

TEMPLATE N° 1 – INVITATION LETTER

27th May 2022
JISS/MBF/IDM

Dear Sir/Madam,

Subject Matter: SERVICE CONTRACT FOR MAINTENANCE OF THE BUILDINGS AND INSTALLATIONS OF THE RESIDENCE, CHANCERY AND POLICE QUARTERS.
File N°: SER-21/010

The Embassy of Spain in Abuja has the pleasure to invite your participation in the bidding process of the maintenance service contract mentioned in the above stated subject.

The bidding budget for this Contract is 48,600,000.00 NGN (excluding VAT), with an execution period of three years, renewable for a maximum of two years.

The execution of the Contract shall be done in conformity to the approved Document of Specific Administrative Clauses, Document of Specific Technical Prescriptions, and Contract draft, here attached. We hereby implore you to read these documents carefully.

REQUIREMENTS FOR PARTICIPATION IN THE BID

Admission into the bidding process will require that the bidders possess the necessary capacity and solvency, as well as the business and professional qualifications for the execution of the contract.

A) The capacity to contract shall be accredited as follows:

- 1) **Foreign companies, i.e. which do not have Spanish nationality nor are from member countries of the EU nor signatories of the Agreement on the European Economic Area**, must prove, before the corresponding Diplomatic Mission or Consular Office of Spain at the place where the Contract is to be executed, that they are included on the local professional, commercial, or other analogous Register or, if there is no such Register, that they are habitual actors on the local market for the activities that fall under the subject matter of the Contract. These circumstances having been accredited, the corresponding report shall be issued by the Representation, to be included in the procurement file.
- 2) **Companies having Spanish nationality or from an EU member country or signatories of the Agreement on the European Economic Area** shall prove their capacity to contract by presenting the following documents:
 - The companies having Spanish nationality shall accredit their capacity to contract by presenting their **deed or document of incorporation, articles of association or founding charter** stating the rules governing their activity, duly recorded, as appropriate, on the corresponding public Register.
 - Non-Spanish companies, having the nationality of an EU member State or of signatories to the Agreement on the European Economic Area shall accredit their capacity to contract through the corresponding certificate of enrolment on the appropriate Register, according to the legislation of the country where they were established, or by presenting a sworn statement or a certificate, meeting the regulatory requirements, pursuant to the applicable EU provisions

3) Supporting documentation for representation:

- Legal copy of the ID card of the tender's signatory.
- Sufficient power of attorney of the signatory of the proposal, or its equivalent, duly included on the relevant register.

B) Proof of economic and financial solvency, as well as technical and professional solvency shall be provided by presenting the documents indicated herein.

1. Economic or financial solvency:

Provision of a civil responsibility insurance Policy for a minimum amount equal to or above the budget of the tender (48.600.000 NGN) and valid as at the deadline for the submission of proposals. This shall be accredited by a policy certificate duly issued by an insurance company, indicating the amounts, risks insured and expiry date of the cover.

2. Technical or professional solvency:

Provision of a list of jobs or services of the same or similar nature executed in the past three years. As a minimum, the cumulative annual income in the year of the highest return must be equal to or higher than 11.340.000 NGN (70% of the average annuity of the contract). Such list shall specify the dates of service execution, place, beneficiary and amount paid.

Likewise, the companies must present documentary proof that:

1. the Person in charge of the contract possesses a degree in engineering, covering electrical, thermal and hydro installations or an equivalent qualification plus a minimum of 5 years of working experience.
2. The supervisor shall also have a minimum 5 years of experience in installation and maintenance.
3. Two workers responsible for the execution of the operations listed in the Document of Specific Technical Prescriptions, with the adequate professional qualification and at least, one year of experience.

These requirements shall be accredited by submitting the relevant degree certificate and curriculum vitae.

C) Other documentations,

- 1) Companies that do not have Spanish nationality and that choose **to submit to the Spanish Courts** must present the declaration of submission to them (Annex 3 of the PCAP).
- 2) **Confidentiality commitment:** All the documents and information made available to the bidder are confidential in nature, for which the said bidder has a duty of confidentiality to treat the documents and information they would receive for the tender of this Contract in strict confidentiality. They must manifest their express commitment to respect the said obligation in writing by filling and submitting the form attached herein **as Annex 4 of the PCAP**.
- 3) **Temporary association of Companies:** Should a Temporary Association of Companies present a tender, the corresponding commitment to constitute the aforesaid must be provided, duly signed by the representatives of each of the companies aiming to constitute the Association (Annex 5 of the PCAP).

The bidders will initially substitute the documentation accrediting their capacity and solvency mentioned in sections A) and B) above by a statement of responsibility (according to the model in Annex 2, attached to these specifications), indicating that they meet the legally established conditions for contract with the Administration. For those cases, in which several companies

agree to constitute a temporary union, each of the participating companies shall provide a responsible statement.

The company that emerges proposed as the successful bidder must prove, prior to the award of the contract, the possession and validity of the supporting documentation of its capacity and solvency.

PLACE, DEADLINE AND METHOD OF SUBMISSION OF THE PROPOSALS

If interested, submission of proposals must be made by hand or by mail at the General Registry of the Embassy of Spain in Abuja, at the address: 8 Bobo Close, Maitama District, P.M.B. 5120, Wuse Post Office. 900003. Abuja, before 2:00 p.m. on the day..... Offers submitted after the end of this period will not be admitted to the procedure.

In the event that the proposal is submitted through postal mail, you must notify the Representation, by email to the following address emb.abuja@maec.es, of your entry within the period established for the presentation of offers.

The proposals shall be submitted in two separate and independent envelopes (Envelope No. 1 "Administrative Documentation" and Envelope No. 2 "Documentation on criteria assessed by mathematical formula"); duly sealed and signed by the bidder or person legally representing him, with the following requirements

- The draft tables in **Annex 1** of the PCAP must be appended on the external side of each envelope, in a highly visible manner and without having to open them for reading.
- Contents of the Envelopes:
 - **Envelope nº 1:** Administrative Documentation. It will contain the supporting documents of compliance with the requirements prior to the tender (capacity and solvency), as well as that relating to the Proposal of criteria submitted to value judgment.
 1. **Annex 2** of the PCAP (Responsible Statement).
 2. **Annex 3** of the PCAP (in the case of companies of non-Spanish nationality that opt for submission to the Spanish Courts)
 3. **Annex 4** of the PCAT (Confidentiality Statement)
 4. **Annex 5** of the PCAP (in case of submission of the tender under the Temporary Union of Entrepreneurs regime -UTE-)
 5. **Annex 6** of the PCAP (Proposal Model of criteria subject to value judgment)

In the event that it is necessary to correct the documentation presented in Envelope No. 1, the bidders will be given a minimum period of three business days to make the appropriate corrections.

- **Envelope nº 2:** Documentation on evaluable criteria by means of a mathematical formula". It will contain the proposal in accordance with Annex 7 of this Specification

Economic proposal, which must contain:

1. Be expressed in Nigerian Naira
- Itemize the Value Added Tax or the equivalent tax, if applicable
 - Contain a total budget (which in no case may exceed the Tender Base Budget established in these Specifications).
 - Be signed by the employer and include the seal of the company/entrepreneur, if available.

Possible doubts that arise about the bidding process should be raised by email to the address:
emb.abuja@maec.es

In Abuja, on the 27th May 2022



Juan Ignacio Sell Sanz
Ambassador of Spain in Nigeria