



Ministry of Environment, Climate Change and Technology
Republic of Maldives

TERMS OF REFERENCE

IULAN NO: (IUL)438-ENV/438/2023/498

Consultancy Service for Drawing of Protected Birds under Environment Act (Law No. 4/93) and formulating a Digital Book on Protected Birds in the Maldives

“Enhancing National Development through Environmentally Resilient Islands (ENDhERI) Project”

Issued on: 29th October 2023

Issued By: Enhancing National Development through Environmentally Resilient Islands (ENDhERI)

Project – Project Management Unit

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I. SCHEDULE OF CRITICAL DATES

Activity	Action Date
Advertised date	29 th October 2023
Bid queries submission timeline	29 th October to 7 th November 2023 at 1100hrs
Bid clarification deadline	8 th November 2023 at 1100hrs
Proposal submission deadline	13 th November 2023 at 1000hrs

II. SUBMISSION REQUIREMENTS

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

Applicants should submit their proposals containing the following documents and applicable Technical Proposal – Standard Forms and Financial Proposal – Standard Forms under ANNEX A.

a. Technical Proposal – Standard Forms

1. Proposal submission form (**signed by the owner of the entity or person with power of attorney to sign**) – (Tech Form 1)
2. Approach, Methodology and Work Plan – (Tech Form 2)
3. A summary of the work plan must be presented in the format in Work Schedule (Tech Form 3) showing in the form of a bar chart the timing proposed for each activity.
4. Curriculum Vitae (CV) of the identified key Experts (Consultant). **Copy of academic certificates and reference letters** demonstrating experiences listed in this TOR (required experiences and other experiences relevant to this TOR must be specified clearly or highlighted) – (Tech Form 4)
5. Completed **Letter of Commitment (signed by the Team Leader, Expert and Team members)** – (Tech Form 5 & 6)
6. Copy of Business (Sole Proprietorship/company/partnerships/institutions) registration certificate.
7. Copy of SME Registration (if registered)
8. Copy of GST Registration certificate issued by MIRA (Maldives Inland Revenue Authority) – if registered
9. Tax payer registration Certificate / Notification Copy - if registered

b. Financial Proposal – Standard Forms

- a. FIN FORM 1 – Financial Proposal Submission Form (**signed by the owner of the entity or person with power of attorney to sign**)
- b. Form FIN – 2 Financial Breakdown Form
- c. Form FIN - 3: Details Financial Situation
- d. Financial statements of the business for the year 2022,2021 and 2020

- e. Business entities that have not completed one year (from the date of business registration to date of bid announcement) are required to submit the bank statement of the business's bank account. (Bank statement should be from the date of account opening to date of bid announcement)
- f. FIN FORM – 4: Average Annual Turnover
- g. FIN FORM -5: Financial Resources
- h. FIN FORM -6: Line of Credit Letter – if applicable
- i. FIN FORM -7 Current Contract Commitments / Work in Progress

Note 01: All bidders should clearly identify Specialist (herein referred to as the 'Consultant') carrying out the task. If the Specialist is not clearly identified, for bids submitted by Company/Institution, the Key Experts signed in Form 5 will be considered for the evaluation.

Note 02: If bidder fails to submit any of the above listed document, their proposal may not be considered for further evaluation.

Note 03: After the evaluation, highest scoring party will be notified to submit tax clearance report. Tender will be awarded upon submission of tax clearance report.

1. Introduction and Background

The Government of the Republic of Maldives through the Ministry of Environment is implementing Enhancing National Development through Environmentally Resilient Islands (ENDhERI) project financed by Global Environment Facility (GEF) and assisted by United Nations Environment Program (UNEP) with the objective of enhancing reef protection, resilience and ecosystem recovery by reducing development impacts in a selected project site in the Maldives, enabled for replication nationally through public awareness and integrating the values of marine biodiversity and other natural capital.

The Ministry of Environment, Climate Change and Technology is seeking consultancy services to draw high quality drawings of 104 birds that are legally protected under the “Environment Protection and Preservation Act” (No.4/93). The purpose of this consultancy is to create a digital book on protected birds of the Maldives that can be used in identifying and understanding the protected birds of the Maldives, their features, and characteristics for everyone who is interested and have a need for it. The book will also contribute to the Knowledge Centre component of ENDhERI Project.

2. Objective

Main objective of the assignment is drawing of 104 birds that are legally protected under the “Environment Protection and Preservation Act” (No.4/93) and formulation of a digital book of the Protected Birds in the Maldives.

3. Scope of Assignment

The purpose of this Consultancy is to develop detailed high-quality, high-resolution drawings of 104 protected birds. The Ministry of Environment, Climate Change and Technology will provide sample photos of each bird with identifiable features for reference. Each bird should be drawn in a separate file, each with their scientific name, common English name and Dhivehi name written clearly in the file folder. The files should be submitted in the following file type:

Print ready file format

- Coral Draw file format (.CDR)
- Adobe Illustrator (.AI)

Usable file format

- PNG
- JPG
- PDF
- TIFF

All files should be provided in the following sizes

- 1920x1080 pixels
- 470x470 pixels (Facebook share image)

- 440x220 pixels (twitter in-stream photo)

All drafts of the drawings shall be shared with the Ministry. Ministry approval is required to finalize the drawings.

All the materials developed shall include logos provided by the Ministry of Environment, Climate Change and Technology.

If hand-drawn using watercolors or paint colors, the drawings must be scanned, and the scanned files must be submitted in the above-mentioned format and sizes.

When the drawings are completed the Consultant is expected to formulate a digital book of Protected Birds in the Maldives including 207 birds (103 birds that have already been drawn under a previous Consultancy and the 104 bird drawings under this Consultancy). The Ministry will provide the necessary information for the description of each bird to be included in the Book. The following must be ensured by the Consultant.

- Visual styling, design and typographic presentation of the book.
- Ensuring overall clarity and consistency of dynamic elements (sections, numbered lists, figure numbers, etc.)
- Page layout by ensuring effective use of margins and white space
- Carrying out typography and styling by confirming that scripts and spaces are chosen to maximize legibility and using carefully defined styles for character, paragraph, table, and figure formats.
- Confirming that page numbering and section markers aid in navigation
- Delivery of a digital book with creative and unique visual styling

4. Expected Deliverables:

The consultation would be responsible to deliver above assignment with the focus on, but not limited to, deliver the following key deliverables.

- Final detailed high-quality drawings of 104 protected birds in the specified format
- Final digital book on “Protected Birds in the Maldives” with layout and designs completed

5. Payment Schedule

Suggest any workable workplan that will enable to reach the outputs and the deliverables as per this assignment. The Firm may submit the work schedule as give in the “TECH FORM 2 – Work Schedule”

No.	Description	Payment Schedule
1	Final detailed high-quality drawings of 104 protected birds in the specified format	50%
2	Final digital book on “Protected Birds in the Maldives” with layout and designs completed	50%
Total		100%

6. Duration of the Consultancy

The assignment must be completed maximum in 5 calendar months upon signing the contract. However, a shorter time frame is preferred.

7. Provision of Monitoring and Progress Controls

- Consultants are expected to work closely with the Environment Department of the Ministry of Environment, Climate Change and Technology.
- The consultant shall attend progress meetings once every 2 weeks.

8. Requirements for Experience and Qualifications

- To be eligible for this assignment, the Consultant must demonstrate past experience in performing the services (description of similar assignments) and shall have carried out a minimum of two (2) similar assignments.
- In executing this TOR, the consultant is expected to meet the following eligibility criteria and should provide CVs and commitment letters of the following requirements:

#	Post	Nos
1	Consultant to prepare a protected bird book	1

- a. Details of any other support persons and positions must be included in Technical Form 4,5 and 6.
- b. The team leader can be the above Consultant /or additional team leader can be added separately; who will be responsible for all the deliverables, who would also be the main focal point for all the communications.

8.1 Bird book Consultant

- Qualifications:
 - Bachelor's degree or Diploma in graphic design (or other relevant degree or qualifications)
 - Proof of experience in minimum two (2) similar assignments including drawing high quality detailed pictures with natural colors true to nature, undertakings of similar types of creative projects and particularly relevant experience and expertise in visual presentation, and document layout and design
 - Proven multimedia design and artistic skills including excellent command of Adobe, Creative Suite 6 package especially In Design, PhotoShop, Adobe Illustrator, Adobe PageMaker and/ or CorelDraw is essential
 - Knowledge of photography and image editing is required
 - Proof of previous experience in drawing detailed representations of biodiversity

9. Evaluation criteria

Criteria, sub-criteria, and point system for the evaluation of Full Technical Proposals are:

The following criteria will be applied during the evaluation of the proposals and attention should be paid while preparing the proposals. Points will be awarded only for assignments with supporting documents

Technical Score:

#	Criteria	Score Weight [%]
1.	Diploma in graphic design [20 marks] Bachelor's degree or higher in graphic design [10 marks each] (maximum 20 marks)	[40]
2.	Proof of skills in multimedia design and artistic skills (portfolio)	[20]

3.	Proof of minimum of 3 years' experience in drawing high quality detailed pictures with natural colors true to nature, undertakings of similar types of creative projects and particularly relevant experience and expertise in visual presentation, and document layout and design	[20]
5.	Proof previous experience in drawing detailed representations of biodiversity	[20]
	Total	[100]

Only the proposals that will obtain a minimum of 60% out of 100 obtainable points will be qualified for the financial evaluation.

Financial Score:

The formula for determining the financial scores is the following:

$S_f = 100 * F_m / F$, in which S_f is the financial score, F_m is the lowest price and F is the price of the proposal under consideration.

The weights given the technical and financial score are:

$T = \{0.6\} * S_t$, and

$P = \{0.4\} * S_f$

Final score (FS) is $T + P$

Total technical score (s): 100

- The minimum technical score (s) required to pass is: 60 Points, proposal that does not qualify the minimum technical score will be disqualified from further evaluation.
- The formula for determining the financial scores is the following:

$S_f = 100 * F_m / F$, in which S_f is the financial score, F_m is the lowest price and F the price of the proposal under consideration.

- The weights given to the Technical and Financial Proposals are:
- $T = \{0.6\}$, and $F = \{0.4\}$

Financial Situation evaluation

To be eligible the financial statements of the bidding party must show, minimum annual turnover of MVR 40,000.00 or the year 2022,2021 and 2020. (Submit Form FIN-4 Annual Turnover)

(OR)

To be eligible the financial statements of the bidding party must show, Minimum value of MVR 40,000.00 for liquid asset, for the year 2022 ,2021 and 2020. – (Submit Form FIN 5: Financial Situation)

(OR)

Business entities that have not completed one year (from the date of business registration to date of bid announcement) are required to submit the bank statement of the business's bank account. (bank statement should be from the date of account opening to date of bid announcement). To be eligible the business's bank statement must show a credit balance of minimum MVR 40,000.00 (OR)

If bidding party is unable to meet any of the above requirement they shall submit 'Line of Credit Letter' As per the template in fin form 4. Credit limit shall be no less than MVR 40,000.00– (Submission Form Fin -6: Line of Credit Letter)

Selection Criteria of Regional Based business and MSME business

Between MVR 2,500,000 – MVR 5,000,000

Among bidders who pass the technical and financial evaluation, those bidders who belong to the same island as the project is carried out will be assessed accordingly:

The bidder with the highest ranking with a proposed price that doesn't exceed 10% of the price of the bidder with the overall highest ranking will be awarded

Among bidders who pass the technical and financial evaluation if there is no bidder as described in (a), bidders who belong to the same atoll as the project is being carried out is checked and assessed accordingly:

The bidder with the highest ranking with a proposed price that doesn't exceed 5% of the price of the bidder with the overall highest ranking will be awarded.

Among bidders who pass the technical and financial evaluation if there is no bidder as described in (a) and (b), all Maldivian bidders will be checked and assessed accordingly.

The bidder with the highest ranking with the lowest proposed price will be awarded.

Among bidders who pass the technical and financial evaluation if there is no bidder as described in (a), (b) and (c), all bidders will be assessed accordingly.

The bidder with the highest ranking with the lowest proposed price will be awarded.

Below MVR 2,500,000

Among bidders who pass the technical and financial evaluation, Micro, Small and Medium Enterprises (MSME's) will be assessed accordingly:

The bidder with the highest ranking with a proposed price that doesn't exceed 15% of the price of the bidder with the overall highest ranking will be awarded.

Among bidders who pass the technical and financial evaluation if there is no bidder as described in (a), bidders who belong to the same island as the project is carried out will be assessed accordingly: The bidder with the highest ranking with a proposed price that doesn't exceed 10% of the price of the bidder with the overall highest ranking will be awarded.

Among bidders who pass the technical and financial evaluation if there is no bidder as described in (a) and (b), bidders who belong to the same atoll as the project is being carried out is checked and assessed accordingly:

The bidder with the highest ranking with a proposed price that doesn't exceed 5% of the price of the bidder with the overall highest ranking will be awarded.

Among bidders who pass the technical and financial evaluation if there is no bidder as described in (a), (b) and (c), all Maldivian bidders will be checked and assessed accordingly.

The bidder with the highest ranking with the lowest proposed price will be awarded

Among bidders who pass the technical and financial evaluation if there is no bidder as described in (a), (b), (c) and (d) all bidders will be assessed accordingly.

The bidder with the highest ranking with the lowest proposed price will be awarded

Criteria on classifying regional based business

Check the bidders permanent address, if the bidder is a sole proprietorship

Check the island to which the business is registered, if the bidder is not a sole proprietorship

The bidder will be considered as a business working in one certain area, as per (a) and (b) accordingly:

If the bidder is a sole proprietorship, the bidder's registered permanent address as of 1st January of the year the invitation for bid was issued will be considered OR

If the business had been registered before the year in which the invitation for bid was issued, the island to which the business was registered as of 1st January of the year the invitation for bid was issued will be considered

OR

If the business had been registered within the year in which the invitation for bid was issued, the island to which the business was first registered will be considered.

10. Additional Information

Ministry of Environment, Climate Change and technology has overall responsibility for the management of the contract and contractual reporting obligations.

Documents and data provided by the government for the purpose of this assessment which is not of public nature shall be considered confidential and should not be disclosed to any other party.

All outputs and materials produced as part of this TOR shall be handed over to the ENDhERI project at the end of the contract and will become the sole property of Ministry of Environment, Climate Change and Technology.

11. Submission

Bid submission	On or before 13th November 2023 at 1000 hours local time
Bid opening	<p>Proposals will be opened in the presence of the proponents' representatives who choose to be present at the address below at the time of proposal opening.</p> <p>Proposals must be delivered in both soft and hard copies. Hard copy of the proposal should be in a sealed envelope titled below.</p>
Submission instruction	<p>Proposals must be delivered in sealed envelopes titled</p> <p>“Do not Open Before 13th November 2023 at 1005 hours – Consultancy Service for Drawing of Protected Birds under Environment Act (Law No. 4/93) and formulating a Digital Book on Protected Birds in the Maldives” and the submitting party’s name and address</p> <p>Late proposals will be rejected.</p>
Submission address	<p>Procurement Section Ministry of Environment, Climate Change and Technology Green Building, Handhuvaree Hingun, Maafannu Male’, 20392, Republic of Maldives Email: procurement@environment.gov.mv Website: www.environment.gov.mv Project name: Enhancing National Development through Environmentally Resilient Islands (ENDhERI)</p>

Annex A

TECH FORM 1 – Proposal Submission Form

[Location, Date]

To: [Name and address of Client]

Dear Madam/Sir:

I, the undersigned, offer to provide the consultancy service for “**Consultancy Service for Drawing of Protected Birds under Environment Act (Law No. 4/93) and formulating a Digital Book on Protected Birds in the Maldives**” in accordance with your Request for Proposal dated (.....xxx.....). I hereby submit my Proposal, which includes all required documents as per Request for Proposal.

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 staff. my Proposal is binding upon myself and subject to the modifications resulting from Contract negotiations.

I undertake, if my Proposal is accepted, to initiate the services and fulfil the terms and conditions related this contract.

I understand you are not bound to accept any Proposal you receive.

Yours sincerely,

Authorized Signature [In full and initials]:

Name and Title of Signatory:

Name of Consultant:

Address:

TECH FORM 2 – Approach, Methodology and Work Plan

[Technical approach, methodology and work plan are key components of this Proposal. the Consultancy Firm is suggested to submit Proposal with the following areas clearly described:

- a) Methodology for each activity,*
- b) Work Plan*

a) Technical Approach and Methodology

[In this chapter the Consultant should explain your understanding of the objectives of the assignment, approach to the services, methodology for carrying out the activities and obtaining the expected output, and the degree of detail of such output. You should highlight the problems being addressed and their importance, and explain the technical approach you would adopt to address them. You should also explain the methodologies you propose to adopt and highlight the compatibility of those methodologies with the proposed approach.]

b) Work Plan

[In this chapter the Consultant should highlight the main activities and sub-activities of the assignment, their content and duration, phasing and interrelations, milestones (including interim approvals by the Client), and delivery dates of the reports. The proposed work plan should be consistent with the technical approach and methodology, showing understanding of the TOR and ability to translate them into a feasible working plan.]

TECH FORM 3 – Work Schedule

Consultancy Service for																
Deliverables	Week 1	Week 2	Week 3	Week 4	Week 5	Week 6	Week 7	Week 8	Week 9	Week 10	Week 11	Week 12	Week 13	Week 14	Week 15 Week 104

TECH FORM 4 – Curriculum Vitae

1. **Name of Consultant:**
2. **Education** [Indicate college/university and other specialized education of staff member, giving names of institutions, degrees obtained, and dates of obtainment]:
3. **Membership of professional associations**
4. **Other Training**
5. **Countries of work experience** [List countries where the Consultant has worked in the last ten years]:
6. **Languages** [For each language indicate proficiency: good, fair, or poor in speaking, reading, and writing]:
7. **Experience/ employment record** [Starting with present position, list in reverse order every employment held the Consultant since graduation, giving for each employment (see format here below): dates of employment, name of employing organization, positions held.]

From [Month/Year] – To [Month/Year]:

Employer:

Positions held:

Job description:

8. **Summary of projects/assignments undertaken/ role**

Name of project/ assignment:

Experience classification: General / specific

Scope of project/ assignment:

From [Month/Year] – To [Month/Year]:

Positions held:

9. **Past commitments in projects with the Ministry of Environment, Climate Change and Technology**

Name of the Contract/Project:

From [Month/Year] – To [Month/Year]:

Positions held:

Summary of role

TECH FORM 5: Letter of Commitment (Team Leader)

[Location, Date]

To: [Name and address of Client]

Ref no: _____

Dear Sir/Madam,

I am writing to confirm my availability to provide services as the **Team Leader** to “**Consultancy Service for Drawing of Protected Birds under Environment Act (Law No. 4/93) and formulating a Digital Book on Protected Birds in the Maldives**” - for the Ministry of Environment, Climate Change and Technology.

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 undertake, if this proposal is accepted upon receipt of the Ministry of Environment, Climate Change and Technology’s notice, to commence performance of the services with due expedition and without delay.

Yours sincerely,

Name:

ID card No:

Date:

Signatory:

Note: CV should be submitted along with the supporting documents of the Team Leader

TECH FORM 6: Letter of Commitment (Specialists)

[Location, Date]

To: [Name and address of Client]

Ref no: _____

Dear Sir/Madam,

I am writing to confirm my availability to provide services as the **Bird book Consultant** to “**Consultancy Service for Drawing of Protected Birds under Environment Act (Law No. 4/93) and formulating a Digital Book on Protected Birds in the Maldives** for the Ministry of Environment, Climate Change and Technology.

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 undertake, if this proposal is accepted upon receipt of the Ministry of Environment, Climate Change and Technology’s notice, to commence performance of the services with due expedition and without delay.

Yours sincerely,

Name:

ID card No:

Date:

Signatory:

Note: CV should be submitted along with the supporting documents of the Specialist (CV without the supporting documents will be rejected)

FIN FORM 1 – Financial Proposal Submission Form

[Location, Date]

To: [Name and address of Client]

Dear Madam/Sir:

I, the undersigned, offer to provide services for **“Consultancy Service for Drawing of Protected Birds under Environment Act (Law No. 4/93) and formulating a Digital Book on Protected Birds in the Maldives”** in accordance with your Request for Proposal dated [xxx] and our Technical Proposal. Our attached Financial Proposal is for the sum of [Insert amount(s) in words and figures in MVR]. This amount is inclusive of the all local taxes.

My Financial Proposal shall be binding upon me subject to the modifications resulting from Contract negotiations, up to expiration of the validity period of the Proposal.

I understand you are not bound to accept any Proposal you receive.

Yours sincerely,

Authorized Signature [In full and initials]:

Name and Title of Signatory:

Name of Consultant (company/partnerships/institutions)

Address:

FIN FORM 2 – Financial Breakdown Form

Date:

Reference No: (generated by the proponent)

No.	Description	Price/Unit (MVR)	Total
1	Final detailed high-quality drawings of 104 protected birds in the specified format		
2	Final digital book on “Protected Birds in the Maldives” with layout and designs completed		
	Total:		
	GST		
	Total with GST		

The quotation is valid for 120 days from the date of bid opening.

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

Note: The total contract price should be quoted inclusive of Goods and Services Tax (GST) or any applicable axes as per the Tax Legislation and must be shown in the breakdown.

Authorized Signature and stamp

FIN FORM 3 – Details of Financial Situation

Each Applicant must fill in this form

Financial Data for Previous 3 Years [MVR Equivalent]			
	Year 2022:	Year 2021:	Year 2020:

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			

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.

- All such documents reflect the financial situation of the Bidder.
- Historic financial statements must be complete, including all notes to the financial statements.

- Historic financial statements must correspond to accounting periods

FIN FORM 4 – Average Annual Turnover

Each Bidder must fill in this form

Annual Turnover Data for the Last 3 Years		
Year	Amount Currency	MVR Equivalent
2022		
2021		
2020		
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 5 – Financial Resources

Specify proposed sources 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 Section 3 (Evaluation and Qualification Criteria)

Financial Resources		
No.	Source of financing	Amount (MVR equivalent)
1		
2		
3		

FIN FORM 6 – Line of Credit Letter

[letterhead of the Bank/Financing Institution/Supplier]

[date]

To:*[Name and address of the Contractor]*

Dear,

You have requested {name of the bank/financing institution) to establish a line of credit for the purpose of executing {insert Name and identification of 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 successful bidder.

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

Authorized Signature: _____

Name and Title of Signatory: _____

Name of Agency: _____

FIN FORM 7 – Current Contract Commitments / Work in Progress

Current Contract Commitments/Works in Progress

Tenderers 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	Name of contract	Employer, contact address/tel/fax	Value of outstanding work (current MVR equiv)	Estimated completion date	Average monthly invoicing over last six months (MVR/month)
1.					
2.					
3.					
4.					
5.					

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 **(20%)** 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 5 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 **20%** 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 the 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 (a) and (b) 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.