



AGRAJATTRA

INSTRUCTIONS TO TENDERERS

Tender reference: BGD/COX/2023/01/Bathing Cubic, Latrines, Solar Pump Upgradation, automatic chlorine dosing pump and Hygiene Kits

INSTRUCTIONS TO TENDERERS

Contracting authority: Agrajatra

Type of market: Bathing Cubic, Latrines, Solar Pump Upgradation, automatic chlorine dosing pump and Hygiene Kits

Tender reference: BGD/COX/2023/01/ Bathing Cubic, Latrines, Solar Pump Upgradation, automatic chlorine dosing pump and Hygiene Kits

Items.

Financing:

The project is financed by: BRAC pooled Fund

Important note: By submitting a tender, the tenderer fully and unreservedly accepts the contents of these Instructions as the sole basis for this tender procedure, irrespective of its own terms and conditions of sale, which it hereby waives. Tenderers must carefully review and comply with all instructions, forms, contractual provisions, and specifications contained in these tender documents. Failure to submit a tender containing all the required information and documentation within the specified time limits may result in the rejection of the tender. No reservations regarding the tender documents may be considered and will result in the immediate rejection of the tender without further evaluation.



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1. General instructions

- 1.1 These Instructions to Applicants set out the rules for the submission, selection and implementation of actions under this Call for Proposals.
- 1.2 The tenderer will bear all costs related to the preparation and submission of its tender (visits, on-site inspection, etc.). The contracting authority will not be responsible or liable for any costs incurred by the tenderer, regardless of the progress or outcome of the procedure.
- 1.3 Agrajatra retains ownership of all bids received in this tender procedure. Consequently, bidders may not demand that their bids be returned to them.
- 1.4 The evaluation committee reserves the right to reject any file deemed insufficiently complete at the time of the evaluation of the offers.
- 1.5 As per government law and regulation, all labor/workers involved in the Delivery (loading, unloading etc.) should be Bangladesh national holding a valid NID. It is the responsibility of the tenderer to ensure this compliance and by no means Agrajatra could be held responsible for non-compliance and or non-respect with this regulation.

2. Work to be carried out.

- 2.1 The purpose of this call for tenders is to solicit competitive bids for the Bathing Cubic, Latrines, Solar Pump Upgradation, automatic chlorine dosing pump and Hygiene Kits.
- 2.2 The call for tenders will lead to the signature of a framework contract valid for one year and renewable with one or more suppliers selected following this call for tenders.
- 2.3 The products will be delivered by the supplier's expense to the camp 8E & Camp 14.
- 2.4 You will find a detailed description of the goods and services requested in the technical specifications in **Annex 1 of this file - "Technical Specifications"**.
- 2.5 Tenderers may, if they wish, propose several models of items, if they comply with the technical specifications mentioned in Annex 1.
- 2.6 The quantities mentioned in Annex 1 - Technical Specifications are estimates and can in no way be considered as a firm commitment on the part of Agrajatra.
- 2.7 Each delivery will be triggered by the issue of a written Purchase Order by Agrajatra and will be subject to the conditions (quality, deadlines, price, etc...) which will be detailed in the contract signed with the successful tenderer.
- 2.8 The Service Provider undertakes to maintain the prices offered for the entire duration of the contract (**12 MONTHS**). The prices may be renegotiated at the end of the Framework Contract, if Agrajatra and the Service Provider wish to extend the contract.

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3. Lots

3.1 This call for tenders comprises 4 Lots:

Lot No.	Description of the lot	Quantity	SPECIFICATION
1	Renovation with 5.5 HP Solar Pump Upgradation	1	Details available in Appendix 1. Annex
2	Automatic Chlorine Dosing System	1	Details available in Appendix 1. Annex
3	Twin Pit Toilet or Latrines cubicles Construction	1	Details available in Appendix 1. Annex
4	Bathing cubicles Construction	1	Details available in Appendix 1. Annex
5	Hygiene kits	1	Details available in Appendix 1. Annex

3.2 The tenderer may respond to one or more lots, but the tender must be for the total quantity of the lot(s) concerned.

3.3 If they do not propose models that correspond exactly to the characteristics listed in the technical specifications, participants in the Call for Tenders will have the opportunity to submit an offer for a model that comes as close as possible to the characteristics listed in the technical specifications.

3.4 The tenderer may, if he wishes, propose several brand or models.

4. Packaging/Sealed:

4.1 The products must be delivered in their original packaging and sealed.

4.2 The packaging must protect the purchased items from damage during transport, handling, and storage once they have arrived at their destination.

5. Delivery:

5.1 Items must be delivered within "Desired Delivery Date" after the order. In the event of failure to comply with the delivery time, Agrajattra can terminate the contract or impose other types of sanctions provided for in the contract.

5.2 The items ordered must be delivered by the selected supplier to AGRAJATTRA' premises.

5.3 The selected supplier will be responsible for handling operations during the unloading of the items to the storage area of Agrajattra in Premises.



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6. Methods of payment:

- 6.1 Ideally Agrajatra would like to proceed to a payment on delivery and with monthly invoicing for all deliveries / services which will be carried out during the month.

7. Planning of the call for tenders:

Steps	Dates*
Publication of the Call for Tenders	05/07/2023
Site Visit Time	08/07/2023 & 09/07/2023
Deadline for requesting clarification from Agrajatra	10/07/2023 at 17h
Last day when Agrajatra gives clarifications	11/07/2023 at 17h
Deadline and time for receipt of tenders	15/07/2023 at 16h
Offers opening session	Between 15/07/2023 17h
OPTIONAL : Deadline for submission of revised tenders.	17/07/2023 at 17h
Notification of award to the successful tenderer	19/07/2023
Signature of the contract	20/07/2023

*Tentative dates / All times are in the time zone of the country of the contracting authority. This schedule is subject to change by Agrajatra according to the constraints encountered.

8. Presentation of the offer:

- 8.1 Tenders, associated documents, and correspondence between the tenderer and Agrajatra must be written in the language of the procedure, which is English.
- 8.2 The financial offer must cover all the Labor / Storage / Security (night guard) / goods and transportation costs necessary to the completion of the supplies as described in **Appendix 1** and must be expressed **Bangladeshi Taka (BDT)**.
- 8.3 Tenders must be received by **15/07/2023 at 16h local time**. Late tenders will be rejected and will not be evaluated. Nevertheless, all tenders received after the submission deadline will be retained by the contracting authority.



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- 8.4 All tenders must be submitted **in the tender box** provided for this purpose, in the original version in a sealed envelope, either by registered letter or private courier service with acknowledgement of receipt, or by hand in return for a signed receipt to the following address:

Agrajatra Office Cox Bazar: Hoque tower-2, Alir Jahal, City college, Main Road, Cox's Bazar

- 8.5 An electronic copy of the offer (on a USB stick) - in addition to the original paper offer - will be highly appreciated.
- 8.6 The envelope should be marked as follows:
- Call for tenders N° BGD/COX/2023/001/, *followed by the Lot number: " LOT 1 " , "LOT2" etc....*
 - "Not to be opened before the opening session of the offers.
- 8.7 All bids must be signed by the bidder or by authorized representative of the bidder.

9. Contents of the offers:

All tenders submitted must comply with the requirements of the tender dossier and the dossier submitted by the tenderer must contain at least the following documents. Bidders who do not provide all the documents below and in the formats requested may be excluded from the selection process:



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#	Documents to be submitted	Instructions
1	Technical offer	Compliant with the technical specifications in Appendix 1 presenting the items proposed and mentioning the guarantee on the goods, the delivery period to which the supplier can commit following the signature of the contract - several model proposals are possible - Sign and stamp ALL PAGES
2	Financial offer	Presented on the Agrajatra financial offer format in Appendix 1 of this file - all taxes included and in Bangladesh. Sign and stamp ALL PAGES
3	This Instructions to Tenderers	Sign and stamp ALL PAGES
4	Appendix 1: Technical specifications	Sign and stamp ALL PAGES
5	Appendix 2: Profile & Supplier Questionnaire	Complete ALL sections in full, sign, stamp ALL PAGES and submit
6	Appendix 3: Rules of good business practices	Mandatory before signing the contract
7	Proof of company registration in the country	It should be noted that only offers from companies whose main activity is related to this market will be analyzed.
8	Certificate of tax status	Valid, issued by the General Taxes Offices
9	At least 3 client references (preferably NGOs or international organizations) and proof of previous experience with the same type of service (copies of contracts, order forms, delivery notes, etc.).	Specify the names, addresses and telephone contact details, the nature, value of the contracts and the dates of completion. Agrajatra reserves the right to contact these references without notifying the tenderer.
10	Proof of solvency (e.g. statements of accounts, certificate of financial capacity to perform the contract, etc.).	
11	Bank Identity Statement	The bank details must be in the name of the company.
12	Proof of the origin of the goods (certificate of origin, etc ...)	
13	Samples of the proposed articles	Samples must be shown on demand by Agrajatra



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10. Questions and clarifications regarding the tender dossier

- 10.1 If Agrajatra, on its own initiative or in response to a request from a tenderer, adds or clarifies information to the tender dossier, this information will be sent in writing and shared at the same time with all other potential tenderers.
- 10.2 Any bidder seeking to organize a private meeting with Agrajatra during the tender period will risk being excluded from the tender procedure.
- 10.3 The contracting authority may, if necessary, extend the deadline for the submission of tenders to give tenderers sufficient time to take into account any changes that may be made to the tender dossier.
- 10.4 All the bidders are encouraged to visit the site of construction before final submission date. Site visits will happen from the **08/07/2023 & 09/07/2023**. The bidders must take appointment with Agrajatra staff at least 24hrs prior the desired site visit.

Also, Any questions regarding the understanding of the work of the tenderer could communicate by physically: Haque Tower (4th Floor), Alir Jahal Road, Cox's Bazar, Bangladesh Clarification meeting / visit of the sites

11. Period of validity of offers

- 11.1 Tenders must remain valid for a period of **120 days from the** deadline for submission of tenders. In exceptional cases and before expiry of the initial period of validity, Agrajatra may request in writing that this period be extended by **40 days**. Tenderers accepting this request are not authorized to modify their offer. In case of refusal, tenderers cease to participate in the procedure. The successful tenderer remains bound by its offer for a period of **90 days from the** date of receipt of the notification informing it that it has been selected.

12. Modification and withdrawal of offers

- 12.1 Tenderers may modify or withdraw their tenders by written notification before the submission deadline. No tender may be modified after this date.
- 12.2 Any notification of modification or withdrawal shall be prepared, sealed, marked and submitted in accordance with Article 2. The envelope shall also be marked "modification" or "withdrawal". Withdrawals shall be unconditional and shall terminate all participation in the tendering procedure.

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13. Opening and evaluation of tenders

a) Opening of offers:

- 13.1 The purpose of opening the tenders is to check whether the tenders are complete, whether the documents have been correctly completed and signed and whether the tenders are generally in order.
- 13.2 The bid evaluation committee will not take an immediate decision on the admissibility or inadmissibility of bids at the time of bid opening.
- 13.3 After the opening of the tenders, no information relating to the examination, clarification, evaluation and comparison of the tenders and recommendations concerning the award of the contract will be disclosed until the contract has been awarded.

b) Administrative evaluation:

- 13.4 The purpose of this stage is to verify the conformity of the tenders received, in terms of substance and the requirements of the tender documents. A tender is deemed to be compliant when it complies with all the conditions, terms and specifications contained in the tender documents, without any significant deviations or restrictions. Substantial deviations or restrictions are those which affect the scope, quality or performance of the contract, or which substantially depart from or limit the rights of the contracting authority or the obligations of the tenderer under the contract and adversely affect the competitive position of tenderers who have submitted compliant tenders. Tenders that are administratively found to be non-compliant will be rejected and will not proceed to the technical evaluation stage.

c) Technical evaluation:

- 13.5 In order to be considered technically compliant, the offer must meet or exceed the required conditions and technical specifications without significant deviations or restrictions.
- Any bid that is clearly not suitable and capable of providing the services requested in the call for tenders will be excluded from the selection process. Bids that are found to be technically non-compliant will not be evaluated financially.

d) Financial evaluation:

- 13.6 The financial evaluation aims to identify the lowest bid among the technically compliant bids.

e) Request for clarification:

- 13.7 During the evaluation process, in the interests of transparency and equal treatment, the evaluation committee may ask tenderers, in writing, to clarify their tender within a reasonable period of time, without them being able to modify it. None of this request for clarification must aimed to correct any initial errors or failures affecting the performance of the contract or distorting competition.
- 13.8 Agrajatra also reserves the right to visit the premises and examine the stocks of the bidders whose bids have been pre-selected before making the final selection. This step may have an impact on the decision of the evaluation committee if the capacity of the bidder is not considered adequate or compatible with that indicated in the tender documents.

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f) Criteria for awarding the contract:

- 13.9 The contract will be awarded to the tender that is both **technically** and **administratively compliant** and to the **most economically advantageous, taking into** account the quality of the services offered and the price of the tender.

Offers will be evaluated according to the criteria listed below:

- Ability to meet the conditions required by the call for tenders.
- Compliance with Agrajatra terms and conditions
- Price competitiveness
- Time Frame for implementation and scope of work
- Proven experience in the sector of activity concerned (copies of contracts, references, etc ...)
- Terms of payment (Agrajatra prefers 100% payment on delivery).
- Additional services/customer benefits (i.e. maintenance service after work completion...)

14. Signature of the contract

- 14.1 Within Two (2) working days following receipt of the contract, the selected Supplier must sign, date and return it to Agrajatra.
- 14.2 If the successful tenderer does not return the signed contract within Two (2) working days, Agrajatra may, after notification, consider the award null and void and award the contract to the second-place tenderer.
- 14.3 Unsuccessful tenderers will be informed by e-mail within 10 days from the date of award of the contract.
- 14.4 The successful tenderer will be informed by e-mail that his offer has been accepted. Before the contract is signed between the contracting authority and the successful tenderer, the latter must provide the documentary evidence or declarations required by the legislation of the country where the company (or each company in the case of a consortium) is established which are not already provided with the tender documentation. Such evidence, declarations or documents must bear a date which may not be more than one year prior to the date of submission of the tender.
- 14.5 If the successful tenderer does not provide these documents within 10 calendar days of notification of the contract award or if it is found that he has provided false information, the contract award shall be considered null and void.

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15. Cancellation of the tender procedure

15.1 In particular, a cancellation may occur when:

- the tender procedure was unsuccessful, i.e. when no adequate, qualitatively or financially acceptable offer was received or when there was no valid reply;
- the technical or economic elements of the project have been fundamentally modified ;
- exceptional circumstances or force majeure make the normal execution of the project impossible;
- all technically acceptable offers exceed the available budget;
- Substantial errors, irregularities or acts of fraud have been found in the course of the process, in particular where they have prevented fair competition.
- where the price proposed by the tenderer to whom the contract is to be awarded is objectively disproportionate to the contract price.

Under no circumstances Agrajatra can be held liable for any damages whatsoever, including and without limitation, damages for loss of profit, related in any way to the cancellation of the tender procedure, even if the contracting authority has been informed of the possibility of damages. The publication of a contract notice does not commit the contracting authority to implement the programme or project announced.

16. Ethics

Failure to comply with the following ethical rules will result in the immediate exclusion of the tenderer from this procedure:

(a) Child labour :

Child labour is prohibited by international conventions. As such, no child under the age of 18 may work directly or indirectly for a contract signed with Agrajatra.

b) Exploitation/slavery :

The working conditions of the employees of the holder of contracts signed with Agrajatra must comply with the regulations in force in the country, in particular with regard to minimum wages and working hours. In the absence of these regulations, working conditions must be downgraded and wages must be equivalent to the average wages practiced in the area. Any physical constraints or sanctions against employees are excluded.

(c) Links with the production and trade of anti-personnel mines :

In compliance with the international treaty banning anti-personnel mines (the Ottawa Treaty), no contractor will be able to claim a contract with Agrajatra if it is proven that the latter participates in any way whatsoever in the spread of anti-personnel mines (production, trade, assets, shareholders, transport, storage, etc.). In this precise case, any contract awarded may be terminated immediately by Agrajatra without the contractor being able to claim any compensation whatsoever.

(d) Links with weapons trade :

In respect of our status as an international solidarity organisation, no company or supplier can claim to do business with Agrajatra if it is proven that it participates in any way whatsoever in the weapons trade (production, trade, assets, shareholders, fundraising, transport, storage, etc.).



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(e) Links with terrorist networks:

No company or supplier may claim to carry out a contract with Agrajatra if it is proven that the latter has links, in any form whatsoever, with terrorist networks of any kind (acts of violence perpetrated against civilian populations or civilians' installations committed by an organisation).

f) Respect for the environment:

Agrajatra market holders must strive to use production techniques and processes that respect the fundamental rules of environmental protection, (mainly with regard to deforestation and the use of chemical agents affecting the protection of biodiversity).

g) Conflict of interest:

No employee or member of Agrajatra may accept or solicit any gratuities, favours or personal benefits related to his or her position or contracts. Similarly, no company or supplier may claim to carry out a contract if there is a direct family or interest link with a member of the staff of Agrajatra.

h) Practices of Corruption, Fraud, Collusion or Coercion:

Agrajatra will reject any proposal made by tenderers, suppliers or candidates, if it is established that they have engaged in practices of corruption, fraud, collusion or coercion. In such a case, Agrajatra will terminate their contract.

16.1 **Tenderers certify that they are aware of the following documents:**

- Agrajatra Child Protection Policy:



Agrajatra_Child
Protection Policy.doc 1

- Agrajatra's Safeguard policy -:



Safeguard_Policy of
Agrajatra.pdf

17. Situations of exclusion

17.1 Agrajatra will exclude from this procedure any tenderer in one of the following situations:

- a) they are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities or are in any analogous situation arising from a similar procedure in national legislation or regulations.
- b) have been convicted by a judgment having the force of res judicata for any offence committed in the exercise of his professional activity.
- c) they have been guilty of grave professional misconduct proven by any means which the contracting authorities can justify.
- d) not having fulfilled obligations relating to the payment of social security contributions or taxes in accordance with the legal provisions of Bangladesh country in which he is

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- established or with those of the country of the contracting authority or those of the country where the contract is to be performed.
- e) have been the subject of a judgment which has the force of res judicata for fraud, corruption, participation in a criminal organisation, money laundering or terrorist financing, or any other illegal activity detrimental to the Communities' financial interests;
 - f) have been declared to be in serious breach of contract in a previous procurement procedure for failure to comply with its contractual obligations;
 - g) candidates who are subject to a conflict of interest ;
 - h) be guilty of misrepresentation.
 - i) have been guilty of attempting to influence the evaluation committee in the process of examining, clarifying, evaluating and comparing tenders, obtaining information on the progress of the process or influencing Agrajatra in its decision on the award of the contract.
 - j) have tendered for more than one offer either individually or as a partner in a joint venture/consortium. The participation of a Tenderer in more than one tender will result in the disqualification of all tenders in which the Tenderer is involved in this procedure.
 - k) be guilty of exploitative child labour or other forms of human trafficking. It must in any case respect the fundamental social rights and the dignity of working conditions of everyone in its enterprise but also with the subcontractors with whom it works in the course of its activities.
 - l) be in one of the situations mentioned in the "Ethics" article of this document.

18. Subcontracting

- 18.1 Subcontracting will not be accepted except in exceptional circumstances and with the prior authorization of Agrajatra.

19. Eligibility

- 19.1 Participation in the call for tenders is equally open to any natural or legal person, company or enterprise based in Bangladesh.

20. Contents of the tender dossier

- 20.1 The tender dossier contains the following elements:
- a) These Instructions to Tenderers
 - b) Appendix 1 – Annex with Technical specifications
 - c) Appendix 2 - Supplier profile & questionnaire



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Appendix 1 Annex with Technical specifications

Lot n° 1: Renovation with 5.5 HP Solar Pump Upgradation

Lot n° 2: Automatic Chlorine Dosing System

Lot n° 3: Twin Pit Toilet or Latrines cubicles Construction_

Lot n° 4: Bathing cubicles Construction

Lot n° 5: Hygiene kits

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Appendix 2 Supplier Profile & Questionnaire

From: Agrajatra Foundation (Agrajatra), Delegation Bangladesh

Submitted by:

	names of tenderers	nationality
Contractor		
partner 1		
partner 2		

* Add/delete additional lines for partners where appropriate. note that a subcontractor is not considered a partner for the purposes of this tender procedure. if this tender is submitted by an individual tenderer, the name of the tenderer must be entered as "Contractor" (and the other lines must be deleted).

Contact person

Name	
Address	
Telephone	
E-mail	

We, the undersigned, declare that:

- 1 We have examined and accept in its entirety the contents of the tender documents. We accept its provisions in full, without reservation or restriction. We certify that we are not in any of the situations mentioned in **article 17** of the Instructions to Tenderers, prohibiting submission to the tender.
- 2 we comply to carry out, in accordance with the terms of the tender documents, the conditions (general and special), the technical specifications and the time limits set, without reservation or restriction, the following work:
- 3 we make this request in our own right and for this tender. We confirm that we are not bidding for the same contract in any other form.
- 4 we note that the contracting authority is not obliged to pursue this invitation to tender and reserves the right to award only part of the contract. It does not incur any liability towards us.

Legal Representative, name and surname

Date:

Company stamp

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TO BE FILLED IN BY THE COMPANY SUBMITTING AN OFFER: DECLARATION OF CONFORMITY AND COMMITMENT

I, the undersigned _____ company representative certifies that it understands and complies with the clauses set out in this document. As a representative and on behalf of the company, I accept the terms of the Agrajatra Rules of Good Commercial Practices and I undertake to provide the best possible performance in the market: Furthermore, I certify that the company _____ does not meet any of the conditions set out in paragraph III: Misconduct, Ineligibility and Exclusion. I explicitly guarantee that the company _____ respects the principles of non-exploitation of children, also respects social rights and working conditions for any employee or subcontractor.

Date:

Signature and stamp :

Important note: All pages of these Rules of Good Commercial Practices must be signed with the initials of the company representative.