

PART I – BIDDING INSTRUCTIONS

Dear Sir/Madam,

The NATO Support and Procurement Agency has a requirement for the Provision of COVID19 testing In Support of NATO Mission in Kosovo.

You are invited to submit a proposal to provide to NSPA the services listed in this Request for Proposal (RFP).

1. PROJECT DESCRIPTION

1. The NATO Support and Procurement Agency (NSPA) has been tasked to contract for the COVID19 testing In Support of NATO Mission in Kosovo.
2. NSPA Contractors Deployed on Operations (Instructions) provide the Contractor, its personnel, its sub-contractors and their personnel with the instructions and guidance applicable to NSPA contractors in support of NATO operations.

2. TAX EXEMPTION

All prices shall be net of taxes and duties from which NSPA is exempted either by virtue of its charter or an international agreement.

3. CONSIDERATION OF ALL INFORMATION

Your proposal must be prepared after careful consideration of all information provided in this RFP. In order for your proposal to receive an accurate evaluation, it must conform to the terms of this RFP. Non-conforming or incomplete proposals may be refused consideration for award of a contract.

4. CONTRACTOR'S RESPONSIBILITY

1. With the submission of their proposal, the bidder guarantees that he is in possession of all the necessary intellectual property rights in force in the countries where the items will be manufactured and / or services will be performed, under the resulting contract and in other countries where the intellectual property rights are in force.
2. It is the sole responsibility of the bidder to obtain any licenses necessary for the performance of this contract and for making any other arrangements required to protect NSPA from any liability for intellectual property rights infringement in said countries. The bidder will at his expense hold NSPA harmless and fully indemnify NSPA against all damages, costs, charges, expenses and the like arising from or incurred by any reason of any infringement or alleged infringement of intellectual property rights in consequence of the provision of the service and / or materiel.
3. You will be solely responsible for the performance of the contract resulting from this RFP and upon subsequent mission activation RFP. The fact that NSPA allows to subcontract or to call upon a third party for the performance of any part of the contract does not relieve the Contractor of responsibility

5. EMPLOYMENT OF FORMER NSPA STAFF MEMBERS

Any bidder who proposes to employ former NSPA staff member(s) in the performance of this contract shall specifically identify the individual(s) and the position for which they will be hired. If NSPA determines that the former NSPA staff members will be employed in supporting a requirement for which they were personally and substantially involved while a NSPA employee, the bidder's proposal may be removed from further consideration for award. Failure to disclose such employment shall result in the immediate removal of the bidder's proposal from further consideration for award. This restriction shall be in effect for a period of two years after the former NSPA employee concludes their employment with the Agency, unless authorized in writing by the NSPA General Manager or his authorized representative.

6. REQUESTS FOR CLARIFICATION

Bidders must seek clarification on uncertainties in the RFP as soon as possible. Any request for clarification shall be in writing and note the document and paragraph concerned; a questions template is included as an Annex to this RFP. Questions shall be received no later than the date and time indicated on the covering Invitation Letter. The identified Contracting Officer is the only authority that can provide binding instructions or clarification through written confirmation. All bidders will be informed about the questions and answers via NSPA's Business ePortal within three working days following receipt of the question.

7. FORM AND CONTENT OF THE BID

1. The bid shall be written in the English language.
2. The bid shall include the Exhibits I to VI completed by the bidder and supported by information deemed necessary to submit.
3. The Financial, Commercial and Technical Exhibits shall be submitted as separate files, and shall not be combined or intermingled. The proposal shall be organized accordingly:
 - 3.1. Covering Letter
 - 3.2. Financial Proposal:
 - 3.2.1. Completed: Exhibit I, Priced Bill of Services
 - 3.2.2. Financial Documents
 - 3.3. Commercial Proposal:
 - 3.3.1. Completed: Exhibit II, Part 1 – Contractual Compliance Form
 - 3.3.2. Required supporting document(s) to Exhibit II, Part 1 - Contractual Compliance Form
 - 3.4. Technical Proposal:
 - 3.4.1. A standalone Technical Proposal clearly conveying the real world capability of the Contractor to provide the required services.
 - 3.4.2. Completed: Technical Evaluation Matrix shall be addressed (Exhibit III)
Bidders shall include a Matrix / Listing identifying Bidder responses to associated RFP Requirements where addressing / responding to the documents, paragraphs / sub paragraphs of this RFP; in addition Bidders shall also include the specific RFP requirement reference in parenthesis at the beginning of each response within their proposal. See Exhibit III Technical Proposal Instructions.
 - 3.4.3 Any additional information that Bidders may consider appropriate to illustrate their capabilities to provide the required services. However, unnecessarily voluminous pre-printed brochures are not desired.
4. The bidder is responsible for ensuring the information in their bid is unambiguous, conclusive and consistent. Contradictory information may be treated as information defect.

8 EVALUATION OF BIDS

1. BID EVALUATION PROCEDURE

A staged evaluation will be employed to determine the lowest priced, technically compliant proposal. NSPA will firstly determine whether the received proposal complies with the requirements mentioned under the Stop Factors. Any proposal that does not comply with Stop Factors will not be evaluated further.

A technical evaluation team will evaluate the technical proposal based upon the technical criterion provided. A separate evaluation team will perform a commercial and financial evaluation concurrently with the technical evaluation based upon the commercial and financial criterion provided. If during the commercial evaluation a proposal is determined to be non-compliant, the technical evaluation will be terminated and the bidder informed accordingly.

The bidder is to provide NSPA realistic prices for the proposed services as illustrated in the Priced Bill of Services (PBOS). The total evaluated price (to include options and any pre-filled not to exceed line items) shall be used to determine the lowest priced offer.

During the bid evaluation phase, NSPA reserves the right to request additional supporting information from the bidder, in order to examine the material offered as well as to corroborate statements that the bidder makes in their proposal with suitable confirmatory documents. Between opening of the bids and completion of the evaluation process, NSPA may enter into clarifications with a bidder about their proposal in order to resolve uncertainties in the proposal or about the bidder. If it is doubtful whether an offer completely or partially fulfils a requirement, non-compliance is assumed.

2. BID EVALUATION CRITERIA

For the evaluation of the bids submitted, the following criteria will be applied for compliance assessment:

1. Stop Factors.

These factors will be scored as compliant or non-compliant. If one of the below mentioned factors are non-compliant, the bidder shall be automatically disqualified and no further evaluation will be performed:

- 1.1. Full completion of the Exhibit I, Priced Bill of Services, inclusive of all required fields.
- 1.2. Full completion of the Exhibit II - Contractual Compliance Form, inclusive of provision of required supporting documents.
- 1.3. Full completion of Exhibit III, Part 1 – Technical Proposal Form
- 1.4. Provision of a standalone supporting Technical Proposal to Exhibit III,
- 1.5. Full completion and provision of a Technical Evaluation Matrix (Excel is Preferred) as described in Exhibit III that lists the paragraph or paragraphs within the standalone supporting Technical Proposal that address the corresponding SOW paragraphs.
- 1.6. Provision of the required report or plans detailed within Exhibits and the Statement of Work
- 1.7. Vendor must be eligible for award and is not rated “ineligible for award” by NSPA.
- 1.8. Vendor must be duly registered with the NSPA Source File (and possess an NSPA SAP Vendor Number).

2. Technical.

Technical factors will be scored as compliant or non-compliant.

- 2.1. The technical proposal(s) will be evaluated in accordance with the criterion provided in the Technical Proposal Form and the corresponding Evaluation Matrix(es).
- 2.2. Proposals must demonstrate compliance with each criterion in order to be qualified as technically compliant.
- 2.3. Proposals will be deemed technically non-compliant if the contractor's proposal does not adequately convey how the contractor intends to meet the SOW requirements (utilizing the Technical Evaluation Matrix(es) to easily facilitate exactly where in the technical proposal it addresses each SOW area). If any key area is rated as non-compliant or the Technical Proposal is incomplete and does not fully address all areas of the SOW, the overall rating assigned to the Technical Proposal shall be scored as non-compliant and not eligible for award.

3. Commercial:

- 3.1. The lowest-price proposal will be identified by addition of the Base Contract value and five (5) two (2) monthly option extensions as prescribed in Priced Bill of Services.
 - 3.1.1. The commercial compliance of a proposal will be determined based on:
 - 3.1.2. The completeness of the Commercial Compliance Form, the full disclosure of any information required therein, and the compliance of the provided information to the Draft Contract.

3.1.3. The provision of the required number of past performance information forms and questionnaires, and if applicable past performance questionnaires for sub-contractors. Each questionnaire must have an average rating no lower than Good and be for projects of compliant scope.

3.1.3.1. A Price Realism analysis confirming the offered prices are a realistic reflection of the objective cost of performance.

3.1.3.2. Demonstrated compliance of the Financial Capability requirements.

4. Price Realism:

4.1. NSPA will perform an analysis to determine whether the offered pricing is a realistic reflection of the objective cost of performance, and/or reflects the necessary level of technical understanding, and/or poses a risk of poor performance resulting in a disqualification of the proposal.

4.2. In the event NSPA has reason to believe that a bidder has artificially debased its prices in order to secure Contract Award, NSPA will request the bidder to provide explanation. If a bidder fails to submit a compelling response, NSPA will determine the proposal submitted as non-compliant. If the bidder presents a convincing rationale pursuant to paragraphs above, no additional action will be warranted. NSPA, however, reserves its right to reject such an argument if the rationale is not compelling or capable of objective analysis.

5. Financial Capability: The financial compliance of a proposal will be based on:

5.1. The completeness of the Financial Proposal Form and PBoS

5.2. Demonstration of current "good standing" with the contractor's financial institution (letter of good standing)

5.3. Demonstration of adequate financial resources. (Balance sheets, bank statements, letters of credit, etc.)

5.4. If the bidder is a subsidiary of another company, the provision of parent company financial information does not by itself satisfy the requirement for the provision of the financial information of the bidder, and the financial capability of a parent cannot be substituted for the financial capability of the bidder itself unless an agreement by the parent company to sign a Parental Guarantee is provided with the required information.

09. RECOMMENDATION FOR AWARD

1. NSPA intends to award a Contract as a result from this RFP.

2. Selection of the successful service provider is based on the lowest priced, technically compliant offer.

10. AUTHORISED SIGNATURE

An official authorized to bind your firm to a contract must sign your proposal. If your proposal is submitted electronically, the authorized signature should be scanned. Proposals submitted in response to this RFP are binding offers and, on acceptance by NSPA, constitutes a binding contract.

11. VALIDITY

Your proposal shall be valid until the "Offer Validity" date indicated on the invitation letter of this RFP. The proposal must be submitted in the English language. If not sent by email, the proposal must be submitted in duplicate.

12. PRICES, CURRENCY AND PAYMENT

1. Prices may be quoted in the currency of any NSPO member state. However, all the prices must be quoted in the same currency and this currency will be reflected in the resulting contract and used for payments made thereunder.

2. Comparison of the price quotations will be made in euro; the exchange rates to be used for the purposes of such price comparison will be the medians between buying and selling rates of the Brussels "Marché Réglementé" on the first banking day of the week of the bid closing date, as reported by the Banque et Caisse d'Epargne de l'Etat, Luxembourg.

3. NSPA payment terms are 30 days net upon receipt of Contractor's invoices duly documented as contractually provided for. Discount for early payment shall be indicated in your proposal.

4. NSPA payments will be made to the bank account provided by the Contractor at time of registration to the NSPA source file or to the bank account identified by the Contractor at time of contract award. Please note that for NATO country companies, NSPA will only make payments to an account in a bank located in a NATO Nation.

13. LATE OFFERS

Proposals received after "Offer Closing Date – 24:00 hrs Luxembourg time" as indicated in the invitation letter of this RFP shall, as far as a contract award is concerned, be rejected without consideration. However, proposals posted prior to the Offer Closing Date (valid postal stamp) will be considered as long as they are received before an award is made. If only one offer is received and it is received after the closing date, NSPA reserves the right to consider such offer.

14. NO NSPA COMMITMENT

This RFP is not a commitment that an award of contract will be made. NSPA reserves the right to reject any or all proposals. No payment for costs incurred prior to entering into a contract will be made by NSPA.

15. INSTRUCTIONS FOR PROPOSAL FORWARDING

1. The means of transmitting your proposal are left to your discretion, by post, by private mail service, by email or by a bid application using a secure protocol (https). Proposals submitted electronically (email or secure protocol) must conform to currently supported Microsoft-Office versions (preferably MS-Word, MS-Excel) or PDF.
2. Email: Your offer must be sent to the following address: procurement@nspa.nato.int and refer to the RFP Collective Number.
3. Please be aware that the maximum capacity for incoming mail at NSPA is 10 MB. In case that your offer is larger, it must be compressed to fit the 10 MB limit or sent in several parts.
4. Secure protocol: Your offer can also be submitted using a secure protocol (https) into the NSPA system. For this purpose select, the button "Bid" when you display the details of the RFP in the Internet and follow the instructions.
 - a. Electronic submission – for further details please see Annex 1, page 8..
5. A proposal that is received "incomplete" when the closing date deadline is reached, cannot be accepted. In case the proposal is mailed, it must be submitted to the following address and shall mention:

NATO SUPPORT AND PROCUREMENT AGENCY (NSPA)
Procurement Division, Attn.: PP-A
RFP Collective n°: DDZ20003
L-8302 CAPELLEN (Luxembourg)

16. INFORMATION ON BIDDING

If your company believes that the wording of this Request for Proposal unduly restricts competition, a formal complaint may be submitted not less than 10 days prior to the bid closing date. The formal complaint must detail the specific areas in which it is believed that the requirements of this RFP unduly restrict competition and must request that NSPA suspend the procurement process. The Agency will evaluate the complaint and, within 14 days of receipt respond by either (1) amending the RFP or (2) rejecting the complaint. The decision of the Agency in such cases shall be final.

17. BID OPENING

The Monday following the bid closing date of this RFP, NSPA will post on its portal, at the following link: <http://www.nspa.nato.int/en/organization/procurement/procurement.htm>, the names of the companies who have submitted an offer within the bidding period of this RFP.

18. NSPO PROCUREMENT REGULATIONS / NSPA OPERATING INSTRUCTION

The NSPO Procurement Regulations and the NSPA Operating are available on NSPA's website under <http://www.nspa.nato.int/en/organization/procurement/rules.htm>

If you do not wish to respond to this RFP, please notify this office and promptly return or destroy all documentation received.

19. PUBLICATION OF CONTRACT AWARDS

In accordance with the Procurement Operating Instruction, NSPA periodically publishes high value contracts (except classified ones), indicating the contractor's name and country, as well as the purpose, total amount and issue date of the contract.

This information is to be found on the NSPA website
<http://www.nspa.nato.int/en/organization/procurement/contract.htm>

Annex 1 to Part I – Electronic Transmission of Information and Data

NSPA gives you the opportunity to submit your offer electronically via a secure protocol (https) into the NSPA system, connect at <https://eportal.nspa.nato.int/>.

Once the upload is finished, a delivery status will be returned to the given email address.

Step by step process:

1. File preparation:

Name the files of your offer starting with consecutive numbers plus a title following the same structure of a hardcopy document. For instance:

DDZ20003_Company Name_01_Cover Letter_File_1.zip

- 1.1. Additional file(s) can be provided if so considered. In this way, if your offer needs to be printed by NSPA, a hardcopy can easily be generated.
- 1.2. Zip all your offer files through a zip program (at least the three files mentioned above). If you have no zip program, this can be downloaded from <http://www.winzip.com>.
- 1.3. Name the zip file as DDZ20003– Company Name – File 1 of 1.zip
- 1.4. An offer should not exceed a size of 50 MB, therefore only one zip file should be sufficient in the submission. However, if the size of your proposal is bigger than 50 MB, the files should be split into various zipped files in which none exceeds 50 MB. Sequential names should be provided, such as DDZ20003 – Company Name – File 1 of 3.zip and so on. For example:

DDZ20003_Company Name_01_Cover Letter_File_1.zip
DDZ20003_Company Name_02_Commercial_Proposal_File_2 ofX.zip
DDZ20003_Company Name_03_Financial_Proposal_File_3 ofX.zip
DDZ20003_Company Name_04_Technical Proposal_File 4of X.zip
etc...

Note:

- Please do not combine Commercial, Financial and Technical proposals into one pdf.file.
- Selective files must be submitted in their published format (i.e.: word or excel)

2. File upload:

- 2.1. Connect to <https://eportal.nspa.nato.int/> click enter «eprocurement», enter «Requests for Proposal», and go to the applicable RFP.
- 2.2. Click on «Bid».
- 2.3. Once in the next screen, with the Browse option look for the zipped file that you want to upload and select it. Please note: only one file per upload.
- 2.4. Click on the button «Upload File» and a text appears “Uploading...” and wait until the upload is finished. Several minutes may be needed.

If the file is successfully uploaded, the uploaded file is shown in the screen.