

## INVITATION TO TENDER WORKS, GOODS AND SERVICES – Revision -April 12, 2021

### PART ONE: General information

THE PRESENTATION OF THE PRICE PROPOSAL BY THE OFFEROR WILL BE EQUIVALENT TO THE ACCEPTANCE, WITHOUT RESERVATIONS OR CONDITIONS, OF ALL DOCUMENTS, DRAWINGS, TERMS AND CONDITIONS, ANNEXES AND AMENDMENTS OF THIS TENDER.

DEADLINE FOR RECEIPT OF PROPOSALS: Only proposals received at the indicated address, BEFORE the established date and time, will be considered. The Panama Canal Authority is not responsible for any delays or failures in the transmission of information related to the technological platform used by the bidder that may prevent the receipt of proposals within the established period.

When the tender document requires the presentation of a technical proposal, the bidder must submit the documentation directly through the online tender system (SLI). The system can hold up to a maximum of fifteen (15) attachments of up to 10 MB each. NOTE: THE SYSTEM ONLY ACCEPTS DOCUMENTS IN PORTABLE DOCUMENT FORMAT (PDF) FORMAT.

All proposals entered to the Tender Online System (SLI) must be under the LEGAL NAME of the natural or legal person who, if the contract is awarded, will issue the invoice. In the case of local offerors, it shall match the LEGAL NAME corresponding to the Single Taxpayer Registry (RUC) and Verification Digit (DV) before the General Revenue Directorate (DGI) of the Republic of Panama.

For tenders in which a technical proposal is required, proposals must be submitted under the same LEGAL NAME of the offeror who submitted the price proposal in the SLI. The “commercial name” contained in the Operation Notice must not be used for purposes of the proposal or invoicing.

In the event that the tender allows the participation of consortia, both the price proposal in the SLI and the technical proposal must be made using the NAME OF THE CONSORTIUM, so that the name in both proposals (price and technical) coincide.

1.1 Person responsible for the selection process: \_\_\_\_\_  
Telephone: \_\_\_\_\_; Email: \_\_\_\_\_

1.2 Previous meeting.  No.  Yes Date: \_\_\_\_\_ Hour: \_\_\_\_\_ Place: \_\_\_\_\_

1.3 Validity of the offers.  30,  60,  90,  \_\_ calendar days counted from the opening of bids.

A bid bond is required. When required, this document must be presented in original, in the place and before the time and date established for the receipt of offers. Refer to Clauses 4.28.73 Bid Guarantee and 4.28.74, Bonds, of the bidding specifications.

Only for contracting of works. Form 1530, Tender / Works Contract is required. (The omission or non-presentation of form 1530 or the lack of information in boxes 21, 22A, 22B, 22C, 22D, 22E, 22F, 22G, 22H, 22I, 22J, 22K and 22L of the form, when required, will cause the proposal not to be considered.)

Only for contracting works. The offerors must acknowledge receipt of all the amendments that

are issued, before the date and time established for the presentation of the proposal. Failure to do so may be cause for the non-consideration of the proposal.

A price list is required.

1.4 Type of Contract:

1.4.A  **THIS IS A REQUEST TO QUOTE FOR MICRO-PURCHASES.**

1.4. A.1. The quotation must be sent through the use of the Internet bidding system (SLI), except that the list of charges in numeral 9 of the Second Part - Specifications, Terms and Conditions, specifically establishes another method for receiving the quotation.

1.4. A.2. Notification of the purchase intention. Having notified the intention of awarding the listed purchase, the bidder will have a period of time from the day following the date in which the notification is sent to him to communicate his acceptance or rejection of the intention to purchase:

8 working hours

16 working hours

24 working hours

The acceptance of the purchase intention by the bidder will result in the award of the purchase order.

1.4.B.  **THIS IS A CONTRACTING OF WORKS, GOODS AND SERVICES FOR AN AMOUNT GREATER THAN A MICRO-PURCHASE**

1.4. B.1. The offer must be sent through the Tender Online System (SLI), unless another delivery mechanism is expressly indicated in the instructions that appear in the bidding specifications or its revised version through amendments in the Tender Online System (SLI) in the cases that apply, or in this first part of the form.

1.4. B.2. The offers submitted cannot be withdrawn, unless amendments are made to the bidding specifications, in which case they will be removed for the purpose of making the necessary modifications.

1.4. B.3. Contractor Selection Process

Public tender based on the lowest price.

Negotiated tender based on the lowest price with the following basic elements:

Negotiated tender based on best value:

Two-step public tender with the following basic elements:

*For public tenders based on the lowest price, negotiated tenders in its three modalities, non-negotiated tender based on best and two-step public tender, When the presentation of a technical proposal or specific information and the presentation of a bond have been established as a basic element, the lack of presentation of this documentation will cause the non-consideration or rejection of the offer presented. This rejection will occur during the bid opening.*

1.5. Award. (Selection Criteria)  Lowest price per line

Lowest price on the basis of the sum of all the lines. When neither of the two options is selected, it will be understood that the award will be based on the sum of all the lines.

Lowest price on the basis of the sum of the base period and renewals. (For contracts with renewals.)

1.6. Technical Proposal

It does not require a technical proposal. The presentation of the price proposal alone proves that it complies with all the requirements of the bidding specifications.

A technical proposal is required to verify compliance with the bidding requirements. (For construction contracts, see the specifications and plans that appear in the Annex (s), and revised by amendments, as applicable.) The bidder must submit the technical proposal directly in the internet bidding system, only in PDF format, before the date and time established for the bid opening date.

In the case of goods, the technical proposal must include the brand, model and when required, the number of part of the good offered, dimensions, measures and weights of the requested goods or any information that proves that the good offered meets the requirements requested technicians. The lack of presentation of the data required in the stipulated place will cause the non-consideration of the proposal presented in the act of bid opening.

The Material Safety Data Sheet required in the description of the goods must be presented by the way indicated in the specifications before tender's closing date and time. We do not accept products that contain one or more elements or compounds whose use is prohibited in the Panama Canal Authority (ACP), nor the use thereof in the provision of services. The list of products prohibited by the ACP is available at the following electronic address:

**<https://micanaldepanama.com/wp-content/uploads/2019/07/1410SAL201-lista.pdf>**

PART TWO – SPECIFICATIONS, TERMS AND CONDITIONS.

2. Description of the goods or service.

2.1 Technical specifications. \_\_\_\_\_

2.2 Requisites. \_\_\_\_\_

2.3 Presumption of novelty.

The Authority will acquire new goods. It is understood that everything is good that, for commercial reasons, a supplier sells or provides the Authority, but has previously warned and expressly that said good is used.

Used goods will be accepted.

Refurbished goods will be accepted.

Other. The Contracting Officer may establish a maximum fabrication period of \_\_\_ years, for new goods.

When none of the three options is selected, it will be understood that the Authority will procure new goods.

2.4 For contracting work, refer to the annexes of the tender or its revised version by amendments, as applicable.

### 3 Terms and conditions of delivery

3.1 Terms, terms of delivery or validity of the contract: calendar days after the purchase order or contract has been awarded. (Indicate an exact date, when required)

3.2 Delivery conditions and delivery location.

When the delivery terms are DAP Panama, the Contractor is responsible for the processing of the simplified declaration of customs and its cost; In addition to downloading the goods and putting them on site.

DAP Panama. When the terms of delivery are DAP Panama, the contractor is responsible for the processing of the simplified declaration of customs and its cost.

DAP Panama. When the delivery terms are DAP Panama, the Contractor is responsible for unloading the goods and putting them on site.

DAP Panama. When the delivery terms are DAP Panama, the contractor is not responsible for unloading the goods and putting them on site.

Other.

Place of delivery: -----

4 . Inspection, acceptance and transfer of title.

4.1 Inspection. Refer to Article 164 of the ACP Acquisition Regulation.

4.2. Quality assurance. Refer to Article 165 of the ACP Acquisition Regulation.

4.3. Acceptance and transfer of title.

The Authority will only accept goods and services in accordance with the specifications, terms and conditions stipulated in the contract.

5. Guarantees.  Commercial.  Other: \_\_\_\_\_

5.1 For the contracting of works, refer to Clause 4.28.51, Guarantee of the Work.

6. Representation and / or local presence in the Republic of Panama (more than one option may be selected):

That are established locally;

Foreigners with local representation;

Local presence is not required.

7. Type of contract.  Fixed amount and fixed unit price.  Estimated amounts and fixed unit price.

#### 8. Penalties for late delivery.

When the execution of the contract is not fulfilled or the purchase order for causes attributable to the Contractor, the Contracting Officer, in addition to being able to choose to terminate the contract or purchase order, may impose a fine for late performance, situation for which the Contracting Officer will apply the following penalty for delays in the execution of the contract, it being understood that when one of the options for the calculation of the fine is not selected, Option A shall apply:

A.  7%, of the value of the merchandise (V) not delivered or service not provided from the purchase order or contract, divided by 30 days and multiplied by each day of delay.

(OA):  $((7\% \times V + 30) \times DA)$ .

B.  (another formula for contract estimates that exceed B/.100,000.00, if necessary).

C.  Imposing a fine of up to a maximum of 10% of the value of the merchandise not delivered or service not provided for the purchase order or contract for each extension.

In none of the cases the fine may be greater than 10% of the value of the purchase or contract not delivered or provided, for each extension granted.

D.  For construction tenders, refer to Clause 4.28.53, Fine or Penalty Due to Delays in the Execution of the Work.

9. The tenderer is required to carefully review and read the clauses of request for proposals, and in particular, the instructions detailed in Clause 4.28.99 COMPLIANCE WITH SPECIAL RULES RELATING TO COVID-19 (Transitory), in order to ensure compliance with the measures recommended by the Ministry of Health (MINSa), to prevent the spread of COVID-19, as well as the consideration in its price proposal, of the costs associated with conducting serological tests in the event of having to remain in ACP facilities or offices in contact with ACP employees or in the case of ACP employee transportation service.

### **SAFETY PLAN FORMAT FOR THE PREVENTION OF COVID-19 FOR PANAMA CANAL AUTHORITY CONTRACTORS**

Scope. It applies to all works, goods and service contracts, where Contractor and Subcontractor employees must be in contact with ACP employees, whether or not they are within ACP facilities or offices, for the execution of the work or contracted service, regardless of the amount of the contract, and according to the requirements of the Ministry of Health of the Republic of Panama.

Instructions: Use this format to prepare safety plans for the prevention of COVID-19 contagion. The Safety Plan must be presented for approval by the ACP Safety Officer.

#### Document format:

1. Objective and scope of work (brief description)
2. Work sequence (brief description of the sequence of activities)
3. Sizes of crews or work equipment
4. Hazard identification and risk analysis by activity
5. Control methods for the prevention of COVID-19 transmission, according to risk analysis.

6. Personal protective equipment for the prevention of COVID-19 contagion
7. Hygiene measures for washing of hands
8. Hygiene measures for cleaning and disinfecting equipment and work areas in case of maintaining temporary booths or facilities.
9. Organization of work to comply with physical distancing measures
10. Waste management
11. Symptom monitoring and protocols in case of Covid-19 cases
12. Emergency response measure and transportation
13. Training, dissemination and monitoring

10. Others