

INTERNATIONAL CALL FOR TENDER
ACTED South Sudan
PART A – Instructions to bidders

Date: 19/10/2020

Tender reference: T/32EFH/U61ETR/JUB/T&C/19/10/2020/001

ACTED is launching an International competitive bidding and is requesting through this tender a company to provide detailed written quotations for the supply of the consultancy services in order to support its on-going operations in South Sudan :

1. PRODUCT SPECIFICATIONS:

1. Description: **Capacity Building Training.**
2. Product class / category: **Consultancy services**
3. Made in (product origin): **International**
4. INCOTERM (Delivery conditions): **DDP-Online training**

2. RESPONSIBILITIES OF THE CONTRACTOR:

1. Date of delivery: **Expected Period of Training To start on 16-11-2020**
2. Validity of the offer: **Six (6) Months**

The answer to this tender should include the following elements:

- A written quotation including all the Consultancy services specifications, the price per unit, quantity proposed and unit, and total price;
- Company registration documents

GENERAL CONDITIONS:

1. The closing date of this tender is fixed on **30/10/2020 at 12:00PM (Juba local time)**. All bids must be submitted by E-mail to south-sudan.tender@acted.org cc tender@acted.org or by hand delivery to the following address: **ACTED Office Hai Cinema Plot 64, block AXII Juba, South Sudan** in one sealed envelopes with the mention: **T/32EFH/U61ETR/JUB/T&C/19/10/2020/001-Not to be opened before 21/10/2020**
2. Bidders are requested to fill in, sign, stamp and return all pages of Instructions to bidders, Offer Form, bidder's questionnaire, Ethical Declaration and bidder's checklist according to ACTED's format.
3. The offer to the call for tender will not result in the award of a contract
4. The presence of Corrective Ink on the Offer Form will lead to the ineligibility of the offer
5. Unsealed and late offers will not be considered.
6. ACTED reserves the right to divide the batches between different suppliers.

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. Consultants/companies will be responsible for providing their own access to high-speed internet connections capable of delivering the proposed training materials.
2. Bidders have to be officially registered as a Consultancy service provider.

3. In addition to the Offer Form (which is mandatory), Bidders are encouraged to submit a detailed offer for the extra services they may provide.

SELECTION CRITERIA

Bidders have to provide the following documents (compulsory).

CRITERIA	EVALUATED DOCUMENTS	WEIGHTING POINTS
Experience in topic delivery	CV & Cover letter Company brochure Past performance reviews	15%
Training Reports	Sample post-training report	15%
Methodology	Draft methodology Training course summaries	20%
Budget	Inclusive daily rates	50%

All suppliers will receive a written notice after the selection process either a rejection notice if their offer hasn't been preselected, or a pre-selection notice in case their offer has been preselected.

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. 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.

I undersigned _____, the Bidder, agree with the instructions, general and specific conditions of this bid.

Company Name: _____

Authorized Representative Name: _____

Sign and stamped: _____

PART B – OFFER FORM
ACTED SOUTH SUDAN

Date: _____ (to be indicated by the bidder)

Tender Reference: [T/32EFH/U61ETR/JUB/T&C/19/10/2020/001](#)

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 Specialisation: _____
5. Mailing Address: _____
Country/Governorate. /City/St name/Shop-Office No
 - a. Contact Numbers: Land line: _____ / Mobile: _____
 - b. E-mail Address: _____

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

PLEASE FILL IN THE FOLLOWING TABLES; SUPPLIERS HAVE TO BID FOR ALL THE ITEMS INSIDE THE BATCH. FAILING THAT, THEY WILL BE REJECTED AT SELECTION STAGE FOR THIS BATCH.

Consultancy Services						
(see TORs for details of each deliverable and schedule)						
items	Description	Deliverables	Unit	Quantity	Unit Price (USD) Inclusive of all taxes	TOTAL PRICE (USD) Inclusive of all taxes
1	Plan and design the training session in its entirety, sharing with ACTED team prior to delivery	Plan and Design	day	1		
2	Delivery of training sessions - Management & Leadership	Training sessions - Management and Leadership	day	2		
3	Delivery of training sessions - Communication	Training sessions - Communication	day	1		
4	Preparation of a draft report	Report Preparation	day	1		
Applications will be scored on the criteria described in "Applications' Scoring" section of TORs						
Total amount in USD						

BIDDER'S COMMENTS/REMARKS:

BIDDER'S TERMS AND CONDITIONS:

1. Validity of the offer: _____ (Recommended: 6 months till the selection is done)
2. Terms of Delivery: DDP Online _____ Days (Recommended : 5 working days)
3. Terms of payment: _____ Days and payment means (Recommended: 3 days after completion of work)

Name & Position 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
Consultant Required to Conduct Capacity Building Training in Management & Leadership, and Communication

1. About ACTED

ACTED is a non-governmental organization with headquarters in Paris, founded in 1993. Independent, private and not-for-profit, ACTED respects a strict political and religious impartiality and operates according to principles of non-discrimination and transparency.

ACTED has been present in South Sudan since 2007, delivering life sustaining, resilience and development projects in several sectors such as food security, livelihoods and agriculture, CCCM, WASH, protection, and shelter. ACTED is also a key emergency response partner in times of crisis, providing life-saving assistance such as distribution of food and NFIs, and provision of water.

ACTED has currently 5 operational bases across South Sudan (Juba, Mingkaman, Bor, Wau, and Maban), along with 5 sub-offices (Juba POC, Yirol Town, Gendrassa/Batil/Kaya Camps), and therefore has a presence in 7 of the 10 states (Western Equatoria, Central Equatoria, Lakes, Jonglei, Upper Nile, Western Bahr el Ghazal and Warrap).

2. Project Background

The Humanitarian Policy Group published a case study on the progress of funding local humanitarian actors in South Sudan (HPG, October 2018). The report shows concerning findings with regards slow progress in delivering on the Grand Bargain. Out of all the aid funding made available to South Sudan in 2017, 64% was channelled to UN agencies, out of which 7% reached National NGOs (NNGOs), whilst only 0.3% was transferred directly to NNGOs (see Figure 1.)

The report concluded that there are three main obstacles preventing direct funding to NNGO, all of which are fundamentally linked to the capability of national staff:

- (1) Compliance and due diligence has been set at high standards, with the need for strong management systems, such as financial systems, human resource processes, organisational policies and organisational structures, which is currently lacking in many of the national staff working for NNGOs and INGOs;
- (2) Donor policies: procedures, regulations and policies are often too complex, requiring special personnel in head offices, often internationals, who have experience with specific donor requirements. NNGOs in particular have no such capacity and rely on support on compliance in case of indirect funding, and INGOs rely on international staff, at the risk of therefore not building the capacity of national staff.
- (3) Lack of transition planning: international agencies have not sufficiently implemented strategies for transitioning implementation to local actors, and national staff when considering downsizing operations.

Thus far, there has been a focus on transferring funds and the responsibility for capacity building to intermediaries. Given the risk-averse approach taken by many intermediaries, this means a limited range of higher-capacity national NGOs are routinely supported. Given that so often capacity building and subcontracting are forced to go hand-in-hand within projects, medium- and high- risk national NGOs are excluded.

There is a need to de-link capacity building and subcontracting to de-pressurise engagement of intermediaries with higher risk partners. This calls for a structured capacity building programme specifically for these medium- and high- risk national NGOs so they can become the directly or indirectly funded low- risk partners of tomorrow and push forwards progress towards the 25% target. Taking this into account, an open call will be made for participants and then depending on the numbers, if there is a large number of applications, the trainings will target 80% of participants from NNGOs, with the other 20% from INGOs, to ensure that national staff working for international organisations also benefit from these learnings.

3. Objectives of the consultancy

The overall objectives of this project and consultancy is to:

- Improve the capacity of staff working for NNGOs/INGOs to enable them to play a more influential role in interventions impacting communities.
- Improve the access of medium- and high- risk NNGOs to direct or indirect humanitarian funding for NNGOs in South Sudan through a structured capacity building programme for local staff, in order for them to have the key skills and experience to apply for funding.
- ACTED aims to do so by improving the internal systems of NNGOs by providing trainings focused on management & leadership, and effective communications for senior management.

4. Methodology of the consultancy

1. Training Preparation & Delivery

Provision of structured trainings to senior management level staff working for I/NGOs, the consultant will implement two training modules online, over Zoom, on best practises, processes and cutting edge thinking focused on Leadership & Management and Communication.

2. Follow-up Report

A report containing the methodology and structure of the training, analysed feedback and suggested recommendations for future improvements to the trainings, along with what worked well, should be conducted following the finalisation of the training sessions and submitted to ACTED management.

5. Major Tasks, Deliverables and Timeframe

Lead the training exercise involving senior management that includes:

- Plan and design the training session in its entirety, sharing with ACTED team prior to delivery – **1 days**
- Delivery of training sessions – **3 days**
 - Management & Leadership – 2 days
 - Communication – 1 day
- Preparation of a draft report – **1 day**

Total 5 days. The training is planned to take place on 16-November -2020.

By undertaking this assignment, the consultant is expected to abide by humanitarian principles and to ensure the confidentiality of any data collected.

**6. All training courses developed as part of this consultation will remain ACTED's property for future use.
Outputs**

ACTED will expect two final outputs:

1. Deliver two high-quality, senior-management targeted training courses covering the topics of Management & Leadership (one module across two days) and Communication (one module across one day); and,
2. A report detailing findings from the training conducted and the participant feedback evaluation, along with any proposed recommendations for improvements.

Both the training course and final report should be delivered in **English**.

7. Qualifications

ACTED will consider both individual consultants and training companies with the following qualifications:

- At least 5years' experience in delivering senior-management level capacity building initiatives
- Experience in conducting similar topics of training
- Concrete experience in providing written reports that can influence key decision-makers
- Knowledge of South Sudan context is an asset
- Must have access to the most current research and innovations in the training topic areas

Please note that consultants/companies will be responsible for providing their own access to high-speed internet connections capable of delivering the proposed training materials.

8. Application Process

Criteria and technical documentation required listed in the table below;

Criteria	Evaluated Documents	Weighting
<i>Experience in topic delivery</i>	<i>CV & Cover letter Company brochure Past performance reviews</i>	15%
<i>Training Reports</i>	<i>Sample post-training report</i>	15%
<i>Methodology</i>	<i>Draft methodology Training course summaries</i>	20%
<i>Budget</i>	<i>Inclusive daily rates</i>	50%

Name _____

Position: _____

Signature & Stamp: _____

Date: _____

PART C – BIDDER'S QUESTIONNAIRE
ACTED SOUTH SUDAN

Date: _____ (date should be indicated by the supplier)

Tender Reference: T/32EFH/U61ETR/JUB/T&C/19/10/2020/001

TO BE FILLED BY BIDDER (COMPULSORY)

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?		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:		Legal minimum wage paid?	<input type="checkbox"/> Yes <input type="checkbox"/> No

In what capacity?		Paid vacations are 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"/> Authorized Agent <input type="checkbox"/> Consulting Company <input type="checkbox"/> Trader <input type="checkbox"/> Other, please specify _____		
Sector of Business (multiple choices possible):	<input type="checkbox"/> Goods / supplies <input type="checkbox"/> Works <input type="checkbox"/> Services <input type="checkbox"/> Equipment <input type="checkbox"/> Other, please specify : _____		
Year Established:		Country of registration:	
Licence number:		Valid until:	
Working languages:	<input type="checkbox"/> English <input type="checkbox"/> Arabic <input type="checkbox"/> French <input type="checkbox"/> Chinese <input type="checkbox"/> Spanish <input type="checkbox"/> Other, please specify : _____		
Technical documents available in:	<input type="checkbox"/> English <input type="checkbox"/> Arabic <input type="checkbox"/> French <input type="checkbox"/> Chinese <input type="checkbox"/> Spanish <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:			
C. Experience									
Company's recent business with ACTED and/or other International Aid Agencies or United Nations Agencies:									
	<i>Organisation</i>	<i>Contact person</i>			<i>Phone/E-mail</i>	<i>Goods/Works/Services</i>	<i>Value (USD)</i>	<i>Year</i>	<i>Destination</i>
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)	
Does your company have an Ethical Trading Policy? (Yes/No)	
Does your company have an Anti-terrorist Policy? (Yes/No)	
Is your company compliant with the EU General Data Protection Regulation (or equivalent)? (Yes/No)	
If you answered yes to the above two questions, please attach copies of your policy:	
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? (Yes/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? (Yes/No)	
If you answered yes, please provide details:	
Has your company ever been guilty of grave professional misconduct proven by other means? (Yes/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? (Yes/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? (Yes/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? (Yes/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? (Yes/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)? (Yes/No)			
If you answered yes, please provide details:			
Do you agree with terms of payment of 30 days? (Yes/No)			Do you accept visit of ACTED staff & external auditors to your office? (Yes/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 and Stamp: _____

PART D: BIDDER'S ETHICAL DECLARATION
ACTED SOUTH SUDAN

Date: _____ (to be indicated by the bidder)

Tender N°: **T/32EFH/U61ETR/JUB/T&C/19/10/2020/001**

Tenderer's name: _____

Tenderer's address: _____

CODE OF CONDUCT:

1. Labor Standards

The labor standards in this code are based on the conventions of the International Labor Organization (ILO).

- Employment is freely chosen

There is no forced, bonded or involuntary prison labor. 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 minimizing, 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 Labor shall not be used

There shall be no new recruitment of child labor. Companies shall develop or participate in and contribute to policies and programs, which provide for the transition of any child found to be performing child labor 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 Labor Organization (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 practiced

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 recognized employment relationship established through national law and practice. Obligations to employees under labor or social security laws and regulations arising from the regular employment relationship shall not be avoided through the use of labor-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 minimized 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 maximize efficient energy use and to minimize harmful emissions.

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

All transport and cargo handling processes are based on the need to maximize safety precautions and to minimize 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 1.3. 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 maximize the beneficial effect of the resources available, e.g. by collaborating with other NGOs, and by prioritizing the most likely locations of non-compliance.

ACTED expects suppliers to:

1. Accept responsibility for labor 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. Recognize official regulation and inspection of workplace standards, and the interests of legitimate trades unions and other representative organizations.
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:

PART E: BIDDER'S CHECK LIST
ACTED SOUTH SUDAN

Date: _____ (to be indicated by the bidder)

Tender N°: T/32EFH/U61ETR/JUB/T&C/19/10/2020/001

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. Bid submitted by E-mail or by hand. An original and one copy of the bid have been provided. (compulsory)					
2. PART A (form PRO-05) – Instructions to Bidders is attached, filled, signed and stamped by the supplier on every page or last page (compulsory)					
3. PART B – Offer Form is attached, filled, signed and stamped by the supplier on every page or last page (compulsory)					
4. The prices in the Offer Form are in USD (compulsory)					
5. PART C – Bidders Questionnaire Form is attached, filled, signed and stamped by the supplier on every page or last page (compulsory)					
6. PART D – Bidder's Ethical Declaration is attached, filled, signed and stamped by the supplier on every page or last page (compulsory)					
7. The Bidding documents are filled in English (compulsory)					
6. Copy of the legal representative ID and registration certificate for organization's/Company only (recommended)					
10. Terms of Reference signed and Stamped by the bidder. (compulsory)					

Name & Position of Bidder's authorized representative _____

Authorized signature and Stamp: _____

Any complaints regarding this tender can be sent via email at: transparency@acted.org