
WCO Call for Tender



WORLD CUSTOMS ORGANIZATION
ORGANISATION MONDIALE DES DOUANES
Established in 1952 as the Customs Co-operation Council
Créée en 1952 sous le nom de Conseil de coopération douanière

Call for Tender for the selection of a University to implement the WCO SIE Scholarship Programme starting in 2022/2023

by

offering a twelve week non-degree Programme to provide
both theoretical and practical approaches on Customs and international trade.

Deadline for submission of proposal:

3rd June 2022, 10.00 a.m. (GMT+1)

Address for submission of Bids:

The original Bid, together with all supporting materials, should be sent to:

WCO-OMD

Call for Tender for the selection of a University to implement
the WCO SIE Scholarship Programme starting in 2022/2023

for the attention of Mr. Marc Bruneau
Head of Purchases, Sales and Contracts Service
Rue du Marché, 30
B-1210 – Brussels
Belgium

Table of Contents

- I. Background, purpose and development of the Project**
 - 1.1. Presentation of the WCO**
 - 1.2. Framework of the Scholarship and the WCO Guidance**
 - 1.3. Customs Cooperation Fund of Korea (CCF-Korea)**

- II. Contents of Call for Tender**
 - 2.1. Overview**
 - 2.2. Programme description**
 - 2.3. The University's arrangements for supporting the Scholarship participants**
 - 2.4. The University's responsibilities**
 - 2.5. The WCO's role in monitoring and evaluating the Programme**

- III. Procedures for responding to the Call for Tender and content thereof**
 - 3.1. Preparation of the tender**
 - 3.2. Cost of the tender response**
 - 3.3. Period of validity of the tender**
 - 3.4. Formalities and signing of tenders**
 - 3.5. Date of submission of tenders**
 - 3.6. Prices quoted in tenders**
 - 3.7. Language**
 - 3.8. Requests for information or clarification of the Call for Tender**
 - 3.9. Modification and withdrawal of the Call for Tender**
 - 3.10. Modification and withdrawal of the Tender**
 - 3.11. Subcontracting**

IV. Assessment and Award of Contract

4.1. Exclusion Criteria

4.2. Ethics Clauses

4.3. Accession Criteria

4.4. Award Criteria

4.5. Points

4.6. Technical Proposal

4.7. Financial Proposal

4.8. Award of the contract

4.9. No obligation to award the contract

4.10. Payment scheme

4.11. Special provisions

4.12. Request for information – Complaints

4.13. Acceptance of the conditions of the Call for Tender and provisions applicable to the Agreement

I. Background, purpose and development of the Project

1.1. Presentation of the WCO

The World Customs Organization (WCO) is the only intergovernmental organization exclusively focused on Customs matters. With its worldwide membership, the WCO is now recognized as the voice of the global Customs community.

It is particularly noted for its work in areas covering the development of global standards, the simplification and harmonization of Customs procedures, trade supply chain security, the facilitation of international trade, the enhancement of Customs enforcement and compliance activities, anti-counterfeiting and piracy initiatives, public-private partnerships, integrity promotion, and sustainable global Customs capacity building Programmes.

The WCO also maintains the international Harmonized System nomenclature and administers the technical aspects of the WTO Agreements on Customs Valuation and Rules of Origin.

1.2. Framework of the Scholarship and the WCO Guidance

Custom's role in international trade has become increasingly important to the economic strength through effective controls, facilitation of commerce and attracting business and investment to the country. Customs must adapt to a changing world if it is to remain relevant and be a positive force within their governments.

Acknowledging the vital role that Small Island Economies (SIEs) could play in global trade, as well as the challenges SIEs face, the WCO Guidance for Customs administrations in SIEs which was approved by the 137th Council in December 2020 recommends potential measures to assist SIEs with integrating into the global supply chain, while strengthening their capacities for effective risk management, trade and travel facilitation, security and revenue collection.

In light of this, the SIE Scholarship targets fifteen (15) working-level Customs officials from SIEs and seeks to provide theoretical frameworks of international trade and business practices, so that they can address Customs matters from a more systematic point of view taking into account those measures from the Guide.

The Scholarship is envisaged to offer twelve-weeks, non-degree Programme and aims at:

- Developing strategic hands-on skills, knowledge in global trade and Customs matters;
- Sharing good practices and exchanging views on how Customs officials could contribute to organizational development and future strategy of Customs;
- Training basic theories and skills of data analytics for improving capacities of participants in utilizing data including data collection, analysis and visualizations;
- Becoming more familiar with the process of improving coordination between and among relevant development partners and donors considering challenges SIEs are facing;
- Inspiring participants to play a key role in implementing international standard and WCO instruments and tools.

Since this Programme aims to deliver practical information and theoretical approaches on Customs and international trade and is going to be run for seven weeks, it is appropriate to have a combination of an academic institute, a Customs training center and the WCO.

1.3. Customs Cooperation Fund of Korea (CCF-Korea)

The Programme will be financed through CCF-Korea. The Fund will cover relevant costs for delivering the Scholarship Programme, including travel costs, admission fees, tuition fees, institutional costs, accommodation costs, subsistence allowance and other approved incidental expenses to enable participants to complete the Programme at the selected University.

This Fund is managed by the WCO. Accordingly, the WCO will administer both the Call for Tender process and liaison with the University on all Programme-related matters.

II. Contents of Call for Tender

2.1. Overview

This Call for Tender asks for a proposal on the academic Programme, covering all student-related matters (travel, accommodation, etc.) for three months in a year for three years.

The Scholarship Programme consists of academic sessions by the University inviting domain experts from Customs and business, and includes field trips jointly coordinated by the Customs authority.

The University is responsible for managing administrative tasks, such as selecting the candidates to be awarded scholarships, inviting the Customs domain experts, taking care of participants, monitoring their performance, arranging financial matters, etc. The proposal should therefore include details of the plan required for participants' study in the country.

The selected University is expected to run this Project for three years, subject to donor sponsorship. The three-year contract shall be reviewed by the contracting parties before it ends, and can be extended for a maximum of two additional years, based on agreement between the contracting parties, subject to donor sponsorship.

2.2. Programme description

The WCO shall select a University that provides comprehensive outcomes which meet the Project objectives consisting of the two initiatives described below, namely, the Scholarship Programme and the Development Initiative.

2.2.1. Scholarship Programme and its objective

The WCO shall select a university that shares its goals of helping Customs professionals from SIEs understand the linkage between Customs policy and administration and the socio-economic backdrop of developing countries. The university is expected to provide a comprehensive service meeting the Programme objectives.

The University should:

- Provide a study Programme aimed at enhancing participants' understanding on academic and theoretical aspects of Customs administration, and preferably comprising the following core courses: Customs Act, Public Finance, International Economics, Global Supply Chain Management, Data analytics for Customs purpose, Risk Management, WTO ATF, International Negotiations and Diplomacy related to Customs matters, and any other subjects which the WCO and the Customs authority consider as necessary;
- Arrange lectures on Customs issues aimed at offering an opportunity to share Customs officials' expertise, and preferably comprising the following core subjects: Customs-Business Relationships (e.g. AEO), and any other subjects which the WCO consider as necessary;
- Optionally endeavor to include various subjects regarding Customs administration such as Customs capacity building, CBM (Coordinated Border Management), Revenue, Tax, Rulings, Appeal, and others in the Programme.

The delivery should take into consideration following:

- Be taught in English. All official documents, reports and assignments should be written in English. The faculty instructors responsible for each course, and the University Programme coordinator must all be proficient in English;
- Foster methods that help participants to learn from each other through seminars, workshops, group projects, and other non-lecture methods extending beyond regular classroom hours;
- Endeavour to include presentations and case studies by speakers and experts from various sectors including Customs, business, the public sector and international organizations;
- Require the submission of reports. Each participant's presentation during dedicated sessions are mandatory. Copies of approved reports should be submitted to the WCO.

Each participant should:

- Select a topic in the field of Customs Classification, Valuation, Risk management, Customs modernization, or a related area and hand in a brief overview (approximately 100 words) by the fourth week of the Programme for the submission of the report.
- The University has to provide the consultation by several faculties for participants to review their topic and to develop it, in order to write their reports.
- Participants have to complete their Scholarship reports (approximately 2,000~3,000 words) until the end of the Programme.

It is recommended that the University establish close partnership and cooperate with public entities and government agencies, including the Customs administration and its training institute, in order to:

- Arrange field trips to public and private sector facilities including official visits to Customs offices and training institutes;
- Invite Customs officials as instructors to deliver the relevant Customs agenda

The WCO shall:

- Provide a session for Leadership and Management Development (LMD) Programme and part of data analytics session aimed at developing the skills necessary for officials to perform their duties effectively, in line with the organizational vision, in a fast-changing trade environment.

2.3. The University's arrangements for supporting the Scholarship participants

The chosen University shall ensure that it supports the participants by:

- Providing an air ticket to/from the country where the selected University is based;
- Assisting them with administrative arrangements;
- Providing appropriate accommodation and meals which are substitutable for a per diem;
- Providing them with a personal desk and computer (desk-top or laptop) during their stay;
- Providing necessary advice on making their stay in the country comfortable.

The University shall also offer the social support and health care to help participants overcome any problems they may encounter in the course of their studies.

The University shall provide the selected candidates with a letter which certifies enrolment in the Programme. This shall enable prospective participants to apply to the relevant embassy in their home country for a proper visa.

2.4. The University's responsibilities

2.4.1. Process for selecting candidates to be awarded scholarships

The Secretary General of the WCO will invite Member administrations from SIEs to put forward nominations for this Programme.

Administrations shall arrange for the nominee to submit the duly completed application forms to the selected University, taking into consideration that this Programme targets working-level officials who are currently working for Customs core functions. Upon receipt of applications, the University shall rank the candidates according to its own criteria on academic merit, also taking into consideration the selection criteria provided by the WCO.

It shall provide the WCO with a list of candidates who are expected to complete the Programme successfully, as well as with any other relevant information.

The WCO shall then select the agreed number of candidates and several substitute candidates to be awarded scholarships. The WCO shall notify the University of its decision as soon as possible. Target countries and Customs officials to be invited are subject to change based on the consultation between the University and the WCO.

2.4.2. The University's responsibilities concerning delivery of the Scholarship

The chosen University shall be responsible for promoting the Programme and shall be required to produce and disseminate Programme application forms and brochures. The WCO shall assist in the promotion of the Programme, for example, by distributing application forms to targeted countries and regions, and uploading detailed Programme information onto its website.

The University shall provide the requisite support to all participants for the Programme and monitor their performance. At the end of each Programme, it shall submit a report to the WCO on the participants' academic results, progress and on any other matter which the WCO may reasonably request.

2.4.3. Financial arrangements, including records and reports by the University

The chosen University shall:

- Administer and disburse the financial support received by the University under the Programme, in accordance with the laws and ordinances of the country and University's internal regulations;
- Maintain records and accounts in respect of the financial resources received and disbursements under the Programme; and
- Furnish the WCO, no later than 45 days after completion of the work per Programme for each year, with a summary statement of accounts showing how the financial resources received under the Programme were used during the previous year.

2.5. The WCO's role in monitoring and evaluating the Programme

The WCO shall designate a Programme officer who will coordinate all Programme-related matters with the University. If the University has any questions or requires clarification, it should contact the following officer, Mr. Sungsig KIM, Technical attache, Capacity Building Directorate Rue du Marché, 30, B-1210 – Brussels, Belgium (sungsig.kim@wcoomd.org)

The WCO shall conduct an annual evaluation mission at the University to meet the participants, and to review the course contents and participants' living conditions for the Scholarship Programme, including whether the allowances paid to participants are adequate. A report shall be prepared and submitted to the WCO Secretary General and the donor.

III. Procedures for responding to the Call for Tender and content thereof

3.1. Preparation of the tender

The tender shall comprise two (2) separate parts: one part meeting the technical criteria and financial criteria on the price of the equipment and services requested. The financial proposals should be provided in a second and separate envelope.

The tender submitted by the tenderer should comprise all the information requested in Annex I and Annex II hereto as well as the information and documents requested hereunder.

Tenders must be made without reservation. However, a tenderer may note in its tender that certain aspects require clarification. It is legitimate for a tenderer to point these out, and equally legitimate for the WCO to take account of them, provided that these corrections do not substantially affect the terms of the tendering process or the purpose of the contract.

Tenders must be compliant, in all respects, with the purpose of the Call for Tender. Tenders which are not compliant with the purpose of the Call for Tender shall be set aside.

Documentation required for the tender

All tender proposals must be accompanied by the following documents:

a) Administrative documents :

- A sheet describing the tenderer's professional activities
- A document attesting to the tenderer's legal status
- A document listing the names and status of the individuals who make up the tenderer's governing bodies, together with an organizational chart
- Documentary evidence of the tenderer's financial situation
- A declaration on honor vouching that the tenderer is not in one of the situations described in parts 4.1 and 4.2 related to Exclusion criteria and Ethics clauses
- VAT exemption N° or VAT exemption certificate (if applicable)

b) Project proposal :

- An explanation of tenderer's vision for this project.
- Proposed Scholarship Curriculum
- A description of its resources (qualified staff and teaching equipment).
- A description of the resources of the hosting infrastructure.
- Answer to the Annex I - the technical proposal.

c) Financial proposals (in a second and separate envelope)

- Quotes in the format provided in the Annex II.

Further information related to the Accession criteria of the tenderer is outlined in part 4.3. Further information related to the Award criteria of the tenderer is outlined in part 4.4.

3.2. Cost of the tender response

The tenderer shall bear all costs associated with the preparation and submission of the tender response. Under no circumstances shall the WCO be responsible or liable to the tenderer, regardless of the outcome of the Call for Tender.

3.3. Period of validity of the tender

All tender responses submitted by the tenderer shall remain valid for ninety (90) days after the deadline for receipt of tenders.

Any tender response with a period of validity of less than ninety (90) days shall automatically be rejected.

3.4. Formalities and signing of tenders

The tender should be sent to:

**WCO-OMD
WCO CALL FOR TENDER
For the attention of Mr. Marc Bruneau
Head of Central Services
Rue du Marché, 30
B-1210 – Brussels
Belgium**

The tenderer shall provide two copies of the tender response, clearly marking it:

“Original tender response”

The tender shall be typed and signed by the tenderer or any other person authorized to bind the tenderer.

The tender shall contain no erasures, overwriting or correction, as these shall entail rejection of the tender.

The tender has to be submitted solely by post or delivered by hand to the WCO reception.

3.5. Date of submission of tenders

The WCO Procurement Service may, at its own discretion, extend the deadline for submission of tender responses. Tenderers contacted by the Service shall be notified directly, in writing, of this extension.

The tenders submitted after the deadline indicated on the front page of this document will not be considered.

3.6. Prices quoted in tenders

The financial proposal must be duly dated and signed by a duly authorized representative of the tenderer. The financial proposal shall be based on the instructions under Annex II. The tenderer must complete the “Financial proposal” table as outlined in the relevant Annexes. Prices must be quoted in euro. For tenderers from countries which do not form part of the Eurozone, the amount of the tender cannot be revised as a result of exchange rate fluctuations. The choice of exchange rate falls to the tenderer, who bears the risks and reaps the benefits associated with these fluctuations.

Prices quoted must detail separately all government taxes, Customs duties and levies.¹

3.7. Language

All responses to this Call for Tender must be written in English.

3.8. Requests for information or clarification of the Call for Tender

A tenderer requiring additional information on the Call for Tender may submit a request in writing to the WCO Procurement Service: Marc.Bruneau@wcoomd.org

The WCO Procurement Service shall respond in writing to any request it receives no later than five (5) days prior to the deadline for submission of tenders. Copies of the replies will be published online on the website www.wcoomd.org in the “Call for Tender” section.

Any questions and answers shall also be posted on the WCO website, in the Calls for Tender section, in a frequently asked questions (FAQ) sub-section listed under the name of the Call for Tender concerned.

3.9. Modification and withdrawal of the Call for Tender

At its sole discretion and without any requirement for justification, the WCO may amend the Call for Tender prior to the deadline for submission of tenders.

All the potential tenderers to which the WCO has directly sent the Call for Tender shall receive written notification of any changes.

To enable the tenderers to take account of these changes in their response, the Procurement Service may, upon its own initiative, extend the deadline for submission of tenders.

The WCO retains the right to withdraw this Call for Tender without any requirement for justification. No claims for damages of any kind whatsoever may be made to the WCO following the withdrawal.

¹ The WCO is exempted from VAT in some countries. Please refer to article 1.4 of Annex V – “Standard terms and conditions applicable to the agreement”.

3.10. Modification and withdrawal of the Tender

The tenderer may withdraw its tender by sending written notice of withdrawal to the WCO Procurement Service prior to the deadline for receipt of tenders as indicated in the Call for Tender.

The withdrawal notice must be sent by registered mail with acknowledgement of receipt. No tender may be modified subsequent to the deadline for submission indicated in the Call for Tender.

No tender may be withdrawn in the interval between the deadline for submission of tender and the period of validity of the tender.

3.11. Subcontracting

Subcontracting is permitted subject to the following conditions:

- The selected service provider is fully responsible for the performance of any subcontractors.
- Tenderers must indicate in their tenders the amount of the contract (if any) that they intend to subcontract to third parties, as well as the identity and availability of the potential subcontractor(s).
- The service provider must not subcontract to third parties not identified in the tender as potential subcontractors without prior written authorization from the WCO.
- The service provider shall not cause the contract to be performed in fact by third parties.
- Even in cases where the WCO authorizes the service provider to subcontract to third parties, the service provider shall nonetheless remain bound by its obligations to the WCO under the contract.
- The service provider shall ensure that any subcontracting does not affect rights and guarantees to which the WCO is entitled by virtue of the contract.

Where subcontracting is envisaged, evidence of the potential subcontractors' ability to perform the tasks entrusted to them shall be included in the tender. Such evidence is the same as that also required from the service provider, as indicated below.

Tenderers should note that the WCO shall consider any intended subcontracting as an indication that the potential service provider does not have the requisite resources to complete the tasks under the contract.

VI. Assessment and Award of Contract

4.1. Exclusion Criteria

Applicants or tenderers shall be excluded from a contract if:

(a) they are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;

(b) they have been convicted of an offence concerning their professional conduct by a judgment which has the force of *res judicata*;

(c) they have been guilty of grave professional misconduct proven by any means which the contracting authority can justify;

(d) they have not fulfilled obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established or with those of the country of the contracting authority or those of the country where the contract is to be performed;

(e) they have been the subject of a judgment which has the force of *res judicata* for fraud, corruption, involvement in a criminal organization or any other illegal activity detrimental to the WCO's financial interests.

Tenderers must declare on their honour that they are not in one of the situations referred to above.

4.2. Ethics Clauses

Any attempt by a tenderer to obtain confidential information, enter into unlawful agreements with competitors or influence the Advisory Committee on Contracts (ACC) or any WCO staff member during the process of examining, clarifying, evaluating and comparing tenders and applications will lead to the rejection of its submission or tender.

Thus, any direct or indirect contact with a WCO staff member other than the person named in this Call for Tender may, at the WCO's sole discretion, result in the rejection of the tender without any compensation or formality.

When putting forward a tender, the tenderer shall declare that it is affected by no potential conflict of interest and has no equivalent relationship in that respect with other tenderers or parties involved in the missions likely to be outsourced to it in its capacity as the selected tenderer. Should such a situation arise during execution of the contract, the service provider must immediately inform the WCO.

Tenderers shall respect core labour standards as defined in the relevant International Labour Organization (ILO) conventions (such as the Conventions on freedom of association and

collective bargaining, abolition of forced and compulsory labour, abolition of discrimination in the workplace, and abolition of child labour).

The tenderer shall refrain from any relationship likely to compromise its independence or that of its staff. If the service provider ceases to be independent, the WCO may, regardless of injury, terminate the contract without further notice and without the service provider having any claim to compensation.

The WCO reserves the right to suspend or cancel the Call for Tender or the contract awarded if corrupt practices of any kind are discovered at any stage of the award process.

4.3. Accession Criteria

Only those tenders fulfilling all the accession criteria will be assessed against the award criteria.

The accession criteria are:

- Submission of documents listed;
- Submission of information related to the tenderer's expertise and the experience of the staff members involved;
- Provision of a proposal that meets the requirements set out in the specifications and testifies to the tenderer's ability to provide the services requested;
- Submission of a financial proposal in a second and separate envelope

4.4. Award Criteria

Further to the price quoted for the performance of the contract, the following award criteria shall be applied, and should be taken into account in the preparation of the technical proposal.

Award criterion 1 – Functional and technical requirements

This criterion serves to assess the tenderers ability to understand the WCO's needs and deliver the tasks listed under this Call for Tender according to the requirements specified herein.

It also serves to assess the extent to which the tender meets the conditions outlined in the Call for Tender with respect to the standards to be followed. This criterion also serves to assess the quality of the proposal provided by the tenderer.

Award criterion 5 – Financial proposal

The tenderer needs to describe detailed budget lines in the offer detailed in the Annex II:

- Cost for implementation of the proposed project

4.5. Points

A scoring system to evaluate the award criteria relating to the technical merits of the tender shall be applied. Points shall be allocated to each offer as follows:

Functional and technical requirements		
1	Expertise of the university submitting the Tender response	20%
2	Ability to implement the Programme	20%
3	University administrative capabilities	20%
4	General understanding of the proposal	10%
Financial proposal		
5	Proposed financial offer	30%
Total		
		100%

Tender Award Criteria	Maximum Points
Award criterion 1	40
Award criterion 2	40
Award criterion 3	40
Award criterion 4	20
Award criterion 5	60

TOTAL 200

4.6. Technical Proposal

The proposal provided by the tenderer will be evaluated in relation to technical specifications and support services. Tenderers are requested to provide the information as requested in this Call for Tender, in accordance with the instructions and templates provided.

Technical Evaluation Criteria

Technical Evaluation Criteria is shown in the following tables. The obtainable number of points specified for each evaluation criterion indicates the relative significance or weight of the item in the overall evaluation process.

1. Expertise of the university submitting the Tender response		Points
1.1	The university's reputation (competence, history, any relevant experience, connections and awards in the Customs domain, its strengths in the area of Customs policy, etc.	8
1.2	Experience of the key instructors who will be responsible for each course and of all the technical staff involved in the Programme	10
1.3	Previous work by / past experience of the university in offering Program in the Customs domain	8
1.4	Ability to mobilize - Customs domain expert - relevant resources from government bodies including Customs - project experiences for the multilateral or bilateral Programmes	6 4 4
	Total	40
2. Ability to implement the Programme		Points
2.1	To what extent do the core courses on the curriculum meet the technical requirements of the Call for Tender?	8
2.2	Suitability of the university methodology and work plan for implementing the Programme	8
2.3	The university's relevant past experience of teaching overseas students from developing countries. Follow-up system to help students to learn. Policy of focusing on the cultural dimensions of learning	8
2.4	Aptitude in methods for assisting participants to learn from each other through seminars, workshops and other non-lecture methods extending beyond regular classroom hours. A pedagogical approach to teaching	8
2.5	Proficiency in English by all the university teaching and support staff	8
	Total	40
3. University administrative capabilities		Points
3.1	University Programme Coordinator	8
3.2	The university's organization, practices and proposed arrangements for the pooling of efforts in order to implement the Programme	8
3.3	Facilities for accepting ten overseas participants (including appropriate accommodation, meal, personal desk, computer and Etc.)	8
3.4	The university's ability to co-operate with the WCO and the Customs authority, including the Customs Training institute	8
3.5	The university's ability to support participants overcome any social/health problems they may face in the course of their studies	8
	Total	40

4.7. Financial Proposal

The WCO Advisory Committee on Contracts shall then proceed with the financial assessment of the tenders retained.

The price quoted must be a firm, non-revisable price denominated in euro. The price should be fully inclusive and include any travel and accommodation costs. Prices quoted must include all government taxes, customs duties and levies.²

The prices proposed by the tenderers shall be applied a score of a maximum of 60 points based on the classification of the prices stated in the proposals received by the WCO.

Functional and technical requirements	140 points	70%
Financial proposal	60 points	30%
Total	200 points	100%

4.8. Award of the contract

The contract shall be awarded to the tenderer offering the best value for money.

The WCO reserves the right not to select any tender if the quote of the tender exceeds the budget allocated for this project.

Where applicable, the WCO may ask the tenderer to provide clarification about a tender. This request, as well as the response, shall be made in writing. The WCO reserves the right to ask an applicant for a demonstration of the proposed solution or part of it.

The WCO reserves the right to ask tenderers for their best and final proposal before awarding the contract. Each tenderer shall be informed about the decision of the Advisory Committee on Contracts.

4.9. No obligation to award the contract

In no way whatsoever does the Call for Tender procedure entail any obligation on the WCO's part to award the contract. Up until the finalization of the contract the WCO may decide not to proceed with the contract or may cancel the Call for Tender procedure, without the tenderers' being able to claim compensation of any kind.

The WCO is not liable for any compensation with respect to tenderers whose tenders have not been accepted. Nor shall it be liable should it decide not to award the contract.

² The WCO is exempted from VAT in some countries. Please refer to article 1.4 of Annex V – “Standard terms and conditions applicable to the agreement”.

In any event, the WCO retains the right to withdraw the Call for Tender or to reject all the tenders before a contract has been awarded and signed, without having to provide any justification or having to compensate the tenderers for any damage whatsoever.

The WCO reserves the right to contract in full or partly the services described in this Call for Tender without having to provide any justification or having to compensate the tenderers for any damage whatsoever.

4.10. Payment scheme

The following payment scheme will be applied to the awarded contract:

For the scholarship Programme

- (i) Seventy (90) percent of the total amount per year upon the initiation of the Programmes;
- (ii) Ten (10) percent of the total amount per year upon the completion of the Programme.

All payments are due within thirty (30) calendar days of receipt of the invoice.

4.11. Special provisions

Nothing in this Call for Tender and the annexes thereto, including in particular any references to Belgian legislation, shall be construed as a waiver by the WCO of its privileges or of those of its officials. Given that the WCO is an intergovernmental organization, it is expressly agreed that the rights and obligations of the Parties shall be governed by the Call for Tender or, subsidiarily, by the provisions of Belgian law. It is expressly stated that the constituent parts of the Call for Tender shall take precedence over the legislative and regulatory provisions referred to therein.

4.12. Request for information – Complaints

Unsuccessful tenderers may seek clarification, from the official responsible for purchases, of the reasons why they were not awarded the contract.

All request for information or complaints must be lodged according to Annex 6, point 7 of the WCO Financial Rules (see Annex III hereto).

4.13. Acceptance of the conditions of the Call for Tender and provisions applicable to the Agreement

The tenderers acknowledge that providing a proposal implies full acceptance of (i) the conditions set out in this Call for Tender and (ii) the essential and non-negotiable terms and conditions of the WCO which will be applicable to the agreement that will be negotiated following the award of the contract (as described in Annex IV hereto “Standard terms and conditions applicable to the agreement”).

Annexes:

- Annex I: Template for Technical Proposals
- Annex II: Template for Financial Proposals
- Annex III: WCO Financial Rules
- Annex IV: Standard Terms and conditions applicable to the agreement