



Schweizerische Eidgenossenschaft  
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Federal Department of Foreign Affairs (FDFA)

**Swiss Agency for Development and Cooperation SDC**

Domain South Cooperation

Division Latin America & Caribbean

# **Terms of reference – Invitation procedure**

**‘Historic Impact Capitalisation of SDC’s bilateral cooperation in Latin America and the Caribbean’ for the period 02.05.2022 to 21.07.2023 in Switzerland, Central America (Nicaragua, Honduras, El Salvador), Cuba, Haiti, Bolivia, Ecuador and Peru**

This procedure is based on the Federal Act of 21 June 2019 on Public Procurement (PPA, SR 172.056.1) and the Ordinance of 12 February 2020 on Public Procurement (PPO, SR 172.056.11).

17.02.2022

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# 1 Abbreviations

AC	Award criteria
EC	Eligibility criteria
DLAC	Division Latin America and Caribbean
FDFA	Federal Department of Foreign Affairs
GTC	General Terms and Conditions of Business
IC	International Cooperation
LAC	Latin America and the Caribbean
PPA	Federal Act on Public Procurement
PPO	Federal Ordinance on Public Procurement
SDC	Swiss Agency for Development and Cooperation
VAT	Value added tax

## 2 Purpose of this document

These specifications describe the objectives that are to be pursued and achieved with this object of procurement. It regulates the procedure and form of the submission of tenders and, together with the General Terms and Conditions of the FDFA, the Federal Act of 21 June 2019 on Public Procurement ([PPA, SR 172.056.1](#)) and the Ordinance of 12 February 2020 on Public Procurement ([PPO, SR 172.056.11](#)) serves as the basis for the present procedure.

In the case of an invitation procedure, at least three bids shall be collected, if possible, and the Terms of Reference must also be placed on the [FDFA mandates platform](#). The contract is awarded to the most advantageous tender.

## 3 Goal and content of the mandate

### 3.1 Background

Switzerland's Strategy for International Cooperation (IC) 2021-24 foresees a gradual phasing-out of the FDFA's bilateral cooperation from Latin America and the Caribbean (LAC) until 2024. The IC Strategy specifies that "...in the conclusion of the programmes, care will be taken to ensure the sustainability of the results achieved..." (p. 2636, German version). Against this background, SDC's Division Latin America and Caribbean (DLAC) has initiated an institutional knowledge management effort to accompany the phasing-out from LAC, in consultation with SDC's Knowledge-Learning-Innovation Division and SDC's Evaluation and Corporate Controlling Division. As part of this initiative, this **Historic Impact Capitalisation** exercise is being launched to capture the achievements and lessons learned from SDC's bilateral engagement in LAC. The mandate shall last from February 2022 to July 2023.

### 3.2 Prior involvement

No potential tenderers were involved in preparing the invitation procedure or drafting the Terms of Reference. All tenderers that meet the criteria set are invited to submit a bid.

### 3.3 Objectives

The **Historic Impact Capitalisation** is based on three distinctive objectives that intend to capture the dimensions of evaluation, documentation and capitalisation, as well as to serve a communication purpose. The main focus will lie on the capitalisation aspect and objective 2.

- (1) *To capture the **impact** on poverty reduction and **effectiveness** and **sustainability** of other results achieved through SDC's historic bilateral cooperation engagement in LAC* → Documentation & Evaluation
- (2) *To identify **lessons learned** that are relevant to partner governments and national or international partners in LAC, as well as to SDC in other contexts currently and in future* → Evaluation & Capitalisation
- (3) *To provide content material to **communicate on and to appreciate SDC's historic results** in LAC, aimed at the public and political leaders in Switzerland and in LAC* → Communication

### 3.4 Content of the mandate (separate annex "Approach Paper")

The content of the mandate to be followed is described in a separate Approach Paper entitled "*Historic Impact Capitalisation of SDC's bilateral cooperation in Central America (Nicaragua, Honduras, El Salvador), Cuba, Haiti, Bolivia, Ecuador and Peru*". It describes the mandate, the methodology, approach and timeline, as well as the required qualification, experience and expertise of the tenderer and its experts. Tenderers are requested to follow the Approach Paper meticulously in the preparation of the content of the bid.

### 3.5 Estimated amount

A total number of 200-400 working days approximately (considering a maximum threshold value of an invitation procedure of CHF 230'000) be allocated to the evaluation team (international and local experts). These working days should also include the activities of the field visits to Latin America and the visits to Berne (Covid 19 pandemic might affect travelling).

- 5 field visits to the five current SDC priority countries in LAC
- 5 visits to Berne of the entire evaluation team (except local consultants) for the Kick-Off of the assignment, the discussion of the inception report, meta-evaluation report, summary evaluation and capitalisation report, and a presentation to SDC staff and other interested partners inside and outside of the federal administration
- 1 additional visit to Berne of the team leader for the presentation to and discussion with the SDC Directorate
- All travel expenses including transportation, per diem, hotels, transfers, etc.

All the price details must be indicated in Swiss Francs (CHF) excl. VAT. The price excl. VAT includes in particular insurance, allowances, social costs, transport, customs etc.

The tenderers will not be reimbursed for any costs arising from the preparation or submission of bid.

### 3.6 Timetable of the invitation procedure

Date / Deadline	Activity
17.02.2022	Invitation of at least 3 tenderers and publication of the mandate on the <a href="#">FDFA mandates platform</a>
24.02.2022	Expression of interest in submitting a tender by email: <a href="mailto:sekretariat.abteilung.lateinamerika@eda.admin.ch">sekretariat.abteilung.lateinamerika@eda.admin.ch</a>

28.02.2022	Deadline for submitting questions by email: <a href="mailto:sekretariat.abteilung.lateinamerika@eda.admin.ch">sekretariat.abteilung.lateinamerika@eda.admin.ch</a>
07.03.2022	Sharing of the questions and answers with all the interested tenderers
28.03.2022	Deadline for submission of tenders
April 2022	Evaluation of submitted bids
Approx. 14.04.2022	Information of the tenderers by means of individual dispositions: Awarding of the contract and notification of the not considered tenderers
29.04.2022	Signing of contract
02.05.2022	Contract start date

#### 4 Eligibility criteria (separate annex list “EC”)

The tenderer must duly fulfil without limitation or modification the eligibility criteria listed in annex EC. The tenderer must also provide, where indicated, the necessary evidence with the submission of the bid. **Confirmation of the fulfilment of the eligibility criteria must be given in ‘Annex EC: Confirmation of Eligibility Criteria and documents to be submitted’.**

Only those tenderers that fulfil all formal requirements and eligibility criteria will be evaluated on the basis of the award criteria. The other tenderers will be excluded from the further procedure.

#### 5 Award criteria

The following table shows the award criteria (AC) and the corresponding weightings, on the basis of which the bids will be evaluated.

AC	Award Criteria	Weighting
AC 1	Understanding of the mandate	20%
AC 2	Proposed methodology, approach and timeline	25%
AC 3	Qualification, experience and expertise of the organisation	10%
AC 4	Qualifications of experts (CVs)	25%
AC 5	<b>Financial offer – overall price</b> The overall price is to be submitted in CHF only together with the budget form as per Annex 4 of this document and to include the following (see point 3.5. of the ToR): <ul style="list-style-type: none"> <li>• 5 field visits to the five current SDC priority countries in LAC</li> <li>• 5 visits to Berne of the entire evaluation team (except local consultants) for the Kick-Off of the assignment, the discussion of the inception report, meta-evaluation report, summary evaluation and capitalisation report, and a presentation to SDC staff and other interested partners inside and outside of the federal administration</li> <li>• 1 additional visit to Berne of the team leader for the presentation to and discussion with the SDC Directorate</li> </ul>	20%

	<ul style="list-style-type: none"> <li>All travel expenses including transportation, per diem, hotels, transfers, etc.</li> </ul> <p>The overall amount (excl. VAT) across the mandate will be estimated using the following formula:</p> $\text{Score} = M \times \left( \frac{P_{\min}}{P} \right)^2$ <p>P = Price of the bid being assessed  P min = Price of the cheapest bid  M = Max. points (= score 5)</p>	
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Each further award criterion will be evaluated according to the following score table:

Score	Fulfilment and quality of the criteria	
0	Cannot be established	<ul style="list-style-type: none"> <li>Information has no significance</li> </ul>
1	Very poor fulfilment	<ul style="list-style-type: none"> <li>Information is incomplete</li> <li>Data quality is very poor</li> </ul>
2	Poor fulfilment	<ul style="list-style-type: none"> <li>Information relates inadequately to the requirements</li> <li>Data quality is poor</li> </ul>
3	Average fulfilment	<ul style="list-style-type: none"> <li>Information generally relates adequately to the requirements</li> <li>Data quality is adequate</li> </ul>
4	Good fulfilment	<ul style="list-style-type: none"> <li>Information focuses well on requirements</li> <li>Data quality is good</li> </ul>
5	Very good fulfilment	<ul style="list-style-type: none"> <li>Information clearly relates to the achievement of outputs</li> <li>Data quality is excellent</li> </ul>

## 6 Structure and content of the bid

The tenderer must adhere to the following structure in the interests of fairness and in order to expedite the evaluation process.

Nr.	Contents	Max. No. Pages	EC/AC
00	Cover letter with signature(s) and documents evidencing organisational capability	1	EC 1
01	'Annex EC: Confirmation of Eligibility criteria and all documents to be submitted'		EC 1 – EC 6
02	Self-declaration form 'Proof of compliance with the participation conditions' - duly signed	1	EC 2
03	'Tenderer Information' form – duly signed		EC 3
04	Legal documents		EC 5
05	Written confirmation of contact partner (SPOC)	1	EC 6
06	Understanding of the mandate	3	AC 1
07	Proposed methodology, approach and timeline	5	AC 2

08	Qualification, experience and expertise of the organization	3	AC 3
09	Qualifications of the personnel to be deployed (CVs)		AC 4
10	Draft evaluation and capitalisation work plan	3	AC 1, AC 2
11	Financial offer according to the budget form in Annex 4 in CHF (excl. VAT)	1 narrative page + budget form	AC 5

## 7 Administrative Aspects

### 7.1 Official name and address of the contracting authority

Federal Department of Foreign Affairs FDFA  
Swiss Agency for Development and Cooperation SDC  
Division Latin America and Caribbean  
Freiburgstrasse 130  
3003 Berne

The Division Latin America and Caribbean (DLAC) of SDC is in charge of the awarding procedure and also acts as direct contracting authority towards the tenderer.

### 7.2 Deadline and address for submitting bids

The bids (format pdf, excel for budget) must be submitted to [sekretariat.abteilung.lateinamerika@eda.admin.ch](mailto:sekretariat.abteilung.lateinamerika@eda.admin.ch) by 28.03.2022, 23:00 (CEST) at the latest. They will be returned to the tenderer.

The email must mention 'Historic Impact Capitalisation' in the reference line. Tenderers must confirm in the email the binding force of the bid. The receipt of the bids submitted via email will be acknowledged via email at the latest until Wednesday 30.03.2022.

In all cases the tenderer must retain proof of the timely submission of the bid.

### 7.3 Expression of interest in submitting an offer and receiving documents

Interested tenderers can express their interest by email until 24.02.2022 and will receive the annexes to these terms of reference.

### 7.4 Answering questions

No individual information is given to the tenderers. Any questions must be submitted by 28.02.2022 to [sekretariat.abteilung.lateinamerika@eda.admin.ch](mailto:sekretariat.abteilung.lateinamerika@eda.admin.ch). Questions submitted late cannot be answered. The document with all questions received and their answers will be sent to all tenderers by 07.03.2022.

## **7.5 Type of procedure**

Procurement is carried out by invitation o tender in accordance with the Federal Act on Public Procurement of 21 June 2019, PPA, SR 172.056.1.

It is **not** possible to appeal the award.

## **7.6 In accordance with GATT / WTO agreement or treaty (as applicable)**

This is a public contract under Annex 5 no. 1 let. d PPA. There is no right of appeal.

## **7.7 Evaluation and adjustment of bids**

Tenders are evaluated in accordance with Art. 38 PPA. Tenders may only be adjusted at the contracting authority's specific request. Adjustments must be undertaken in accordance with Art. 39 PPA and subject to the conditions set out therein.

## **7.8 Bidding consortia**

Consortia of tenderers are permitted. If the SDC concludes the contract with several contractors (consortium), all parties must sign, having first designated a person to represent the consortium vis-à-vis the SDC. The representative is expressly authorised to act for and on behalf of the consortium members. The consortium members shall be jointly and severally liable. The tenderer lists all members and their roles.

## **7.9 Subcontractors**

Subcontractors are permitted, subject to the prior approval of the awarding entity. If the tenderer engages subcontractors in order to carry out the work, the tenderer will assume overall responsibility. It must list all the subcontractors involved, together with the roles allocated to them.

Any contractual delegation by the contractor of performance of all or part of the present contract to subcontractors shall be subject to the prior written consent of the contracting authority. Subcontractors and their personnel must satisfy all conditions stipulated in the present contract and the appendices thereto. The contracting authority shall be liable solely to the contractor. In the event that the contractor delegates performance of all or part of the contract, the contractor shall bear sole liability for the acts of any subcontractors. As a general rule the tenderer is required to make the characteristic supply.

## **7.10 Multiple tenders by single tenderers, consortia and subcontractors**

Consortia members are allowed to participate exclusively in one bid. The tenderer lists all members and their roles.

Single tenderers are allowed to participate exclusively in one bid.

Subcontractors are allowed to participate in different bids.

## **7.11 Validity of bids**

180 days after the deadline for receipt of bids.

## **7.12 Language of invitation document**

The invitation document is available in English language only.

### **7.13 Language of the procedure**

The present procurement procedure is conducted in English. This means that all statements on the part of the awarding authority are made at least in this language.

### **7.14 General Terms and Conditions of Business (GTC)**

The General Conditions of Business (GTC) of the FDFA for mandates (type A and type B) – version May 2021 shall be deemed to have been accepted by the contractor on submission of the bid.

### **7.15 Conclusion of contract**

The contract is concluded subject to the prior approval of credits by the FDFA.

## **8 Further information**

### **8.1 Confidentiality**

The parties shall keep confidential any facts and information that are not generally known or in the public domain. In case of doubt, all facts and information shall be treated as strictly confidential. The parties shall take all measures, to the extent that they are commercially reasonable and practicable in technical and organisational terms, to ensure that confidential facts and information are properly protected against access by, or disclosure to, unauthorised third parties.

Any transfer of confidential information by the contracting authority within its own organisation (or within the Federal Administration), or to any third parties appointed, is not deemed to constitute a breach of the obligation of confidentiality. The foregoing also applies to tenderers to the extent that the disclosure of confidential information is required for the performance of the contract, or provisions of the contract are disclosed within the organisation.

The tenderer may not, without the contracting authority's written consent, publicise the fact that a cooperation arrangement with the contracting authority is or was in effect or cite the contracting authority as a reference.

The parties shall ensure that their employees, subcontractors, suppliers and any other third parties appointed comply with the foregoing obligations of confidentiality.

### **8.2 Integrity clause**

Tenderers undertake to take all necessary measures to avoid corruption and, in particular, agree not to offer or accept payments or other advantages.

Tenderers who breach this integrity clause are required to pay a contractual penalty to the contracting authority amounting to 10% of the value of the contract or at least CHF 3,000 for each instance of breach.

The tenderer notes that any breach of the integrity clause will generally result in cancellation of the award or early termination of the contract for good cause by the contracting authority.

The parties shall inform each other of any well-founded suspicions of corruption.

### **8.3 Property rights**

All industrial property rights which arise in the course of the performance of the mandate shall pass to the contracting authority.

## 9 Annexes

No.	Annex
Annex "Approach Paper"	Approach paper – Tenderers are requested to follow the Approach Paper meticulously in the preparation of the content of the bid
Annex EC	Annex EC: Confirmation of Eligibility criteria and documents to be submitted
1	Self-declaration form 'Proof of Compliance with the conditions of participation'
2	'Tenderer Information' form
3a	General Terms and Conditions (GTC) of the Federal Department of Foreign Affairs (FDFA) for mandates (type A and B) – version May 2021
3b	Code of conduct for contractual partners of the FDFA
4	Budget form type B – for legal entities, organisations and self-employed persons