



EXPANDING
**SOCIAL
PROTECTION**

**MAXWELL
STAMP | PLC**

BID DOCUMENT FOR INTERNET UNDER OPEN DOMESTIC BIDDING

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|------------------------------|--|
| Subject of Procurement | Provision of Internet services for 7 Regional Technical Support Unit Offices (Moroto, Nebbi, Kaberamaido, Gulu, Kiboga, Kyejonjo and Kamuli) |
| Procurement Reference number | ESP/SVCS/2016-2017/00285 |
| Date of Issue | 24th August 2017 |

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Section 1: Instruction to Bidders

1. Scope of the bid

A General

- 1.1 The Procuring and Disposing Entity indicated in the Bid Data Sheet (BDS), invites bids for the provision of Services as specified in Section 6, Statement of Requirements. Bids are invited for an estimated quantity of Services as specified in Section 6, Statement of Requirements, under a framework contract arrangement. The Instructions to Bidders should be read in conjunction with the Bid data sheet. The subject and procurement reference number, and number of lots of this bidding document are provided in the Bid Data Sheet.
- 1.2 This Bidding document has been prepared by Maxwell Stamp PLC for the purpose of Procurement of services for the Expanding Social Protection Programme –Regional Technical Support Unit offices. The procedures and practices presented in this document have been developed to reflect the requirements of Maxwell Stamp PLC, the procuring and disposing entity and the best international procurement practices.
- 1.3 This bidding document is suitable for the procurement of services and is suitable for use under the restricted domestic bidding procurement method with or without pre-qualification.
- 1.4 This bidding document is suitable for lump-sum contracts where the services are pre-defined and the period of the services are fixed to enable a total lump sum amount to be calculated representing the total amount under the contract.
- 1.5 is an essential requirement for Maxwell Stamp PLC /Expanding Social Protection Programme for effective competition and for the promotion of fairness, integrity and transparency for non-consultancy services.
- 1.6 The preferred evaluation methodology for procurement of this service is technical and compliance methodology as described in the bidding document.
- 1.7 Before using this bidding document, the user should be familiar with the instructions before submitting the bidding document for procurement described in the statement of requirements

Expanding Social Protection Programme now invites bids from eligible firms for the **provision of Internet services for 7 regional technical support unit offices** specified in the statement of requirements.

2.0 Source of funds.

Maxwell Stamp PLC/Expanding Social Protection Programme has approved budget towards the cost of procurement described in the statement of requirements and intends to use funds to place a contract for which the bidding document is issued.

Payments will be made directly by the procuring and disposing entity and will be made subject to the terms and conditions of the resulting contract placed by the procuring and disposing entity.

3.0 Corrupt Practices

It is ESP policy to require all bidders and providers to observe the highest standards of ethics during procurement and the execution of contracts. In pursuit of this policy, ESP;

(a) defines for the purposes of this provision, the terms set forth below as follows:

- (i) “corrupt practice” includes the offering, giving, receiving, or soliciting of anything of value to influence the action of a ESP staff in the procurement process or in contract execution; and
- (ii) “fraudulent practice” includes a misrepresentation of facts in order to influence a procurement process or the execution of a contract to the detriment of ESP, and includes collusive practices

among bidders prior to or after bid submission designed to establish bid prices at artificial, non-competitive levels and to deprive ESP of the benefits of free and open competition;

(b) will reject a recommendation for award of the contract if it determines that the bidder recommended for award has been engaged in corrupt or fraudulent practices in competing for the contract.

- I. In pursuit of the policy defined above, Maxwell Stamp PLC/Expanding Social Protection Programme may terminate a contract for services if it at any time determines that corrupt or fraudulent practices were engaged in by representatives of ESP or of a bidder or provider during the procurement or the execution of that contract.
- II. Maxwell Stamp PLC/Expanding Social Protection Programme also requires representatives of both ESP and of bidders and providers to adhere to the codes of ethical conduct detailed in Section 4. The Code of Ethical Conduct for bidders and Providers it's part of this document and bidders are required to indicate their acceptance of this code through the declarations in the Bid Submission Sheet.
- III. Any communication between a bidder and ESP staff related to matters of alleged fraud or corruption must be made in writing and sent to the Head Programme Management Unit.

4.0 Eligible Bidders

A bidder and all parties constituting the bid shall meet following criteria to be eligible to participate in this procurement.

- a) The bidder has legal capacity to enter into a contract
- b) The bidder is not insolvent
- c) In receivership
- d) Bankrupt or being wound up
- e) The bidder is not subject to the legal proceedings for any of the circumstances
- f) The bidder has fulfilled his or her obligations to pay taxes and social security contributions
- g) A bidder may be a natural person, private entity, government owned entity, any combination, any combination of them with a formal intent to enter into an agreement or under an existing agreement in the form of joint ventures, consortium or an association.
- h) A bidder and all parties constituting the bidder including sub-contractors shall have the nationality of an eligible country, in accordance with section 5, Eligible countries. A bidder shall be deemed to have the nationality of a country if the bidder is the citizen or is constituted, incorporated or registered and operates in conformity with the provisions of the law of that country. This criterion shall also apply to the determination of the nationality of the proposed subcontractors for any part of the contract including related services.

5. A bidder shall not have a conflict of interest.

5.1 All bidders found to be in conflict of interest shall be disqualified. A bidder may be considered to have a conflict of interest with one or more parties in this bidding process, if they have controlling shareholders in common or have received any direct or indirect subsidy from any of them or have the same legal representative for the purpose of this bid or have a relationship with each other, directly or through common third parties, that puts them in a position to access to information about or influence on the bid of the bidder, or influence the decision of the procuring and disposing entity regarding this bidding process. Participated in a contractor or

consultant in the preparation of the design or technical specifications of the services that the subject of the bid.

5.2 A firm is under declaration of suspension by authority in charge of procurement and disposal in Uganda. A Firm under suspension by authority in Uganda at the time of submission of thereafter shall be disqualified.

5.3 Bidders shall provide such evidence of their continued eligibility satisfactory to the procuring and disposing entity, as the procuring and disposing entity shall reasonably request.

6.0. Eligible Supplies or Services

6.1 All supplies or services to be supplied under the contract shall have their country of origin an eligible country in accordance with section 5, eligible countries.

6.2. If so required the bid data sheet, the bidder shall demonstrate that it has been duly authorized by the licensing body to provide the service in the Republic of Uganda, the services indicated in this bid.

7.0 Clarification to the bid document.

7.1. A prospective bidder requiring any clarification in respect to the bidding document shall contact ESP in writing at the address below:

Senior Programme officer, Administration, Procurement and Logistics

P.O Box 28240, Kampala, Nakasero

Plot 9, Lourdel Road, Plot 9

Telephone number 0312 202050/1

E-mail: procurement@socialprotection.go.ug

7.2 ESP will respond in writing to any request for clarification, provided that such request is received no later than five (05) days prior to the deadline for submission of bids. ESP shall forward copies of its response to all bidders who have acquired the tender document directly from it, including a description of the inquiry but without identifying its source. Should ESP deem it necessary to amend the tender document as a result of a clarification, it shall do so following the procedure under clause

8.0 Amendment to the bid document

8.1 At any time prior to the deadline for submission of bids, ESP may amend the bid document by issuing an addendum. Any addendum issued shall be part of the bid document and shall be communicated in writing to all who have obtained the bid document directly from ESP under domestic restrictive bidding.

8.2. To give prospective bidders reasonable time in which to take an addendum into account in preparing their bids, ESP may at its discretion, extend the deadline for the submission of bids; in which case all rights and obligations of ESP and bidders previously subject to the deadline shall thereafter be subject to the deadline as extended.

9.0 Cost of Bid

9.1 The bidder shall bear all costs associated with the preparation and submission of its bid, and ESP shall not be responsible or liable for those costs, regardless of the conduct or outcome of the bidding process.

10.0 Language of the bid and mode of communication

10.1. The medium of communication shall be in writing. The bid, as well as all correspondence and documents relating to the bid exchanged by the bidder and ESP shall be written in English.

11.0. Bid Prices and Discounts

11.1. Prices quoted by the bidder shall be fixed during the bidder's performance of the contract and not subject to variation on any account. A bid submitted with an adjustable price quotation shall be treated as non-responsive and shall be rejected.

12.0 Currencies of the bid.

12.1 Bid Prices shall be quoted in the following currencies. For services originating from Uganda, the bid prices shall be quoted in the currency of Uganda, unless otherwise specified in the Bid data sheet.

12.2. For services or supplies originating outside Uganda or for imported parts or components or supplies or services originating outside Uganda, the bid prices shall be quoted in the currency of the expense or in the currency of the bidder's country unless otherwise specified in the Bid data sheet.

13.0 Period of validity of the tenders.

13.1. Bids shall remain valid for the period of [60] calendar days after the date of the bid submission. A bid valid for a shorter period shall be rejected by ESP as non-compliant.

13.2. In exceptional circumstances, prior to the expiration of the bid validity period, ESP may request bidders to extend the period of validity of their bids. The request and the responses shall be made in writing. A bidder granted the request shall not be required or permitted to modify its bid.

14.0 Format and signing of the bid

14.1. The bidder shall prepare one original of the documents comprising the bid and clearly mark it "ORIGINAL." In addition, the bidder shall submit [2] copies of the bid and clearly mark each of them "COPY." In the event of any discrepancy between the original and the copies, the original shall prevail.

14.2. The original and all copies of the bid shall be typed or written in indelible ink and shall be signed by a person duly authorized to represent the bidder. This authorization shall consist of notarized powers of attorney and shall be attached to the bid. The name and position held by each person signing the authorization must be typed or printed below the signature. All pages of the bid, except for unamended printed literature, shall be signed or initialed by the person signing the bid.

14.3. Any interlineations, erasures, or overwriting shall be valid only if they are signed or initialed by the person signing the bid.

15.0 Sealing and marking of tenders.

15.1. The bidder shall enclose the original and each copy of the bid, in separate sealed envelopes, duly marking the envelopes as "ORIGINAL" and "COPY." These envelopes containing the original and

the copies shall then be enclosed in one single plain envelope securely sealed in such a manner that opening and resealing cannot be achieved undetected.

The inner and outer envelopes shall:

- (a) Bear the name and address of the Bidder;
- (b) Be addressed to ESP at the address prescribed in clause 16.1.
- (c) Bear the Procurement Reference number of this bidding process; and
- (d) Bear a warning not to open before the time and date for bid opening.

If all envelopes are not sealed and marked as required, ESP will take no responsibility for the misplacement or premature opening of the bid.

16.0 Deadline for submission of tenders.

16.1. Bids must be received by ESP at the address and not later than the date and time indicated below.

Attention: Senior Programme officer, Administration, Procurement and Logistics.P.O Box 28240, Kampala. Plot 9 Lourdel Road Nakasero; E-mail: procurement@socialprotection.go.ug

16.2. The deadline for submission of bids is, 12th September 2017; 11:00Am

Bids shall be deposited at ESP head office reception table. Bidders shall be required to sign a tender register at reception before submitting their bids.

16.3. ESP shall not accept any bid that arrives after the deadline for submission of bids. Any bid received by ESP after the deadline for submission of bids shall be declared late, rejected and returned unopened.

16.4. Bids shall be deposited at *ESP Head Office located at Plot 9, Nakasero*. Bidders shall be required to sign a Bids Receipt Register before placing or submitting their bids.

17. Late bids

17.1. ESP shall not consider any bid that arrives after the deadline for submission of bids. Any bid received by ESP after the deadline for submission of bids shall be declared late, rejected, and returned unopened to the bidder.

18.0 Bid Opening.

18.1. The procuring and disposing entity shall conduct the bid opening in presence of bidders designated representatives who choose to attend at the address, date and time specified in the bid data sheet.

18.2. All other envelopes shall be opened one at a time, reading out; the name of the bidder, bid price per lot where applicable including any discounts and any other detail that the procuring and disposing entity may consider appropriate. No bid shall be rejected at the bid opening except for the late bids.

18.3. The procuring and disposing entity shall prepare a record of the bid opening that shall include, as a minimum, the name of the bidder, bid price per lot if applicable. The bidder's representatives who are present shall be requested to sign a record. The omission of a bidder's signature on the record shall not invalidate the contents and effect of the record.

19.0 Conversion to Single Currency

19.1. For evaluation and comparison purposes, the procuring and disposing entity shall convert all bid prices expressed in amounts in various currencies into a single currency, using the selling exchange rate established by the source and on the date specified in the Bid data sheet.

20.0 Financial Comparison of bids

20.1. The procuring and disposing entity shall financially evaluate each bid that has been determined, up to this stage of the evaluation, to be substantially compliant and responsive.

The financially evaluated bid, the procuring and disposing entity shall only use the criteria and methodologies defined in section 2. No other criteria or methodologies shall be permitted.

20.2. The procurement and disposing entity's financial comparisons of bids may require the considerations of factors other than costs, in addition to the price quoted in the instruction to bidders in clause 11.1. These factors may be related to the characteristics, performance, and terms and conditions of purchase of the Supplies or Services. The factors selected, if any, shall be expressed in monetary terms to facilitate comparison of bids, unless otherwise specified in Section 2, Evaluation Methodology and Criteria.

20.3. To financially compare the bids, the procuring and disposing entity shall;

- a) Determine the bid price, taking into account the costs listed of Section 2, Evaluation
- b) Methodology and Criteria
- c) Correct any arithmetic errors and apply unconditional discounts offered in accordance with instruction to bidders 11.1.
- d) Make adjustments for any nonmaterial, nonconformities and omissions
- e) Apply any non-cost factors and convert all bids to a single currency.
- f) Determine the total evaluated price for the bid.

20.4. Determination of the best evaluated bid.

The Procuring and Disposing Entity shall compare all substantially compliant and responsive bids to determine the best evaluated bid or bids, in accordance with Section 3, Evaluation Methodology and Criteria.

21.0 Award of the Contract

21.1. Award Procedure

The procuring entity shall issue a notice of best evaluated bidder, place such notice on public display for a prescribed period according to the entity's procurement manual and copy the notice to all bidders prior to proceeding with contract award.

22.2. The procuring and disposing entity shall award the contract to the bidder whose offer has been determined to be the best evaluated bid, provided that the bidder is qualified to perform the contract satisfactorily. The contract shall be a framework contract and the service shall be renewed on yearly basis.

23.0 Procuring and Disposing Entity are Right to Vary Quantities at time of the award.

23.1. At the time the Contract is awarded, the Procuring and Disposing Entity reserves the right to increase or decrease the estimated quantity or minimum value of Supplies or Services originally specified in Section 6, Statement of Requirements, provided this does not exceed the percentages

indicated in the BDS, and without any change in the unit prices or other terms and conditions of the bid and the bidding document.

24.0 Notification of Award and Letter of Bid Acceptance

24.1. Prior to the expiration of the period of bid validity, the procurement and disposing entity shall notify the successful bidder, in writing, that its bid has been accepted by issue of a letter of bid acceptance.

24.2. Until a formal contract is prepared and executed, the Letter of Bid Acceptance shall constitute a binding contract.

25.0. Signing of the contract.

25.1. Promptly after notification of the contract by the issue of a Letter Bid Acceptance, the procuring and disposing entity shall send the successful bidder the agreement.

25.2. Within five (5) days of receipt of the agreement, the successful bidder shall sign, date and return it to the procuring and disposing entity.

Section 2. Bid Data Sheet

| Instructions to Bidders Reference | Data relevant to the ITB |
|-----------------------------------|---|
| A. General | |
| ITB 1.1 | The Procuring and Disposing Entity is: Maxwell Stamp PLC/Expanding Social Protection Programme |
| ITB 1.1 | The subject of procurement is a framework contract for: Internet services for a period of Twelve Months . |
| ITB 1.1 | The Procurement Reference number of the Bidding Document is : ESP/SRVCS/2016-17/00285 |
| ITB 1.1 | The number and identification of lots comprising this Bidding Document is: one The proportion of each Lot that a Bidder may bid for is: All The minimum and maximum number of Lots a Bidder may bid for is: N/A |
| ITB 6.2 | The Bidder is required to include with its Bid, documentation from the licensing authority of the Service, that it has been duly authorised to provide such services in Uganda, the services indicated in its bid by submitting the Licensing certificate. |
| B. Bidding Document | |
| ITB 7.1 | For clarification purposes only the Procuring and Disposing Entity's address is: The Head Procurement and Disposal Unit, Expanding Social Protection Programme/Maxwell Stamp PLC. Attention: Senior Programme officer, Administration, Procurement and Logistics Street Address: Plot 9, Lourdel Road. Floor/Room number: Plot 9, Nakasero Road Town/City: Kampala Postal Code/PO Box No: P.o. Box 28240 Country: Uganda Telephone: +265-0312 202050/1 Electronic mail address: |
| ITB 7.1 | The Procuring and Disposing Entity will respond to any request for clarification provided that such request is received no later than five working days prior to the deadline for submission of Bids. |

| Instructions to Bidders Reference | Data relevant to the ITB |
|--|---|
| C. Preparation of Bids | |
| ITB 10.1 | The medium of communications shall be in writing. |
| ITB 10.1 | The language for the bid is English. |
| ITB 18.1 | The prices quoted by the Bidder shall be: Uganda shillings or any freely convertible currency. |
| ITB 12.1 | For Services originating in Uganda the currency of the bid shall be: Uganda shillings |
| ITB 12.2 | For Services originating outside of Uganda the currency of the bid shall be: Uganda shillings or any freely convertible currency. |
| ITB 14.0 | The bid validity period shall be 60 working days. |
| ITB 14.0 | In addition to the original of the Bid, the number of copies required is: two copies |
| ITB 14.2 | The written confirmation of authorisation to sign on behalf of the Bidder shall consist of: Power of attorney. The power of attorney shall not be required in case the bidder is not the Managing Director |
| D. Submission and Opening of Bids | |
| ITB 16.1 | <p>For bid submission purposes only, the Procuring and Disposing Entity's Attention: Senior Programme officer, Administration, Procurement and Logistics. Expanding Social Protection Programme/Maxwell Stamp PLC</p> <p>Street Address: Plot 9, Nakasero Road Floor/Room number: Town/City: Kampala P.O. Box 28240 Country: Uganda</p> <p>The deadline for bid submission is: Date: 12/09/2017 Time (local time): 11:00am</p> |
| ITB 18.1 | <p>The bid opening shall take place at: Street Address: Plot 9, Nakasero Road Floor/Room number: Town/City: Kampala P.O. Box 28240 Country: Uganda Date: 12/09/2017 Time: 12:00 Noon</p> |
| E. Evaluation of Bids | |
| ITB 18.1 | <p>The currency that shall be used for financial comparison purposes to convert all bid prices expressed in various currencies into a single currency is: Uganda Shillings</p> <p>The source of exchange rate shall be: Bank of Uganda</p> <p>The date for the exchange rate shall be: 1st September 2017.</p> |
| F. Award of Contract | |
| ITB 21.3 | The percentage by which the estimated quantity or minimum value may be increased is: N/A |

| Instructions to Bidders Reference | Data relevant to the ITB |
|-----------------------------------|--|
| | The percentage by which the estimated quantity or minimum value may be decreased is: N/A |

Section 2: Evaluation Methodology and criteria.

Procurement ref number: ESP/SVCS/17-18/00285

1. Evaluation Methodology

- A) The evaluation methodology used for the evaluation of bids shall be the Technical and Compliance selection methodology.

1. Summary of methodology

The Technical and Compliance methodology recommends the lowest priced bid, which is eligible, compliant and substantially responsive to the technical and commercial requirements of the bidding document, provided that the bidder is determined to be qualified to perform the contract satisfactorily.

1.2. The evaluation shall be conducted in three sequential stages –

- a) A preliminary examination to determine the eligibility of bidders and the administrative compliance of bids received.
- b) A detailed evaluation to determine the commercial and technical responsiveness of the eligible and complaint bids; and
- c) A financial comparison to compare costs of eligible, complaint and responsive bids received and determine the best evaluated bidder.

Failure of a bid at any stage of the evaluation shall prevent further consideration of that bid at the next stage of evaluation. Substantial responsiveness shall be considered a pass.

B. Preliminary Examination Criteria

2. Eligibility Criteria

- a) The eligibility requirements shall be determined in accordance with the instruction to bidder's in 2,1(a).
- 2.1) The documents required to provide evidence of eligibility shall be: -
 - a) A copy of the trading licence or equivalent for the period 2017
 - b) A copy of the bidder's registration certificate in Uganda
 - c) A copy of the licence from Uganda Communication Commission
 - d) A copy of the bidder's income tax clearance from the tax regulatory authority
 - e) A copy of the bidder's VAT registration from a tax regulatory authority
 - f) A Statement in the bid submission sheet that the bidder meets the eligibility criteria stated in instruction to bidders.
 - g) A declaration in the bid submission sheet of nationality of the bidder.
 - h) A statement in the bid submission sheet that the bidder has no conflict of interest

Joint Venture.

- a) For a joint venture, the documentation in section 2 shall be required for each member of the venture and the following additional documentation shall also be required;

- b) A Certified copy of the joint venture Agreement, which is legally binding on all partners showing that:
- c) For a Joint Venture, the documentation in Section 2.3 shall be required for each member of the Joint Venture and the following additional documentation shall also be required:
- d) a certified copy of the Joint Venture Agreement, which is legally binding on all partners, showing that: all partners shall be jointly and severally liable for the execution of the Contract in accordance with the Contract terms;
- e) one of the partners will be nominated as being in charge, authorised to incur liabilities, and receive instructions for and on behalf of any and all partners of the joint venture; and
- f) The execution of the entire Contract, including payment, shall be done exclusively with the partner in charge.
- g) Power of Attorney of the signatory (ies) of the bid authorising signature of the bid on behalf of the joint ventures.

Administrative compliance criteria.

3.1. The administrative compliance shall verify the following documents

- a) Validity of the technical bids submitted (Minimum 60 days)
- b) Original technical and financial bids signed in separate envelopes and signed by the authorized representative in accordance with power of attorney.

C). Detailed evaluation criteria

4.0. Commercial and Technical Criteria.

- a) The commercial and technical responsiveness to bids shall be evaluated in accordance with the requirements stated in the statement of requirements.
- b) The assessment of the responsiveness will consider speed of the internet, capacity of the service provider to provide internet in all 7 regions, experience of 5 years in the service industry, evidence of providing internet in the specified regions.
- c) Attach a copy the relevant contracts executed elsewhere in a similar industry and in the specific regions.
- d) Evidence of providing internet to the specified locations
- e) Internet connection coverage in those areas specified
- f) Attach latest audited accounts for the past two years
- g) Particulars of the bankers

D) Financial Comparison Criteria.

Determination of the Best Evaluated Bidder

- a) The bid achieving the highest combined technical and financial score among those which are eligible, compliant and substantially responsive shall be the best evaluated bid.
- b) Non-cost factors to be included in the evaluated price. The non-cost factors to be considered in the evaluation price are other services provided by the service provider free of charge. Where there is a need for negotiation, a team will be constituted to negotiate with the best evaluated bidder to agree on the price.

E) Post Qualification criteria

- i. To qualify for award of the Contract, Bidders shall meet the following minimum qualifying criteria.

- ii. A project manager with three years` experience in providing a service of an equivalent nature and volume, including not less than two years as manager.
- iii. Qualification and experience of key site management and technical personnel proposed for contract.

Section 3: BID SUBMISSION

[This Bid Submission Sheet should be on the letterhead of the Bidder and should be signed by a person with the proper authority to sign documents that are binding on the Bidder]

Bid Submission Sheet

Date: *[insert date (as day, month and year) of bid submission]*

Procurement Reference No: *[insert Procurement Reference number]*

To: *[insert complete name of Procuring and Disposing Entity]*

We, the undersigned, declare that:

- (a) We have examined and have no reservations to the Bidding Document, including Addenda No.: *[insert the number and issue date of each Addenda]*;
- (b) We offer to conform with the Bidding Document and in accordance with the response times specified in the Statement of Requirements, Bills of Quantities or Terms of Reference the following Supplies or Services under a framework contract arrangement *[insert a brief description of the Supplies or Services. Amend wording and attach relevant details if alternative response times are is proposed]*;
- (c) We understand that any resulting contract will be a framework contract, with estimated quantities, and that you will not be bound to purchase any Supplies or Services with the exception of any guaranteed minimum value;
- (d) The total price of our Bid, excluding any discounts offered in item (d) below, is: *[insert the total bid price in words and figures, indicating the various amounts and the respective currencies]*;
- (e) The discounts offered and the methodologies for their application are:
Unconditional discounts. If our bid is accepted, the following discounts shall apply. *[Specify in detail each discount offered (eg amount/percentage) and the specific item of the Statement of Requirements to which it applies.]*
Methodology of application of the unconditional discounts. The discounts shall be applied using the following method: *[Specify precisely the method that shall be used to apply the discounts]*;
Methodology of application of the conditional discounts. The discounts shall be applied using the following method: *[Specify in detail the method that shall be used to apply the discounts]*;
- (f) Our bid shall be valid for a period of *[specify the number of calendar days]* calendar days from the date fixed for the bid submission deadline in accordance with the Bidding Document, and it shall remain binding upon us and may be accepted at any time before the expiration of that period;
- (g) We, including any subcontractors or providers for any part of the contract resulting from this procurement process, are eligible to participate in public procurement in accordance with section 5.
- (h) We, including any subcontractors or Providers for any part of the contract, have nationals from the following eligible countries *[insert the nationality of the Bidder, including that of all parties that comprise the Bidder, if the Bidder is a Joint Venture consortium or association, and the nationality of each subcontractor]*;
- (i) We undertake to abide by the Code of Ethical Conduct for Bidders and Providers during the procurement process and the execution of any resulting contract;

- (j) We are not participating, as Bidders, in more than one bid in this bidding process, other than alternative bids in accordance with the Bidding Document;
- (k) We do not have any conflict of interest and have not participated in the preparation of the original Statement of Requirements for the Procuring and Disposing Entity;
- (l) We, our affiliates or subsidiaries, including any subcontractors or Providers for any part of the contract, have not been suspended by the Public Procurement and Disposal of Public Assets Authority in Uganda from participating in public procurement;
- (m) The following commissions, gratuities, or fees have been paid or are to be paid with respect to the bidding process or execution of the Contract: *[insert complete name of each Recipient, their full address, the reason for which each commission or gratuity was paid and the amount and currency of each such commission or gratuity. If none has been paid or is to be paid, indicate "none."]*

| Name of Recipient | Address | Reason | Amount & Currency |
|-------------------|---------|--------|-------------------|
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |

- (l) We understand that this bid, together with your written acceptance thereof included in your Letter of Bid Acceptance, shall constitute a binding contract between us, until a formal contract is prepared and executed;
- (m) We understand that you are not bound to accept the lowest bid or any other bid that you may receive.

Signed: *[signature of person whose name and capacity are shown below]*

Name: *[insert complete name of person signing the bid]*

In the capacity of *[insert legal capacity of person signing the bid]*

Duly authorised to sign the bid for and on behalf of: *[insert complete name of Bidder]*

Dated on _____ day of _____, _____ *[insert date of signing]*

CODE OF ETHICAL CONDUCT IN BUSINESS FOR BIDDERS AND PROVIDERS

1. *Ethical Principles*

Bidders and providers shall at all times-

- (a) maintain integrity and independence in their professional judgement and conduct;
- (b) comply with both the letter and the spirit of-
 - i. The laws of Uganda; and
 - ii. Any contract awarded.
- (c) Avoid associations with businesses and organisations which are in conflict with this code.

2. *Standards*

Bidders and providers shall-

- (a) strive to provide works, services and supplies of high quality and accept full responsibility for all works, services or supplies provided;
- (b) Comply with the professional standards of their industry or of any professional body of which they are members.

3. *Conflict of Interest*

Bidders and providers shall not accept contracts which would constitute a conflict of interest with, any prior or current contract with any procuring and disposing entity. Bidders and providers shall disclose to all concerned parties those conflicts of interest that cannot reasonably be avoided or escaped.

ii. *Confidentiality and Accuracy of Information*

- (1) Information given by bidders and providers in the course of procurement processes or the performance of contracts shall be true, fair and not designed to mislead.
- (2) Providers shall respect the confidentiality of information received in the course of performance of a contract and shall not use such information for personal gain.

iii. *Gifts and Hospitality*

Bidders and providers shall not offer gifts or hospitality directly or indirectly, to staff of a procuring and disposing entity that might be viewed by others as having an influence on a government procurement decision.

iv. *Inducements*

- (1) Bidders and providers shall not offer or give anything of value to influence the action of a public official in the procurement process or in contract execution.
- (2) Bidders and providers shall not ask a public official to do anything which is inconsistent with the Act, Regulations, Guidelines or the Code of Ethical Conduct in Business.

v. *Fraudulent Practices*

Bidders and providers shall not-

- (a) collude with other businesses and organisations with the intention of depriving a procuring and disposing entity of the benefits of free and open competition;
- (b) enter into business arrangements that might prevent the effective operation of fair competition;
- (c) engage in deceptive financial practices, such as bribery, double billing or other improper financial practices;
- (d) misrepresent facts in order to influence a procurement process or the execution of a contract to the detriment of the Procuring and Disposing Entity; or utter false documents;
- (e) unlawfully obtain information relating to a procurement process in order to influence the process or execution of a contract to the detriment of the PDE;

- (f) Withholding information from the PDE during contract execution to the detriment of the PDE.

I agree to comply with the above code of ethical conduct in business.

AUTHORISED SIGNATORY

NAME OF BIDDER/PROVIDER

Section 4: Eligible Countries

All countries are eligible except countries subject to the following provisions.

A country shall not be eligible if:

- (a) as a matter of law or official regulation, Maxwell Stamp PLC prohibits commercial relations with that country, provided that the Maxwell Stamp PLC is satisfied that such exclusion does not preclude effective competition for the provision of services required; or
- (b) by an act of compliance with a decision of the United Nations Security Council taken under Chapter VII of the Charter of the United Nations, Maxwell Stamp PLC prohibits any import of Services from that country or any payments to persons or entities in that country.

Section 5: Conditions for the Contract

| Conditions for the contract | |
|------------------------------------|--|
| Procurement reference number | The Procurement Reference Number is: ESP/SVCS/2017-2018/00285 |
| Eligible countries | Eligible Countries: The Eligible Countries are those listed in Section 5 of the Bidding Document. |
| Documents forming the contract | The other documents forming part of the Contract are: Technical and financial Proposal submitted by the firms. Minutes of the negotiation meeting where applicable. |
| Authorised representative | Authorised Representatives: The Authorised Representatives are: For the Procuring and Disposing Entity: Deputy Team Leader/Human Resource, Administration and Advisor. Human Resource and Administration Coordinator For the Provider: |
| Governing Law | The Governing Law shall be the Law of Uganda in case of any dispute. |
| Language | The language of the contract shall be English. |
| Notices | For notices , the Procuring and Disposing Entity's address shall be: Attention: Senior Programme officer, Administration, Procurement and Logistics, Maxwell Stamp PLC/Expanding Social Protection Programme Street Address: Plot 9, Lourdel Road. Street Address: Plot 9,Lourdel Road Floor/Room number: Town/City: Kampala PO Box: 28240, Kampala Country: Uganda Telephone:0312-202050 /1 Facsimile number: Email address:procurement@socialprotection.go.ug For notices , the Provider's address shall be: Attention: Street Address: Floor/Room number: Town/City: PO Box: Country: Telephone: Email address: |
| Disputes Settlement | The Dispute settlement shall be the Arbitration and Conciliation Act 2000 of Uganda. |
| Commencement Date | The Period within which Services shall have commenced following the date of the Agreement is: 1 st October 2017 |
| Completion period | The Services shall be performed for a period of 6 months: Renewal will be done every year up to 2020 |
| Payment schedule | The payment schedule shall be: Quarterly upon submission of the invoice. |
| Documentation for payment | The following documentation shall be required to support invoices requesting payments: Reports of Bandwidth usage (Dashboard or software tool) |
| Payment period | Payment shall be made by the procuring and disposing entity within 30 days of |

| | Conditions for the contract |
|----------------------|---|
| | receipt of the invoice and other relevant documents. |
| Approval | The procuring and disposing Entity's prior approval: The Procuring and Disposing Entity's prior approval is also required for entering into the contract |
| Insurance | Insurance taken out by Provider: The risks and coverage shall be: <ul style="list-style-type: none"> (i) Third Party motor vehicle (ii) Third Party liability (iii) Employer's liability and workers' compensation (iv) Professional liability (v) Loss or damage to equipment and property (vi) Other |
| Working Hours | Working hours: The working hours for the Provider shall be: 24 hours |

Section 6: Statement of Requirements

1. Programme Overview and Objectives

The Ministry of Gender, Labour and Social Development (MoGLSD) of Uganda, in partnership with the UK Department for International Development, Irish Aid and UNICEF, is implementing the Expanding Social Protection (ESP) Programme. The goal of ESP is to reduce chronic poverty and improve life chances for poor men, women and children in Uganda. The programme aims to embed a national social protection system, including social assistance for the poorest and most vulnerable, as a core element of Uganda's national planning and budgeting processes.

The programme is designed around two components: a) policy support focusing on strengthening leadership on social protection across government, developing a national social protection strategic and fiscal framework, generating evidence on the impacts of social protection, and building government commitment and investment in social protection; and b) the implementation of a direct income support pilot (Social Assistance Grants for Empowerment – SAGE). The specific objectives of the programmes are summarised in the following four outputs:

- Output 1:** Increased GoU capacity to develop social transfer policy and implement social transfer programmes
- Output 2:** Viable policy and fiscal framework for social protection approved
- Output 3:** Delivery of effective social transfers, through scalable systems, that generate evidence of feasibility and impact
- Output 4:** Increased commitment to social transfers

A Social Protection Secretariat has been established under the Directorate of Social Protection within MGLSD and is responsible for the day-to-day management of the programme. A Management Consultant – Maxwell Stamp PLC– technically backstops the MGLSD and provides support to the Secretariat by providing technical expertise, supporting the completion of programme deliverables, contracting key service providers, and pre-financing cash transfers. The role of the Management Consultant is to provide good quality and timely technical assistance in support of the implementation of ESP.

In relation with the Policy support component, a National Social Protection Policy (NSPP) and Program Plan of Interventions (PPI) have been approved by Cabinet in November 2015. The NSPP shall be implemented under ESP II according to the approved PPI.

With regard to the second component, the aim of the SAGE pilot was to test a range of implementation modalities for an efficient, cost effective and scalable social transfer, generate evidence for national policy making and implementation, and provide a reference point to relevant stakeholders about the government's acceptance of and commitment to social protection. During the pilot phase, two targeting methodologies were implemented in separate sub-counties of the 14 pilot districts. The Vulnerable Family Support Grant (VFSG) –employed a composite index based on demographic indicators of vulnerability to determine eligibility. On the other hand, the Senior Citizens Grant (SCG) uses age to determine eligibility¹. Following the end of the pilot, a decision was made to phase out the VFG and roll out the SCG in 40 new districts under ESP II. The transfer is currently worth 25,000 UGX (approximately 8 USD) per month and is paid bi-monthly.

Following a successful phase under ESP I, Government of Uganda (GoU) and the Development Partners (DPs) have negotiated a second phase starting between April and June 2016. Maxwell Stamp is managing the transition process to ESP II between January and June 2016, and as such will support MGLSD on the procurement.

1. Background to the Assignment

As ESP transitions into phase II of the programme, procurement of quick and reliable internet services becomes imminent to allow employees to communicate in more efficient and real time manner both internally and with customers or stakeholders. Using Internet resources helps reduce and/or eliminate the need for traditional postal mailing and all of the costs associated with that contact method.

ESP II requires connections at the Regional offices (Broad band or satellite)

This bidding document therefore invites qualifying and reputable internet service providers to provide reliable internet services to ESP II regional offices. The starting date for internet provision is 1st October 2017 subject to management approval.

2. Scope of Work and Responsibilities

A. The programme covers the acquisition and implementation to enhance the internet connection to the ESP II seven regional offices from October 1st 2017 to 30th October 2018.

It involves the following:

- ❖ Integration of the proposed Internet connections to the existing ESP's network infrastructure. The winning ISP bidder/s shall provide the necessary hardware, terminations and other services required to setup the internet connection. Details of the technical requirements are indicated in part B below.
- ❖ Provision of diagnostic reports and updates in case of connection failure.
- ❖ Provision of monthly utilization graphs and/or MRTG tool for monitoring of link quality and bandwidth utilization.
- ❖ Delivery of an IPv4 ready and/or compliant connection.
- ❖ Provision of 24x7 support services.

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- ❖ Entering into a Service Level Agreement which defines parameters of refunds for non-performance.
- ❖ If in case ESP offices are re-located to a new office location, the service provider must transfer the connection to the new location

B. Provision of Internet Services at the following Regional Offices—(Kyenjojo, Kamuli, Kiboga, Kaberamaido, Moroto, Gulu, Nebbi).

| | |
|--|--|
| Internet Connection | Satellite (C,K,Ka Band—Quote for Both) or Broadband Based connection |
| Required product Speed | of 1 -2 mbps Duplex upload & download unlimited |
| Technical support & response to technical failures | Dedicated account manager assigned to ESP and available |
| Customer care | Good. Easy to contact and always available 24/7 on phone & email. Contact should be shared |
| Price of 1 -2 mbps duplex package | Favourable(Quote for both) |
| Installation costs including hardware procurement | Favourable |
| Installation Time | 2 weeks |
| Reports on usage | Dashboard or software tool |

Management Arrangements

1. The best evaluated bidder will be contracted by Maxwell Stamp PLC in London. The work will be performed in close collaboration with the ESP II Programme Management Unit in Kampala.

2. Confidentiality

All information provided during the contract period cannot be used for other purposes unless explicitly agreed to in writing by Maxwell Stamp PLC/Expanding Social Protection Programme.

Planned procurement schedule

The planned procurement schedule subject to changes is as follows;

| | |
|--|---------------|
| Date of issuance | 24/08/2017 |
| Deadline | 12/09/2017 |
| Evaluation process | 13-15/09/2017 |
| Display and Communication of the best bidder | 18-22/9/2017 |
| Award & signing of contract | 25/09/2017 |