



EOI 05/2022

TERMS OF REFERENCE

**Expression of Interest (EOI)
for
Towing Services**

LAND TRANSPORT AUTHORITY

P.O. Box 6677, Nasinu, Fiji.

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DATES : 29/01/2022 & 05/02/2022

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PART A - RULES GOVERNING THIS EXPRESSION OF INTEREST (EOI)

1.0 PURPOSE OF ENGAGEMENT

The Supply of Towing Service is part of Land Transport Authority's (LTA) plan to ensure that customer is given excellent towing service with reasonable to minimum cost possible.

2.0 NO CONTRACTUAL OBLIGATIONS

This Expression of Interest (EOI) is not to be constructed as a contract between LTA and the prospective bidder. Nothing in this EOI or in any submission document is to be viewed to give rise to any contractual obligations either related, expressed or implied.

3.0 BIDDERS TO INFORM THEMSELVES

The onus is on the bidder to understand the contents of the EOI and the implications of being involved in this EOI process. LTA does not accept responsibility for any misunderstandings arising from the bidder's failure to comply with the above-mentioned process.

LTA only accepts submissions on the condition that the bidder:

- Has examined this EOI and all other information made available to the bidder.
- Has made all reasonable inquiries regarding relevant risks, contingencies and other circumstances that might affect the submission.
- Has satisfied itself as to the correctness and sufficiency of the submission;
- Has involved itself in the submission process entirely at its own expense and without any costs being payable by LTA.

4.0 RIGHT TO VARY OR STOP SUBMISSION PROCESS

LTA reserves the right to either stop or vary the submission process and may require re-submission at any given time.

5.0 PROCUREMENT TIMETABLE

It is proposed that the following procurement timetable shall apply. LTA will strive to adhere to this timetable but reserves the right to alter the dates whenever necessary.

Dates	Tasks
29 th January & 5 th February 2022	Advertisements
11 th February 2022, 3pm	EOI closing date & time
25 th February 2022	Complete evaluations
11 th March 2022	Complete approval process
25 th March 2022	Notify Successful & Unsuccessful Bidders
1 st April 2022	Signing of Agreement
8 th April 2022	Start Implementation

Where this timetable varies significantly, LTA will notify prospective Bidders.

6.0 CONFLICT OF INTEREST

Bidders and their personnel must not place themselves in a position that may create a conflict of interest concerning this EOI. Any potential or actual conflict of interest that may arise in the performance of their obligations under the EOI must be fully disclosed.

Identification of a potential or actual conflict of interest does not necessarily preclude a Bidder's submission from consideration. However, LTA will carefully consider the circumstances surrounding the conflict of interest to determine whether it will compromise the status of the outcome of this EOI, and if so, will promptly notify the Bidder.

7.0 ENQUIRIES BY BIDDER

All enquiries by potential bidders for information should be addressed only to the nominated contact officers named on the EOI advertisement. Where, in the opinion of LTA, that there is a need to disseminate additional information to a particular bidder, the same information shall be provided to other bidders. Such information shall be given the same distribution as in the original EOI.

8.0 SUBMISSION CONTENT

Should a potential bidder find any discrepancy, ambiguity, inconsistency, error, or omission in this EOI document, they should notify LTA in writing as soon as possible. In any such case this needs to be done before the closing date for the submission so that LTA may take any corrective action it considers necessary.

9.0 WHAT TO LODGE

For manual submissions, bidders must submit three (3) hard copies in the EOI box placed at LTA - Level 1 Building A, Valelevu, Nasinu, Fiji or upload their submission electronically to the submission site - <https://www.tenderlink.com/ltafi/> by the closing date and time.

For manual submissions, the original hard copy must be marked "ORIGINAL" and the remaining two (2) copies must be marked "COPY 1" and "COPY 2", respectively. The original and the copies must include all supporting materials and be well-bound.

An Evaluation Team will evaluate submissions according to the criteria specified in this EOI.

10.0 LODGEMENT OF EOI

Manual submissions must include three (3) hard copies in sealed envelopes and placed in the EOI box provided at Level 1 Building A, Valelevu, Nasinu or upload the submission electronically on the LTA site <http://www.tenderlink.com/ltafi/>. The submission must be clearly addressed:

Management Tender Committee
EOI 05/2021– Towing Services
Land Transport Authority
P.O. Box 6677
Lot 1 Daniva Road, Valelevu
Nasinu, Fiji

11.0 LATE SUBMISSIONS

Submissions lodged after the submission closing time shall be deemed late and will not be accepted.

12.0 ALTERATIONS, ERASURES OR ILLEGIBILITY

Submissions are liable to be rejected where they contain alterations or erasures, incomplete, ambiguous or illegible prices or terms, or insufficient information to enable proper evaluation. Alterations cannot be made to submissions after the EOI Closing Time unless it can be clearly demonstrated to the satisfaction of the LTA Management Tender Committee that a clerical or keying error has been made by the bidder.

13.0 ACCEPTANCE OF SUBMISSIONS

LTA is not bound to accept the lowest priced submission. Bidders whose submissions are not accepted will be notified. The LTA Management Tender Committee reserves the right to negotiate with other bidders in the event that a contract cannot be successfully negotiated between LTA and the preferred Bidder. LTA is seeking a compliant bid from all vendors, however in addition it will consider a non-compliant bid that offers the Authority clear and demonstrable value for money benefits and operational innovations.

14.0 COLLUSIVE ACTIVITIES

Bidders and their personnel must not engage in any collusive bidding, anti-competitive conduct or any similar conduct with any other bidder or other person in preparing or lodging a submission or to involve themselves in sort of collusive activities related to the EOI.

15.0 SHORTLISTING

The LTA Management Tender Committee reserves in its absolute discretion, to make a shortlist of any bidders and seek further information from those bidders before choosing a preferred bidder. In the event of a shortlist being compiled by LTA, bidders that are not shortlisted will be advised as soon as possible.

16.0 ANTI-COLLUSION EOI CLAUSE

1. Facilitating reporting to the relevant competition Authority

The procuring Authority reserves the right, at its discretion, to report suspected collusive or anti-competitive conduct by bidders to the appropriate regulatory Authority and to provide that Authority with any relevant bidder information.

2. Disclosure of subcontracting

Suppliers/bidders must indicate if they intend any person (or organization) who is not an employee to perform work on the services, and they must provide their details. The contract with the successful bidders will require the procuring Authority's prior written approval for any changes to these arrangements, and any further subcontracting.

3. Warranty

The supplier/bidder warrants that their EOI has not been prepared with any consultation, communication, contract, arrangement or understanding with any competitor, other than:

- a) Where certain joint venture arrangements exist between the bidder and a competitor;

b) Where the bidder and a competitor have an agreement that has been authorized by the relevant competition Authority; and

c) Where the supplier/bidder has communicated with a competitor for the purpose of subcontracting a portion of the EOI, and where the communication with that competitor is limited to the information required to facilitate that particular subcontract.

In such a situation the bidder agrees to fully disclose the full nature and extent of any agreements with competitors to the tendering body. In the event that no such disclosure is made, the bidder warrants that their bid has not been prepared with any consultation, communication, contract, arrangement or understanding with any competitor regarding:

a) Prices;

b) Methods, factors or formulas used to calculate prices;

c) The intention or decision to submit, or not submit, a bid;

d) The submission of a bid that is non-conforming;

e) The quality, quantity, specifications or delivery particulars of the products or services to which this call for bids relates; and

f) The terms of the bid.

The supplier/bidder acknowledges that if the procuring Authority accepts the supplier/bidder's offer and completes any contract the procuring Authority will do so in reliance of this warranty.

4. Disclosure of prior anti-competitive conduct

Suppliers/bidders must indicate if they, or any corporation or person associated with their EOI, including directors and senior management, are or have ever been subject to proceedings related to anti-competitive conduct domestically or overseas. The information must include:

a) The names of the parties to the proceedings;

b) The case number;

c) The general nature of the proceedings; and

d) The outcome or current status of the proceedings.

The procuring Authority reserves the right, at its discretion, to exclude any supplier/bidder from the procurement process if the supplier/bidder, or any organization or person, including directors or senior managers associated with their EOI, have ever contravened the anti-competitive provisions of [the relevant competition laws] or equivalent laws overseas.

The procuring Authority reserves the right, at its discretion, to exclude any supplier/bidder from the procurement process if full disclosure of any or all contraventions of the anti-competitive provisions of the [the relevant competition laws] equivalent laws overseas has not been made.

PART B - EOI SPECIFICATIONS

17.0 A) i) SUBMISSION SPECIFICATIONS

GENERAL

The Land Transport Authority (LTA) is requesting Submissions from reputable Company for Towing Services

Towing Service

The base specifications for Towing Service to be consistent as below:

- Towing company's profile - to include the following:
 - ✓ Company History.
 - ✓ Business license number and Business Registration Certificate.
 - ✓ Tax Identification Number (TIN)
 - ✓ Tax Compliance letter
 - ✓ FNPF compliance letter
 - ✓ Specify the years of experience in providing the above service.
 - ✓ Recent financial statements of the company
 - ✓ List of major clients of the towing company (with particular reference to local Government which may have utilized their areas of expertise).
 - ✓ At least three (3) references from companies that have previously utilized the services of the towing company.
 - ✓ Names of suitable client contact persons.
- Details of towing company's drivers' full valid driver license
- Insurance coverage details for the towing company's services
- Towing Company must also provide the following information:
 - Which District they are interested to provide towing services for LTA operations.
 - Indicate the categories they intend to provide towing services or all categories from below:
 - ✓ Cars and light commercial vehicles (less than 3.5T);
 - ✓ Vehicles weighing 3.5T to 7.5T;
 - ✓ Omnibus;
 - ✓ Vehicles above 7.5T including combination vehicles (Truck & Trailer/drawbar trailer)/etc.
 - Indicate whether they can provide towing services 24 hours
 - Indicate whether they can provide standby towing vehicles
 - Indicate if they can provide towing services whenever the LTA operations Team requires.
- To tow vehicles from check points and bring it with due care to the LTA impounding area.
- To maintain a checklist and keep a proper record of all vehicles towed, take record of the entire item installed or kept in the vehicle and to be signed by the booking officer and the security as evidence.

- Towing company to be responsible for collecting towing fees from the vehicle owners and a receipt issued to the vehicle owner, as and when required.
- Towing vehicles to be OHS compliant.
- Hydraulics in the towing vehicles to be certified by Labour Department.
- Towing personnel to wear protective clothing (Boots, gloves, safety helmets, etc.)
- Provide list of Towing trucks, machinery and equipment at your disposal along with “safe towing” Capabilities of each.
- Provide charge rate and expected time of arrival in providing services from different locations to the impounding lot listed below.
 - For Sigatoka, and all interior/rural areas (**Please note that the impounding lot is located in LTA’s Sigatoka Cuvu Office or any other Specified area advised by LTA)
 - For Nadi, Lautoka, Tavua, Ba, Rakiraki, and all interior/rural areas (**Please note that the impounding lot is located in LTA’s Lautoka Office or any other Specified area advised by LTA)
 - For Taveuni (**Please note that the impounding lot is located in LTA’s Taveuni Office)
 - For Labasa, Savusavu, Nabouwalu and all interior/rural areas (**Please note that the impounding lot is located in LTA’s Labasa Office or any other specified area advised by LTA).
 - For Pacific Harbour, Navua, Lami, Suva, Nasinu, Nausori, Korovou and all interior/rural areas (**Please note that the impounding lot is located in LTA’s Valelevu Office or any other specified area advised by LTA).
- Provide separate charges for type of vehicle and duration of day.

Terms and conditions

- The Authority shall utilize the services of the successful supplier for a period of three (3) years.
- The ability to provide high standard towing services covering any or all of the areas Mentioned above.
- Any damage done to the vehicle in the process of towing or any claims for damages by the owner of the vehicle, the towing company shall be held liable.
- The towing services shall be delivered within a specified period of time agreed by both parties.
- Customer will be given first priority to choose their towing company.

ii. CONFIDENTIALITY

Vendors must treat all documents and information provided by LTA including this EOI, as confidential. LTA will treat all proposals received, and the information contained therein, as confidential until a negotiated contract is executed or all proposals are rejected.

iii. PUBLIC STATEMENT

No vendor shall make any public statement in relation to this EOI without prior written consent from LTA.

B) GENERAL CONDITIONS

The following general conditions apply:

- i. LTA may not necessarily accept the lowest cost bidder, but will strive to select the best and most responsive bidder.
- ii. LTA may cancel this EOI or amend its contents at any time prior to the acceptance of a submission.
- iii. If no proposal is acceptable, then LTA may either re-issue the Terms of Reference or negotiate with one or more vendors for a satisfactory offer.
- iv. The award of a submission shall not be deemed final unless and until a contract is successfully negotiated and approved by LTA.

C) EOI RESPONSE SECTION

Interested vendors shall submit submission responding to items below. Identify each response with the appropriate letter designation and respond to all items in the order given.

18.0 BASIC BUSINESS COMPULSORY REQUIREMENTS

- i. Company Profile.
- ii. Business License & Registration.
- iii. Fiji Revenue & Customs Services Tax Compliance Certificate (if local) or equivalent Compliance Certification for overseas bidders.
- iv. Fiji National Provident Fund Compliance Certificate (if local) or equivalent Compliance Certification for overseas bidders.
- v. Vaccination Status for all Staffs.

It is mandatory for the bidder to provide all the requirements listed under (i. to v.) above in order for their bid to be considered for further assessment. Any bidder who does not meet the 100% requirement as per the above list, their submission SHALL NOT BE CONSIDERED for assessment.

19.0 EVALUATION CRITERIA


1. Non-Price Factor 70%

- i. Qualifications & Experience – 30%
- ii. Specification – 40%

2. Price Factor 30%

Evaluation Criteria	
Basic Submissions Compulsory Requirement	
<p>i) Company Profile</p> <ul style="list-style-type: none"> • Background / History of company including details of parent companies and subsidiaries; • List of products and services • Specify the years of experience <p>ii) Business License & Registration</p> <ul style="list-style-type: none"> • Valid Business License (Certified Copy) • Valid Business Company Registration Certificate (Certified Copy) <p>iii) Tax Compliance</p> <ul style="list-style-type: none"> • Tax Identification Number Letter • Tax Compliance Certificate <p>iv) Fiji National Provident Fund Compliance Certificate (if local) or equivalent Compliance Certification for overseas bidders</p> <p>v. Vaccination Status for all Staffs.</p>	
i) Qualifications & Experience	Percentage (%)
<p>Respond to these criteria:</p> <ul style="list-style-type: none"> • Describe how the vendors experience will benefit LTA in terms of the successful service delivery – minimum 1 page. 15% • List of major clients of the company with particular reference to local government, which may have utilized the areas of expertise. Provide at least 3 references from clients you have previously provided service. Names and contact of suitable client contact persons for reference checks. 10% • Work Program – to show timeline & delivery. 5% 	
Total	30%

ii) Specification	Percentage (%)
<ul style="list-style-type: none"> • Details of towing company’s drivers’ full valid driver license • Insurance coverage details for the towing company’s services • Towing Company must also provide the following information: <ul style="list-style-type: none"> ➢ Which region they are interested to provide towing services for LTA operations. ➢ Indicate whether they intend to provide towing services for less than 3.5 ton vehicle or more than 3.5 ton vehicles or both. ➢ Indicate whether they can provide towing services 24 hours ➢ Indicate whether they can provide standby towing vehicles ➢ Indicate if they can provide towing services whenever the LTA operations Team requires. • To tow vehicles from check points and bring it with due care to the LTA impounding area. • To maintain a checklist and keep a proper record of all vehicles towed, take record of the entire item installed or kept in the vehicle and to be signed by the booking officer and the security as evidence. • Towing company to be responsible for collecting towing fees from the vehicle owners and a receipt issued to the vehicle owner, as and when required. • Towing vehicles to be OHS compliant . • Hydraulics in the towing vehicles to be certified by Labour Department. • Towing personnel to wear protective clothing (Boots, gloves, safety helmets, etc.) • Provide list of Towing trucks, machinery and equipment at your disposal along with “safe towing” Capabilities of each. • Provide charge rate and expected time of arrival in providing services from different locations to the impounding lot listed below. <ul style="list-style-type: none"> ➢ For Sigatoka, and all interior/rural areas (**Please note that the impounding lot is located in LTA’s Sigatoka Cuvu Office or any other Specified area advised by LTA) ➢ For Nadi, Lautoka, Tavua, Ba, Rakiraki, and all interior/rural areas (**Please note that the impounding lot is located in LTA’s Lautoka Office or any other Specified area advised by LTA) ➢ For Taveuni and all interior/rural areas (**Please note that the impounding lot is located in LTA’s Taveuni Office) ➢ For Labasa, Savusavu, Nabouwalu and all interior/rural areas (**Please note that the impounding lot is located in LTA’s Labasa Office or any other specified area advised by LTA). ➢ For Pacific Harbour, Navua, Lami, Suva, Nasinu, Nausori, Korovou and all interior/rural areas (**Please note that the impounding lot is located in LTA’s Valelevu Office or any other specified area advised by LTA). • Provide separate charges for type of vehicle and duration of day. 	40%
Total	40%

2. Price Factor 30%	Percentage (%)
<p>Cost Proposal</p> <p>All prices proposed should be separated by all the following:</p> <ul style="list-style-type: none"> • All suppliers must agree that prices are vat inclusive. • Local & Overseas bidders are to provide quotes which include any additional cost. • Other cost - that may not fall in the above categories, cost that need to be borne by LTA and is not factored in above categories, etc. • Provide charge rate in providing services from the Sigatoka, and all interior/rural areas (**Please note that the impounding lot is located in LTA’s Sigatoka Cuvu Office or any other Specified area advised by LTA) • Provide charge rate in providing services from the Nadi, Lautoka, Tavua, Ba, Rakiraki, and all interior/rural areas (**Please note that the impounding lot is located in LTA’s Lautoka Office or any other Specified area advised by LTA) • Provide charge rate in providing services from the Taveuni and all interior/rural areas (**Please note that the impounding lot is located in LTA’s Taveuni Office) • Provide charge rate in providing services from the Labasa, Savusavu, Nabouwalu and all interior/rural areas (**Please note that the impounding lot is located in LTA’s Labasa Office or any other specified area advised by LTA). • Provide charge rate in providing services from the Pacific Harbour, Navua, Lami, Suva, Nasinu, Nausori, Korovou and all interior/rural areas (**Please note that the impounding lot is located in LTA’s Valelevu Office or any other specified area advised by LTA). • Provide separate charges (if applicable) for type of vehicle <ul style="list-style-type: none"> • Price Validity for towing services <p><i>(Note: Price to be quoted for individual)</i></p>	 <p>30%</p>
Total	30%