

INTERNATIONAL CALL FOR TENDER ACTED Kenya

Date: 16th October 2019

Tender N°: T/24DUF/47F/BRH/ /16-10-2019/001

ACTED is requesting through this tender a company to provide detailed written quotations for the supply of the following consultancy services:

PRODUCT SPECIFICATIONS:

- | | |
|------------------------------|---|
| 1. Description: | Consultancy services for technical assessment of boreholes in Samburu |
| 2. Product class / category: | Technical Assesment services |
| 3. INCOTERM: | DDP Samburu |
| 4. Made in (product origin): | International |
| 5. Quantity/unit: | 21 man-days |

RESPONSIBILITIES OF THE CONTRACTOR:

1. Terms of delivery: The firm/consultant(s) is expected to be contracted **within the month of November 2019**. Upon award of the consultancy, the firm/consultant is expected to commence the assessments within a period of **5 days**. ACTED expects the selected firm/consultant to carry all the Services including submission of the relevant reports within **21 calendar days effective the day of contract signing**.
- ACTED will require the /consultant to make a presentation of the findings to a panel at ACTED Maralal office after which ACTED will review the submissions and give feedback to the consultant in writing within 2 days after the presentation.
- Upon the review, the firm/consultant will incorporate ACTED's recommendations and submit a final report in 3 spiral-bound copies and an electronic copy within 5 days after the review. The assessment is expected to be completed by the Start of December 2019

2. Date of delivery: within 21 days from contract signature
3. Validity of the offer: 3 months minimum

The answers to this tender should include the following elements:

- A written offer form as per ACTED template attached including all the service specifications, the price per item and any additional price, and total price in **KES (compulsory) including all taxes**; any change to the proposed methodology should be developed in a separate document if applicable.
- A bidder questionnaire as per ACTED template attached, filled in and signed
- The bidder resume(s); in case several consultants are proposed, all resumes shall be submitted with the application with their specific roles outlined.
- The attached ethical declaration filled in and signed.
- The bidder's checklist filled in and signed.
- The attached instructions to bidders, and terms of reference signed on all pages.
- The ID of the legal representative of the firm.
- The prospective bidders are required to submit preliminary proposals detailing the following:-
 - a. A capability statement: The consultant to carry out this assessment should fulfil all the categories' stated below: State the firm or individual's experience relevant to the assignment, curriculum vitae of key personnel stating qualifications and appropriate references.
 - b. Technical Proposal: Provide an understanding and interpretation of the proposed exercise, proposed methodology, tools and resource capability.
 - c. Contacts of 3 Non –governmental organizations that have recently (but preferably within the last 3 years) contracted the firm/consultant(s) to carry out similar assignments.
 - d. Attach company registration documents i.e. certificates of incorporation, NCA (at least NCA 7 category-water works), business permit as proof of active business operation in a given location, Tax compliance certificate and pin certificate (if applicable).
 - e. Service schedule detailing timelines within which the proposed Services shall be carried out.
 - f. Evidence of financial capacity by attaching certified company audited financial reports or bank statements within 6 months.
 - g. Proof of ownership of borehole maintenance, test pumping and cleaning machineries. If on hire provide agreement documents with the partner company.

SPECIFIC CONDITIONS:

1. Accommodation, transportation, and per diem will not be provided by ACTED (shall be included in the financial offer).
2. ACTED security guidelines will have to be strictly followed up during the whole consultancy in Kenya.
3. The consultant shall subscribe a professional civil liability insurance valid in Kenya, as well as a repatriation insurance (if applicable). Therefore, the copy of both insurances have to be submitted along with their offer (if applicable).
4. ELIGIBILITY:

In order to be eligible, the firm/consultant(s) should fulfil the following criteria: -

- Be duly registered in Kenya to undertake the proposed services (attach certificate of registration/incorporation).
- Be tax compliant (attach a valid tax compliance certificate).
- Have an office/operational establishment within Kenya.
- Be in active consultancy business for at least last 3 years.
- Should have completed at least one similar consultancy contract either with a credible organization, preferably a Non-governmental organization with establishments in Kenya.
- Should have in-house professional experts to incorporate in the exercise when need arise.
- Should have experience of working within Samburu County
- Should be flexible in working in vast Arid and Semi Arid Lands (ASAL) areas.

GENERAL CONDITIONS:

1. The **closing date** of this tender is fixed on **06/11/2019 at 4:00 pm (Kenya time)** in ACTED office at the following address:
Kalamu House, Grevillea Grove, off Brookside Drive, Westlands- Nairobi (Kenya)
Or by email to: kenya.tender@acted.org Cc tender@acted.org
2. **Bidding documents to be requested by email at kenya.tender@acted.org**; for free OR can directly be downloaded on ACTED's website www.acted.org
3. Tenderers will fill, sign, stamp and return the Offer form according to ACTED's format.
4. Tenderers will sign and return all pages of the Product Specifications for which they apply.
5. The offer to the call for tender will not result in the award of a contract.
6. The offer must be submitted to ACTED purchase department in a sealed envelope with the mention "not to be opened before **7/11/2019** and the purpose of the offer.
7. Unsealed envelope and late offers will not be considered.



8. To ensure that funds are used exclusively for humanitarian purposes and in accordance with donors' compliance requirements, all contract offers are subject to the condition that contractors do not appear on anti-terrorism lists, in line with ACTED's anti-terrorism policy. To this end, ACTED reserves the right to carry out anti-terrorism checks on contractor, its board members, staff, volunteers, consultants, financial service providers and sub-contractor.

NOTE: ACTED adopts a zero tolerance approach towards corruption and is committed to respecting the highest standards in terms of efficiency, responsibility and transparency in its activities. In particular, ACTED has adopted a participatory approach to promote and ensure transparency within the organization and has set up a Transparency focal point (Transparency Team supervised by the Director of Audit and Transparency) via a specific e-mail address. As such, if you witness or suspect any unlawful, improper or unethical act or business practices (such as soliciting, accepting or attempting to provide or accept any kickback) during the tendering process, please send an e-mail to transparency@acted.org.

Company Name: _____

Authorized Representative Name: _____

Signature: _____

Stamp:

OFFER FORM ACTED Kenya

Date:

Tender N°: T/24DUF/47F/BRH/ /16-10-2019/001

To be Filled by Bidder (COMPULSORY)**Details of Bidding Company:**

1. Company Name: (_____)
2. Company Authorized Representative Name: (_____)
3. Company Registration No: (_____)
No/Country/ Ministry
4. Company Specialization: (_____)
5. Mailing Address: (_____)
Country/Governorate./City/St name/Shop-Office No
 - a. Contact Numbers: (Land _____ / Mobile No: _____)
 - b. E-mail Address: (_____)

I undersigned _____, agree to provide ACTED, non-profit NGO, with items answering the following specifications, according to the general conditions and responsibilities that I engage myself to follow.

PLEASE FILL IN THE FOLLOWING TABLE CORRESPONDING TO Consultancy services for borehole Technical assesment (please see the terms of reference)

Item #	Description	Unit	Quantity	Specifications from bidder (if different)	Unit price (KES) including all applicable taxes	Total price (including all taxes) (KES)
1	Provide a comprehensive report (in both electronic and hard copy formats) detailing: findings of camera inspection (both hard copy and DVD format) , findings of test pumping, findings of water quality analysis, recommended reticulation system layout (network map), recommended rehabilitation works based on the technical assessment findings and Bills of Quantities (BOQs) for the recommended rehabilitation works.	Man-days	21			
Total in KES inclusive of All taxes						

BIDDER'S COMMENTS/REMARKS:

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____

8. _____

BIDDER'S TERMS AND CONDITIONS:

1. Valid of the offer: _____ (recommended: 3 months or more)
2. Terms of delivery: _____ (DDP compulsory)
3. Terms of payment: _____

Name of Bidder's Authorized Representative: _____

Authorized signature and stamp: _____

Date: _____

BIDDER'S QUESTIONNAIRE ACTED [KENYA]

Date:

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PART I: INFORMATION			
A. Company Details and General Information			
Name of Company		Trading As	
Address (headquarters)		Telephone	
Zip Code (headquarters)		Fax	
City (headquarters)		E-mail address 1	
PO Box		E-mail address 2	
Country (headquarters)		Website address	
Parent Company or name of owner		Subsidiaries/ Associates/ Overseas Representative	
Sales Person's Name		Sales Person's Position	
Sales Person's phone		Sales Persons' E-mail	
<i>Governance of the company: Chairman, Vice-Chairman, Treasurer or Secretary of the Board of Directors or Board of Trustees</i>			
Name (as in passport or other government-issued photo ID)		Date of birth (mm/dd/yyyy)	
Government-issued photo Identification Document (ID) number		Type of ID	
ID country of issuance		Rank or title in organization	
Other names used (nicknames or pseudonyms not listed as "Name")		Gender (e.g. male, female)	
Current employer and job title:		Occupation	
Address of residence		Citizenship(s)	
Province/Region		E-mail address	
Is the individual a U.S. citizen or legal permanent resident?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Professional Licenses – State Issued Certifications	
<i>Management of the company: CEO, Executive Director, Deputy Director, President or Vice-President</i>			
Name (as in passport or other government-issued photo ID)		Date of birth (mm/dd/yyyy)	
Government-issued photo Identification Document (ID) number		type of ID	
ID country of issuance		Rank or title in organization	
Other names used (nicknames or pseudonyms not listed as "Name")		Gender (e.g. male, female)	
Current employer and job title:		Occupation	
Address of residence		Citizenship(s)	
Province/Region		E-mail addresses	
Is the individual a U.S. citizen or legal permanent resident?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Professional Licenses – State Issued Certifications	
<i>Management of the company: Chief Finance Officer or Chief Accountant</i>			



Name (as in passport or other government-issued photo ID)		Date of birth (mm/dd/yyyy)	
Government-issued photo Identification Document (ID) number		type of ID	
ID country of issuance		Rank or title in organization	
Other names used (nicknames or pseudonyms not listed as "Name")		Gender (e.g. male, female)	
Current employer and job title:		Occupation	
Address of residence		Citizenship(s)	
Province/Region		E-mail addresses	
Is the individual a U.S. citizen or legal permanent resident?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Professional Licenses – State Issued Certifications	
Company's staff & insurance			
No. Full Time Employees:		Employee average work wage per hour:	
% of Men to Women:		Any employee(s) with relatives working with ACTED?	<input type="checkbox"/> Yes <input type="checkbox"/> No
No. of Children:		What is the legal minimum wage paid?	<input type="checkbox"/> Yes <input type="checkbox"/> No
In what capacity?		Are paid vacations offered?	<input type="checkbox"/> Yes <input type="checkbox"/> No
What are their ages?		Are flexible working hours offered?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Name of insurance company:		Staff covered by health insurance?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Description of the Company			
Type of Business (multiple choices possible):	<input type="checkbox"/> Manufacturing <input type="checkbox"/> Consulting Company <input type="checkbox"/> Authorized Agent	<input type="checkbox"/> Manufacturing <input type="checkbox"/> Trader <input type="checkbox"/> Other, please specify : _____	
Sector of Business (multiple choices possible):	<input type="checkbox"/> Goods / supplies <input type="checkbox"/> Services <input type="checkbox"/> Equipment	<input type="checkbox"/> Works <input type="checkbox"/> Other, please specify : _____	
Year Established:		Country of registration:	
Licence number:		Valid until:	
Working languages:	<input type="checkbox"/> English <input type="checkbox"/> French <input type="checkbox"/> Spanish	<input type="checkbox"/> Arabic <input type="checkbox"/> Chinese <input type="checkbox"/> Other, please specify : _____	
Technical documents available in:	<input type="checkbox"/> English <input type="checkbox"/> French <input type="checkbox"/> Spanish	<input type="checkbox"/> Arabic <input type="checkbox"/> Chinese <input type="checkbox"/> Other, please specify : _____	
B. Financial Information			
VAT Number:		Tax Number:	
Bank Name:		Bank Account Number:	
Bank Address:		Account Name:	
Swift/BIC number:		Standard Payment Terms:	
Has the company been audited in the last 3 years?			<input type="checkbox"/> Yes <input type="checkbox"/> No
Please attach a copy of the company's most recent Annual or Audited Financial Report			<input type="checkbox"/> Attached
Annual Value of Total Sales for the last 3 Years:			
Year: USD:		Year: USD:	
Annual Value of Export Sales for the last 3 years			

Year: USD:		Year: USD:		Year: USD:		
C. Experience						
Company's recent business with ACTED and/or other International Aid Agencies or United Nations Agencies:						
#	Organisation	Contact person	Phone/E-mail	Goods/Works/Services	Value (USD)	Destination
1						
2						
3						
4						
5						
What is your company's main area of expertise?						
What is your company's business coverage area?		<input type="checkbox"/> National <input type="checkbox"/> Restricted to (specify location) : _____				
To which countries has your company exported and/or managed projects in the last 3 years?						
Provide any other information that demonstrates your company's qualifications and experience (eg. awards)						
List any national or international Trade/Professional Organisations of which your company is a member						
D. Technical Capability						
Type of Quality Assurance Certificate		<input type="checkbox"/> Attached				
Type of Certification/Qualification Documents		<input type="checkbox"/> Attached				
International Offices/Representation						
List below up to 10 of the core Goods and/or Services your company sells:						
1)		6)				
2)		7)				
3)		8)				
4)		9)				
5)		10)				
List the main assets of your company (trucks & heavy machines, heavy & valuable equipment, premises & warehouses, production sites etc.)						
1)		6)				
2)		7)				
3)		8)				
4)		9)				
5)		10)				
E. Miscellaneous						
Does your company have an Environmental Policy? (Yes/No)		<input type="checkbox"/> Yes <input type="checkbox"/> No				
Does your company have an Ethical Trading Policy? (Yes/No)		<input type="checkbox"/> Yes <input type="checkbox"/> No				
Does your company have an Anti-terrorist Policy? (Yes/No)		<input type="checkbox"/> Yes <input type="checkbox"/> No				
Is your company compliant with the EU General Data Protection Regulation (or equivalent)? (Yes/No)		<input type="checkbox"/> Yes <input type="checkbox"/> No				
If you answered yes to the above two questions, please attach copies of your policy:		<input type="checkbox"/> Attached				
Has your company ever been bankrupt, or is in the process of being wound up, having its affairs administered by the courts, has entered into an arrangement with creditors, has suspended business activities, is the subject of proceedings concerning these matters, or is in any analogous situation arising from a similar procedure provided for in national law?		<input type="checkbox"/> Yes <input type="checkbox"/> No				
If you answered yes, please provide details:						

Has your company ever been convicted of an offence concerning its professional conduct by a judgment which as force of res judicata?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
If you answered yes, please provide details:			
Has your company ever been guilty of grave professional misconduct proven by other means?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
If you answered yes, please provide details:			
Has your company ever not fulfilled its obligations relating to the payment of social security contributions, or the payment of taxes in accordance with the law of the country in which it is established, or with those of France, or those of the country where the contract is to be performed?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
If you answered yes, please provide details:			
Has your company ever been the subject of a judgement, which has the force of res judicata for fraud, corruption, involvement in a criminal organisation or any other illegal activity?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
If you answered yes, please provide details:			
Has your company ever been declared to be in serious breach of contract for failure to comply with its contractual obligations, following another procurement procedure or grant award procedure financed by a donor country?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
If you answered yes, please provide details:			
Has your company ever been declared to be in serious breach of contract for failure to comply with its contractual obligations, following another procurement procedure or grant award procedure financed by a donor country?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
If you answered yes, please provide details:			
Has your company ever been in any dispute with any Government Agency, the United Nations, or International Aid Organisations (including ACTED)?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
If you answered yes, please provide details:			
Do you agree with terms of payment of 30 days? <input type="checkbox"/> Yes <input type="checkbox"/> No		Do you accept visit of ACTED staff & external auditors to your office? <input type="checkbox"/> Yes <input type="checkbox"/> No	
PART II: CERTIFICATION			
I, the undersigned warrant that the information provided in this form is correct, and in the event of changes, details will be provided to ACTED as soon as possible in writing. I also understand that ACTED does not do business with companies, or any affiliates or subsidiaries, which engage in any practices that are in breach of ACTED's Child Protection, Sexual Exploitation and Abuse Protection, Conflict of Interest, Anti-fraud, Anti-terrorism Policy and Data Protection Policies (available on request).			
Name:		Date:	
Title/Position		Place:	
E-mail address (for contact for verification purposes):		Signature:	
Phone number (for contact for verification purposes):		Company Stamp:	
Check list of supporting documents			For ACTED use only
1)	Trading license	<input type="checkbox"/> Attached	<input type="checkbox"/> Checked
2)	VAT registration/tax clearance certificate	<input type="checkbox"/> Attached	<input type="checkbox"/> Checked
3)	Company profile	<input type="checkbox"/> Attached	<input type="checkbox"/> Checked
4)	Proof of trading/dealership/agent	<input type="checkbox"/> Attached	<input type="checkbox"/> Checked
5)	Evidence of similar contracts	<input type="checkbox"/> Attached	<input type="checkbox"/> Checked
6)	References	<input type="checkbox"/> Attached	<input type="checkbox"/> Checked



7)	Particulars of CEO and key personnel	<input type="checkbox"/> Attached	<input type="checkbox"/> Checked
8)	Articles of Association & Certificate of incorporation	<input type="checkbox"/> Attached	<input type="checkbox"/> Checked
9)	Financial statements (latest)	<input type="checkbox"/> Attached	<input type="checkbox"/> Checked
10)	Other (specify):	<input type="checkbox"/> Attached	<input type="checkbox"/> Checked

Company Name: _____

Authorized Representative Name: _____

Signature: _____

Stamp:

BIDDER'S ETHICAL DECLARATION [KENYA]

Date:

Tender N°: T/24DUF/47F/BRH/ /16-10-2019/001

Bidder's name: _____

Bidder's address: _____

CODE OF CONDUCT:**1. Labour Standards**

The labour standards in this code are based on the conventions of the International Labour Organisation (ILO).

- *Employment is freely chosen*

There is no forced, bonded or involuntary prison labour. Workers are not required to lodge 'deposits' or their identity papers with the employer and are free to leave their employer after reasonable notice.

- *Freedom of association and the right to collective bargaining are respected*

Workers, without distinction, have the right to join or form trade unions of their own choosing and to bargain collectively. The employer adopts an open attitude towards the legitimate activities of trade unions. Workers representatives are not discriminated against and have access to carry out their representative functions in the workplace. Where the right to freedom of association and collective bargaining is restricted under law, the employer facilitates, and does not hinder, the development of parallel means for independent and free association and bargaining.

- *Working conditions are safe and hygienic*

A safe and hygienic working environment shall be provided, bearing in mind the prevailing knowledge of the industry and of any specific hazards. Adequate steps shall be taken to prevent accidents and injury to health arising out of, associated with, or occurring in the course of work, by minimising, so far as is reasonably practicable, the causes of hazards inherent in the working environment. Workers shall receive regular and recorded health and safety training, and such training shall be repeated for new or reassigned workers. Access to clean toilet facilities and potable water and, if appropriate, sanitary facilities for food storage shall be provided. Accommodation, where provided, shall be clean, safe, and meet the basic needs of the workers. The company observing the standards shall assign responsibility for health and safety to a senior management representative.

- *Child Labour shall not be used*

There shall be no new recruitment of child labour. Companies shall develop or participate in and contribute to policies and programmes, which provide for the transition of any child found to be performing child labour to enable her/him to attend and remain in quality education until no longer a child. Children and young people under 18 years of age shall not be employed at night or in hazardous conditions. These policies and procedures shall conform to the provisions of the relevant International Labour Organisation (ILO) standards.

- *Living wages are paid*

Wages and benefits paid for a standard working week meet, at a minimum, national legal standards or industry benchmarks. In any event wages should always be high enough to meet basic needs and to provide some discretionary income. All workers shall be provided with written and understandable information about their employment conditions in respect to wages before they enter employment, and about the particulars of their wages for the pay period concerned each time that they are paid. Deductions from wages as a disciplinary measure shall not be permitted nor shall any deductions from wages not provided for by national law be permitted without the express and informed permission of the worker concerned. All disciplinary measures should be recorded.

- *Working hours are not excessive*

Working hours comply with national laws and benchmark industry standards, whichever affords greater protection. In any event, workers shall not on a regular basis be required to work in excess of the local legal working hours. Overtime shall be voluntary, shall not exceed local legal limits, shall not be demanded on a regular basis and shall always be compensated at a premium rate.

- *No discrimination is practised*

There is no discrimination in hiring, compensation, access to training, promotion, termination or retirement based on race, caste, national origin, religion, age, disability, gender, marital status, sexual orientation, union membership or political affiliation.

- *Regular employment is provided*

To every extent possible work performed must be on the basis of a recognised employment relationship established through national law and practice. Obligations to employees under labour or social security laws and regulations arising from the regular employment relationship shall not be avoided through the use of labour-only contracting, sub-contracting or home-working arrangements, or through apprenticeship schemes where there is no real intent to impart skills or provide regular employment, nor shall any such obligations be avoided through the excessive use of fixed-term contracts of employment.

- *No harsh or inhumane treatment is allowed*

Physical abuse or discipline, the threat of physical abuse, sexual or other harassment and verbal abuse or other forms of intimidation shall be prohibited.

B. Environmental Standards

Suppliers should as a minimum comply with all statutory and other legal requirements relating to the environmental impacts of their business. Detailed performance standards are a matter for suppliers, but should address at least the following:

- *Waste Management*

Waste is minimised and items recycled whenever this is practicable. Effective controls of waste in respect of ground, air, and water pollution are adopted. In the case of hazardous materials, emergency response plans are in place.

- *Packaging and Paper*

Undue and unnecessary use of materials is avoided, and recycled materials used whenever appropriate.

- *Conservation*

Processes and activities are monitored and modified as necessary to ensure that conservation of scarce resources, including water, flora and fauna and productive land in certain situations.

- *Energy Use*

All production and delivery processes, including the use of heating, ventilation, lighting, IT systems and transportation, are based on the need to maximise efficient energy use and to minimise harmful emissions.

- ***Safety precautions for transport and cargo handling***

All transport and cargo handling processes are based on the need to maximise safety precautions and to minimise potential injuries to ACTED beneficiaries and staff as well as the suppliers' employees or those of its subcontractors.

C. Business Behaviour

The conduct of the supplier should not violate the basic rights of ACTED's beneficiaries.

The supplier should not be engaged

1. in the manufacture of arms
2. in the sale of arms to governments which systematically violate the human rights of their citizens; or where there is internal armed conflict or major tensions; or where the sale of arms may jeopardise regional peace and security.

D. ACTED procurement rules and regulations

Suppliers should comply with ACTED procurement rules and regulations outlines in ACTED Logistics Manual Version 1.2. or above. In particular, ACTED's procurement policy set out in Section 2.1 and 2.4. (contract awarding). By doing so, Suppliers acknowledge that they do not find themselves in any of the situations of exclusion as referred to under section 2.4.2.

Operating Principles

The implementation of the Code of Conduct will be a shared responsibility between ACTED and its suppliers, informed by a number of operating principles, which will be reviewed from time to time.

ACTED will:

1. Assign responsibility for ensuring compliance with the Code of Conduct to a senior manager.
2. Communicate its commitment to the Code of Conduct to employees, supporters and donors, as well as to all suppliers of goods and services.
3. Make appropriate human and financial resources available to meet its stated commitments, including training and guidelines for relevant personnel.
4. Provide guidance and reasonable non-financial support to suppliers who genuinely seek to promote and implement the Code standards in their own business and in the relevant supply chains, within available resources.
5. Adopt appropriate methods and systems for monitoring and verifying the achievement of the standards.
6. Seek to maximise the beneficial effect of the resources available, e.g. by collaborating with other NGOs, and by prioritising the most likely locations of non-compliance.

ACTED expects suppliers to:

1. Accept responsibility for labour and environmental conditions under which products are made and services provided. This includes all work contracted or sub-contracted and that conducted by home or other out-workers.
2. Assign responsibility for implementing the Code of Conduct to a senior manager.
3. Make a written Statement of Intent regarding the company's policy in relation to the Code of Conduct and how it will be implemented, and communicate this to staff and suppliers as well as to ACTED.

Both parties will

1. Require the immediate cessation of serious breaches of the Code and, where these persist, terminate the business relationship.
2. Seek to ensure all employees are aware of their rights and involved in the decisions which affect them.
3. Avoid discriminating against enterprises in developing countries.
4. Recognise official regulation and inspection of workplace standards, and the interests of legitimate trades unions and other representative organisations.
5. Seek arbitration in the case of unresolved disputes.

Qualifications to the Policy Statement

The humanitarian imperative is paramount. Where speed of deployment is essential in saving lives, ACTED will purchase necessary goods and services from the most appropriate available source.

ACTED can accept neither uncontrolled cost increases nor drops in quality. It accepts appropriate internal costs but will work with suppliers to achieve required ethical standards as far as possible at no increase in cost or decrease in quality.

I undersigned _____, agree to adopt the above Code of Conduct and to commit to comply with the labour and environmental standards specified, both in my own company and those of my suppliers.

Name & Position of Bidder's authorized representative _____

Authorized signature _____

BIDDER'S CHECK LIST – ACTED [KENYA]

Date: _____

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BEFORE SENDING YOUR BIDDING DOCUMENTS, PLEASE CHECK THAT EACH OF THE FOLLOWING ITEM IS COMPLETE AND RESPECTS THE FOLLOWING CRITERIA:

Description	To be filled in by Bidder		For ACTED use only (to be filled in by Purchase Committee)		Comments
	Included		Present		
	Yes	No	Yes	No	
1. An original and one copy of the bid have been provided					
2. PART 1 (form PRO-05) – Instructions to Bidders are attached, filled, signed and stamped by the supplier. (compulsory)					
3. PART 2 (form PRO-06) – Offer Form is attached, filled, signed and stamped by the supplier. (compulsory)					
4. The prices in the Offer Form are in KES (compulsory)					
5. PART 3 (form PRO-06-01)– Bidders Questionnaire Form is attached, filled, signed and stamped by the supplier. (compulsory)					
6. PART 4 – (form PRO-06-02)– Bidder's Ethical Declaration is attached, filled, signed and stamped by the supplier. (compulsory)					
7. The Bidding documents are filled in English.					
8. ANNEXES - The ToR are signed and stamped by the supplier (compulsory)					
9. ANNEXES – Proofs of past performances in a similar field of activity Preferably from 3 Non-governmental organizations (e.g. past deliveries of similar items) are provided					
10. ANNEXES – Resumes of the proposed consultants					
11. ANNEXES – ID of the legal representative of the firm and a copy of the passport of the advisor and the copy of insurance certificates have to be submitted along with their offer.					
12. ANNEXES – Work schedule/Training outline detailing timelines within which the project shall be carried out					
13. ANNEXES – Technical proposal, provide an understanding and interpretation of the proposed PE training, Methodology, Tools and resource capability					

Name & Position of Bidder's authorized representative _____

Authorized signature _____