

NATIONAL CALL FOR TENDER

PART-A Instructions to bidders ACTED *Turkey*

Date: 09/06/2020

Tender N°: T/16MULTI/MULTI/MULTI/09-06-2020/1

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

PRODUCT SPECIFICATIONS:

1. Description: Legal consultancy services
2. Product class / category: Service
3. Work Period: One Year Agreement
4. INCOTERM: All taxes, fees, and other charges are included in the price quoted
5. Quantity and specifications: As per request during the validity of the FA

Description	Product category	Qty
Legal services	Service	One Year Legal Consultancy Services

Bidders should read the data carefully, understand the tender requirements and complete the documents by filling all the data in question in the relevant sections. When submitting proposal/offer on this tender, bidders will be considered committed until validity of the offer expires.

Quantities are indicative and are subject to change.

RESPONSIBILITIES OF THE CONTRACTOR:

1. Contract validity: **From 1st of August,2020 to 31st of July, 2021 (1 year contract)**
2. Validity of the offer: 12 months (Recommended)

GENERAL CONDITIONS:

1. The **closing date** of this tender is fixed **on 30-06-2020 at 17:00 (Turkey time)** in ACTED office at the following address:

General Şükrü Kanatlı Mah. Atatürk Cad. No:190 Sarı Center Kat: 6,7 31030 Antakya Hatay, TURKEY

Or emailed to turkey.tender@acted.org with CC tender@acted.org

2. The offer should be filled in **USD** currency including all taxes and all documents must be filled in **English or Turkish**.
3. Bidders will fill, sign, stamp each page and return the Offer form according to ACTED's format.
4. **The offer to the call for tender will not result in the award of a contract**
5. Unsealed envelopes and late offers will not be considered.
6. The offer must be submitted to ACTED Turkey office in a sealed envelope with the mention "T/16MULTI/MULTI/MULTI/09-06-2020/1" not to be opened before **01/07/2020** and the purpose of the offer or by E-mail at turkey.tender@acted.org, Cc tender@acted.org.
7. Any bid with missing required documents will be automatically rejected.

8. For all inquiries regarding this tender, please contact not later than **29/06/2020 at 17:00 local time** by E-mail at turkey.tender@acted.org Cc tender@acted.org.
9. All bidders interested in participating in the tender opening session, can send an email to turkey.tender@acted.org with CC tender@acted.org
10. 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.

SPECIFIC CONDITIONS:

1. A supplier will be selected based on the selection criteria from the table below (with a maximum score of 100). The Scoring Method will be based on the submitted bid and the highest scoring suppliers will be invited for interview ahead of selection.

<u>CRITERIA</u>	<u>SCORING METHOD</u>	<u>MAXIMUM SCORE AVAILABLE</u>	
<u>PRICE</u>	The cheapest bid (meeting all specifications) will receive a score of 50, all other bids will be scored proportionally against this price	<u>50</u>	
<u>QUALITY</u>	Up to 30 points can be awarded based on the quality of requested services - Case study will be conducted by ACTED in English with the bidders.	<u>30</u>	
<u>RELIABILITY</u>	Up to 20 points can be awarded for suppliers with a demonstrated good record of delivery with national and/or international NGOs and experience in the humanitarian sector <i>Max score will be awarded who has provided last</i>	<u>20</u>	
	<i>4 last experiences with good feedback</i>		20
	<i>3 last experiences with good feedback</i>		15
	<i>2 last experiences with good feedback</i>		10
	<i>1 last experience with good feedback</i>		5
	<i>No experience provided</i>		0

2. Each bid shall include a unique company name, representative, signature, phone number, and email address. Any similarities could result in rejecting the bid (**Compulsory**).
3. Company Stamps should be unique, and the company name should be included in the Stamp, and any information contained in the stamp should be unique to the company submitting the offer.
4. 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 unit and any additional price, and total price, inclusive all TAX. Offer form must be signed and stamped. (**Compulsory**).
 - Other tender documents including instructions to bidders, bidder's questionnaire, bidder's ethical declaration, bidder's checklist and Terms of Reference (Annex A). All documents must be signed and stamped and initialled at each page. (**Compulsory**)
 - A copy of the supplier legal representative ID (**Compulsory**).



- Bidder past performance and reference list (**Strongly Recommended**)
- Consent Letter is attached, filled, signed and stamped by the supplier. (**Strongly recommended**)

THE OFFER WILL **NOT BE CONSIDERED ELIGIBLE IF:**

- White ink or price correction by hand is used.
- All papers are not signed and stamped.
- Electronic stamp and signature are used

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's Name: _____

Representative's name: _____

Representative's signature: _____

Date: _____

Stamp

PART-B OFFER FORM– ACTED TURKEY

Date:

Tender N°: T/16MULTI/MULTI/MULTI/09-06-2020/1

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 Line: _____ / 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 COMPLETE THE FOLLOWING TABLE:

No	Description	Qty	Unit	Unit Price USD including all taxes	Total Price USD including all taxes	Supplier's Comments
1	Legal Consultancy Services	1	month			
2	Legal Services	1	Case			

NOTE: ALL OTHER EXPENSES SUCH AS TRAVEL, ACCOMMODATION AND FLIGHT COSTS, DISBURSEMENTS, PHOTOCOPYING, COURIERS, LEGAL/ADMINISTRATIVE FEES, BANK WIRE CHARGES FOR RECEIPTS AND REMITTANCES, AND PAYMENTS MADE ON BEHALF OF ACTED. ANY EXPENSES WILL BE CHARGED IN ADDITION TO FEES AND WILL BE ITEMISED AND DOCUMENTED SEPARATELY ON ANY INVOICE.

Quantities are indicative and are subject to change.

BIDDER'S COMMENTS/REMARKS:

1. _____
2. _____

DELIVERY CONDITIONS GUARANTEED BY THE BIDDER:

..... Days for 100% of the services

BIDDER'S TERMS AND CONDITIONS:

1. Validity of the offer: _____ (recommended: 12 months or more)
2. Terms of payment: _____ (recommended: monthly basis)



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Name of Bidder's Authorized Representative: _____

Authorized signature and stamp: _____

Date: _____

NB: in case of Request for Tender, please attach the service proposal to the present offer form

Terms of Reference

Legal Consultancy Services Antakya-Turkey

1. About ACTED

ACTED is a French humanitarian NGO, founded in 1993, which supports vulnerable populations, affected by humanitarian crises worldwide. ACTED provides continued support to vulnerable communities by ensuring the sustainability of post-crisis interventions and engaging long-term challenges facing our target populations, in order to break the poverty cycle, foster development and reduce vulnerability to disasters. Our interventions seek to cover the multiple aspects of humanitarian and development crises through a multidisciplinary approach which is both global and local, and adapted to each context. Our 3,300 staff are committed to responding to emergencies worldwide, to supporting recovery and rehabilitation, towards sustainable development.

Our teams in the field implement some 340 projects in 34 countries covering the following sectors: emergency relief, food security, access to health, education and training, economic development, microfinance, advocacy, institutional support, regional dialogue and cultural promotion. Based on considerable experience addressing the needs and situations of vulnerable communities, ACTED contributes to the international agenda towards reaching the Millennium Development Goals, through a wide range of partnerships, innovative initiatives, and campaigns.

2. Objectives of the service

Selected Legal Consultant company/organization will be in charge of assisting ACTED Turkey on legal matters and assist counseling on representative office and association law rules.

3. Service Requirements

- Advise senior management in Turkey on legal matters and assist counselling on representative office and association law rules
- Providing legal services including but not limited to the review and preparation of legal documents, including conventions and Memorandum of Understanding on Turkish law, providing legal advice with legal personnel at the headquarters of ACTED, as well as assisting issues related to various documents and related transactions.
- Review contracts and provide legal advice to ACTED about all matters related to contractual agreements signed or to be signed between ACTED and third parties including, but not limited to, labor contracts, procurement contract for works and supplies, service agreements, rental agreements of offices and residential apartments, framework agreements and memoranda of understanding
- Conduct legal research and draft legal memorandum, with special emphasis on associations law, law of obligations, labour law, social security insurance law, humanitarian law, medical law, foreigners and international protection law, temporary protection, real estate law, procurement law, tax law, commercial transactions, regulatory licensing, basic customs procedures, and compliance matters
- Draft court documents, attend court hearings when necessary, follow up litigation and debt collection proceedings in-house or via external legal counsel, and provide regular updates to senior management
- Follow up with correspondence, documents, approvals, licenses, and license renewals with government bodies;
- Minimize the organization's legal exposure and proactively achieve legal compliance by regularly reviewing new legislation, regulations and administrative decrees related to the organization's programs and sending regulatory updates to senior management
- Closely work with all key staff in Turkey to identify operational and contractual risks, and advise all departments in Turkey on Turkish legal risk control and mitigation strategies

- Research, review, amend and draft various human resource and employment policies, procedures and templates to ensure that the human resources procedures are in compliance with all laws and regulations;
- Maintain a positive image of ACTED in dealing with relevant ministries and officials while diplomatically and effectively negotiating desired outcomes for the country program
- Develop, conduct and manage regulatory compliance training programs for senior management in Turkey, human resources, procurement, logistics, and other departments in Turkey to best ensure compliance with Turkish law and protection of ACTED's interests in all transactions
- Assist in translation and proof-reading of legal texts.

4. Qualification

ACTED will consider Legal Consultant company/organization with the following qualifications:

- Must be able to communicate and do reporting in English.
- Knowledge on representative agencies work and associations law in humanitarian sector
- Experience and good knowledge on Turkish labour law
- Knowledge and capability to follow up necessary procedures at governmental agencies on other law issues such as foreigners and international protection law, temporary protection, real estate law, procurement law, tax law, commercial transactions, regulatory licensing, basic customs procedures, and, license renewals, renewals of authorized signatures

BIDDER'S QUESTIONNAIRE ACTED **TURKEY**

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	
<i>Company's staff & insurance</i>			
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
<i>Description of the Company</i>			
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:		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	



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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

I undersigned, certify that I am the designated legal representative of this Company, that the information provided above is correct and I am aware of the fact that I will be held responsible for providing false information.

I declare and certify that the information above is true and accurate to the best of my knowledge. I understand and accept any false or inaccurate information may result in the cancellation of any offer made by the Bidder, even if discovered later.

Name _____

Position: _____

Signature & Stamp: _____

Date: _____

BIDDER'S ETHICAL DECLARATION

Date:

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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's 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



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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 Tenderer's authorized representative _____

Authorized signature _____

Stamp:

CONSENT LETTER ACTED TURKEY

With this document that you fill in, your personal data that you share with ACTED are collected within the scope of tender process in order to carry out proposal assessments. During this process, ACTED will store physically or electronically the data you have shared, classify under the relevant headings and share, if necessary, with ACTED headquarters abroad. In addition, the company will keep these data within the scope of the tender process and determine a reasonable period in accordance with the purpose of retention after the termination of this process. In addition, you have the right to request to change, update, destroy or anonymize your data and reserve the rights listed under the article 11 of the Personal Data Protection Law ("PDPL") numbered 6698. You may use such rights by contacting ACTED. Upon this request, your data will be changed, updated, destroyed or anonymized or other necessary actions will be taken by ACTED accordingly to PDPL. Any request in order to exercise these rights must be sent by e-mail to the following address: turkey.tender@acted.org or by mail to the following address: **General Şükrü Kanatlı Mah. Atatürk Cad. No:190 Sarı Center Kat: 6,7 31030 Antakya Hatay, TURKEY**, along with the copy of a signed identity document.

It is understood that you have obtained the necessary consent from the relevant people to process their personal data of the mentioned people in this document. In this context, you accept and undertake that the legal responsibility for the processing of this data.

I, hereby, accept and declare that I submitted my personal within the scope this document to ACTED with my explicit consent upon explained data processing purposes, method of data collection, legal reasons, my legal rights and the purpose of transfer of my data abroad above by ACTED.

Name/Surname :

Date :

Signature :

BIDDER'S CHECK LIST ACTED **TURKEY**

Date:

Tender N°: T/16MULTI/MULTI/MULTI/09-06-2020/1

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 of the bid have been provided (compulsory)					
2 - PART 1 (form PRO-05) Instructions to Bidders is attached, filled, initialled on each page, signed and stamped by the supplier (compulsory)					
3 - PART 2 (form PRO-06) Offer Form is attached, filled, initialled on each page, signed and stamped by the supplier (compulsory)					
4. The prices in the Offer Form are in USD, including all applicable taxes (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. PART 5 – Consent Letter is attached, filled, signed and stamped by the supplier. (Strongly recommended)					
8. The Bidding documents are filled in English or Turkish .					
9- ANNEXES – A Copy of Company registration documents, license,and Legal Certifications are included and ID of the legal representative of the company. (compulsory)					
10 - ANNEXES – Proofs of past performances in a similar field of activity are provided. (Recommendation letter stamped, contract, proof of delivery...) (Strongly recommended)					
11-ANNEXES Terms of Reference signed by the bidder (compulsory)					

Name & Position of Bidder's authorized representative _____

Authorized signature _____

Stamp: _____