will not enter into any type of agreement with a Bidder prior to ensuring the Bidder's responsibility. When assessing a Bidder's responsibility, the following factors are taken into consideration:

1. Provide copies of the required business licenses to operate in the host country.
2. Evidence of a Unique Entity ID (SAM) number (Please follow the instructions in **Attachment D** of the RFP package).
3. The source, origin and nationality of the services are not from a Prohibited Country (explained below).
4. Having adequate financial resources to finance and perform the work or deliver goods or the ability to obtain financial resources without receiving advance funds from DAI.
5. A brief overview of the organization, including professional achievements.
6. Ability to comply with required or proposed delivery or performance schedules.
7. Have a satisfactory past performance record.
8. Have a satisfactory record of integrity and business ethics.
9. Have the necessary organization, experience, accounting and operational controls and technical skills.
10. Have the necessary production, construction and technical equipment and facilities if applicable.
11. Be qualified and eligible to perform work under applicable laws and regulations (availability of relevant licenses and certificates). Consent to receive payment for goods solely by bank transfer.

6. Compliance with Terms and Conditions

6.1 General Terms and Conditions

Bidder shall be aware of the general terms and conditions for an award resulting from this RFP. The selected Bidder shall comply with all Representations and Certifications of Compliance listed in Attachment F.

6.2 Prohibited Technology

Bidders MUST NOT provide any goods and/or services that utilize telecommunications and video surveillance products from the following companies: Huawei Technologies Company, ZTE Corporation, Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company, or any subsidiary or affiliate thereof, in compliance with FAR 52.204-25.

8.3 Source and Nationality

Under the authorized geographic code for its contract DAI may only procure goods and services from the following countries.

Geographic Code 935: Goods and services from any area or country including the cooperating country but excluding Prohibited Countries.

DAI must verify the source and nationality of goods and services and ensure (to the fullest extent possible) that DAI does not procure any goods or services from prohibited countries listed by the Office of Foreign Assets Control (OFAC) as sanctioned countries. OFAC sanctioned countries may be searched within the System for Award Management (SAM) at www.SAM.gov. The current list of countries under comprehensive sanctions include: Cuba, Iran, North Korea, Sudan, and Syria. Goods may not transit

through or be assembled in comprehensive sanctioned origin or nationality countries nor can the vendor be owned or controlled by a prohibited country. DAI is prohibited from facilitating any transaction by a third party if that transaction would be prohibited if performed by DAI.

By submitting a proposal in response to this RFP, Offerors confirm that they are not violating the Source and Nationality requirements of the goods or services being offered and that the goods and services comply with the Geographic Code and the exclusions for prohibited countries outlined above.

8.4 Unique Entity ID (SAM)

There is a **mandatory** requirement for your organization to provide a Unique Entity ID (SAM) to DAI. Without a Unique Entity ID (SAM), DAI cannot deem an Offeror “responsible” to conduct business with and therefore, DAI will not enter into a subcontract/purchase order or monetary agreement with any organization. The determination of a successful offeror/applicant resulting from this RFP/RFQ/RFA is contingent upon the winner providing a Unique Entity ID (SAM) DAI. Offerors who fail to provide a Unique Entity ID (SAM) will not receive an award and DAI will select an alternate Offeror.

Obtaining a Unique Entity ID (SAM) may take up to 3 weeks or more. Therefore, offerors are strongly encouraged to initiate the process to obtain a Unique Entity ID (SAM) prior to submitting an offer. If an offeror is selected for award but does not have a Unique Entity ID (SAM), DAI reserves the right to deem the offeror ineligible for award or apply additional conditions in any resultant subcontract/purchase order.

For those required to obtain an Unique Entity ID (SAM), see Attachment D - Instructions for Obtaining an Unique Entity ID (SAM)- DAI’S Vendors, Subcontractors

7. Anti-Corruption and Anti-Bribery Policy and Reporting Responsibilities

DAI conducts business under the strictest ethical standards to assure fairness in competition, reasonable prices and successful performance or delivery of quality goods and equipment. **DAI does not tolerate the following acts of corruption:**

- Any requests for a bribe, kickback, facilitation payment or gratuity in the form of payment, gift or special consideration by a DAI employee, Government official, or their representatives, to influence an award or approval decision.
- Any offer of a bribe, kickback, facilitation payment or gratuity in the form of payment, gift or special consideration by an offeror or subcontractor to influence an award or approval decision.
- Any fraud, such as mis-stating or withholding information to benefit the offeror or subcontractor.
- Any collusion or conflicts of interest in which a DAI employee, consultant, or representative has a business or personal relationship with a principal or owner of the offeror or subcontractor that may appear to unfairly favor the offeror or subcontractor. Subcontractors must also avoid collusion or conflicts of interest in their procurements from vendors. Any such relationship must be disclosed immediately to DAI management for review and appropriate action, including possible exclusion from award.

These acts of corruption are not tolerated and may result in serious consequences, including termination of the award and possible suspension and debarment by the U.S. Government, excluding the offeror or subcontractor from participating in future U.S. Government business.

Any attempted or actual corruption should be reported immediately by either the offeror, subcontractor or DAI staff to:

- Toll-free Ethics and Compliance Anonymous Hotline at (U.S.) +1-503-597-4328
- Hotline website – www.DAI.ethicspoint.com, or
- Email to Ethics@DAI.com
- USAID's Office of the Inspector General Hotline at hotline@usaid.gov.

By signing this proposal, the offeror confirms adherence to this standard and ensures that no attempts shall be made to influence DAI or Government staff through bribes, gratuities, facilitation payments, kickbacks or fraud. The offeror also acknowledges that violation of this policy may result in termination, repayment of funds disallowed by the corrupt actions and possible suspension and debarment by the U.S. Government.

8. Attachments

Official RFP appendices are included in the RFP package:

Attachment A: VOLUME I Technical Specifications (Attached to this email)

Attachment B: VOLUME II Price Schedule (Attached to this email)

Attachment C: Proposal Cover Letter (Stated in below in the RFP document)

Attachment D: Instructions for Obtaining a Unique Entity ID (UEI) number - DAI's Vendors, Subcontractors (Attached to this email)

Attachment E: Past Performance (Stated below in the RFP document)

Attachment F: Representations and Certifications of Compliance (Stated below in the RFP document)

Attachment G: Proposal Checklist (Stated below in the RFP document)

8.1 Attachment C: Proposal Cover Letter

Date:

TO:

Development Alternatives, Inc.

We, the undersigned, provide the attached proposal in accordance RFP-DC-23-0007 dated October 6, 2023 Our attached proposal is for the total price of _____ (figure and in words).

We certify a validity period of 60 (sixty) calendar days for the prices provided in the attached Price Schedule. We certify our financial responsibility and acceptance of DAI payment terms, which is payment upon delivery and acceptance of the delivered goods/ provided services.

Our proposal shall be binding upon us subject to the modifications resulting from any discussions.

We confirm that we are not providing any goods and/or services that utilize telecommunications and video surveillance products from the following companies: Huawei Technologies Company, ZTE Corporation, Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company, or any subsidiary or affiliate thereof, in compliance with FAR 52.204-25.

We understand that DAI is not bound to accept any proposal it receives.

Yours sincerely,

Authorized Signature:

Name and Title of Signatory:

Name of Firm:

Address:

Telephone:

Email:

Company Seal/Stamp

8.2 Attachment E: Past Performance Form

Include projects that best illustrate your work experience relevant to this RFP, sorted by decreasing order of completion date.

Projects should have been undertaken in the past three years. Projects undertaken in the past six years may be taken into consideration at the discretion of the evaluation committee.

#	Project Title	Description of Activities	Location Province/ District	Client Email address Name/Tel No	Cost in US\$	Start-End Dates	Complete d on schedule (Yes/No)	Completion Letter Received? (Yes/No)	Type of Agreement, Subcontract, Grant, PO (fixed price, cost reimbursable)
1									
2									
3									
4									
5									

8.3 Attachment F: Representations and Certifications of Compliance

1. Federal Excluded Parties List - The Bidder Select is not presently debarred, suspended, or determined ineligible for an award of a contract by any Federal agency.
2. Executive Compensation Certification- FAR 52.204-10 requires DAI, as prime contractor of U.S. federal government contracts, to report compensation levels of the five most highly compensated subcontractor executives to the Federal Funding Accountability and Transparency Act Sub-Award Report System (FSRS)
3. Executive Order on Terrorism Financing- The Contractor is reminded that U.S. Executive Orders and U.S. law prohibits transactions with, and the provision of resources and support to, individuals and organizations associated with terrorism. It is the legal responsibility of the Contractor/Recipient to ensure compliance with these Executive Orders and laws. Recipients may not engage with, or provide resources or support to, individuals and organizations associated with terrorism. No support or resources may be provided to individuals or entities that appear on the Specially Designated Nationals and Blocked persons List maintained by the US Treasury (online at www.SAM.gov) or the United Nations Security Designation List (online at: http://www.un.org/sc/committees/1267/aq_sanctions_list.shtml). This provision must be included in all subcontracts/sub awards issued under this Contract.
4. Trafficking of Persons – The Contractor may not traffic in persons (as defined in the Protocol to Prevent, Suppress, and Punish Trafficking of persons, especially Women and Children, supplementing the UN Convention against Transnational Organized Crime), procure commercial sex, and use forced labor during the period of this award.
5. Certification and Disclosure Regarding Payment to Influence Certain Federal Transactions – The Bidder certifies that it currently is and will remain in compliance with FAR 52.203-11, Certification and Disclosure Regarding Payment to Influence Certain Federal Transactions.
6. Organizational Conflict of Interest – The Bidder certifies that will comply FAR Part 9.5, Organizational Conflict of Interest. The Bidder certifies that is not aware of any information bearing on the existence of any potential organizational conflict of interest. The Bidder further certifies that if the Bidder becomes aware of information bearing on whether a potential conflict may exist, that Bidder shall immediately provide DAI with a disclosure statement describing this information.
7. Prohibition of Segregated Facilities - The Bidder certifies that it is compliant with FAR 52.222-21, Prohibition of Segregated Facilities.
8. Equal Opportunity – The Bidder certifies that it does not discriminate against any employee or applicant for employment because of age, sex, religion, handicap, race, creed, color or national origin.
9. Labor Laws – The Bidder certifies that it is in compliance with all labor laws.
10. Federal Acquisition Regulation (FAR) – The Bidder certifies that it is familiar with the Federal Acquisition Regulation (FAR) and is in not in violation of any certifications required in the applicable clauses of the FAR, including but not limited to certifications regarding lobbying, kickbacks, equal employment opportunity, affirmation action, and payments to influence Federal transactions.
11. Employee Compliance – The Bidder warrants that it will require all employees, entities and individuals providing services in connection with the performance of an DAI Purchase Order to comply with the provisions of the resulting Purchase Order and with all Federal, State, and local laws and regulations in connection with the work associated therein.

By submitting a proposal, offerors agree to fully comply with the terms and conditions above and all applicable U.S. federal government clauses included herein, and will be asked to sign these Representations and Certifications upon award.

8.4 Attachment G: Proposal Checklist

Offeror: _____

Have you?

Submitted your proposal to DAI in a sealed envelope to the address (electronic or mailing) as specified in General Instructions above?

Does your proposal include the following?

Separate Technical and Cost proposals individually sealed and labeled as Volume I and Volume II respectfully.

Detailed description of the proposed boat accompanying brochure including pictures/drawings.

Signed Cover Letter (*use template in Attachment C*)

Proposal of the Product or Service that meets the technical requirements as per Attachment A

Response to each of the evaluation criteria

Documents use to determine Responsibility.

Evidence of an Unique Entity ID (SAM)

Past Performance (*use template in Attachment E*)

Valid Business License