

BIDDING DOCUMENTS

Cooperative Business International “CBI”

Under an agreement with

**THE GOVERNMENT OF THE UNITED STATES OF AMERICA
FOR THE FOOD FOR PROGRESS ACT**

**Hereby announce the tender sale
U.S. origin Soybean Oil**

**For delivery to
(Islamic Republic of Afghanistan)**

Provide an

INVITATION TO BID

**Cooperative Business International Inc. hereafter referred to
as “CBI” as Agents for the donation cooperating sponsor issue
the
Contract form as amended November 1, 2007 Contract
reference Number (#AFG011)**

Date: November 1, 2007

SECTION ONE

INVITATION TO BID

Invitation to Bid reference No. AFG011

Cooperative Business International “CBI”

As Agents (with Power of Attorney) to Execute the

Under a

USDA FOOD FOR PROGRESS ACT DONATION

Shall execute

THE SALE AND DELIVERY OF U.S. Soybean oil

To

THE ISLAMIC REPUBLIC OF AFGHANISTAN

INVITATION TO BID

1.1. Cooperative Business International, Inc. (CBI), acting as agent on behalf of The Donation recipient (or the “Seller”), invites written signed delivered bids by facsimile or courier bids from eligible bidders for the sale of approximately 2,250 metric tonnes (MT) of refined soybean oil. Buyers may bid for the for part of, or the total quantity, in sub-lots of about (250 MT each that is equal to 11,340 cartons per lot = or equal to = 272,160 Liters per lot) of Soybean Oil as set out below. At the sole discretion of CBI, terms and conditions of this Invitation to Bid may be waived or amended, at Seller’s election, without necessity that CBI, provide cause or explanation for such change.

1.2. The available Packing of 2,250/MT oil offered as follows for this auction
A. 2 X Lots equalling a total of 500/MT packed in **4 liter Plastic Jugs**
B. 7 X Lots equalling a total of 1,750/MT packed in **4 liter Metal Cans**

1.2. **BIDDING WILL BE CONDUCTED THROUGH INTERNATIONAL COMPETITIVE BIDDING PROCEDURES UNDER USDA REGULATIONS FOR THE “FOOD FOR PROGRESS ACT”, AND BIDDING IS OPEN TO ALL BIDDERS, WITH THE EXCEPTION OF BIDDERS FROM COUNTRIES SUBJECT TO UNITED NATIONS SANCTIONS.**

1.3. Interested eligible bidders may obtain further information from

**CBI Office Address Afghanistan:
SALANG WATT- KARTI –E- ARYANA TOYOTA BUSINESS CENTER, 3RD
FLOOR**

KABUL AFGHANISTAN
OFF TEL.# 93 (0) 7520 16154
Mr. Mulakhil Kabul Cell # 0799 203 010
Mulakhil E-mail: mulakhil1@yahoo.com
Mr. Hamid Cell # 0799 390 632
Hamid E-mail: hamid_kbl50@yahoo.com

In English you may request a copy by email from Daniel Keefe at **Email:**

dlkeefe@yahoo.com
Daniel Keefe Kabul Tel # USA + 1-209- 345-6102
93 (0) 778 21 40 40

Or

Mr. Robert Clark – CBI, Columbus, Ohio
Main Line: + 1 614 839 2700
Fax Number: + 1 614 839 2709
E-mail address: rclark@cbi-global.com
Mail & Courier Address: (Cooperative Business International)
5898 Cleveland Avenue, Columbus, Ohio 43231, U.S.A

Where to submit bids:	CBI (Auction Meeting Room) Kabul Inter Continental Baghe Bala Road, Kabul Tel. 0093 20 2201321 http://www.intercontinentalkabul.com/
When to submit bids:	Bids must be submitted per the attached bid form by 12:00 PM on November 19, 2007. Late bids after closing date of the invitation to bid will be rejected.
Bid contract terms of sale.	You will be bidding for a contract No. AFG011 provided as an attachment to these instructions.
Bid security Deposit:	You must pay a U.S. \$10,000.00 deposit no later than November 17, 2007 in the CBI account at Standard Chartered Bank for each lot of 250 metric tons bid. See (Form 2) below for deposit Bank account instructions.

When to receive your contract award.	Bid awards will be given no later than 0:900 hours pm on November 20, 2007, however we will attempt to provide the contract awards on November 19, 2007 in the afternoon if possible.
Bid Validity.	Bids must remain valid until 12:00 PM November 20, 2007 and expire automatically if not accepted by the seller by that time.
When will the oil be available for pick up at the warehouse	The oil is expected to arrive at the sellers' warehouse in Kabul between November 20, 2007 and December 30, 2007 for pick up by the buyers, but delivery subject to when the oil arrives at the warehouse.
How to Bid	See instructions below, read the contract and then Submit Form 1 & Form 4 to CBI office by the due date listed above
Minimum Price for Bid requirement	The minimum price required to bid is U.S. \$ \$1,050.00 per one metric ton. The oil will be sold to the highest bidder for any bids that are received above this price; however bids below \$1,050.00 per metric ton will be automatically rejected. However, if the sellers suspect collusion among bidders, then bids at or above \$1,050.00 may also be rejected at sellers' discretion.
Delivery cost:	Buyer shall pay AFSOTR warehouse a fee of <u>2</u> AFS per Case of oil for loading from the warehouse to buyers vehicle

Deleted: ¶

SECTION TWO

INSTRUCTIONS TO BIDDERS

INTRODUCTION

2.1 ELIGIBLE BIDDERS

This Invitation to Bid is open to all bidders from eligible source countries, which shall exclude bidders in countries subject to United Nations sanctions and/or bidders otherwise excluded under this offer.

2.2 COST OF BIDDING

The bidder shall bear all costs associated with the preparation and submission of its bid and bid bonds. CBI, as agent for donation cooperating sponsor “the Seller”, and the U.S. Government, will not be responsible or liable for such costs, regardless of the conduct or outcome of the bidding process.

2.3 THE BIDDING DOCUMENTS

2.3.1. The product shipped, bidding procedures, and Contract terms are prescribed in these bidding documents. In addition to the Invitation to Bid, the bidding documents include:

- Instructions to Bidders
- Additional Conditions of Sales agreement Contract “AFG011”
- Forms:
 - (1) Bid form and Price Schedules: Forms 1
 - (2) Bid and Performance Security Form 2
 - (3) Notice of Award to the successful Bidder Form 3
 - (4) Buyer Data Record Form 4

2.3.2. The bidder is expected to examine all instructions, forms, contract terms AFG011, and specifications in the bidding documents. Failure to furnish all information required by the bidding documents or to submit a bid that is not substantially responsive to the bidding documents may result in the Seller’s rejection of a bid, or Seller’s refusal to consider a bid.

2.4 CLARIFICATION AND AMENDMENTS OF BIDDING DOCUMENTS

2.4.1. CBI may for any reason, whether on their own initiative or in response to a clarification request, modify the bidding documents by amendment at any time prior to the deadline for submission of bids. All prospective bidders who have received the bidding documents will be notified of the amendment in writing and the amendment will be binding upon them.

2.5 PREPARATION OF BIDS

2.5.1. The Buyer's bid shall be written submitted as per the bid form 1 & form 4.

2.5.2. The bid shall contain the following:

- **Bid Form and Price Schedule:** The Bid Form and Price Schedule shall use the forms furnished in the bidding document (Form 1), and shall be duly completed; the bid shall be submitted at or above the minimum price of \$1,050.00/mt or the equivalent price in litres.
- **Buyer Data Record:** The Bidder shall provide evidence that the bidder is eligible to bid, has experience in the relevant business, and is otherwise financially and legally qualified to perform the Contract on the form, as specified on the Buyer Data Record (Form 4);
- **Deposit or Bid Security:** The Bidder shall provide Seller with bid security, using the supplied bid security form (Form 2) before the bid closing date and time to the sellers account listed on Form 2. Deposits for unsuccessful bids will be returned to the bidders on as soon as possible, but no later than November 23, 2007. Please have valid identification that will allow you to cash a Bank Check from the Standard Chartered Bank in your name and company name.

2.6 SUBMISSION OF BIDS

2.6.1. The envelopes shall:

- Be addressed to the CBI, at the address given above in the Bidding documents and delivered by courier, fax, in person, or by e-mail attachment duly signed and scanned as a copy ;

2.7 MODIFICATION AND WITHDRAWAL OF BIDS

2.7.1. The bidder may modify or withdraw its bid after the bid's submission, provided that written notice of the modification, including substitution or withdrawal of the bids, is received by CBI prior to the deadline prescribed for submission of bids.

2.15.2 No bid may be modified after the deadline for submission of bids.

2.15.3 No bid may be withdrawn in the interval between the deadline for submission of bids and the expiration of the period of bid validity specified by the bidder on the Bid Form.

2.8 OPENING AND EVALUATION OF BIDS

As per the announcement above.

2.9 CLARIFICATION OF BIDS

During evaluation of the bids, CBI may, at its discretion, ask the bidder for a clarification of its bid. CBI's request for clarification and the bidder's response

shall be in writing. No change in the prices or substance of the bid shall be sought, offered, or permitted during or after the evaluation of the bid.

2.10 EVALUATION AND COMPARISON OF BIDS

2.10.1. CBI will evaluate and compare the bids, which have been determined to be substantially responsive, pursuant to ITB Clause 2.7 and 2.18.

2.10.2. The bids will be evaluated and compared on the contract bid price basis, as described in the form of the contract and Bid Forms 1

2.11 CONTACTING THE SELLER OR OTHER BUYERS

2.11.1. Any effort by a bidder to influence CBI, the Seller, or other bidders/buyers on bid evaluation, bid comparison, or the contract award may result in the rejection of the offending bidder's bid.

2.12 AWARD OF CONTRACT

2.12.1. CBI will determine to its satisfaction whether the bidder that is selected has submitted the highest evaluated responsive bid for the contract quantity, and is qualified to perform the contract satisfactorily, in accordance with the criteria listed in the sales agreement contract AFG011 Dated November 1, 2007 and bid form.

2.12.2. CBI will award the contract to successful bidders whose bid has been determined to be substantially responsive and that it is **the highest evaluated acceptable bid, provided that CBI determines the bidder is qualified to perform the contract satisfactorily.** However, CBI and the Seller reserve the right to accept or reject any bid or all bids or to annul the bidding process any time prior to contract award, without thereby incurring any liability to the affected bidder or bidders and without CBI or Seller having any obligation to inform the affected bidder or bidders of the reasons for CBI's action.

CBI's notification of award to the bidder will constitute the formation of the Contract.

2.21.5. At the time CBI notifies the successful bidder that its bid has been accepted, CBI will send the bidder the Contract Form provided in the bidding documents incorporating all agreements between the parties.

2.21.6. Within three (3) days of receipt of the Contract Form, the successful bidder shall sign and date the contract and return it to CBI by fax and or by courier.

FORM 1

Purchase contract of U.S Soybean Oil
 BID FORM AND PRICE SCHEDULES

Contract terms incorporated herein by reference: AFG011
BIDDERS TO COMPLETE THIS FORM

1. Bid closing date and time: November 19, 2007 12:00 PM hours
(Kabul Afghanistan time)
2. Bid opening date and time: November 19, 2007 13:30 PM hours same day
4. Currency of bid U.S. Dollars
5. Price delivery terms: As detailed in the Form of Contract AFG011
7. Payment terms: As detailed in the Form of Contract AFG011
8. Compliance with the Seller’s specifications and terms and conditions accepted
9. Bid validity: *Bidder hereby confirms validity until 09:00 hours Kabul time November 20, 2007*

Bid Lot No.#	Packing in; 4 liter Plastic Jugs (or) 4 liter Metal Cans	Quantity bid 1-lot is about 250 metric tons equal to about 11,340 cartons = 272,160 liters each lot)	Price Bid	Deposit amount due U.S. Dollars\$
1 <u>Example:</u>	<u>Plastic Jugs</u>	<u>1-lot 250 MT</u>	<u>\$1,250.00/mt</u>	<u>\$10,000.00</u>
2 <u>Example:</u>	<u>Metal Cans</u>	<u>1-lot 250 MT</u>	<u>\$1,150.00/mt</u>	<u>\$10,000.00</u>
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
Total		<u>2 lots</u>		<u>\$20,000.00</u>

Having examined the Bidding Documents under the above CA reference AFG011 dated, November 1, 2007 (“the Bidding Documents”) and all attachments thereof, we the undersigned, undertake to purchase the products for use and disposal in Afghanistan as per quality and quantity specified in the Bidding Documents. We understand that the Seller is not bound to accept the highest or any bid received. Each bid lot above may be accepted separately or combined at sole the discretion of the seller.

Dated this _____

[Signature of authorized person for and on behalf of Bidder]

(Buyer's company name and telephone number here)

FORM 2

BID DEPOSIT PERFORMANCE BOND SECURITY FORM
Bid Security to be received by CBI on or before November 17, 2007

Addressed to CBI:

BID DEPOSIT & PERFORMANCE SECURITY

In accordance with contracts awarded under AFG011 and corresponding Form No. 3, please remit the required deposit amount to the CBI account at Standard Chartered Bank as follows:

Bank: Standard Chartered Bank Kabul
Account name: Cooperative Business International
Account Number: 01-1056700-01

House 10, Street 10 B
Wazir Akbar Khan Area
Kabul, Afghanistan
Tel. +93-799-007777

Please provide the Bank your name and reference number for each deposit paid.

For example: Company Name _____

Bid No. _____ (your company reference number) _____

Deposit amount \$ _____

FORM 3

**SUPPLY AND SHIPMENT OF CDSBO
THE SELLER’S NOTICE OF AWARD TO A SUCCESSFUL BIDDER**

This is to advise [Bidders Name here] (hereinafter called “the Buyer”), in relation to the CA Bid Reference AFG011 DATED November 1, 2007 Bid Form 1 dated [Dated , 2007] that the bid submitted to CBI (hereinafter called “the Seller”), on [, 2007] for the supply of products as described in the Seller’s bid solicitation is to be awarded to your company. (See Attached.)

This signed award returned by hand, courier, e-mail and or fax, and the bid documents provided by the Buyer, unless specifically amended by mutual agreement in writing will serve as the Contract, which will come into effect upon transmission of this notification of award, as agreed upon.

The corresponding price and terms accepted by the seller are to apply for Bids submitted under Bid Form #1 as follows:

Bid Lot No.#	Type of packing Plastic jugs or metal cans	Quantity bid (Liters)	Price Bid	Deposit amount due \$
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				

The deposit amount referenced above serving as a performance security required under the Contract should be submitted within 4 working days of this award. You are reminded that failure on the part of the Seller to provide the deposit amount performance Security in accordance with the contract AFG011 (dated November 1, 2007) payment instructions in respect of the Bid within the specified period shall cause the deposit performance Security furnished by the bidder to be forfeited.

Mr. Daniel Keefe (CBI) duly authorized, for and on behalf of the “Cooperating Sponsor”

Signed and faxed previously confirmation concluded.
Dated , 2007

FORM 4
BUYER DATA RECORD
 (COMMERCIAL IN CONFIDENCE)

CBI'S Reference: AFG011

Date

Please complete and return this form. Add sheets if the space proves insufficient, but please sign, stamp and date them also.

IDENTIFICATION (Head Office or Main Base)	
Company Name	.....
Postal Address	..........
Post Code	.....
Telephone Number	.....
Facsimile Number	.....
E-mail address	.....
Contact Name	.....
Department & Telephone Extn.	.....
Company Registration Number	.....
Tax Registration Number	.....

ORGANISATION (Please provide organization tree if possible)	
Trading style (if different from Company Name)	.....
Type of Company (e.g. Public, Private, Partnership)	.....
Parent Company	.....
Ultimate Holding Company	.....
Major Shareholders	..........
Subsidiary Companies	..........
Associated Companies	.....

FINANCIAL (Please provide a copy of your latest audited annual report and accounts)

Name of Bankers

Address of Bankers

Payment Address if different from Head Office or Main Base
address already entered

OVERSEAS REPRESENTATION

Please enter countries and insert a cross where representation/facility exists.

COUNTRY	BRANCH OFFICE	LOCAL AGENT	TECHNICAL STAFF	MAINTENANCE SUPPORT	WORKSHOPS	TRAINING	SPARES

Will your branch offices handle claims? Yes No

Will your local agents handle claims? Yes No

It is not required to complete all the information requested in the above (form #4), please do your best to provide trade reference, Bank reference and business experience in years and sales amount.

HISTORICAL

In what year was your Company founded

Which Trade Association or other memberships do you have?
e.g. GAFTA, FOSFA, NOPA
.....
.....

How many years has your company been at present address?

How many years has your company been in export business?

Previous Address(es)
.....

Former Company Title(s)
.....

REFEREES

Please provide the names and addresses of up to three of your main customers we may approach with regard to your general performance.

1.
2.
3.

.....
Authorized Signature Name in Capitals
.....
Position Date
Company Stamp