Section 3. Evaluation Methodology and Criteria

A Evaluation Methodology

1 Methodology Used

1.1 The evaluation methodology to be used for the evaluation of bids received shall be the Technical Compliance Selection (TCS) methodology.

2 Summary of Methodology

2.1 The Technical Compliance Selection 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.

2.2 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 compliant bids; and

(c) a financial comparison to compare costs of the eligible, compliant, responsive bids received and determine the best evaluated bid.

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

B Preliminary Examination Criteria

3 Eligibility Criteria

3.1 The eligibility requirements shall be determined in accordance with ITB Clause 4.

3.2 The documentation required to provide evidence of eligibility shall be:-

(a) a copy of the Bidder’s valid & current Trading licence or equivalent (valid for calendar year 2013);

(b) a copy of the Bidder’s Certificate of Registration or equivalent;

(c) a copy of the Bidder’s income tax clearance certificate from Uganda Revenue Authority. (specific for this bid);

(d) a copy of the valid Bidders VAT registration certificate or equivalent;

(e) Valid audited accounts for the past 3 years including the most recent financial year (2012)

(f) a statement in the Bid Submission Sheet that the bidder meets the eligibility criteria stated in ITB 4.1;

(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
Part 2: Section 3 Evaluation Methodology and Criteria

interest;

(i) a declaration in the Bid Submission Sheet that the Bidder is not under suspension by the Public Procurement and Disposal of Public Assets Authority;

(j) Notarised Powers of Attorney of the signatory(ies) of the bid authorising signature of the bid on behalf of the bidder

3.3 For a Joint Venture, the documentation in Section 3.2 shall be required for each member of the Joint Venture and the following additional documentation shall also be required:

(a) a certified copy of the Joint Venture Agreement, which is legally binding on all partners, showing that:

(i) all partners shall be jointly and severally liable for the execution of the Contract in accordance with the Contract terms;

(ii) 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

(iii) the execution of the entire Contract, including payment, shall be done exclusively with the partner in charge.

(b) Notarised Powers of Attorney of the signatory(ies) of the bid authorising signature of the bid on behalf of the joint venture;

4 Administrative Compliance Criteria

4.1 The evaluation of Administrative Compliance criteria shall be conducted in accordance with ITB Clause 30.3.

C Detailed Evaluation Criteria

5. Commercial and Technical Criteria

5.1 The commercial and technical responsiveness of bids shall be evaluated in accordance with ITB Clause 31.

5.2 The assessment of responsiveness will consider the following criteria (similar to the requirements for post qualification under Item 9, Section 3):

(a) acceptance of the conditions of the proposed contract;

(b) acceptable completion schedule;

(c) acceptability of the proposed program (work method and schedule), including relevant drawings and charts;

(d) Acceptable Technical & Managerial team allocated to the works including the criteria for personnel required for post-qualification.

(e) Evidence of ownership of acceptable Construction plant, equipment & tools for installation of specialised works. Evidence of ownership of the following equipment shall be required;

- Concrete Mixers, Concrete Pump(s) & Conveyor systems
- 18 tonne Tipper trucks
Part 2: Section 3 Evaluation Methodology and Criteria

- Hydraulic Crane
- Various Concrete & Steel working equipment

Evidence to include log-books & other documents confirming ownership

(f) Acceptable Method statements or proposals for installation of specialised works including the following:
  - Glass Curtain Walling
  - Steel Roof Construction including hoisting
  - Personnel & Goods Lifts

D Financial Comparison Criteria

6. Costs to be included in the Bid Price

6.1 The financial comparison shall be conducted in accordance with ITB Clause 33. The following costs shall be included in the bid price:
  (a) the total price given in the Activity Schedule/Bills of Quantities;
  (b) Daywork;

6.2 The following costs shall be excluded from the bid price:
  (a) provisional sums;
  (b) the provision for contingencies in the Activity Schedule/ Bills of Quantities;

7 Margin of Preference

   Not applicable

8 Determination of Best Evaluated Bid or Bids

8.1 The bid with the lowest evaluated price, from among those which are eligible, compliant and substantially responsive shall be the best evaluated bid.

8.2 If this Bidding Document includes more than one lot, the best evaluated bid shall be determined separately for each lot. N/A

8.3 Notwithstanding paragraph 8.1, if this Bidding Document allows Bidders to quote different prices for single lots and for the award to a single Bidder of multiple lots, the Procuring and Disposing Entity shall conduct a further financial comparison to apply any conditional discounts. The bid or bids offering the lowest priced combination of all the lots shall be the best evaluated bid or bids.

E Post-qualification Criteria

9 Qualification Criteria

9.1 To qualify for award of the Contract, Bidders shall meet the following minimum qualifying criteria:
  (a) average annual volume of construction work/ turnover over the past 5 years of at least U.shs 300,000,000/=;
(b) experience as prime contractor in the construction of at least 3 works of a similar nature and complexity to the Works over the last 5 years (to comply with this requirement, works cited should be at least 70 percent complete);

(c) proposals for the timely acquisition (own, lease, hire, etc.) of the following essential equipment (bidders to provide log-books & other documents confirming ownership):
- Concrete Mixers, Concrete Pump/Conveyor system
- 18 tonne Tipper trucks
- Hydraulic Crane
- Various Concrete, Steel working equipment
- Various Light/portable equipment & hand tools as required

(d) a Contracts Manager with ten (10) years’ experience in works of an equivalent nature and volume, including no less than five years as Manager;

(e) Key Technical Site managerial personnel with 5 years experience in managing contracts of a similar nature & volume to the works

(f) liquid assets and/or credit facilities, net of other contractual commitments and exclusive of any advance payments which may be made under the Contract, of no less than U.shs 500 million;

9.2 A consistent history of litigation or arbitration awards against the Applicant or any partner of a Joint Venture may result in disqualification.

9.3 The figures for each of the partners of a joint venture shall be added together to determine the Bidder’s compliance with the minimum qualifying criteria of paragraph 9.1 (a) and (e); however, for a joint venture to qualify, each of its partners must meet at least 25 percent of minimum criteria 9.1 (a), (b), and (e) for an individual Bidder, and the partner in charge at least 40 percent of those minimum criteria. Failure to comply with this requirement will result in rejection of the joint venture’s bid.

9.4 Subcontractors’ experience and resources will not be taken into account in determining the Bidder’s compliance with the qualifying criteria.

9.5 The information and documentation required to provide evidence of qualification shall be:-

(a) total monetary value of construction work performed for each of the last five years;

(b) experience in works of a similar nature and size for each of the last five years, and details of work under way or contractually committed; and clients who may be contacted for further information on those contracts;

(c) major items of construction equipment proposed to carry out the Contract;

(d) qualifications and experience of key site management and technical personnel proposed for the Contract;
Part 2: Section 3 Evaluation Methodology and Criteria

(e) reports on the financial standing of the Bidder, such as profit and loss statements and auditor’s reports for the past five years;

(f) evidence of adequacy of working capital for this Contract (access to line(s) of credit and availability of other financial resources);

(g) authority to seek references from the Bidder’s bankers;

(h) information regarding any litigation, current or during the last five years, in which the Bidder is involved, the parties concerned, and disputed amount;

(i) proposals for subcontracting components of the Works amounting to more than 10 percent of the Contract Price;

(j) Any other documentation deemed necessary to confirm the above criteria.

9.6 The information and documentation listed in 9.5 shall be provided on the Qualification Form in Section 4, where appropriate.