



**UPU** | UNIVERSAL  
POSTAL  
UNION

## **Call for tenders**

**EMS Cooperative systems support, maintenance and ad hoc development**

14 September 2022

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## 1 Introduction

### 1.1 Profile of the UPU

The Universal Postal Union (UPU) was founded in 1874 in Berne, Switzerland, with the main goals of establishing a single postal territory for the reciprocal exchange of letter-post items and adopting common principles for the international postal service in a non-discriminatory manner. Currently comprising 192 member countries, the UPU became a specialized agency of the United Nations in 1948.

The main mission of the UPU is to stimulate the lasting development of efficient and accessible universal postal services of quality, in order to facilitate communication between the inhabitants of the world. It does this by guaranteeing the free circulation of items over a single postal territory composed of interconnected networks, encouraging the adoption of fair common standards and the use of technology, ensuring cooperation and interaction among stakeholders, promoting effective technical cooperation, and ensuring the satisfaction of customers' changing needs. The UPU is thus expected to play a major role in the continued revitalization of postal services.

Furthermore, the UPU facilitates the development of worldwide postal services by providing an information and communication technology framework that allows the designated operators<sup>1</sup> of UPU member countries to concentrate on the delivery of postal services to their customers. In this context, the UPU provides a global network with value-added services, as well as computerized applications for the management of international mail and international postal money orders.

## 2 Terms and conditions

Unless otherwise indicated in this call for tenders, the term "Bidder" shall refer to any person, company or legal entity submitting a proposal in response to this call for tenders. The term "Vendor" shall refer to any selected bidder.

### 2.1 Confidentiality

Bidders shall treat in strict confidence all information contained in this call for tenders and its attached documents that is not already publicly known or generally accessible, particularly any documentation marked as confidential and distributed by the UPU to Bidders as additional confidential tender documentation. Bidders shall prevent the disclosure or distribution of all such information to third parties and other entities and persons not expressly authorized herein. In case of doubt, these confidentiality provisions shall nevertheless be observed. All Bidders are obliged to observe these confidentiality provisions before, during and after the tender process. These provisions shall not affect the legal obligations of the UPU and Bidders to disclose information.

Bidders shall not use such information for any purposes other than those associated with this call for tenders. The call for tenders and all attached documents may be distributed or made available only to persons directly involved in the tender process on behalf of Bidders. If external agents or subcontractors are involved in the preparation of the tender documents, this must be indicated and their names provided in the participation notification (see section 2.14).

Bidders shall assume full responsibility for the compliance of their agents, consultants, employees and subcontractors, as well as any third parties involved on their behalf in this tender process, with these rules of confidentiality, and shall be liable for any damages resulting from misconduct or unauthorized disclosure.

If a Bidder violates the confidentiality provisions contained herein, it shall be liable to pay a penalty to the UPU unless it can prove that no fault is attributable to it. This penalty shall not exceed 50,000 CHF per infringement. Payment of any such penalties shall not release Bidders from their obligation to observe these confidentiality requirements.

Bidders wishing to submit a proposal in response to this call for tenders must contact the person(s) specified in section 2.15 below and may, if necessary, request additional information from the UPU in relation to this call for tenders.

<sup>1</sup> In accordance with article 2.1.6 of the UPU Constitution, a designated operator is any governmental or non-governmental entity officially designated by the member country to operate postal services and to fulfil the related obligations arising out of the Acts of the Union on its territory.

Without prejudice to the confidentiality provisions set out above, Bidders agree that the receipt of any such information may be subject to the prior signature of a non-disclosure agreement between the Bidder and the UPU, under conditions to be determined and communicated by the latter.

## *2.2 Legal status of the Vendor*

The Vendor shall be regarded as having, in law, the legal status of independent contractor. The Vendor and its agents, consultants, employees and subcontractors (as authorized by the UPU) shall in no way be regarded as employees of the UPU. Such agents, consultants, employees and subcontractors of the Vendor shall not be entitled to any employment benefits from the UPU. The Vendor alone shall be responsible for due payment of all compensation owed to such agents, consultants, employees and subcontractors, including payment of any employment taxes, benefits, compensation and insurance. The Vendor shall represent and warrant that it will comply with all laws, rules and regulations required by the relevant authorities, including the appropriate withholding, reporting and payment of all necessary taxes.

The Vendor shall be liable for all work performed, including any acts or omissions, by its agents, consultants, employees and subcontractors.

## *2.3 Scope of the call for tenders*

This call for tenders concerns the provision of support, maintenance and ad hoc development work with regard to the systems of the UPU's EMS Cooperative for a period of four years.

## *2.4 Background*

EMS is an international postal express mail service offered by postal operators of 192 member countries of the UPU. The EMS Cooperative is a body within the general framework of the UPU. The EMS Unit functions as the Cooperative's secretariat and is responsible for the performance of its activities.

Since its establishment in 1998, under the auspices of the UPU's Postal Operations Council, the EMS Cooperative has continued to strengthen the EMS service through the establishment of common standards and procedures. In total, 185 postal operators offering an EMS service have joined forces to form a global EMS delivery network. In this regard, the EMS Cooperative provides a range of activities and measurements to help EMS operators improve and deliver a high-quality EMS service. Members of the EMS Cooperative have access to a comprehensive range of services and technical cooperation activities.

EMS is the fastest postal delivery service and is provided by EMS operators for the express delivery of documents and merchandise. EMS items receive top priority in all processes throughout the operational chain of all EMS operators. The EMS service offers the greatest added value available on the postal market.

EMS Cooperative members send 90% of global EMS traffic and deliver to 97% of the world's population. EMS is known to be reliable, and members of the EMS Cooperative can access global customer service management systems, operational reports and tracking data. Membership of the EMS Cooperative is voluntary, and members work together in order to provide an EMS service that is global, reliable and responsive to customer needs. A list of current EMS Cooperative members is available on the EMS Cooperative website at [www.ems.post/members-ems-cooperative](http://www.ems.post/members-ems-cooperative).

The UPU has built several online tools for EMS Cooperative members, with the aim of facilitating their work and enhancing customer satisfaction worldwide. These tools include EMS SMART (Simple Monitoring and Reporting Tool), the EMS Operational Guide with single sign-on, a track and trace system available to the public via the EMS Cooperative website, and an interface with the EMS i-Care system. These systems are secure, with password protection and various levels of access. They are also of high quality, offering optimum speed and stability for users around the globe. It is essential that these systems continue to be maintained, supported, hosted and further developed. The contract with the current provider will come to an end in April 2023.

## *2.5 Objectives*

The UPU seeks to engage a supplier for the provision of support, maintenance and ad hoc developments in relation to the EMS Cooperative online systems – EMS SMART, the EMS Operational Guide with single sign-on, the track and trace tool, and the interface with the i-Care system – for a period of four years at a competitive price and to an excellent standard.

The objectives of these services are to implement EMS service standards and to measure service performance against these standards, in order to improve the customer experience, assist EMS operators in their work, and increase the volume of EMS items and the market share of EMS Cooperative members.

#### *2.6 Use of subcontractors*

The Vendor shall not assign, sublicense, subcontract, pledge or otherwise transfer or dispose of its tender, or any of the rights and obligations contained therein or in an associated contract with the UPU, without the prior written consent of the UPU.

The approval by the UPU of the engagement of any subcontractor shall not relieve the Vendor of any of its obligations or responsibilities concerning the work performed by such subcontractors.

#### *2.7 Use of the emblem, name and initials of the UPU*

Bidders shall not advertise or otherwise make public the fact that they intend to provide, are providing or have provided services to the UPU, or use the emblem, name or initials of the UPU in connection with their business for purposes of commercial advantage or goodwill, without prior and explicit permission from the UPU. Bidders shall take all reasonable measures to ensure compliance with this provision by their agents, consultants, employees and subcontractors.

#### *2.8 Collusive bidding, anti-competitive practices and any other similar conduct*

Without prejudice to the provisions in sections 3 and 4 below, Bidders (including their agents, consultants, employees and subcontractors) shall not engage in any collusive bidding, anti-competitive practices or any other similar conduct in relation to:

- the preparation and submission of tenders;
- the clarification of tenders;
- the conduct and content of any negotiations, including final contract negotiations.

For the purposes of this call for tenders, collusive bidding, anti-competitive practices and any other similar conduct may include the disclosure to, or exchange or clarification with, any other Bidder of information (in any form), whether or not such information is confidential to the UPU or to any other Bidder, in order to alter the results of the call for tenders in such a way that would lead to an outcome other than that which would have been obtained through a competitive process. In addition to any other remedies available to it, the UPU may, at its sole discretion, immediately reject any tender submitted by a Bidder that, in the UPU's opinion, has engaged in any collusive bidding, anti-competitive practices or any other similar conduct with any other Bidder in relation to the preparation or submission of tenders, whether with respect to this call for tenders or other procurement processes conducted by the UPU.

#### *2.9 Intellectual property*

This call for tenders and all its attached documents, including any content, forms, statements, concepts, projects and procedures explicitly or implicitly forming part of the call for tenders, constitute the exclusive intellectual property of the UPU. This call for tenders is communicated to the various Bidders with the sole purpose of assisting them in the preparation of their respective tenders. Any hard copies of this call for tenders shall be destroyed or returned to the UPU by unsuccessful Bidders at the request of the UPU.

#### *2.10 Privileges and immunities*

Nothing in or relating to this call for tenders, the activities described herein or any potential agreements related thereto shall be deemed as a waiver, expressed or implied, of any of the privileges, immunities and facilities that the UPU enjoys as a specialized agency of the United Nations system, pursuant to the Swiss Host State Act and the Agreement on Privileges and Immunities of the United Nations (on Swiss territory), the Convention on the Privileges and Immunities of the Specialized Agencies (outside Switzerland), and any other conventions and laws recognizing and/or granting such privileges, immunities and facilities to the UPU and its officials (such as the International Organizations Immunities Act in the case of the United States of America).

Accordingly, the Vendor shall expressly acknowledge and agree that the property and assets of the UPU, including any archives, data, documents and funds belonging to the UPU or held by it (including, without limitation, the data/hosting environments and servers pertaining to or associated with the provision of the services, as well as any data or documents in any form belonging to or held by the UPU on behalf of UPU member

countries and their designated operators), are inviolable and shall be immune from search, requisition, confiscation, expropriation and any other form of interference, whether through executive, administrative, judicial or legislative action. The Vendor shall immediately contact the UPU in the event of any attempt to violate or any violation of the UPU's privileges and immunities, and shall take all reasonable measures to prevent such violations.

In the light of the UPU's status as a specialized agency of the United Nations (and without prejudice to the observance, by the UPU, of any sanctions established by the United Nations Security Council), Bidders shall expressly certify their legal and operational willingness and ability to provide the services on a non-discriminatory basis for the benefit of all eligible entities established and/or situated in the territory of any UPU member country, irrespective of the existence of diplomatic relations between a Bidder's country of incorporation and/or operation and any UPU member country (including its designated operators).

#### *2.11 Tax exemption*

Pursuant to article III, section 9, of the Convention on the Privileges and Immunities of the Specialized Agencies, the UPU is exempt from all direct taxes and from customs restrictions, duties and charges of a similar nature in respect of articles imported or exported for its official use.

Furthermore, as an intergovernmental organization and a specialized agency of the United Nations, the UPU is exempt from value-added tax (VAT) in Switzerland (OLTVA, article 22; *Instructions 2001 sur la TVA*, articles 574, 816 and others), as well as in other countries. Therefore, all prices shall be indicated in "net" form, without VAT or similar taxes.

#### *2.12 Language*

Bidders must submit all tender documents entirely in English.

#### *2.13 Signature*

Tender documents shall be signed by a representative (or representatives) duly designated and authorized to act on the Bidder's behalf and with the authority to legally bind the Bidder and accept the terms and conditions of this call for tenders.

#### *2.14 Participation notification*

Upon receipt of this call for tenders, Bidders shall send confirmation of participation to the contact person(s) listed in section 2.15 by the deadline indicated in section 2.20.

#### *2.15 Contact persons*

Secretary of the Tenders and Procurements Committee  
Universal Postal Union  
International Bureau  
Weltpoststrasse 4  
3015 BERNE  
SWITZERLAND

E-mail: [caa@upu.int](mailto:caa@upu.int)

#### *2.16 Further inquiries and questions*

Bidders must send any questions regarding the content of this call for tenders or any requests for clarification in writing to the contact person(s) listed in section 2.15 by 6 October 2022.

Answers to questions submitted by Bidders, as well as any additional information and updates relevant to this call for tenders, shall be published on the UPU website at [www.upu.int/en/Universal-Postal-Union/Procurement](http://www.upu.int/en/Universal-Postal-Union/Procurement).

### *2.17 Delivery of tenders and deadline*

All tenders must be submitted to the UPU by e-mail ONLY at [RFP-2022-016@upu.int](mailto:RFP-2022-016@upu.int) with “RFP-2022-016 – EMS Cooperative systems support, maintenance and ad hoc development” as the subject line.

The deadline for the submission of tenders is 31 October 2022 at 16.00 CEST.

The UPU shall not take into consideration any tenders received after this date and time. Furthermore, it shall not accept any tenders sent to any e-mail address other than that specified above or sent by any other means.

There shall be no charge to the UPU for the preparation and submission of tender documents by Bidders.

### *2.18 Evaluation procedure*

The objective of the UPU’s evaluation process is to ensure the selection of a qualified, reliable and experienced Vendor capable of providing the specialized services and fulfilling the objectives set out in this call for tenders.

The UPU shall conduct its evaluation procedure with a view to determining as objectively as possible the tender that best meets its specific requirements. All tenders submitted shall be subject to an in-depth assessment, at the UPU’s sole discretion, in order to enable the UPU to engage the most appropriate service provider. Due consideration will be given to Bidders’ specific backgrounds, qualifications and experience in relation to the required services.

The prescribed structure of tenders, as set out in section 3, is mandatory for all Bidders. The UPU shall not take into consideration any tenders that do not fulfil the mandatory criteria.

Tenders received by the UPU must address all aspects of this call for tenders, and Bidders should identify any aspects where they envisage modifications being necessary or consider elements to be missing.

Tenders shall be evaluated on the basis of the following criteria, in descending order of importance:

- Quality of the tender (according to the specifications herein);
- Knowledge and experience of the Bidder and its team and/or consultant(s), as applicable to the subject matter;
- Price.

The winning tender will be selected based on a non-exhaustive list of criteria as set out in section 4. Bidders should therefore consider how their tender corresponds with the criteria listed and clearly indicate this in their response document.

The deliberations of the UPU Tenders and Procurements Committee (TPC) are strictly confidential. The TPC shall submit a report on its evaluation of the tenders received to the Director General of the UPU International Bureau, together with its final recommendation, for his assessment and authorization.

The UPU is not bound to accept the lowest tender and reserves the right to accept all or part of a tender. In awarding the contract, account will be taken of both the overall costs of the work and of the nature and quality of the services to be provided. The UPU reserves the right to negotiate prices and terms and conditions of contract after receipt of tenders.

Bidders will be informed of the outcome of their tender as soon as possible after the UPU has made its final selection.

### *2.19 Modification, suspension or cancellation of the call for tenders*

The UPU reserves the right, at its sole discretion and at any time before the conclusion of the tender process (i.e. at any time prior to the signature of the relevant contract with the Vendor), to modify, suspend or cancel all or part of this call for tenders.

## 2.20 Tentative schedule

Publication of call for tenders	23 September 2022
Deadline for submission of queries	6 October 2022
Deadline for provision of responses to queries	13 October 2022
Deadline for submission of participation notification	18 October 2022
<b>Deadline for submission of tenders to the UPU</b>	<b>31 October 2022 at 16.00 CEST</b>
Estimated start of engagement	3 April 2023

### 3 Tender structure – Response format

All information provided by Bidders must be fully compliant with the terms and conditions set out in section 2 above, as well as the provisions of this section and the service requirements listed in section 4 below.

Moreover, the requirements stipulated in this call for tenders must be met in their entirety, according to the structure defined below and following the sequence and numbering provided in this section. The UPU shall evaluate all Bidder responses in accordance with the structure defined herein and shall have the right to reject any tenders that do not fulfil the requirements of this call for tenders.

For each of the requirements listed in this call for tenders, Bidders shall answer with one of the following statements:

- Covered;
- Covered with limitations (explaining relevant limitations);
- Not covered.

Where the answer is “covered” or “covered with limitations”, Bidders shall provide further details and/or examples of existing implementations of their solution in the field (existing use cases).

#### 3.1 Cover letter

Bidders shall submit a cover letter including:

- A statement that the Bidder has read, understands and accepts all provisions of this call for tenders;
- The Bidder’s name, telephone number, postal address and e-mail address, and the name(s) of its representative(s);
- A statement that the Bidder’s tender documents are valid for a minimum period of 150 days.

The cover letter shall be signed by a representative (or representatives) duly designated and authorized to act on the Bidder’s behalf and with the authority to legally bind the Bidder and accept the terms and conditions of this call for tenders, and shall also include a confirmation of such authorization by the Bidder.

#### 3.2 Executive summary

Bidders shall provide an executive summary highlighting the most important aspects of their tender.

#### 3.3 Bidder information

Bidders must provide the following information:

- Company structure, locations/subsidiaries;
- Financial data (turnover, profit, etc.);
- Partners and equity holders of the company;
- Company history;
- Market position and share in relevant markets.

### 3.4 *Subcontractor information*

In the event that Bidders intend to engage a subcontractor for part or all of the services set out in this call for tenders, the following information must be provided with regard to the subcontractor(s):

- Company structure, locations/subsidiaries;
- Customer reference list with descriptions of similar projects, if any;
- Quality management certifications and statements, if any;
- Description of time schedules and availability;
- Detailed presentation of background experience in the field and the related academic record and curriculum vitae of any proposed consultants;
- Reference letters.

### 3.5 *Technical proposal*

Bidders shall submit a technical proposal addressing all of the requirements set out in section 4 (Service requirements). This proposal should outline the methodology, processes and timelines, as appropriate, that Bidders intend to implement in order to fulfil the objectives of this call for tenders.

### 3.6 *Pricing structure*

Bidders shall provide a detailed pricing structure for the services proposed, as follows:

- Annual price for task 1;
- Daily rate for task 2 (one unique rate only should be provided);
- Fixed price for task 3;
- Detailed description of the pricing structure and services offered.

Bidders shall not include VAT in their pricing structure (see section 2.11 above). All pricing information shall be set out exclusively in Swiss francs (CHF).

### 3.7 *Delivery and payment schedule*

The target dates for provision of the services are as follows:

Start date: 3 April 2023  
End date: 2 April 2027

Payment for the various aspects of the services will be made as follows:

- Maintenance and support services: at the end of each month;
- Ad hoc developments: upon completion;
- Development of the new functionality (see task 3): upon completion.

The UPU will make payment within 30 business days of receipt of invoice, subject to its acceptance of the services provided and the Vendor's transmission to the UPU of any and all documentation clearly detailing the services to which the invoice pertains (in a format to be established by the UPU).

### 3.8 *UPU General Terms and Conditions*

Bidders shall include in their tender a statement of acceptance of the UPU General Terms and Conditions for the Provision of Services, attached hereto for reference (see Annex 1).

The final terms of any contract arising from this call for tenders shall be defined by the UPU and accepted by the Vendor. Contract negotiations shall commence only after the final selection of a Vendor by the UPU.

## 4 Service requirements

### 4.1 Description of the services

The Vendor will be expected to provide the following services:

Task 1 – Maintenance and support for EMS SMART, the EMS Operational Guide, single sign-on, the track and trace function for the EMS Cooperative website, and the interface with the i-Care system;

Task 2 – Ad hoc developments to all EMS systems and components listed under task 1;

Task 3 – Development of a new EMS SMART functionality.

/ A full detailed description of all tasks is provided in the statement of work (Annex 2).

### 4.2 Bidder requirements

Bidders shall demonstrate an understanding of the postal sector and global scale of the project, as well as proven expertise in IT development for similar products.

Bidders shall demonstrate a record of satisfactory performance in similar activities. The business transactions and activities carried out by the Bidder must be compliant with the mandates and principles of the UPU.

Bidders shall propose a feasible plan to ensure a smooth transition from the current provider without any interruption of performance of the services and activities. Bidders are expected to ensure a high level of security for all systems involved.

Bidders shall confirm that their tender includes the provision of any necessary computer equipment and software licences.

Bidders shall also confirm that their tender covers all costs associated with the provision of the services referred to herein. No other fees shall be paid.

### 4.3 Consultant requirements

Bidders not operating as an independent consultant should propose at least three individual consultants in accordance with the requirements specified in this call for tenders for the performance of the services and activities described herein. Bidders are required to provide the CVs and diplomas of the said consultants.

Bidders not operating as an independent consultant should describe any relevant procedures concerning the replacement of individual consultants working on the project, in the event that such a situation should arise or if so requested by the UPU, as well as procedures to ensure the smooth transfer of knowledge.

### 4.4 Assessment criteria

Bidders will be assessed on the basis of a scoring system of up to 10 points for each of the following criteria, with each criterion weighted between 1 and 3.

#	Requirement	Weighting (1–3)
<i>Company information</i>		
1	Company information	1
2	Relationship with postal organizations/experience in the postal sector	2
3	Location	1
4	Reputation	3
5	Long-term sustainability	2
6	Project team leaders and their background	2
7	Agreement with the UPU's terms and conditions	3

#	Requirement	Weighting (1–3)
<i>Tasks</i>		
1	Ability to meet the requirements	3
2	Proposed maintenance and support model	2
3	Ability to contribute to building ad hoc developments	3
4	Availability for ad hoc developments (ease of scheduling)	2
5	Understanding of the new functionality development task	2
<i>Costs</i>		
1	Annual cost of maintenance and support	3
2	Cost per diem for ad hoc developments	2
3	Development of the new functionality	1

#### 4.5 *Duration of services*

The services are scheduled to commence in April 2023 for a total contract term of four years.

#### 4.6 *Location of the services*

The Vendor or its assigned consultant shall in principle work from its own premises or his/her home office.

The Vendor or its assigned consultant shall liaise and work closely with the UPU (as instructed by the latter) and may be required from time to time to carry out certain tasks from the headquarters of the UPU in Berne, Switzerland.

#### 4.7 *Reporting*

The Vendor shall provide the UPU with weekly reports setting out the relevant services performed by the Vendor during that time frame. Such reports shall be prepared in accordance with a structure and format defined by the UPU (i.e. time sheets).

#### 4.8 *Other requirements*

Bidders shall describe any relevant procedures for ensuring the continuity of the services provided and for appropriate backup and retraining, as well as any relevant procedures pertaining to project management and communication.

Bidders shall also confirm that their tender covers all costs associated with the provision of the services referred to herein. Any other costs to be incurred by the Vendor, including any travel and subsistence costs incurred in the provision of the services at locations other than its own premises and specifically designated by the UPU, shall be subject to the prior written consent of the UPU. No other fees shall be paid, with the exception of reimbursement of other unavoidable costs incurred for successful delivery of the services, which shall also be subject to the prior written consent of the UPU.

#### 4.9 *Additional information*

Bidders may include any additional information that they deem necessary or relevant in order for the UPU to gain a clear and detailed understanding of the services being offered.