



TELECOMMUNICATIONS AND RADIOCOMMUNICATIONS REGULATOR

Request for Proposals (RFP)

TO PROVIDE UP TO 1000 TABLETS FOR THE TABLETS FOR STUDENTS (TFS) PROGRAMME

TENDER NO: TFS-01.14

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Issued by the Telecommunications and Radiocommunications Regulator

UAP Goods and Services Tender 1- Tablets

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1 INVITATION FOR TENDER

1.1 Introduction

- 1.1.1 Vanuatu has liberalised its telecommunications market in 2008 and has undergone a significant transformation in accordance with the Government policy to stimulate the national economy. One of the policies of the Government is the Universal Access Policy (UAP). This policy aims to provide telecommunications internet services into rural and unserved areas that are not commercially viable for operators to provide telecommunications services.
- 1.1.2 As a means of expanding demand, maximising impact and learning important lessons in how best to harness the use of information and communications technologies for the furtherance of Vanuatu's development goals, TRR is embarked on three pilot programs. One of them, Tablets for Students (TFS), will make 7 inch Android tablets available to students in 7 schools located throughout Vanuatu.
- 1.1.3 TRR is responsible for carrying out the Tender.
- 1.1.4 Tendering will be conducted through the Open and Competitive Tendering procedures in accordance with TRR's Tendering Guidelines and Procedure (as amended) as approved by the Tenders Board pursuant to the requirement of the Telecommunications and Radiocommunications Regulation Act 2009.
- 1.1.5 Tenders will be evaluated and Contracts will be awarded to the Bidder that, having met or surpassed the established technical criteria, provides best value.

1.2 Administrative information

- 1.2.1 Bidders may obtain further information and inspect the Tendering Documents at the address below between the hours of 8.30 am - 11.30am and 1:30 pm - 4:30 pm. A complete set of Tendering Documents in English may be obtained by interested Bidders on the submission of a written application to the following address;

Telecommunications & Radiocommunications Regulator (TRR)

First Floor

Rossi Ocean Walk Building

Lini Highway

Port Vila

Vanuatu

or

E-mail: enquiries@trr.vu

1.2.2 **Closing Date:** Completed Technical Bids and Financial Bid must be emailed to jobs@trr.vu or hand- delivered to TRR at the above address by **4:30 pm on 5 December, 2014.**

Technical Bid and Financial Bid must be submitted separately.

UAP Goods and Services Tender 1- Tablets

2 REQUIREMENTS

2.1 Eligible Bidders

2.1.1 This RFP is open to Bidders that have the legal right to import, trade and sell goods and services in Vanuatu.

2.2 Bidder registration

2.2.1 All interested bidders must register their Company Name, Postal Address, Representative, email and Telephone number at the Office of the TRR if they intend to submit a response to this RFP.

2.2.2 Bidders can register their details by emailing it to TRR's email address or writing to TRR marking their Registration "CLICC & TFS Pilot Project Registration".

2.3 Discussions with Bidders

2.3.1 TRR will make staff available to respond to questions by Registered Bidders before Bidders submit their bids. The discussions are intended to provide an opportunity for Registered Bidders to ask questions and to seek more clarification on the Tender documents and project as a whole.

2.3.2 TRR will not accept any questions or queries submitted by any Bidders who have not registered.

2.4 Tender documents

2.4.1 The Tendering Documents should be read in conjunction with any addendum issued.

2.4.2 TRR is not responsible for the completeness of the Tendering Documents and their addenda, if they were not obtained directly from the address indicated in the Tender Invitation Form.

2.4.3 The Bidder is expected to examine all Instructions contained in this RFP, Forms, Annexes and other information if the Regulator sees fit to instruct Bidders during the tender. Failure to furnish all Information required by this RFP or to submit a Bid that is not in accordance with this RFP will be at the Bidder's risk and may result in rejection of its Bid as being **Non-Compliant**.

2.4.4 The rights and obligations of a Bidder and information regarding the Project Deliverables are set out in Annex A and the Draft Contract in Annex E.

2.4.5 If a Registered Bidder requires any clarification, the Bidder must notify TRR in writing (preferably by email).

2.4.6 TRR will respond in writing to any request for clarification that it receives earlier than **the Closing Date**. No questions or clarifications will be accepted after this time.

2.4.7 At any time prior to the Closing Date, the Regulator may amend the

Tendering Documents by issuing an addendum.

- 2.4.8 Any addenda issued in this way will be part of the Tendering Documents and will be communicated by email to all Registered Bidders.
- 2.4.9 To give Registered Bidders reasonable time in which to take an Addendum into account in preparing their tenders, the Regulator may, at its discretion, extend the Closing Date.

2.5 Preparation of Bids

- 2.5.1 The Bidder must bear all costs associated with the preparation and submission of its Bid, and TRR shall not be responsible or liable for those costs, regardless of the conduct or outcome of the tendering process.
- 2.5.2 The Bid, and all correspondence and documents related to the Bid exchanged by the Bidder and TRR must be written in English. Supporting documents and printed literature furnished by the Bidder may be in another language provided they are accompanied by an accurate translation of the relevant passages into English.

2.6 Tender Validity

- 2.6.1 Bids must remain valid for the **Tender Validity Period**. A tender valid for a shorter period may be rejected by the Evaluation Committee as non-compliant.
- 2.6.2 In exceptional circumstances, prior to the expiration of the Tender Validity Period, the Evaluation Committee may request Bidders to extend the period of validity of their tenders. The request and the responses must be made in writing. A Bidder agreeing to the request will not be required or permitted to modify its tender.

2.7 Insurance

- 2.7.1 The successful Bidder must maintain or cause to be maintained on behalf of itself and all material and subcontractors to whom the successful bidder has subcontracted in relation to the construction and provision of the Services at all times during the Term of this Agreement, in a form and with insurers acceptable to TRR.
- 2.7.2 The insurance provided must be effective with valid and enforceable policies issued by reputable insurance companies that are acceptable to TRR.
- 2.7.3 Insurance certificate must be provided to TRR which covers all equipments, projects and personal engaged in this project within 60 days of the Effective Date.

2.8 Confidentiality

- 2.8.1 Persons obtaining or receiving this tender and any documents issued in relation to the tender process acknowledge their confidentiality and may use the tender and such documents only for the purpose of preparing the Tender.
- 2.8.2 Bids will be treated as confidential. TRR will not disclose contents except:
 - a) as required by law;

- a) for the purpose of investigations by other government authorities having relevant jurisdiction;
- b) to members of the Evaluation Committee ; or
- c) general information from Bidders required to be disclosed by government policy.

2.9 Complaints about the Tender process

2.9.1 Any complaint about the tender or the tender process must be submitted to the Regulator in writing promptly upon the cause of the complaint arising or becoming known to the Bidder. The written complaint must set out:

- a) the basis for the complaint (specifying the issues involved);
- b) how the subject of the complaint (and the specific issues) affect the person or organisation making the complaint;
- c) any relevant background information; and
- d) the outcome desired by the person or organisation making the complaint.

2.9.2 Any complaint submitted that relates to the conduct or performance of TRR or the manner in which TRR has handled the Tender Process must also be copied to the relevant Director General of Ministry responsible for telecommunications.

2.10 Bids

2.10.1 All Bids become the property of TRR. Bidders will retain all ownership rights in any intellectual property contained in their Bid. The submission of a Bid does not transfer to TRR any ownership interest in the Bidder's intellectual property rights, or give TRR any rights in relation to the Bid, except as expressly set out below.

2.10.2 Each Bidder, by submission of their Bid, is deemed to have licensed TRR to reproduce the whole, or any portion, of their Bid for the purposes of enabling TRR to evaluate the Bid.

2.11 Publicity

2.11.1 A Bidder receiving the Tendering Documents must not make any public statement in relation to the tender, the tender process, the Bidder's response, or the Bidder's participation in the tender without TRR prior written consent.

2.12 Status of Bid

2.12.1 Each Bid constitutes an irrevocable offer by the Bidder to TRR to provide the services on the terms and conditions of the Contract (subject to the Statement of Compliance, if any), and represents acceptance by the Bidder of all terms and conditions, and procedural requirements of this tender, as set out in these tendering documents.

2.12.2 A Bid must not be conditional on:

- a) board approval of the Bidder or any related body corporate of the Bidder being obtained;
- b) the Bidder conducting due diligence or any other form of enquiry or investigation;
- c) the Bidder (or any other party) obtaining any regulatory approval or

- consent;
- d) the Bidder obtaining the consent or approval of any third party, other than any planning permissions e.g. to erect masts or infrastructure sharing; or
- e) the Bidder stating that it wishes to discuss or negotiate any commercial terms of the contract.

2.12.3 TRR may, in its absolute discretion, disregard any Bid that is, or is stated to be, subject to any one or more of the conditions detailed above.

2.13 TRR's Right

2.13.1 Subject to the Laws of Vanuatu TRR reserves the right, in its absolute discretion at any time, to:

- a) cease to proceed with, or suspend the tender process;
- b) alter the structure and/or the timing of the Tendering Documents or the tender process;
- c) vary or extend any time or date specified in these Tendering Documents for all or any Bidder or other persons;
- d) terminate the participation of any Bidder or any other person in the tender process;
- e) require additional information or clarification from any Bidder or any other person or provide additional information or clarification;
- f) negotiate with any one or more Bidder and allow any Bidder to alter its Tender;
- g) call for new Tenders;
- h) reject any Tender received after the Closing Date;
- i) reject any Tender that does not comply with the requirements of these Tendering Documents; or
- j) consider and accept or reject any alternative responses.

2.14 Submission and opening of Bids

2.14.1 Bidders must submit their technical proposal by email in pdf or similar format to jobs@trr.vu or hand deliver hardcopy at TRR's Office at the address above, before the Closing Date.

2.14.2 It is the responsibility of the Bidder to ensure that their responses to the RFP have reached TRR before the Closing Date.

2.14.3 Any queries regarding this RFP should be addressed to the address set out in Section 1 of this RFP.

2.15 EVALUATION PROCESS AND OUTCOME

2.15.1 An Evaluator will evaluate proposals submitted by Bidders, and present his or her recommendations to the UAP Grant Review Committee (the Committee).

2.15.2 The Committee will evaluate the proposals according to the criteria provided by the Evaluator.

2.15.3 TRR reserves the right, at its sole discretion, to accept any proposal it chooses in full or part, negotiate with any responding Bidders, and accept any alternative proposals.

2.16 GOVERNING LAW

2.16.1 This tender and the tender process are governed by the laws of the Republic of Vanuatu. Each Bidder must comply with all applicable laws in preparing and lodging its Tender and in taking part in the Tender process.

3 ANNEX A – TECHNICAL REQUIREMENTS

TRR would like to offer the following guidance concerning hardware and software capabilities:

- **Display**
 - 7 Inch display format
 - Minimum 720p display resolution (1080p or better strongly preferred)
 - Scratch-resistant, impact-resistant glass (e.g. Corning ‘Gorilla Glass’ or equivalent)
- **Battery**
 - Suggested minimum battery capacity 4000 mAh
 - Minimum 6 hours continuous active use (e.g. video/multimedia playback at maximum brightness)
 - Suggested average 3-4 hours recharge time (AC adapter)
 - Charging via microUSB strongly preferred
- **Processor**
 - ARM processor, Minimum dual core 1.5GHz
- **RAM**
 - Minimum 1GB, 2GB or more preferred
- **Storage**
 - Minimum 8 GB internal storage, recommended 16GB
 - MicroSD slot optional
- **Software Platform**
 - **Android Operating System only**
 - Android Jellybean minimum, Kitkat preferred
 - Root/Flashing/Custom ROM support desirable (e.g. Cyanogenmod support or equivalent)
- **Radio/wireless**
 - Bluetooth 4.0
 - WiFi a/b/g/n
 - 2G/3G + GSM capability optional but highly desirable (must be vendor-neutral, SIM based)
 - GPS optional but desirable
- **Other hardware features**
 - Accelerometer preferred
 - 3.5 mm audio jack output
 - Home, power and volume buttons
 - Front camera optional
 - Back (i.e. rear-facing) camera required (2Mp/720p video capable)

4 ANNEX B - TECHNICAL SELECTION CRITERIA

TRR will be considering the following technical criteria when considering submissions

1. Materials and construction quality
2. Battery life and charge time

3. Responsiveness and usability of the software and operating system
4. Display quality under natural light conditions
5. Shock resistance
6. Water resistance

5 ANNEX C – OTHER SELECTION CRITERIA

TRR will also be considering supply & marketing capabilities, service & support offerings, and terms of warranty when considering candidates.

The purpose of the Universal Access Policy is to extend the reach of ICTs throughout Vanuatu, especially to un- and under-served parts of the country.

To that end, TRR requests that participating vendors supply answers to the following questions:

- 1) What unit price can you offer to TRR at volumes of:
 - a) 100 units;
 - b) 300 units;
 - c) 500 units;
 - d) 1000 units?
- 2) Would you also be willing and able to sell individual tablets to people in the communities surrounding the participating schools? If so, please describe how you propose and intend to market, sell and support the tablets. At a minimum, please suggest the retail price per tablet you would be willing to sell at?
- 3) Please indicate how many days you would require to fill an order for
 - a) 100 units;
 - b) 300 units;
 - c) 500 units;
 - d) 1000 units?
- 4) What stock level would you be willing to maintain on your premises for replacement hardware (e.g. what % of order quantity or what number of units) and/or additional purchases?
- 5) What warranty terms and conditions will you offer for the tablets?
- 6) Please indicate what additional accessories (e.g. cases and covers, headphones, speakers etc.) you will provide with the tablets, and the price per unit. At a minimum, please provide details and a reference sample of an appropriate case or cover, and a price per unit at the levels listed above.
- 7) What payment terms would you require in the event of an order for
 - a) 100 units;
 - b) 300 units;
 - c) 500 units;
 - d) 1000 units?
- 8) What additional steps (if any) would you take to assist in contributing to nationwide sales, uptake and support of tablets in Vanuatu's rural areas, particular in communities participating in the Tablets for Schools and Computer Lab & Internet Community Centre programmes, which will reach 20 rural and remote communities in 2015?

6 ANNEX D: BIDDER FORMS

6.1 Forms

6.1.1 This document outlines what forms are required to be submitted by the bidders. Included in this word document are the following Technical forms:

- a) TECHNICAL FORM 1: BID Overview
- b) TECHNICAL FORM 2: Prior Experience

6.2 TECHNICAL FORM 1: BID Overview

<p>Name of Bidder: <i>provide your companies full legal name here</i></p>	
<p>In case of JV, legal name of each party: <i>insert legal name of each party in JV</i></p>	
<p>Bidder's place of Business Registration: <i>insert actual Country of Business Registration. If you are not registered as a company in Vanuatu please outline your intentions to do so here.</i></p>	
<p>Bidder's Legal Address/Registered Office in Country of Registration:</p>	
<p>Details of Bidder's shareholders or other owners as at the date of submitting the Tender</p>	
<p>Name of Telecom Licence of Licensee: <i>should license be obtained post contract award please note this here</i></p>	
<p>Authorised Representative & Contact Person Name: <i>please name one person only</i></p>	
<p>Telephone & email address of Key Contact:</p>	

6.3 TECHNICAL FORM 2: Prior Experience

Please use the table below to provide details for similar projects that you have delivered in the past. You may repeat this table, for multiple projects, as many times as you wish.

Country		Client	
Date		Duration of Project	
Description of Service Delivered			
Description of Technology Utilised			
Current Status of Service delivered			

7 ANNEX E: DRAFT STANDARD CONTRACT

DRAFT CONTRACT KEY
TERMS

UAP/ICT PROGRAMES
SERVICE/GOODS AGREEMENT

Between

**THE TELECOMMUNICATIONS AND RADIOCOMMUNICATIONS
REGULATOR**

F/1 Rossi Ocean Walk Building, Lini Highway, P.O Box 3547, Port Vila, Vanuatu
[hereinafter referred to as “**TRR**”]

And

XXXXXXXX

KEY LIST OF TERMS, INTER ALIA, INCLUDES:

- 1. PARTIES**
- 2. CONSIDERATION**
- 3. GENERAL PROVISIONS**
- 4. AGREED DOCUMENTS**
- 5. GENERAL CONSTRUCTION**
- 6. GOVERNING LAW**
- 7. COMMENCEMENT AND TERM**
- 8. SERVICES/GOODS**
- 9. INSURANCE**
- 10. PROJECT ADMINISTRATION**
- 11. FORCE MAJEUR**
- 12. TERMINATION**
- 13. DISPUTE RESOLUTION**
- 14. SCHEDULES**