

**UbuntuNet Cloud Project**

**Supply (and support) of Cloud Infrastructure Equipment**

**Volume 1**

**Invitation To Tender (ITT)**

**Lot 2: Kampala**

**Submission Deadline: December 7, 2022**

1. **Introduction**
   1. This Questionnaire is Volume 1 of a set of 2 comprising the following documents.
      1. Volume 1 – Company Capability Assessment (this document)
      2. Volume 2 –Equipment Technical Requirements
   2. Bidders should familiarize themselves with the procurement process and documents as described in Volume
   3. All procurement documents are available to download from the UbuntuNet Alliance website *(*[*https://ubuntunet.net/2022/11/supply-installation-support-cloud-infrastructure-kampala-re-advertised/*](https://ubuntunet.net/2022/11/supply-installation-support-cloud-infrastructure-kampala-re-advertised/)*)*
2. **Bidder Capability Assessment**
   1. This document assesses the capability of a Bidder to deliver UbuntuNet Alliance’s requirements for Cloud Server equipment supply and support.
   2. Bidders **MUST** pass this stage of the procurement process to proceed to the technical evaluation stage. Unless stated otherwise, all questions are **MANDATORY** and **MUST** be completed **IN FULL**
   3. Use the checklist below to confirm that all the details to the requirements in this Volume 1 document have been sufficiently completed and/or provided.

|  |  |  |
| --- | --- | --- |
| **No** | **Item** | **Yes/No** |
| **1** | Volume 1 document complete (*the volume document* ***MUST*** *be sufficiently completed*) |  |
| **2** | Information about the bidder *(You* ***MUST*** *ensure that this information is provided and is correct)* |  |
| **3** | Exclusion Criteria (*You* ***MUST*** *confirm that none of the exclusion criteria apply to your company or organization by signing (executive member of the organization) and stamping the two pages provided*) |  |
| **4** | Economic and Financial standing (*You* ***MUST*** *provide sufficient information to demonstrate your economic & financial standing in line with this tender. Ensure you provide the most recent information*) |  |
| **5** | Insurance (*You* ***MUST*** *correctly fill the section and where possible provide supporting documents*) |  |
| **6** | Technical and Professional Capability – Similar Works (*You* ***MUST*** *provide examples of activities or services similar to this tender call)* |  |
| **7** | Technical and Professional Capability - Technicians (*You* ***MUST*** *provide details of technicians or technical bodies at your disposal to effect activities related to this tender call)* |  |
| **8** | Technical and Professional Capability - Organization (*You* ***MUST*** *describe the primary business function of the organization, structure and roles to support services required as part of this tender*) |  |

1. **Information about the Bidder and Partners**
   1. Information about the bidder

**Instructions for Bidders**

This section seeks background information about the bidder; this section is not normally evaluated, however the UbuntuNet Alliance may choose not to select bidders that cannot provide basic company information.

**All personal information supplied will be treated as confidential and will be subject to the General Data Protection Regulations in force in Malawi**

| **Question Reference** | **Identification** | **Answer** |  |
| --- | --- | --- | --- |
| 3.1.1 | Name: | [text] |  |
| 3.1.2 | VAT-number, if applicable: | [number] |  |
| 3.1.3 | National identification number, if applicable. | [text] |  |
| 3.1.4 | D.U.N.S. number, if applicable: | [number] |  |
| 3.1.5 | Postal address: | [text] |  |
| 3.1.6 | Physical address: | [text] |  |
| 3.1.7 | Town/City: | [text] |  |
| 3.1.8 | Country: | [text] |  |
| 3.1.9 | Contact person or persons: | [text] |  |
| 3.1.10 | Telephone (including dialling code): | [number] |  |
| 3.1.11 | Mobile (including dialling code): | [number] |  |
| 3.1.12 | Email: | [number] |  |
| 3.1.13 | Internet address (web address): | [text] |  |
| 3.1.14 | Name of parent company (if applicable): | [text] |  |
| 3.1.15 | Name of ultimate parent company (if applicable): | [text] |  |
| 3.1.16 | Bidder Legal Status: | [] Sole Trader  [] Private Limited Company  [] Public Limited Company  [] Partnership  [] Other |  |
| 3.1.17 | If you have answered 'Other' to question 3.1.16 please provide details here: | [text] |  |

* 1. Information about representatives of the bidder

**Instructions for Bidders**

Where applicable, please indicate the name(s) and address(es) of the person(s) empowered to represent the bidder for the purposes of this procurement procedure:

|  |  |  |  |
| --- | --- | --- | --- |
| **Question Reference** | **Representation, if any** | **Answer** |  |
| 3.2.1 | Full name; | [text] |  |
| 3.2.2 | Position/Acting in the capacity of: | [text] |  |
| 3.2.3 | Postal address: | [text] |  |
| 3.2.4 | Physical address: | [text] |  |
| 3.2.5 | Town/City: | [text] |  |
| 3.2.6 | Country: | [text] |  |
| 3.2.7 | Telephone: | [number] |  |
| 3.2.8 | Mobile: | [number] |  |
| 3.2.9 | Email: | [text] |  |
| 3.2.10 | If needed, please provide detailed information on the representation (its forms, extent, purpose etc.: | [text] |  |

* 1. Information about reliance on the capacities of other entities\*

**Instructions for Bidders**

**\*** meaning of reliance on the capacities of other entities – If the main bidder does not meet the required selection criteria described in Sections 5 and 6 for this contract on their own, the main bidder can rely on another entity or entities to do so. **This is not the same as using a subcontractor to deliver / perform elements of the contract.**

A bidder can rely upon the capacities of another entity or entities in respect of:

- Section 5 - Economic and Financial Standing;

- Section 6 - Technical and Professional Ability;

**If the response to question 3.3.1 is ‘yes’**, the bidder must provide a separate response setting out the information required under **Sections 3, 4, 5 and 6** for each of the entities concerned. All Sections must be duly filled in and signed by all of the entities. This includes a situation where, in order to meet any specific technical and professional requirements of the selection criteria, a bidder needs to rely on *technicians or technical bodies from another entity, e.g., those who do not belong directly to the bidder’s organisation*

|  |  |  |
| --- | --- | --- |
| **Question Reference** | **Reliance** | **Answer** |
| 3.3.1 | Does the bidder rely on the capacities of other entities in order to meet the selection criteria set out under Section 5 and the criteria and rules (if any) set out under Section 6 below? | []Yes []No |

* 1. Information concerning subcontractors who are not being relied on to meet selection criteria

|  |  |  |
| --- | --- | --- |
| **Question Reference** | **Subcontracting** | **Answer** |
| 3.4.1 | Does the bidder intend to subcontract any share of the contract to third parties? | []Yes []No |
| 3.4.2 | **If yes and in so far as known**, please list the proposed subcontractors: | [text] |

1. **Company Capability**
   1. Exclusion Criteria

4.1.1 Bidders will be excluded from participation in procurement and grant procedures if they have been the subject of a conviction by final judgment for one of the following reasons, (note that references to definitions in EC regulations have been used for consistency in the form of a common set of references designed to assist the bidder if /when seeking clarification in respect of any specific criteria);

* participation in a criminal organisation, as defined (for example) in Article 2 of Council Framework Decision 2008/841/JHA[(32)](http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32014L0024&from=EN#ntr32-L_2014094EN.01006501-E0032);
* corruption, as defined (for example) in Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union[(33)](http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32014L0024&from=EN#ntr33-L_2014094EN.01006501-E0033) and Article 2(1) of Council Framework Decision 2003/568/JHA[(34)](http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32014L0024&from=EN#ntr34-L_2014094EN.01006501-E0034) as well as corruption as defined in the national law of the contracting authority or the economic operator;
* fraud within the meaning (for example) of Article 1 of the Convention on the protection of the European Communities’ financial interests[(35)](http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32014L0024&from=EN#ntr35-L_2014094EN.01006501-E0035);
* terrorist offences or offences linked to terrorist activities, as defined (for example) in Articles 1 and 3 of Council Framework Decision 2002/475/JHA[(36)](http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32014L0024&from=EN#ntr36-L_2014094EN.01006501-E0036) respectively, or inciting or aiding or abetting or attempting to commit an offence, as referred to in Article 4 of that Framework Decision;
* money laundering or terrorist financing, as defined (for example) in Article 1 of Directive 2005/60/EC of the European Parliament and of the Council[(37)](http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32014L0024&from=EN#ntr37-L_2014094EN.01006501-E0037);
* child labour and other forms of trafficking in human beings as defined (for example) in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council[(38)](http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32014L0024&from=EN#ntr38-L_2014094EN.01006501-E0038).

4.1.2 Bidders should confirm that none of the above criteria apply if their proposal is to be considered:

I confirm that none of the above criteria apply to my company or organisation:

Name …………………………………………………………………………………………………………………………………

Position ………………………………………………………………………………………………………………………………

Company ……………………………………………………………………………………………………………………………

* 1. Exclusion Criteria applicable during the tender exercise

4.2.1 Bidders may be excluded from participation in procurement and grant procedures if they have been party to any of the following situations (further defined in the relevant reference to Directive 2014/24/EC - note that references to definitions in EC regulations have been used for consistency in the form of a common set of references designed to assist the bidder if /when seeking clarification in respect of any specific criteria).Bidders must confirm that none of the criteria below apply to them;

* where the contracting authority can demonstrate by any appropriate means a violation of applicable obligations referred to in Article 18(2);
* where the economic operator is bankrupt or is the subject of insolvency or winding-up proceedings, where its assets are being administered by a liquidator or by the court, where it is in an arrangement with creditors, where its business activities are suspended or it is in any analogous situation arising from a similar procedure under national laws and regulations;
* where the contracting authority can demonstrate by appropriate means that the economic operator is guilty of grave professional misconduct, which renders its integrity questionable;
* where the contracting authority has sufficiently plausible indications to conclude that the economic operator has entered into agreements with other economic operators aimed at distorting competition;
* where a conflict of interest within the meaning of Article 24 cannot be effectively remedied by other less intrusive measures;
* where a distortion of competition from the prior involvement of the economic operators in the preparation of the procurement procedure, as referred to in Article 41, cannot be remedied by other, less intrusive measures;
* where the economic operator has shown significant or persistent deficiencies in the performance of a substantive requirement under a prior public contract, a prior contract with a contracting entity or a prior concession contract which led to early termination of that prior contract, damages or other comparable sanctions;
* where the economic operator has been guilty of serious misrepresentation in supplying the information required for the verification of the absence of grounds for exclusion or the fulfilment of the selection criteria, has withheld such information or is not able to submit the supporting documents required pursuant to Article 59; or
* where the economic operator has undertaken to unduly influence the decision-making process of the contracting authority, to obtain confidential information that may confer upon it undue advantages in the procurement procedure or to negligently provide misleading information that may have a material influence on decisions concerning exclusion, selection or award.

I confirm that none of the above criteria apply to my company or organisation:

Name …………………………………………………………………………………………………………………………………

Position ………………………………………………………………………………………………………………………………

Company ……………………………………………………………………………………………………………………………

1. **Economic and Financial Standing**

**Instructions for Bidders**

Your financial accounts and supporting information should be in English. If the original documents are not in English, please provide copies of the originals and a certified translation into English.

| **Question Reference** | **Economic and financial standing** | | **Answer** | |
| --- | --- | --- | --- | --- |
| **Economic and Financial Standing** | | | | |
| 5.1 | Please provide at least one of the following to demonstrate your economic and financial standing.  Please check the relevant box(es) to show which document(s) you will be providing and give file names of any attachments. | | | |
| 5.1.1 | A copy of your audited accounts for the most recent two years | **☐** | | |
| 5.1.2 | A statement of overall turnover, profit and loss account, current liabilities and assets and cash flow for the most recent year of trading. | **☐** | | |
| 5.1.3 | A statement of the cash flow forecast for the current year and a bank letter outlining the current cash and credit position | **☐** | | |
| 5.2 | Are you part of a wider group, e.g. a subsidiary of a holding or parent company? If you answered ‘Yes’ please provide the name below (5.2.1) and state relationship with you as Bidder. | **Please check the relevant box**  []Yes []No | | |
| 5.2.1 | Name of the organisation:  Relationship with Bidder: |  | | |
| 5.2.2 | If ‘Yes’ please are the Ultimate/parent company accounts available? | **Yes ☐** | | **No ☐** |
| 5.2.3 | If ‘Yes’ would the Ultimate/parent company be willing to provide a guarantee if necessary? | **Yes ☐** | | **No ☐** |
| 5.2.4 | If ‘No’, would you be able to obtain a guarantee from elsewhere, e.g. a bank? | **Yes ☐** | | **No ☐** |
| 5.3.1 | The Bidder confirms they already have or can commit to obtain, prior to the commencement of the contract, the levels of insurance cover indicated in the table below:  Insurances required  Bidder shall have in place or commit to obtain the following insurances:  a) Public & Products Liability with an indemnity limit of not less than €250,000.  b) Professional Indemnity Insurance with a limit of not less than €200,000  Note: Insurance policies in other currencies to equivalent values are acceptable | |  |  | | --- | --- | | Public and Product Liability Insurance | Yes, I already have this    No, but I commit  to obtain it  No, and I cannot  commit to obtain it | | | |

5.3.2 If answered “YES” in 5.3.1, please add details below.

|  |  |  |  |
| --- | --- | --- | --- |
| **Type of insurance – Details** | **Name of insurer** | **Indemnity level** | **End date** |
| Public & Products Liability |  |  |  |
| Professional Indemnity |  |  |  |

1. **Technical and Professional Capability**

**Instructions for Bidders**

Bidders are required to provide evidence of having the necessary capacity and capability to deliver the requirement.

| **Question Reference** | **Technical and professional ability** | **Answer** |  |
| --- | --- | --- | --- |
| 6.1 | Please provide relevant examples of comparable supplies (and associated support services) carried out during the last three years. | Please provide your answer in the table below: |  |
| |  |  |  |  | | --- | --- | --- | --- | | Description | Amounts | Dates | Customer/Client | | [text] | [text] | [date] | [text] | | [text] | [text] | [date] | [text] | | [text] | [text] | [date] | [text] | |  |  |  |  | | | |  |
| 6.2 | Please provide details of the technicians or technical bodies the bidder can call upon, especially those responsible for quality control in relation to this procurement exercise: | [text] |  |
| 6.3 | Please describe your organisation and its primary business operations. To support your response please include details of teams/roles (e.g. administrative, commercial, engineering, design, etc.), that your company retains in order to supply and support the type of solutions being tendered for. | [text] |