



UTILITY REGULATORY AUTHORITY

Male' Republic of Maldives

ADVERTISEMENT NUMBER: (IUL)485/1/2022/28

(AMENDED TOR FROM (IUL)485/1/2022/21)

Terms of Reference (Amended)

Supply, Installation and Commissioning of VRF Air Conditioning system

23 May 2022

Prepared by: Utility Regulatory Authority (URA)

CONTENTS

1. INTRODUCTION & BACKGROUND	4
2. OBJECTIVE	4
3. SCOPE	4
4. TECHNICAL SPECIFICATION	5
5. SURVEY.....	7
6. DELIVERABLES.....	7
7. PAYMENT SCHEDULE	7
8. APPLICATIONS	7
9. DURATION.....	8
10. EVALUATION CRITERIA	8
11. ELIGIBLE BIDDERS.....	9
12. LANGUAGE OF THE BIDS	9
13. CLARIFICATIONS.....	10
14. SUBMISSION	10
ANNEX 1: STANDARD FORMS	11
TECH FORM 1: Proposal Submission Form	12
TECH FORM 2: Letter of Commitment.....	13
ANNEX 2: FINANCIAL ASSESSMENT AND FORMS	14
INFO 1: ASSESSMENT OF FINANCIAL CAPABILITY OF BIDDER	15
FIN FORM 1: Financial Proposal Submission Form.....	16
FIN FORM-2: FINANCIAL BREAKDOWN.....	17
INFO 2: HISTORICAL FINANCIAL PERFORMANCE.....	18
FIN FORM-3: ANNUAL TURNOVER.....	19
FIN FORM-4: FINANCIAL SITUATION.....	20
FIN FORM-5: LINE OF CREDIT LETTER.....	21
FIN FORM-6: FINANCIAL RESOURCES	22
FIN FORM-7: CURRENT CONTRACT COMMITMENTS/ WORK IN PROGRESS.....	23
INFO 3: GENERAL INFORMATION.....	24

SCHEDULE OF CRITICAL DATES

Activity	Action Date
Original Advertised Date	Thursday, May 12, 2022
TOR Amended Date	Monday, May 23, 2022
Queries submission Deadline (New)	Monday, May 30, 2022 11:00 AM
Clarification to Queries Deadline (New)	Tuesday, May 31, 2022 11:00 AM
Proposal submission deadline (New)	Wednesday, June 1, 2022 11:00 AM

SUBMISSION REQUIREMENTS

The following related documents shall be submitted for the bids to be considered sufficiently response.

Applicants should submit their proposals containing the following documents and applicable Technical Proposal – Standard Forms and Financial Proposal – Standard Forms under Annex 1

TECHNICAL PROPOSAL

- a) TECH FORM 1 - Proposal submission form – This form shall be signed by the owner of the entity or person with power of attorney to sign
- b) TECH FORM 2 – Letter of Commitment– This form shall be signed by the owner of the entity or person with power of attorney to sign
- c) Copy of Business (Sole Proprietorship/Company/Partnerships/Institutions) Registration certificate.
- d) Copy of GST Registration certificate (if applicable)
- e) Tax Payer registration certificate/Notification of Tax registration.
- f) Copy of Authorized Distributor certificate

TECHNICAL PROPOSAL

- a) FIN FORM 1 – Financial Proposal Submission Form – This form shall be signed by the owner of the entity or person with power of attorney to sign
- b) FIN FORM 2 – Financial Breakdown Form
- c) FIN FORM 3 – Annual Turnover
- d) FIN FORM 4 – Financial Situation (Alternative assessment of Financial Capability)
- e) FIN FORM 5 – Line of Credit letter (Alternative assessment of Financial Capability)
- f) Bank statements for Businesses less than 1 year old. (Alternative assessment of Financial Capability)
- g) FIN FORM 6 – Financing resources
- h) FIN FORM 7 – Current contract commitments/ Work in Progress

Note: After evaluation, highest scoring party will be notified to submit tax clearance report.

1. INTRODUCTION & BACKGROUND

As the national energy, water, waste and sanitation sector regulatory agency, Utility Regulatory Authority (URA) plays a vital role in developing, spreading awareness and providing information about the various laws and regulations related to the energy, water, waste and sanitation sector. The URA is seeking authorized companies to carry out the supply, installation and commissioning of Variable Refrigerant Flow Air conditioning systems for the newly acquired office space.

2. OBJECTIVE

The objectives of the assignment are to Supply the items specified in Section 3, Scope of Works.

3. SCOPE

#	Description	Qty
S1	Wall Mount 9,000 BTU Indoor Unit	6
S2	Wall Mount 12,000 BTU Indoor Unit	2
S3	Wall Mount 18,000 BTU Indoor Unit	2
S4	Wall Mount 24,000 BTU Indoor Unit	6
S5	Wall Mount 36,000 BTU Indoor Unit	1
S6	Central VRF Outdoor Unit	-
S7	Piping and Piping Enclosure	-
S8	Control Systems	-
S9	Installation & Commissioning	-
S10	Warranty and Service	-

4. TECHNICAL SPECIFICATION

a) Specifications for Indoor Units

- Features:

Adjustable Fan Speed	Auto Swing	Inverter/Energy Saving	Remote Controlled
Dry Mode	Fan Mode	Daily/Weekly Schedule	Central Control Available

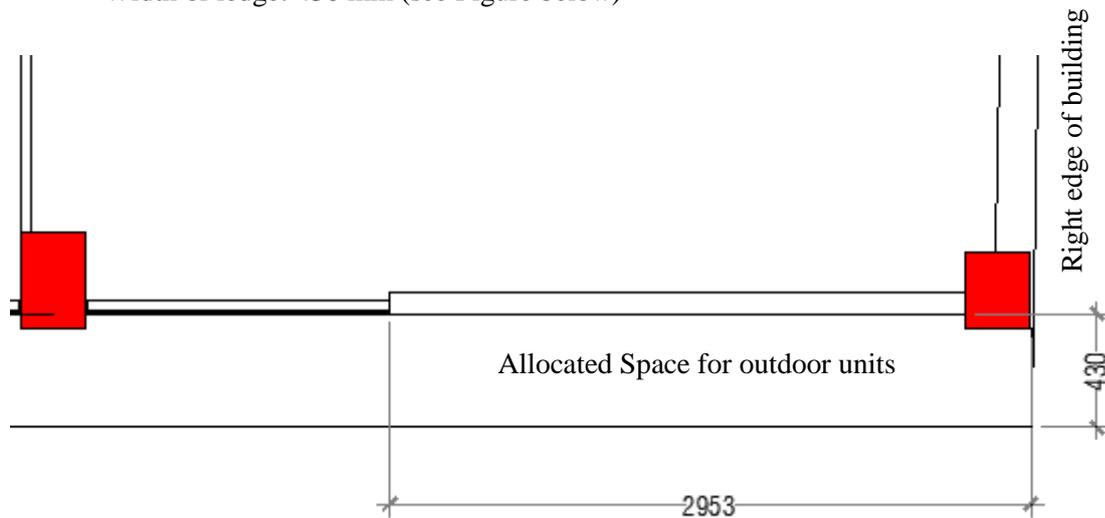
b) Specification for Central VRF Outdoor Unit

- Available space for Outdoor unit mounting:

Material: Concrete slab

Length of slab 2953 mm (see Figure below)

Width of ledge: 430 mm (see Figure below)



**Same area available on the left side of the building*

Schedule of AC Indoor Units and Size (Refer to Annex A)

- Capacity of the Outdoor Units shall be equal
- Proponent shall provide the most suitable capacity of outdoor units
- Outdoor units shall be only in the available space as shown above.
- Connectable Indoor Unit Quantity per Unit: Minimum 10

c) Piping and piping enclosure

Piping

- Length of piping shall be determined by the proponent after reviewing the technical documentation in Annex A
- The piping sizes and configuration shall be made to manufacturer recommendation.

Piping enclosure

- The building does not have a recessed ceiling and therefore, the piping shall be hidden from sight by the means of concealed ducts
- The proponent is responsible for the construction of the ductwork of for AC Pipeline and other relevant works.

d) Control Systems

- All units shall have the option to be controlled centrally.
- Number of central control units are to be determined by the proponent based on the drawings in Annex A
- All Indoor Units shall have their own remote control
- Control System shall have the function to view Temperatures (Set, RC, Intake), Energy Consumption, group control
- Control system shall have the function to weekly schedule the AC System
- Control System shall be user friendly and shall have history of all alarm events.

e) Installation and Commissioning

- Proponent shall carryout installation works of all equipment specified in this TOR
- Proponent shall commission the system in the presence of URA Officials

f) Warranty and Service

- The system shall have 24 months replacement warranty
- The system shall have 12 months free service that includes but are not limited to;
 - Indoor filter cleaning service at the end of every month
 - Indoor Service (Wash, Drain pipe flush etc) every 3 months
 - Full service every 6 months

5. SURVEY

Any applicant who wish to carry out a survey of the building must request for a time at least **48hrs before the deadline**.

6. DELIVERABLES

S#	#	Parameter	Payment %
1-6	D1	Supply of Indoor Units & Outdoor Units	30%
7	D2	Supply of Installation material	10%
8	D3	Supply of Control Systems	10%
9	D4	Installation and Commissioning	50%

7. PAYMENT SCHEDULE

Applicants must submit their financial proposal which must indicate the rate per item in scope (Section 3) and price for the total assignment as per ‘Form 1 – Financial Breakdown’. The supplier is expected to deliver the full scope and the bidder will paid based upon the percentages indicated deliverables in Section 6, Deliverables.

8. APPLICATIONS

All applicants must submit the following documents required to demonstrate their capacity and experience to carry out the services stated in the TOR. The bid shall be valid for minimum 90 days from the date of submission. The following documents will be required for bid submission for each lot.

- Brief description of the proponent and outline of similar works provided
- Copy of company/business registration certificate.
- Copy of notification of Tax registration
- Copy of Tax clearance report
- Copy GST registration (If, applicable)
- Copy of SME registration certificate (If, applicable)
- Specifications of proposed equipment
- Authorized dealer certificate of the proposed equipment
- Contacts details (name, designation & contact number) of a liaising official
- Completed TECH FORM 1 – Proposal Submission Form

- Completed TECH FORM 2 – Letter of Commitment
- Completed FIN FORM 1 – Financial Proposal Submission Form
- Completed FIN FORM 2 – Financial Breakdown Form
- Completed FIN FORM 3 – Annual Turnover
- Completed FIN FORM 4 – Financial Situation (Alternative assessment of Financial Capability)
- Completed FIN FORM 5 – Line of Credit letter (Alternative assessment of Financial Capability)
- Bank statements for Businesses less than 1 year old. (Alternative assessment of Financial Capability)
- Work experience – Only reference letters will be deemed acceptable for evaluation.

9. DURATION

The duration proposed by the proponent to complete all deliverables should not exceed **60 days** from signing of contract.

10. EVALUATION CRITERIA

1. Pre-Evaluation

- a) Pre-Evaluation is a preliminary evaluation done based on the documentation requirement before moving on to the Technical Evaluation. Pre-Evaluation determines if bidder is substantially responsive to the terms of this ToR as specified below;
 - Bidder confirms to all requirements identified under Section 8. Applications.
- b) Substantially non-responsive bids at this pre-evaluation stage will be rejected from further stages of evaluation.
- c) Substantially responsive bids at this pre-evaluation stage shall be qualified for technical evaluation.

2. Technical evaluation

Technical evaluation is to confirm if the proposed product does comply with all the requirements listed under the technical specifications. The URA holds the authority to qualify any proposal technically based on their proposed features, only if the evaluation committee finds it acceptable and would achieve the objective fully. Technically non-responsive bids from this stage would not be qualified to the final evaluation.

3. Final Evaluation

The proposal would be qualified to this stage after being assessed in pre-evaluation and technical evaluation. In this evaluation, the proposals would be compared to their proposed price, duration and experience to complete the project. Point system set for the final evaluation is:

13. CLARIFICATIONS

Any clarifications regarding this Terms of Reference shall be addressed to;

Procurement Unit

Utility Regulatory Authority

Email: procurement@ura.gov.mv;

Only written clarifications will be entertained as part of this Terms of Reference

14. SUBMISSION

Bid Submission	On or before June 1st 2022 at 10:59:59 HRS Maldivian Time
Bid Opening	Wednesday, 1 st of June 2022 at 11:00 hours local time Proposals will be opened in the presence of the proponent’s representatives who choose to be present at the address at the time of proposal opening
Submission Instruction	Proposals must be delivered in SEALED envelopes titled “Do not open before Wednesday, June 1, 2022 11:00 AM – Supply, Installation and Commissioning of VRF Air Conditioning system Announcement Number:(IUL)485/1/2022/28” Proponent’s Name, Address and if applicable, seal should be printed or written on the envelope. Late proposals will be rejected
Submission Address	Procurement Unit Utility Regulatory Authority, Handhuvaree Hingun, Maafannu, Male’, 20392, Republic of Maldives. Email: procurement@ura.gov.mv Website: www.ura.gov.mv

ANNEX 1: STANDARD FORMS

TECH FORM 1: Proposal Submission Form

[Company Name]

[Road Name]

Male'

Maldives

[Date]

Mr. Yazeed Ahmed,
Chief Executive,
Utility Regulatory Authority,
Handhuvaree Hingun, 20392,
Male', Maldives

Re: Supply, Installation and Commissioning of VRF Air Conditioning system

Dear Sir,

I, the undersigned, would like to express my interest for the “**Supply, Installation and Commissioning of VRF Air Conditioning system**” in accordance with your Terms of Reference dated *23 May 2022*. I am hereby submitting my proposal, which includes all the required documents as per the Terms of Reference

I hereby declare that all the information and statements made in this Proposal are true and accept that any misinterpretation contained in it may lead to our disqualification.

If negotiations are held during the period of validity of the Proposal, I undertake to negotiate on the basis of the proposed fees. The Proposal is binding upon myself and subject to the modifications resulting from Contract Negotiations

I undertake, if this proposal is accepted, to complete and deliver the whole of the services assigned to me in the scope of services.

I understand that you are not bound to accept any proposal you receive. We undertake, if this proposal is accepted upon receipt of the Utility Regulatory Authority's notice, to commence performance of the services with due expedition and without delay.

I remain,

Yours sincerely,

Authorized Signature [*In full and initials*]:

Name and Title of Signatory:

Name of Individual:

Address:

TECH FORM 2: Letter of Commitment

[Company Name]

[Road Name]

Male’

Maldives

[Date]

Mr. Yazeed Ahmed,
Chief Executive,
Utility Regulatory Authority,
Handhuvaree Hingun, 20392,
Male’, Maldives

Re: Supply, Installation and Commissioning of VRF Air Conditioning system

Ref No:

Dear Sir/Madam,

We, the undersigned, offer to provide “**Supply, Installation and Commissioning of VRF Air Conditioning system**” in accordance with your Terms of Reference dated *23 May 2022* and our Proposal.

We hereby declare that all the information and statements made in this Proposal are true and accept that any misinterpretation contained in it may lead to our disqualification.

We undertake, if this proposal is accepted, to complete and deliver the whole of the services assigned to me in the scope of services.

We undertake, if this proposal is accepted upon receipt of the Utility Regulatory Authority’s notice, to commence performance of the services with due expedition and without delay.

Yours sincerely,

Authorized Signature [*In full and initials*]:

Name and Title of Signatory:

Name of Company:

Address:

ANNEX 2: FINANCIAL ASSESSMENT AND FORMS

INFO 1: ASSESSMENT OF FINANCIAL CAPABILITY OF BIDDER

Evaluation Criteria

- a. To be eligible, the financial statements of the bidding party must show, minimum annual turnover of MVR 600,000.00 for the year 2021 (Submit FIN FORM 3)

OR

- b. To be eligible, the financial statements of the bidding party must show, MVR 600,000.00 for liquid assets for the year 2021 (Submit FIN FORM 4)

OR

- c. Business entities that have no completed one year (from date of business registration to date of bid announcement), to be eligible the bank statement must show a credit balance of minimum MVR 600,000.00

OR

- d. If bidding party is unable to meet any of the above requirements, they shall submit a letter as per FORM FIN 5, from any local bank, financing institution or supplier of credit limit not lower than MVR 600,000.00)

FIN FORM 1: Financial Proposal Submission Form

[Company Name]

[Road Name]

Male'

Maldives

[Date]

Mr. Yazeed Ahmed,
Chief Executive,
Utility Regulatory Authority,
Handhuvaree Hingun, 20392,
Male', Maldives

Re: Supply, Installation and Commissioning of VRF Air Conditioning system

Dear Sir,

I, the undersigned, would like to express my interest for the “**Supply, Installation and Commissioning of VRF Air Conditioning system**” in accordance with your Terms of Reference dated 23 May 2022 and our Proposal.

The attached Financial Proposal is the sum of [INSERT AMOUNT IN WORDS AND FIGURE IN MVR]

This amount is inclusive of all local taxes.

I understand that you are not bound to accept any proposal you receive. We undertake, if this proposal is accepted upon receipt of the Utility Regulatory Authority's notice, to commence performance of the services with due expedition and without delay.

I remain,

Yours sincerely,

Authorized Signature [*In full and initials*]:

Name and Title of Signatory:

Name of Individual:

Address:

FIN FORM-2: FINANCIAL BREAKDOWN

Supply, Installation and Commissioning of VRF Air Conditioning system

Deliverable	Description	Qty	Price	GST (MVR)	Total (MVR)
S1	Wall Mount 9,000 BTU Indoor Unit	6	...	...	...
S2	Wall Mount 12,000 BTU Indoor Unit	2	...	...	...
S3	Wall Mount 18,000 BTU Indoor Unit	2	...	...	...
S4	Wall Mount 24,000 BTU Indoor Unit	6	...	...	...
S5	Wall Mount 36,000 BTU Indoor Unit	1	...	...	...
S6	Central VRF Outdoor Unit	...	...	...	...
S7	Piping and Piping Enclosure	...	...	...	...
S8	Control Systems	...	...	...	...
S9	Installation and Commissioning	...	...	...	...
S10	Warranty and Service	...	...	...	...
	GST:				
	Total with GST:				...

Proposal Validity: 90 days

Indicate the total cost with detail cost to be paid in Maldivian Rufiyaa.

Note: The total contract price should be quoted inclusive of Goods and Services Tax (GST) as per the GST Legislation and Circulars where applicable.

INFO 2: HISTORICAL FINANCIAL PERFORMANCE

Criteria	Compliance Requirements	Submission Requirements
Historical Financial Performance		
Submission of balance sheets and income statements or, for the last 1 (one) year ending 31st December, 2021 to demonstrate the current soundness of the Bidders financial position and its prospective long-term profitability. As a minimum, an Applicant’s net worth calculated as the difference between total assets and total liabilities should be positive.	Must meet requirement	FIN FORM - 3 with attachments
Average Annual Turnover		
Minimum average annual turnover of MVR 600,000 only calculated as total certified payments received for contracts in progress or completed, within the last 1 (one) year ending 31st December, 2021 .	Must meet requirement	FIN FORM – 4

Companies/Businesses that are less than 1 years old may submit their bank statements to demonstrate their financial capability to carry out the works defined in this Terms of Reference.

FIN FORM-3: ANNUAL TURNOVER

Each Bidder must fill in this form

Annual Turnover Data for the Last 1 Years		
Year	Amount Currency	MVR Equivalent
2021		

Average Annual Turnover

The information supplied should be the Annual Turnover of the Bidder in terms of the amounts billed to clients for each year for contracts in progress or completed at the end of the period reported.

FIN FORM-4: FINANCIAL SITUATION

Financial Data for Previous 3 Years [MVR Equivalent]

	Year 2021:
--	------------

Information from Balance Sheet

Total Assets	
Total Liabilities	
Net Worth	
Current Assets	
Current Liabilities	
Working Capital	

Information from Income Statement

Total Revenues	
Profits Before Taxes	
Profits After Taxes	
<input type="checkbox"/> Attached are copies of financial statements (balance sheets including all related notes, and income statements) for the last three years, as indicated above, complying with the following conditions. <ul style="list-style-type: none"> • All such documents reflect the financial situation of the Bidder. • Historic financial statements must be complete, including all notes to the financial statements. 	
<ul style="list-style-type: none"> • Historic financial statements must correspond to accounting periods 	

FIN FORM-5: LINE OF CREDIT LETTER

[Letterhead of the Bank/Financing Institution/Supplier]

[Date]

To: [Name and Address of the contractor]

Dear [Contractor],

You have requested {Name of the Bank/Financing Institution/Supplier issuing the letter} to establish a line of credit for the purpose of executing {Name and Identification of the Project}.

We hereby undertake to establish a line of credit for the aforementioned purpose, in the amount of {Insert Amount}, effective upon receipt of evidence that you have been selected as a successful bidder.

This line of credit will be valid through the duration of the contact awarded to you

Authorized Signature:

Name and Title of Signatory:

Name of Agency:

FIN FORM-6: FINANCIAL RESOURCES

Specify proposed source of financing, such as liquid assets, unencumbered real assets, lines of credit, and other financial means, net of current commitments, available to meet the total construction cash flow demands of the subject contract or contracts as indicated in INFO 1 of Annex 2

Financial Resources		
No.	Source of Financing	Amount (MVR Equivalent)
1		
2		
3		
4		

FIN FORM-7: CURRENT CONTRACT COMMITMENTS/ WORK IN PROGRESS

Tenders and each partner to a JV should provide information on their current commitments on all contracts that have been awarded, or for which a letter of intent or acceptance has been received, or for contracts approaching completion, but for which an unqualified, full completion certificate has yet to be issued

No.1	Name of Contract	Employer Contact Address/Tel/Fax	Value of Outstanding work (MVR Equivalent)	Estimated Completion Date	Average Monthly invoicing over last six months (MVR/ Month)
1					
2					
3					
4					

INFO 3: GENERAL INFORMATION

1 Bid Awarding

- 1.1 Bidder will be informed of the decision to award a bid via an official intent to award the bid.
- 1.2 If the value of the bid exceeds **MVR 500,000** the bidder will be required to submit a performance guarantee of **(5 %)** of the total contract value prior to **signing the contract**. The performance guarantee must be issued by a Bank or a Financial Institution located in any eligible country. If the institution issuing the guarantee is located outside the Republic of Maldives, it shall have a correspondent financial institution located in the Republic of Maldives to make it enforceable.

(Excluding Consultancy Service)

- 1.3 Failure of the successful bidding party to submit the aforementioned performance guarantee, or sign the Contract, shall constitute sufficient grounds for the annulment of the award and forfeiture of the Bid Security. In that event the Ministry may award the contract to the next lowest evaluated bidder, provided the bidder is capable of performing the contract satisfactorily.
- 1.4 Standstill period

The Contract shall be awarded not earlier than the expiry of the Standstill Period. The duration of the Standstill Period is 3 days. The Standstill Period commences the day after the date the Employer has transmitted to each Bidder (that has not already been notified that it has been unsuccessful) the Notification of Intention to Award the Contract. Where only one Bid is submitted, the Standstill Period shall not apply.

2 Liquidated Damages (Excluding Consultancy Service)

- 2.1 The Contractor shall pay liquidated damages to the Employer at the rate per day **stated in the Public Procurement Regulation** for each day that the Completion Date is later than the Intended Completion Date. The total amount of liquidated damages shall not exceed the amount **defined in the Public Procurement Regulation**. The Employer may deduct liquidated damages from payments due to the Contractor. Payment of liquidated damages shall not affect the Contractor's liabilities.

3 Securities (Excluding Consultancy Service)

- 3.1 If the price quoted by a bidding party exceeds MVR 500,000 in value, the bidding party will be required to submit a bid security of MVR10,000, with validity of no less than 90 days.
Bid Security must be a bank guarantee letter or security issued by a Bank or a Financial Institution located in any eligible country.
Bank Cheques, Bonds and Cash will not be accepted as bid security.

4 Advance Payment (Excluding Consultancy Service)

- 4.1 Vendor has to request for Advance payment within 45 days from the contract date start.
- 4.2 Vendor has to submit Advance payment guarantee with the Invoice (15% of Contract price Maximum)

5 Arithmetic

- 5.1 Provided that the Tender is substantially responsive, the Employer shall correct arithmetical errors on the following basis:
 - 5.1.1 Only for unit price contracts, if there is a discrepancy between the unit price and the total price that is obtained by multiplying the unit price and quantity, the unit price shall prevail and the total price shall be corrected, unless in the opinion of the Employer there is an obvious misplacement of the decimal point in the unit price, in which case the total price as quoted shall govern and the unit price shall be corrected;
 - 5.1.2 If there is an error in a total corresponding to the addition or subtraction of subtotals, the subtotals shall prevail and total shall be corrected and;
 - 5.1.3 If there is a discrepancy between words and figures, the amount in words shall prevail, unless the amount expressed in words is related to an arithmetic error, in which case the amount in figures shall prevail subject to (5.1.1) and (5.1.2) above.
- 5.2 If the Tenderer that submitted the lowest evaluated Tender does not accept the correction of errors, its Tender shall be declared non-responsive.