

Bahrain Tender Board's Customer Charter

1. WELCOME

The Tender Board has been established as a fully neutral and independent body, with a clear agenda of setting up a strict regulatory mechanism and of developing and applying clear policies and procedures that would ensure absolute fairness and transparency in tendering and procurement procedures carried out by ministries and other governmental institutions that are subject to the law Regulating Government Tenders and Purchases.

The Tender Board is hereby pleased to introduce the customer charter to its customers, hoping that the information presented in this charter will add another helpful tool to the customers in their dealing with the Tender Board.

The Tender Board would like to emphasise that it thrives to provide a world class service to its valuable customers.

2. OUR VISION

Being a role model organization, demonstrating best practice with regard to our business processes and our ethics, thus earning the trust of our stakeholders.

3. OUR MISSION

To be the governing authority to oversee and supervise all tendering, purchasing and awarding processes related to public sector and government owned organizations. This shall be undertaken in a totally transparent manner, maximizing the economic benefit to the Kingdom, enhancing integrity, competitiveness and promoting equal and fair opportunity for all.

4. OUR CUSTOMERS

Our services are extended to the following:

- Governmental Purchasing Authorities (PA) subject to the provisions of the Tender Law.
- Local suppliers and contractors.
- International suppliers and contractors.

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5. OUR OBJECTIVES

- Protection of public funds and prevention of any influence of personal interests on tender formalities
- Achievement of maximum level of economic efficiency in obtaining government purchases at competitive and fair prices
- Encouragement of suppliers' and contractors' participation in government's tenders and purchases
- Enhancement of integrity, competitiveness and providing equal opportunity and fair treatment to all suppliers and contractors
- Achievement of total transparency in all aspects of government's tenders and purchasing procedures.

6. OUR DUTIES AND RESPONSIBILITIES

The Board shall be responsible for all the tenders and purchases in the governmental authorities that are subject to the provisions of the Legislative Decree No.36 of 2002 with respect to regulating government tenders and purchases and Decree No.37 of 2002 with Respect to Promulgating the Implementing Regulations of the Law Regulating Government Tenders and Purchases and shall, in particular, have the following powers:

- Overseeing government tenders and purchase transactions undertaken by the authorities subject to the provisions of this Law.
- Endorsing the technical specifications provided by the authorities subject to the provisions of this Law and reviewing tender documents.
- Receiving bids for tenders, opening tender envelopes, ascertaining that they contain all the required documents and deciding upon acceptance or rejection of bids.
- Reviewing, revising and approving the evaluation of bids and adopting the award decision in respect thereof.
- Cancelling a tender and re-inviting it.
- Pre-qualification of suppliers and contractors in co-ordination with the concerned government authorities.
- Enforcing the penalties provided for in this Law upon suppliers and contractors according to reports received from the authorities subject to the provisions of this Law or the concerned government authorities with respect to reports for violations or failure to honour contractual obligations.
- To decide upon the complaints of suppliers and contractors related to pre-qualification, tender procedures and other methods of entering into contacts.
- Any other powers provided for in this Law.

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7. OUR STANDARDS

General Standards

- Our offices are open on Sunday to Wednesday from 7:00 to 14:15 hours and on Thursday from 7:00 -14:00 hours.
- We ensure safe and secure handling of all our customers' information.
- We ensure maximum availability of our services during office hours.
- We ensure high levels uptime for the electronic services.
- We receive your correspondence, reconsiderations, complaints, feedbacks, and suggestions. *Refer to Section No. 8 below for more details.*
- We respond to the customer's reconsiderations and complaints within the specified timeline as per the Tender Law.
- We ensure prompt redressal of all correspondence through our defined mechanism.

Service Level Standards

Tender Board services can be classified into five main sections as follows:

Tender Preparation

- In general, the advertising for a public tender does not require the Tender Board's approval; however, a copy of the tender advert is to be sent to the Tender Board for review prior to its issuance in the newspapers. Tendering methods other than public tendering require Tender Board's approval.
- Public tender adverts may be available on our website through the following link:
- <http://www.tenderboard.gov.bh/newsite/TenderNotices.aspx>
- However, suppliers and contractors should pursue the daily newspapers for advertised tenders.
- Once the tender is issued, the interested suppliers may purchase the tender documents and obtain the "Bid Submission" Form (TB02) from the respected purchasing authorities.

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Bid Submission

- “Bid Submission” Form (TB02) and envelopes required for bid submission are available through the respective purchasing authority.
- According to the date specified in the tender advert, bids are submitted at Tender board's premises from Sunday 7:00 hours to Wednesday 13:30 hours sharp. The days specified are subject to change in case of public holidays.
- We ensure confidentiality of the received bids and keep the bids sealed in the specified locked boxes until the opening time.
- Upon submission of bids, the suppliers and contractors required to register in the “Bid Submission Register” held by the Tender Board.

Tender Opening

- For opening a tender, the purchasing authority shall submit “Request for Opening of Tender Envelopes” (TB01) accompanied by a copy of the advert/invitation and a list of the suppliers and contractors who purchased tender documents.
- Bid envelopes opening is carried out in the presence of the Tender Board members or Tender Opening Committee, purchasing authority representatives and suppliers and contractors representatives. The results of opening the bid envelopes shall be recorded in the “List of Bid Prices”, which is immediately displayed at Tender Board opening hall and is available for the concerned parties.
- Once the tender is opened, the Bid Prices are displayed online on our website through the ‘live opening sessions’. Live opening sessions can be accessed through both BTB's website (www.tenderboard.gov.bh) as well as National portal (www.bahrain.bh).
- During the live opening sessions, a scrolling text is automatically updated with the opened tenders on the website home page, which can be clicked to get more information about the “List of Bid Prices”. The scrolling text is updated automatically with the last opening session results. i.e. on weekly basis.
- List of Bid Prices Report is available on the BTB website and can be found at the opening time on the “Live opening” section of the website, which is on the following link: <http://www.tenderboard.gov.bh/newsite/LiveOpeningTenders.aspx>. Furthermore, once the tender is opened it can also be found on the

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“Opened Tenders” section of the website, which is on the following link:
<http://www.tenderboard.gov.bh/newsite/OpenedTenders.aspx>.

- The list of bid prices reports of the previous opening sessions are also available in the website and can be found on the same link. However, you need to specify the required opening date.
- Opened Tenders Lists with bid prices are available on the National Portal under the business section - tender services - opened tenders service.
- During the tender opening process, the bids shall be verified by the Tender Board/ Tender Opening Committee to ensure that all bids are accompanied by the required documents and accordingly the “Tender Submission” Form (TB02) shall be stamped with the appropriate stamp based on the Tender Board/ Tender Opening Committee decisions. Such stamps include the following:
 - a. Accepted Bid
Bids are stamped “Accepted” if they conform with the essential requirements of the tender documents including the submission of the required appropriate documents.
 - b. Rejected Bid
Bids are stamped “Rejected” in the following cases:
 - § Initial Bond (1% of the tender value or the amount specified in the tender documents whichever is lower) in the form of valid certified cheque or bank guarantee or insurance policy, is not attached.
 - § Bidder's non qualification.
 - § Bids not conforming to the essential requirements of the tender documents including the submission of the required appropriate documents and papers.
 - c. Suspended Bid
Bids are stamped “Suspended” in the following cases:
 - § Commercial Registration (CR) is not attached or not in line with the nature of the tender.
 - § Bahranization Certificate is not attached or not in line with the nature of the tender.
 - § CR or Bahranization Certificate is not valid or does not match each other.
- All the related documents shall be punched prior to announcement of the bidder's details (name, bids value) through audio and display screen.

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- Request for Opening of Tender Envelopes" Form (TB Form 001) shall be signed by the Tender Board / Tender Opening Committee and all tender documents shall be forwarded to the concerned PA for evaluation and recommendation.
- List of Bid Prices" shall be printed and displayed on the Notice Board and copies are available to the concerned parties.
- Tender Opening takes place on every Thursday except public holidays.

Tender Evaluation and Award

- All the received and opened bid documents shall be forwarded to the concerned PA.
- All submitted bids for the tender, except those rejected, shall be evaluated technically and financially by the concerned PA or any other authority assigned by the Tender Board.
- Tender shall be recommended for award by the evaluation authority to the bidder who offers the best terms and lowest price after standardizing the basis and criteria of comparison between the bids.
- Upon receipt of the tender evaluation report and award recommendation, the Tender Board shall verify and issue an award decision or any other appropriate course of action to the concerned PA.
- Monthly awarded tenders report is available on the following:
 1. The official gazette.
 2. The Tender Board's website at the (*awarded tenders section*) and can be found on the following link:
<http://www.tenderboard.gov.bh/newsite/AwardedTenders.aspx>
 3. The National Portal under the (*business section, tender services, Tender Awards service*) and can be found on the following link:
www.bahrain.bh.

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8. FEEDBACK, SUGGESTIONS, RECONSIDERATIONS AND COMPLAINTS

Our aim is to effectively handle customer's feedback, suggestions, reconsiderations and complaints to achieve customer's satisfaction and improve current processes while ensuring transparency and equal opportunities standards. The following are guidelines for handling feedback, suggestions, reconsiderations and complaints.

Customer Feedback and Suggestions

- Customer feedback and suggestions can be submitted in writing to the Tender Board using one of the following methods:
 - By letter,
 - By e-mail,
 - By using the "Customer Feedback Questionnaire" (TB Form 017), this is available at Tender Board office and is also available at the Tender Board's website www.tenderboard.gov.bh.
 - By filling the "Suggestions Form" (TB Form 018) and putting it in the Box allocated at the Tender Board offices. This form is also available at Tender Board's website.
- The customer feedback and suggestions should include the following details:
 - Customer name
 - Name of the organization
 - Postal address
 - e-mail address
 - Contact numbers
 - Concise statement regarding the nature of their suggestion with supported evidence (if any).

Reconsiderations and Complaints

- Reconsideration application shall be made in writing prior to the contract coming into effect and addressed to the authority or the Tender Board seeking to enter into a contract or to the Tender Board, as the case may be.
- A supplier or contractor can file a complaint with the Tender Board within 10 days in respect of local tenders and 20 days in respect of international tenders from the date becoming aware of the decision or action in any of the following cases:
 - If it is not possible to submit a request for reconsideration or accepting this request as a result of the contract becoming effective.
 - If a decision is adopted for rejection of a request for reconsideration explicitly or implicitly, and

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- If a decision is adopted or action is taken in respect of the tender but the supplier or contractor has become aware thereof after the contract came into effect.
- The following shall not be subject to reconsideration:
 - Selection of the contracting methods provided in the law,
 - Choice of the selection methods with respect to the purchase of services,
 - Restricting the contracting on the basis of nationality,
 - A decision to exclude all bids, proposals or offers,
 - Selection by a buyer of an application for submission of direct proposals from a number of suppliers or contractors in the cases prescribed in the law, and
 - Overlooking the reference to the Tender law or its regulations in the tender documents or requests for submission of proposal documents with respect to services.
- Reconsideration or complaint application shall include the following details:
 - Applicant details (name and address),
 - Date of issuing the decision or the instructions for which reconsideration or complaint is filed, and
 - Subject of the decision or the instructions and the reasons upon which reconsideration or complaint application relied on, provided that necessary documentary evidence is included.
- The Board shall adopt a substantiated decision in respect of the complaint within the legally prescribed time limit. It shall be empowered to decide while investigating the complaint to take one or more of the following actions:
 - Announcing the legal principles that govern the issue of the complaint.
 - Informing the PA not to take any action or decision that conflicts with the Law.
 - Obliging the PA to follow a procedure or adopt a decision that strictly conforms to the provisions of the Law.
 - Cancelling, in whole or in part, a procedure or a decision adopted by the PA in conflict with the provisions of the Law except for a decision that renders the contract valid and effective.
- The Tender Board shall adopt a decision in respect thereof within 30 days from the date of reconsideration or complaint submission. If no decision is adopted in respect of the request within the aforesaid time limit, this shall be deemed as an implicit rejection.

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9. RULES AND REGULATIONS

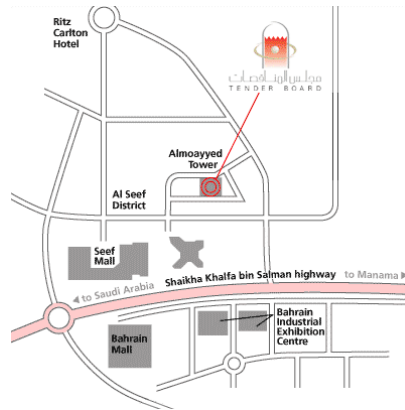
All rules and regulations that govern Bahrain Tender Board are available electronically on our website under the (*laws and regulations section*).

10. HOW TO CONTACT US?

Our address is:

Tender Board
Almoayyed Tower 7th Floor
Seef District
Bahrain
Tel- (+973) 17566666
Fax- (+973) 17587855

P.O.Box 18686, Manama, Bahrain



Please refer to (*contact us section*) of the website (www.tenderboard.gov.bh) on the following link:

<http://www.tenderboard.gov.bh/newsite/ContactInfo.aspx>