

Request for Proposal



REPRESENTATION OF DANISH REFUGEE COUNCIL IN UKRAINE
17/52 B. Khmelnytsky Street, 3rd floor, Kyiv, 01054, Ukraine
December the 17th, 2024

Request for Proposal: RFP-UKR-004151

Provision of business consultancy services for conflict-affected micro, small, and medium-sized enterprises (MSMEs) located in Mykolaiv, Kherson, Dnipropetrovsk, Zaporizhzhia, Kharkiv, Chernihiv, and Sumy Oblasts

Dear Sir/Madam,

REPRESENTATION OF DANISH REFUGEE COUNCIL IN UKRAINE (DRC), with funding from Donors invites suppliers to participate in the tender for procurement of business consultancy services for conflict-affected micro, small, and medium-sized enterprises (MSMEs) located in Mykolaiv, Kherson, Dnipropetrovsk, Zaporizhzhia, Kharkiv, Chernihiv, and Sumy Oblasts. Therefore, the DRC requests you to submit price bid for the supply of the services listed in the attached Annex A.1 Terms of Reference.

I. TENDER DETAILS

The Tender details are as follows:

#	Item	Time, date
1	RFP published	December the 17th, 2024
2	Pre-bid technical meeting date (if requested) - online conference for Bidders	December 27, 2024 at 11:00 AM UTC 01:00 PM (Kyiv time) (interested suppliers need to confirm participation in technical meeting via email: ukr-procurement@drc.ngo before 26-12-2024 CoB)
3	Closing date for clarifications	January 02, 2025 at 03:00 PM UTC 05:00 PM (Kyiv time)
4	Closing date and time for receipt of bids/proposals	January 08, 2025 at 12:00 PM UTC 14:00 PM (Kyiv time)

5		<p>For the on-site bid opening: will be done on the specified DRC address above.</p> <p>For the online bid opening: link to be provided for the suppliers who present interest to attend for the bid opening. Details can be checked in Section XVI.</p>
6	Tender Opening Date and time	<p>January 08, 2024 at 13:00 AM UTC 15:00 PM (Kyiv time)</p>
7	Tender e-mail address	<p>tender.ukr@drc.ngo</p>

PLEASE NOTE: NO BIDS WILL BE ACCEPTED AFTER THE ABOVE CLOSING TIME AND DATE

II. IMPORTANT INFORMATION REGARDING THIS RFP:

- This RFP is launched for the purpose of establishing a Consultancy Contract for the procurement of business consultancy services for conflict-affected micro, small, and medium-sized enterprises (MSMEs) located in Mykolaiv, Kherson, Dnipropetrovsk, Zaporizhzhia, Kharkiv, Chernihiv, and Sumy Oblasts, with the details specified in Annex A.1 Terms of Reference to this letter.
- DRC may choose to cancel the contract if deemed necessary.
- The prices for services should be fixed during the whole term of the contract. DRC may terminate the contract if the contractor cannot provide services under the terms of the contract.
- The consultant shall be prepared to complete the assignment no later than **August 31, 2025**.
- Payment will be provided in tranches as stated in Annex A.1 Terms of References. No advance payment will be paid to the awarded supplier. The awarded supplier is expected to mobilize its own resources to deliver the agreed services.
- This tender is conducted within the framework of the international technical assistance project in Ukraine in accordance with the specified Procedure for attracting, using and monitoring international technical assistance, approved by the Resolution of the Cabinet of Ministers of Ukraine No. 153 (153-2002-p) "On the creation of a unified system for attracting, using and monitoring international technical assistance" of February 15, 2002, the cost of such goods, works and services is exempt from value added tax (VAT) and paragraph 197.11 of the Tax Code of Ukraine, transactions are exempt from taxation. The list of goods and services to be supplied corresponds to the category (type) of goods and services specified in the procurement plans and cards of the international technical assistance project. Therefore, the prices indicated in the proposal should not include VAT.
- If DRC does not have a project registration card and procurement plan at the time of signing the Contract, the prices in the Contract will be inclusive of 20% VAT.

- If a bidder is selected by the committee to be awarded a Contract, DRC will require an identification document that provides information about the supplier’s key individuals (those with a controlling interest of more than 50%). The document must include at a minimum the name, surname, gender, and date of birth of the relevant person(s).

III. SELECTION AND AWARD CRITERIA

The criteria for awarding contracts resulting from this Tender is based on ‘best value for money’. For the purpose of all tenders DRC defines best value for money as:

Best value for money should not be equated with the lowest initial bid option. It requires an integrated assessment of technical, organizational and pricing factors in light of their relative importance (i.e., reliability, quality, experiences, and reputation, past performance, cost/fee realism, delivery time, reasonableness, need for standardization, and other criteria depending on the item to be procured).

For all bids deemed technically compliant as per the specification stipulated in Annex A.1 – Terms of Reference, DRC will give a weighted combined technical and financial score. The weighted score will determine the contract award.

A. Administrative Evaluation

A bid shall pass the administrative evaluation stage before being considered for technical and financial evaluation. Bids that are deemed administratively non-compliant may be rejected. Documents listed below shall be submitted with the bid.

#	Annex #	Document	Instructions
1	A.1	Terms of Reference	Sign, stamp and submit
2	A.2	Bid Form (Financial)	Complete ALL sections in full, sign, stamp and submit
3	B	Tender and Contract Award Acknowledgement Certificate	Complete ALL sections in full, sign, stamp and submit
4	C	Supplier Profile and Registration Form	Complete ALL sections in full, sign, stamp and submit
5	D	Supplier Code of Conduct	Sign, stamp and submit
6	E	General Conditions of Contract	Sign, stamp and submit
7	F	Consultant Declaration form	Read, understand, sign and submit

8	G	Clarifications on the legal basis of VAT exemption	Sign, stamp and submit
9	H	<p>Technical Proposal should describe</p> <ul style="list-style-type: none"> - Brief overview of the bidder's experience and qualifications relevant to providing business consultancy services for conflict-affected micro, small, and medium-sized enterprises (MSMEs) - Approach to Providing Business Consultancy Services According to Terms of Reference-Annex A.1 - Methodology - Work Plan and Timeline - Project Progress Monitoring - Reporting Mechanisms - Communication with DRC - Procedures for sharing updates, seeking approvals, and addressing any concerns or feedback from the DRC 	Complete ALL sections in full, sign, stamp and submit
10	#	Business registration documents	Submit copies
11	#	<p>Company profile, including its:</p> <ul style="list-style-type: none"> - history, indicating the number of years of providing business consultancy services, particularly for conflict-affected micro- and small-scale businesses; - description of experience in providing business consultancy services, particularly for conflict-affected micro- and small-scale businesses (including oblasts where services have been provided) - examples of previous service provision that demonstrate an in-depth understanding of (agri-) business operations, expansion, and revenue sources - relevant certificates or accreditations (if any) 	Submit (Applicant template will be acceptable)

12	#	The team composition , including CVs of the members who will provide business consultancy services with descriptions of their qualifications, relevant experience, and copies of diplomas and certificates (if available) . Please also indicate their proficiency in Ukrainian, Russian, and English , as well as the areas of consultancy they will cover as outlined in the ToR (areas like foreign trade and export, taxation management, supply chain rehabilitation and development, material sourcing, business law, marketing, human resources, finance management, improvement of current business plan, and support in identifying additional revenue sources, etc.)	Submit (Applicant template will be acceptable)
13	#	At least three letters of recommendation from organizations or clients who have previously engaged the tender participant for business consultancy services, particularly for conflict-affected micro- and small-scale businesses, or provide past performance records (contracts) from similar previous consultancy projects. Please include contact information for the individuals or organizations providing the recommendation.	Submit copies

A.1 Bidder qualification criteria

Submitted offers will be reviewed on “Pass” or “Fail” basis. Failure to comply with the Qualification criteria will result with the disqualification.

#	Requirements
1	Written and spoken fluency in Ukrainian by Consultants.
2	Bidder must have minimum 3 years relevant experience and qualifications in providing business consultancy services, particularly for conflict-affected micro- and small-scale businesses.

B. Technical Evaluation

To be technically acceptable, the bid shall meet or exceed the stipulated requirements and specifications in the RFP. A Bid is deemed to meet the criteria if it confirms that it meets all mandatory conditions, procedures and ToR in the RFP without substantially departing from restrictions or attaching with them. If a Bid does not technically comply with the RFP, it will be rejected.

For all bids deemed technically compliant as per the specification stipulated in Annex A.1 – Terms of Reference, DRC will give a weighted combined technical and financial score. The weighted score will determine the contract award.

The technical criteria for this RFP and their weighting in the technical evaluation are:

Technical criteria #	Technical criteria	Weighting in technical evaluation [Total 100%]
1	Bidder`s Experience and Capacity	30%
1.a	<p>Bidder`s (organization) experience in the field of delivering consulting services for the works specified in the Terms of Reference (ToR) by bidders.</p> <p>Solid understanding of the economic context and opportunities for business growth in conflict-affected areas in Ukraine; preferably in oblasts as per ToR: of Mykolaiv, Kherson, Dnipropetrovsk, Zaporizhzhia, Chernihiv, Sumy, and Kharkiv Oblasts, including areas close to the front line.</p> <p>Demonstration of strong technical knowledge and in-depth understanding of (agro-)business operations, expansion and revenue sources, examples of previous provision of relevant consulting services.</p> <p>Previous work with INGOs in providing services specified in ToR will be an advantage</p>	1 to 10 points
1.b	<p>Expertise and qualifications of the consultants proposed by the Bidder in key business skills in demand by MSMEs, considering their education and experience in areas like foreign trade and export, taxation management, supply chain rehabilitation and development, material sourcing, business law, marketing, human resources, finance management, improvement of current business plan, and support in identifying additional revenue sources.</p> <p>Consultants` Master`s or higher degree in Business Administration or Management, Accountancy, Economics, Human Resource Management, Supply Chain Management or other related field – desirable (will be an advantage).</p>	1 to 10 points
1.c	<p>Bidder`s capacity to deploy multiple consultants with diverse expertise in areas like foreign trade and export, taxation management, supply chain rehabilitation and development, material sourcing, business law, marketing, human resources, finance management, improvement of current business plan, and support in identifying additional revenue sources - to serve the identified MSMEs in the target oblasts</p> <p>(minimum 1 consultant per each area)</p>	1 to 10 points

2	Methodology and Approach	50%
2.a	Proposed methodology is detailed and in line with the ToR for delivering the consultation services including comprehensive project progress monitoring, reporting mechanisms, communication with DRC	1 to 10 points
2.b	Proposed work plan and timeline is line with ToR and targeted for achieving the desired outcomes, ensuring alignment with the objectives and timeline of the consultancy	1 to 10 points
2.c	Proposed approach to delivering business consultancy services, specifically tailored for conflict-affected micro- and small-scale businesses, addressing unique challenges and needs of MSMEs in conflict-affected areas.	1 to 10 points
3	Track record and references	20%
3.a	Minimum three relevant positive references or past performance records from similar previous consultancy projects	1 to 10 points

Please note that bids shall respond to all criteria, or their bid may be disqualified.

A technically compliant proposal will a proposal that scores at least 5 points in the factor analysis based on the set of technical indicators.

C. Financial Evaluation

All bids that pass the Technical Evaluation will proceed to the Financial Evaluation. Bids that are deemed technically non-compliant will not be financially evaluated.

Any discrepancy between the unit price and the total price shall be re-computed by DRC, and the unit price shall prevail, and the total price shall be corrected. If the bidder does not accept the final price based on DRC's re-computation and correction of errors, its Bid will be rejected.

IV. TENDER PROCESS

The following processes will be applied to this Tender:

- Tender Period
- Tender Closing
- Tender Opening
- Administrative Evaluation
- Technical Evaluation
- Financial Evaluation
- Contract Award
- Notification of Contract Award

V. SUBMISSION OF BIDS

Bidders are solely responsible for ensuring that the full bid is received by DRC in accordance with the RFP requirements, prior to the specified date and time mentioned above. DRC will consider only those portions of the bids received prior to the closing date and time specified.

All responsive Bids shall be written on the **DRC Bid Form (Annex A.2) and Annex H Technical Proposal**.

Beyond the DRC Bid Form, the following documents shall be contained with the bid:

- **Annex A.1. Terms of Reference**
- **Annex A.2. Bid Form (Financial)**
- **Annex B. Tender & Contract Award Acknowledgment Certificate**
- **Annex C. Supplier Profile and Registration Form**
- **Annex D. DRC Supplier Code of Conduct**
- **Annex E. DRC General Conditions of Contract**
- **Annex F. Consultant Declaration Form**
- **Annex G. Clarifications on the legal basis of VAT exemption**
- **Annex H. Technical Proposal**
- **Business registration documents**
- **Company profile containing the information required in Section A of this Invitation Letter**
- **The team composition, including CVs of the members who will provide business consultancy services, copies of diplomas and certificates, language proficiency and areas of consultancy, as outlined in Section A of this Invitation Letter.**
- **At least three references letters or past contracts with the previous Clients, as specified in section A of this Invitation Letter.**

Bids not submitted on **Annex A.2** and **Annex H**, or not received before the indicated time and date as set forth on page 1, or delivered to any other email address, or physical address will be disqualified.

Bids submitted by mail, email, or courier by so is at the Bidders risk and DRC takes no responsibility for the receipt of such Bids.

Bidders are solely responsible for ensuring that the full Bid is received by DRC in accordance with the RFP requirements.

A. Hard Copy:

Hard copy Bids shall be separated into 'Financial Bid' and 'Technical Bid':

- The Financial Bid shall only contain the financial bid form, Annex A.2.
- The Technical Bid shall contain all other documents required by the tender as mentioned in section A. Administrative Evaluation, but excluding any pricing information.

Each part shall be placed in a sealed envelope, marked as follows:

RFP No.: RFP-UKR-004151
TECHNICAL BID
Bidder Name:

RFP No.: RFP-UKR-004151
FINANCIAL BID
Bidder Name:

Both envelopes shall be placed in an outer **sealed** envelope, addressed and delivered at :

RFP No.: RFP-UKR-004151
17/52 B. Khmelnytsky Street, 3rd floor, Kyiv, 01054, Ukraine

B. Email submission

Bids can be submitted by e-mail to the following dedicated, controlled, & secure email address:

tender.ukr@drc.ngo

When Bids are emailed the following conditions shall be complied with:

the RFP number RFP-UKR-004151 shall be inserted in the Subject Heading of the email.

Separate e-mails shall be used for the 'Financial Bid' and 'Technical Bid', and the Subject Heading of the email shall indicate which type the email contains.

- The Financial Bid shall only contain the financial bid form, Annex A.2.
- The Technical Bid shall contain all other documents required by the tender as mentioned in section A. Administrative Evaluation, but excluding any pricing information.

Bid documents required, shall be included as an attachment to the email in PDF, JPEG, TIF format, or the same type of files provided as a ZIP file. Documents in MS Word or excel formats, will result in the bid being disqualified.

Email attachments duly signed shall not exceed 4MB; otherwise the bidder shall send his bid in multiple emails.

Failure to comply with the above may disqualify the Bid.

DRC is not responsible for the failure of the Internet, network, server, or any other hardware, or software, used by either the Bidder or DRC in the processing of emails.

DRC is not responsible for the non-receipt of Bids submitted by email as part of the e-Tendering process.

Bids can be submitted in one of two ways: Hardcopy or electronically. If the Bidder submits a Bid in both Hardcopy and electronically, DRC will choose the version that is the most advantageous to DRC.

VI. COMPLETION OF BID FORM

A. Prices Quoted

Any discount offered shall be included in the Bid price.

B. Currency

The currency of the Bid shall be in USD, EUR or UAH. No other currencies are acceptable.

If the supplier submits the financial proposal in UAH, the contract in UAH will be concluded with the REPRESENTATION OF DANISH REFUGEE COUNCIL IN UKRAINE. In this case, the services will be provided under an international technical assistance project and will be exempt from VAT according to the project's registration card. The project card will be provided to the winner upon signing the contract. Clarifications on the legal basis for VAT exemption are detailed in Annex F.

If the supplier submits the financial proposal in USD or UER, there are two options for a contract conclusion:

- 1) a contract in USD or EUR will be concluded with the REPRESENTATION OF DANISH REFUGEE COUNCIL IN UKRAINE and all payments will be conducted in UAH according to the exchange rate of UAH to USD or EUR set by the National Bank of Ukraine (NBU) on the date of signing by the DRC Ukraine and the supplier of the Certificate of service completion. In this case, the services will be provided under an international technical assistance project and will be exempt from VAT according to the project's registration card. The project card will be provided to the winner upon signing the contract. Clarifications on the legal basis for VAT exemption are detailed in Annex F.
- 2) a contract in USD or EUR will be concluded with DRC HQ (Denmark) and payments will be proceeded in USD or EUR. In this case, the supplier registered in other country is responsible for determining its tax liabilities and for paying any taxes and/or duties in accordance with local laws. DRC will not reimburse the supplier for any taxes, duties, or other contributions payable by the supplier.

C. Language

The Bid Form, and all correspondence and documents related to this RFP shall be in **English or Ukrainian**.

D. Presentation

Bids should be clearly legible. Prices entered in lead pencil will not be considered. All erasures, amendments, or alterations shall be initialed by the signatory to the Bid. Do not submit blank pages of the Bid Form and/or schedules which are unnecessary for your offer. All documentation shall be written in English or Ukrainian. All Bids shall be signed by a duly authorized representative of the Bidder.

E. Split Awards

DRC reserves the right to split awards.

F. Validity Period

Bids shall be valid for at least the minimum **60 calendar days** specified in the RFP from the date of Bid closure. DRC reserves the right to determine, at its sole discretion, the validity period in respect of Bids which do not specify any such maximum or minimum limitation.

VII. ACCEPTANCE

DRC reserves the right, at its sole discretion, to consider as invalid or unacceptable any Bid which is a) not clear; b) incomplete in any material detail such as specification, terms of completion of works, price formation details etc.; or c) not presented on the Bid Form – and to accept or reject any amendments, withdraws and/or supplementary information submitted after the time and date of the RFP Closure.

VIII. AWARD OF CONTRACTS

This RFP does not commit DRC to award a contract or pay any costs incurred in the preparation or submission of Bids, or costs incurred in making necessary studies for the preparation thereof, or to procure or contract for services or goods. Any bid submitted will be regarded as an offer made by the Bidder and not as an acceptance by the Bidder of an offer made by DRC. No contractual relationship will exist except pursuant to a written contract document signed by a duly authorized official of DRC and the successful Bidder.

DRC may award contracts for individual services. DRC will notify successful Bidders of its decision with respect to their Bids as soon as possible after the Bids are opened. DRC reserves the right to cancel any RFP, to reject any or all Bids in whole or in part, and to award any contract.

IX. CONFIDENTIALITY

This RFP or any part hereof, and all copies hereof shall be returned to DRC upon request. This RFP is confidential and proprietary to DRC, contains privileged information, part of which may be copyrighted, and is communicated to and received by Bidders on the condition that no part thereof, or any information concerning it may be copied, exhibited, or furnished to others without the prior written consent of DRC, except that Bidders may exhibit the specifications to prospective subcontractors for the sole purpose of obtaining offers from them. Notwithstanding the other provisions of the RFP, Bidders will be bound by the contents of this paragraph whether or not their company submits a Bid or responds in any other way to this RFP.

X. COLLUSIVE BIDDING AND ANTI-COMPETITIVE CONDUCT

Bidders and their employees, officers, advisers, agent or sub-contractors shall not engage in any collusive bidding or other anti-competitive conduct or any other similar conduct, in relations to:

- The preparation of submission of Bids,
- The clarification of Bids,
- The conduct and content of negotiations,
- Including final contract negotiations,

In respect of this RFP or procurement process, or any other pro-curement process being conducted by DRC in respect of any of its requirements.

For the purpose of this clause, collusive bidding, other anti-competitive conduct, or any other similar conduct may include, among other things, the disclosure to, exchange or clarification with, any other Bidder, person or entity, of information (in any form), whether or not such information is commercial information confidential to DRC, any other Bidder, person or entity in order to alter the results of a solicitation exercise in such a way that would lead to an outcome other than that which would have been obtained through a competitive process.

XI. IMPROPER ASSISTANCE

Bids that, in the sole opinion of DRC, have been compiled:

- With the assistance of current or former employees of DRC, or current or former contractors of DRC in violation of confidentiality obligations or by using information not otherwise available to the general public or which would provide a non-competitive benefit,
- With the utilization of confidential and/or internal DRC information not made available to the public or to the other Bidders,
- In breach of an obligation of confidentiality to DRC, or contrary to these terms and conditions for submission of a Bid, shall be excluded from further consideration.

Without limiting the operation of the above clause, a Bidder shall not, in the absence of prior written approval from DRC, permit a person to contribute to, or participate in, any process relating to the preparation of a Bid or the procurement process, if the person has at any time during the 6 months immediately preceding the date of issue of this RFP was an official, agent, functionary, or employee of, or otherwise engaged by, DRC and was engaged directly, or indirectly, in the planning or performance of the requirement, project, or activity to which this RFP relates.

XII. CORRUPT PRACTICES

DRC has zero tolerance for corruption.

The Bidder represents and warrants that neither it nor any of its potential subcontractors are engaged in any form of corruption, defined by DRC as the misuse of entrusted power for private gain.

This definition is not limited to interactions with public officials and covers both attempted and actual corruption, as well as monetary and non-monetary corruption.

The definition includes, but is not limited to, corruption in the form of: facilitation payments, bribery, gifts constituting an undue influence, kickbacks, favouritism, cronyism, nepotism, extortion, embezzlement, misuse of confidential information, theft, and various forms of fraud, such as forgery or falsification of documents, and financial or procurement fraud.

No offer, payment, consideration or benefit of any kind, which could be regarded as an illegal or corrupt practice, shall be made, promised, sought or accepted – directly or indirectly – as an inducement or reward in relation to activities funded by DRC, including tendering, award or execution of contracts.

DRC reserves the right, without prejudice to any other right or remedy available to it, according to any violation of this clause to immediately reject the submitted offer, and to take such additional action, civil and/or criminal, as may be appropriate.

The Bidder agrees to accurately communicate DRC's policy with regards to Anti-Corruption to Third Parties. The Bidder furthermore agrees to inform DRC immediately of any suspicion or information it receives from any source alleging a violation of this policy to the contact details of the specific DRC country operations via www.drc.dk/where-we-work, or via DRC's Code of Conduct Reporting Mechanism: www.drc.dk/relief-work/concerns-complaints/code-of-conduct-reporting-mechanism. Reports of suspected corruption can also be reported directly to DRC HQ at c.o.conduct@drc.dk.

XIII. CONFLICT OF INTEREST

A Bidder shall not, and shall ensure that its employees, officers, advisers, agents or subcontractors do not place themselves in a position that may, or does, give rise to an actual, potential or perceived conflict of interest between the interests of DRC and the Bidder's interests during the procurement process.

If during any stage of the procurement process or performance of any DRC contract a conflict of interest arises, or appears likely to arise, the Bidder shall notify DRC immediately in writing, setting out all relevant details of the situation, including those cases in which the interests of the Bidder conflict with the interests of DRC, or cases in which any DRC official, employee or person under contract with DRC may have, or appear to have, an interest of any kind in the Bidder's business or any kind of economic ties with the Bidder.

The Bidder shall take steps as DRC may reasonably require, to resolve or otherwise deal with the conflict to the satisfaction of DRC.

XIV. WITHDRAWAL/MODIFICATION OF BIDS

Requests to withdraw a Bid after the Bid closure time shall not be honoured.

Withdrawal of a Bid may result in your suspension or removal from the DRC contractors List.

A Bidder may modify its Bid prior to the RFP closure. Any such modification shall be submitted in writing and in a sealed envelope, marked with the original Bid number. No modification shall be allowed after the RFP closure.

XV. LATE BIDS

All Bids received after the RFP closure will be rejected.

XVI. OPENING OF THE BIDS

The Tender Opening will take place at the time and location stated above.

The bidders who want to attend the tender opening should be present at the DRC address stated above on the bid opening date and time.

The bidders who want to attend the online tender opening must email ukr-procurement@drc.ngo and present their interest in attending it not later COB the day before the tender opening. DRC will provide a link to those bidders before the tender opening ceremony. The bidders who did not bid cannot attend the tender opening ceremony.

Any attempt by a Bidder to influence the Evaluation Committee in the process of examination, clarification, evaluation and comparison of tenders, to obtain information on how the procedure is progressing or to influence DRC in its decision concerning the award of the contract will result in the immediate rejection of the tender.

XVII. CONDITIONS OF CONTRACT

All Bidders shall acknowledge that the DRC General Conditions of Contract for the Procurement of Services, or the Special Conditions of Contract, and Code of Conduct as applicable, are acceptable.

XVIII. CANCELLATION OF THE RFP

In the event of an RFP cancellation, Bidders will be notified by DRC. If the RFP is cancelled before the outer envelope of any Bid has been opened, the sealed envelopes will be returned, unopened, to the Bidders.

The RFP may be cancelled in the following situations:

- where no qualitatively or financially worthwhile Bid has been received or there has been no response at all;
- the economic or technical parameters of the project have been fundamentally altered;
- exceptional circumstances or force majeure render normal performance of the project impossible;
- all technically compliant Bids exceed the financial resources available; or
- there have been irregularities in the procedure, in particular where these have prevented fair competition.

DRC shall not be liable for damages, whatever their nature (in particular damages for loss of profits) or relationship to the cancellation of an RFP, even if DRC has been advised of the possibility of damages. The publication of a procurement notice does not commit DRC to implement the programme or project announced.

XIX. QUERIES ABOUT THIS RFP

For queries on this RFP, please contact via e-mail

ukr-procurement@drc.ngo

All questions regarding this RFP shall be submitted in writing to the e-mail indicated above. On the subject line, please indicate the RFP number. **Bids shall not be sent to the above email.**

XX. RFP DOCUMENTS

This RFP document contains the following:

This covering Letter

Annex A.1 Terms of Reference

Annex A.2 Bid Form (Financial)

Annex B. Tender and Contract Award Acknowledgment Certificate

Annex C. Supplier Profile and Registration Form

Annex D. Supplier Code of Conduct

Annex E. General Conditions of Contract

Annex F. Consultant Declaration form

Annex G. Clarifications on the legal basis of VAT exemption

Annex H. Technical Proposal

Under DRC's Anticorruption Policy Bidders shall observe the highest standard of ethics during the procurement and execution of such contracts. DRC will reject a Bid if it determines that the Bidder recommended for award, has engaged in corrupt, fraudulent, collusive, or coercive practices in competing for, or in executing, the Contract.

This RFP document is made in English and Ukrainian, in case of a conflict between the content of the Ukrainian and English versions thereof, the English version shall prevail.

Yours sincerely,

REPRESENTATION OF DANISH REFUGEE COUNCIL IN UKRAINE