

Dear Sir/Madam,

The NATO Support and Procurement Agency (NSPA) has a requirement for :
SEALIFT of 3 MI 17 helicopters from Veracruz (Mexico) to Odessa (Ukraine). The contractor shall arrange transportation as requested in the attached SOW dated 15.12.2021.

You are invited to submit a proposal to provide to NSPA the services listed in this Request for Proposal (RFP) and more specifically described in the Statement of Work (SOW) attached to the contract terms and conditions. A contract with all-inclusive firm prices is required as a result of this RFP.

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1. TAX EXEMPTION

NSPA, as a subsidiary body of NATO, is, by application of the Agreement on the status of the North Atlantic Treaty Organization, National Representatives and International Staff signed in Ottawa on 20 September 1951 (the Ottawa Agreement), exempt from all taxes and duties.

NSPA is therefore exempt from all customs duties on imports and exports, from excise duties and from taxes on the sale of movable and immovable property which form part of the price, including VAT, to be paid on purchases made for the official use of NATO.

Nevertheless, the Luxembourg tax authorities granted NSPA with a VAT number LU 15413172 applicable to transaction within the scope of the EU VAT.

All prices and rates quoted shall be exclusive of any taxes and duties pursuant to the exemption from taxes and duties provided for by the Ottawa Agreement or any other applicable exemption, including relevant intracommunity VAT exemptions.

However, in case the bidder determines that any taxes or duties, including VAT, are applicable or might be claimed by competent fiscal authorities, the bidder shall specify in the proposals, bids or offers submitted to NSPA the nature and amount of such taxes or duties. In determining the lowest and technically compliant proposal, bid or offer and in awarding the Contract, the proposal, bid or offer of the bidder will be deemed to include such taxes or duties.

Where the bidder fails to identify the applicable taxes or duties or fails to specify correctly the amount of such taxes or duties, the bidder, if awarded the Contract, may be liable for the payment of such taxes or duties as NSPA reserves its right to refuse any invoice applying an incorrect tax or duty regime or an erroneous interpretation of national tax laws.

2. CONSIDERATION OF ALL INFORMATION

Your proposal must be prepared after careful consideration of all information provided in this RFP. In order for your proposal to receive an accurate evaluation it must conform to the terms of this RFP. Non-conforming or incomplete proposals may be refused consideration for award of a contract. All blank spaces in the attached exhibit: PROPOSAL FORM AND INSTRUCTIONS / GUIDANCE FOR PREPARATION OF PROPOSALS must be completed and the exhibit returned before the bid closing date.

3. CONTRACTOR'S RESPONSIBILITY

With the submission of his proposal the bidder guarantees that he is in possession of all the necessary intellectual property rights in force in the countries where the items will be manufactured and / or services will be performed, under the resulting contract and in other countries where the intellectual property rights are in force. It is the sole responsibility of the bidder to obtain any licenses necessary for the performance of this contract and for making any other arrangements required to protect NSPA from any liability for intellectual property rights infringement in said countries. The bidder will at his expense hold NSPA harmless and fully indemnify NSPA against all damages, costs, charges, expenses and the like arising from or incurred by any reason of any infringement or alleged infringement of intellectual property rights in consequence of the provision of the service and / or materiel.

You will be solely responsible for the performance of the contract resulting from this RFP. The fact that NSPA allows to subcontract or to call upon a third party for the performance of any part of the contract does not relieve you of your responsibility.

4. EVALUATION CRITERIA

NSPA will evaluate the proposals based on the degree to which the bidder demonstrates understanding of the overall requirement.

The criteria which NSPA will employ in selecting the successful offeror will be by order of importance:

- a. responsiveness and compliance with the conditions of the RFP.
- b. provision to NSPA of an acceptable technical proposal.

Demonstrated ability to provide all the services required to include the receipt of the permits Export and the import customs clearance as per attached SOW.

- c. The all-inclusive firm fixed prices as required under Part B. - Price Proposal Form

5. ALTERNATIVE PROPOSAL(S)

If you desire to submit an alternative proposal or to submit suggestions for the accomplishment of this work, you may do so in addition to the proposal submitted in response to this Request for Proposal. If the only offer that you submit is an alternative, you take the risk to be declared technically non-compliant. Your alternative proposal will ONLY be considered if your proposal submitted in response to this Request for Proposal is the lowest technically compliant offer.

6. AUTHORISED SIGNATURE

Your proposal must be signed by an official authorized to bind your firm to a contract. If your proposal is submitted electronically the authorized signature should be scanned. Proposals submitted in response to this RFP are binding offers and, on acceptance by NSPA, constitutes a binding contract.

7. VALIDITY

Your proposal shall be valid until the "Offer Validity" date indicated on the first page of this RFP. The proposal must be submitted in the English or French language. If not sent by fax or email, the proposal must be submitted in duplicate.

8. PRICES, CURRENCY AND PAYMENT

Prices may be quoted in the currency of any NSPO member state. However, all the prices must be quoted in the same currency and this currency will be reflected in the resulting contract and used for payments made thereunder.

Comparison of the price quotations will be made in euro; the exchange rates to be used for the purposes of such price comparison will be the medians between buying and selling rates of the Brussels "Marché Réglementé" on the first banking day of the week of the bid closing date, as reported by the Banque et Caisse d'Epargne de l'Etat, Luxembourg.

NSPA payment terms are 30 days net upon receipt of Contractor's invoices duly documented as contractually provided for. Discount for early payment shall be indicated in your proposal.

NSPA payments will be made to the bank account provided by the Contractor at time of registration to the NSPA source file or to the bank account identified by the Contractor at time of contract award. NSPA will only accept to make payments on an account in a bank located in a NATO Nation.

9. LATE OFFERS

Proposals received after the "Offer Closing Date – 24:00 hrs Luxembourg time" indicated on the first page of this RFP shall, as far as a contract award is concerned, be rejected without consideration. However proposals posted prior to the Offer Closing Date (valid postal stamp) will be considered as long as they are received before an award is made. If only one offer is received and it is received after the closing date, NSPA reserves the right to consider such offer.

10. NO NSPA COMMITMENT

This RFP is not a commitment that an award of contract will be made. NSPA reserves the right to reject any or all proposals. No payment for costs incurred prior to entering into a contract will be made by NSPA. NSPA reserves the right to award a contract for any or part of the services solicited with this RFP.

11. INSTRUCTIONS FOR PROPOSAL FORWARDING

The means of transmitting your proposal are left to your discretion, by post, by private mail service, by email, by fax, or by a bid application using a secure protocol (https). Proposals submitted electronically (email or secure protocol) must conform to currently supported Microsoft-Office versions (preferably MS-Word, MS-Excel) or PDF.

Email: Your offer must be sent to the following address: procurement@nspa.nato.int and make reference to the RFP Collective Number.

Please be aware that the maximum capacity for incoming mail at NSPA is 10 MB. In case that your offer is larger it must be compressed to fit the 10 MB limit or sent in several parts.

Secure protocol: Your offer can also be submitted using a secure protocol (https) into the NSPA system. For this purpose select the button "Bid" when you display the details of the RFP in the Internet and follow the instructions.

A proposal that is received "incomplete" when the closing date deadline is reached, cannot be accepted. In case the proposal is mailed it has to be submitted to the following address and should mention:

NATO SUPPORT AND PROCUREMENT AGENCY (NSPA)
Procurement Division, Attn.: PP-A
RFP Collective n°: PRE22001
L-8302 CAPELLEN (Luxembourg)

12. NSPO PROCUREMENT REGULATIONS / NSPA OPERATING INSTRUCTION

The NSPO Procurement Regulations and the NSPA Operating Instruction are available on NSPA's website under <http://www.nspa.nato.int/en/organization/procurement/rules.htm>

If you do not wish to respond to this RFP, please notify this office and return all documentation received promptly or destroy it.

13. PUBLICATION OF CONTRACT AWARDS

In accordance with the Procurement Operating Instruction, NSPA periodically publishes high value contracts (except classified ones), indicating the contractor's name and country, as well as the purpose, total amount and issue date of the contract.

This information is to be found on the NSPA website under <http://www.nspa.nato.int/en/organization/procurement/contract.htm>

Enclosure

Exhibit: Proposal Form and Instruction/Guidance for Preparation of Proposals

EXHIBIT: PROPOSAL FORM AND INSTRUCTION / GUIDANCE FOR PREPARATION OF PROPOSALS
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NSPA has prepared this two-part proposal form (pages 06 – 09) for the purpose of providing a standard format by which the bidders submit cost data and supporting information suitable for a detailed and accurate analysis and evaluation of their proposals.

It is not essential that this said form be used by the bidders; however the bidders are requested to maintain the sequence and suitably index the proposal to enable rapid analysis by NSPA. This form must be completed and returned not later than the offer closing date.

An electronic copy of this form can be provided upon request.

Part A - TECHNICAL PROPOSAL / CAPABILITY AND QUALIFICATION FORM to be completed and send to NSPA as a separate document

This part when duly completed and supplemented with any information as deemed appropriate will constitute the bidder's Technical Proposal and contain all non-pricing details.

Part B - PRICE PROPOSAL to be completed and send to NSPA as a separate document

This part when duly completed and supplemented with any information as deemed appropriate will constitute the bidder's Price Proposal.