

DATE: 16 August 2022

REQUEST FOR PROPOSAL: No. UKRKI/RFP/2022-06

FOR CONSTRUCTION SERVICES IN CHERNIVESTSKA OBLAST (11, IVANA PIDKOVY STR.
CHERNIVTSY, 19, BUKOVYNSKA STR.V. KOSTRYZHIVKA, 173, STEFANA VELYKOGO STR. V.
KRASNOILSK.

CLOSING DATE AND TIME: 30 August 2022– 23:59 HRS EET

IMPORTANT NOTICE ON ETHICAL CONDUCT

Under no circumstances should a vendor pay UNHCR or a UNHCR Staff Member for the submission of a quotation, bid or proposal or for the fulfilment of a Contract. This includes any gifts, favors, hospitality, etc. to its Staff Members. Please note that UNHCR strictly follows zero tolerance policy and a such advises its suppliers not to offer any gift, favor, hospitality, etc. to its staff. Be aware that if such payment or non-gifts or favors are made, it would result in the immediate termination of the vendor agreement or contract and the vendor would be disqualified from further Request for Quotations/Invitation to Bid/Request for Proposals with UNHCR. you are advised to read and understand the UN Supplier's Code of Conduct specifically its articles 18 to 21 on Ethical Conduct.

INTRODUCTION TO UNHCR

The Office of the United Nations High Commissioner for Refugees was established on December 14, 1950 by the United Nations General Assembly. The agency is mandated to lead and co-ordinate international action to protect refugees and resolve refugee problems worldwide. Its primary purpose is to safeguard the rights and well-being of refugees. It also has a mandate to help stateless people.

In more than seven decades, the agency has helped tens of millions of people restart their lives. Today, a staff of some 17,000 people in more than 135 countries continues to help about 79.5 million persons. To help and protect some of the world's most vulnerable people in so many places and types of environment, UNHCR must purchase goods and services worldwide. For further information on UNHCR, its mandate and operations please see <http://www.unhcr.org>.

1. REQUIREMENTS

The Office of the United Nations High Commissioner for Refugees (UNHCR), Representation in Ukraine (referred to hereinafter as UNHCR), invites qualified companies which are registered **with the Government of Ukraine** to make a firm proposal for the provision of renovation works in three (3) lots in Chernivetska oblast/region (hereinafter referred to as “construction services”)

UNHCR will conduct evaluation on per lot basis. It is possible for suppliers to bid for 1 lot only or 2 lots only or for all 3 lots. Please note partial offer for any lot will not be accepted. UNHCR may award contracts on per lot basis or multiple contracts for the 3 lots due to the need for faster implementation.

IMPORTANT: Terms of Reference (ToR) and Bill Of Quantities (BOQ) are detailed in Annexes A and B and of this document.

For any bidding to be considered, presence at the pre-bid site visit as well as the subsequent pre-bid meeting are **mandatory**.

It is strongly recommended that this Request for Proposal and its annexes be read thoroughly. Failure to observe the procedures laid out herein may result in disqualification from the evaluation process.

Sub-Contracting: Please take careful note of article 7 of the attached General Terms and Conditions (Annex E).

Note: this document is not to be construed in any way as an offer to contract with your firm.

2. BIDDING INFORMATION:

2.1. RFP DOCUMENTS

The following annexes form integral part of this Request for Proposal:

- Annex A: Terms of Reference (ToR)
- Annex B: Financial Proposal Form (including BoQ) for all three (3) Lots;
- Annex C: Technical Proposal Form;
- Annex D: Vendor Registration Form;
- Annex E: UNHCR General Conditions of Contract for Civil Works;
- Annex F: Documentation procedures on tax reporting (for companies with VAT payer status);
- Annex G: Supplier's Code of Conduct.

2.2 ACKNOWLEDGMENT

We would appreciate you informing us of the receipt of this RFP by return e-mail to ukrkipro@unhcr.org as to:

- Your confirmation of receipt of this Request for Proposal
- Whether or not you will be submitting a bid

IMPORTANT:

Failure to send the above requested information may result in disqualification of your proposal from further evaluation.

2.3 REQUESTS FOR CLARIFICATION

Bidders are required to submit any request for clarification or any question in respect of this RFP by e-mail ukrkipro@unhcr.org with the Subject reading: *Inquiry: RFP No. UKRKI/RFP/2022-06*. **The deadline for receipt of written inquiries/questions is 23:59 hours Ukraine time on 25 August 2022.** Bidders are requested to keep all questions concise.

UNHCR will compile the questions received and plans to respond to questions shortly after the query closing date by means of publication on UNHCR Ukraine webpage and UNGM page for the tender.

IMPORTANT:

Please note that Bid Submissions are **not** to be sent to the e-mail address above.

PRE-BID CONFERENCE / SITE VISITS

The supplier pre-bid conference as well as site visits will be arranged on 23 August 2022 between 09:00 hrs and 16:00 hrs. Precise location will be shared with interested bidders only. A maximum of two representatives per company are allowed. Names and contact details of the company's representatives must be provided in writing latest by 22 August 2022 23:59 Ukraine time by e-mail to: kanoti@unhcr.org.

Changes in participating staff need to be shared in advance, otherwise they will not be able to participate. The pre-bid conference will be followed by a site visit to inspect the structures and discuss the required works on the spot.

Participation to the above shall be at the bidders' own expenses. There will be no reimbursement from UNHCR for any costs incurred. Travel to and from the location of the site visit shall be arranged and secured by the bidders.

Participation to the pre-bid conference and site visit is mandatory given the complexity of the requirements. Proposals submitted by Bidders not attending the pre-bid conference and site visit will not be further considered.

2.4 YOUR PROPOSAL**IMPORTANT:**

Cancellation of Solicitation: UNHCR reserves the right to cancel a Solicitation at any stage of the procurement process prior to final notice of award of a contract.

Your proposal shall be prepared in English and/or Ukrainian languages.

Please submit your proposal using the Annexes provided. Proposals not conforming to the requested formats may not be taken into consideration.

IMPORTANT:

Inclusion of copies of your proposal with any correspondence sent directly to the attention of the responsible buyer or any other UNHCR staff other than the submission e-mail address will result in disqualification of the proposal.

Please send your proposal directly to the address provided in the "Submission of Bid" section 2.6) of this RFP.

Your proposal shall comprise the following two sets of documents:

- Technical proposal
- Financial proposal

2.4.1 Content of the TECHNICAL PROPOSAL**IMPORTANT:**

No pricing information should be included in the Technical Proposal. Failure to comply may risk disqualification. The technical proposal should contain all information required.

The ToR and the Bill of Quantities (BoQ) of the construction works requested by UNHCR can be found in **Annex A and Annex B**.

Your **technical proposal** should be concisely presented and structured in the following order to include the following information:

SUBMISSION OF MANDATORY PRE-QUALIFICATION DOCUMENTS: Submission of below listed documents and activities (site visit & attendance of pre-bid conference) are mandatory. Failure to submit them or attend the site visit & pre-bid conference will result in disqualification.

#	MANDATORY PRE-QUALIFICATION CRITERIA
1	Copy of certificate of registration with the Government of Ukraine, with a foundation year min 3 years before the tender deadline.
2	Document(s) of the company registration with the tax services in Ukraine.
3	Acceptance of UNHCR Conditions of Contract for Civil Works (signed/stamped Annex E).
4	Availability of balance sheets for the last 2 years, indicating clearly the turnover of the company.
5	Participation in the site visit and pre-bid conference.

2.4.2 **Content of the FINANCIAL PROPOSAL**

Your separate **Financial Proposal** must contain an overall proposal in US Dollars.

The payment can be made in US Dollars if the supplier hold valid USD account with Ukrainian banks, or in UAH at United Nations rate of exchange in effect on the date the Invoice and Act of Acceptance following the link <https://treasury.un.org/operationalrates/OperationalRates.php>.

Suppliers who do not hold valid USD bank account with Ukrainian bank must agree to receive payment in UAH at the UN rate of exchange in the month of invoice. It is to be noted that currently the UN rate of exchange into UAH is lower than the prevailing market rate, and as such it is incumbent on supplier to be prudent while quoting their rates.

The financial proposal must cover all the services to be provided (price “all inclusive”).

The Financial Proposal is to be made using: Duly fulfilled Financial Proposal Form (Annex B) for each LOT. Bids that have a different price structure may not be accepted.

UNHCR is exempt from all direct taxes and customs duties. In this regard, price has to be given without VAT.

You are requested to hold your proposal valid for 90 calendar days from the deadline for submission. UNHCR will make its best effort to select a company within this period. UNHCR’s standard payment terms are within 30 calendar days after satisfactory implementation of the projects and receipt of documents in order.

The cost of preparing a bid and of negotiating a contract, including any related travel, is not reimbursable nor can it be included as a direct cost of the assignment.

2.5 **BID EVALUATION:**

Each proposal from a bidder will be considered separately and independently. Bidders shall submit a complete proposal for each solicitation in which they wish to participate. References to previous or on-going proposals will not be considered. Award of a previous contract with UNHCR will not be

considered in itself as a preference or guarantee for the award of future solicitations. Contract will be awarded to the vendor scoring highest on the overall combined technical and financial scores.

2.5.1 Supplier Registration:

The qualified supplier(s) will be added to the Vendor Database after validation of suitability based on the submitted Vendor Registration Form and supporting documents. The validation involves consideration of several factors such as:

- Financial standing;
- Core business;
- Track record;
- Contract capacity.

Failure to provide the above mentioned documentation, might lead to disqualification.

2.5.2 Technical and Financial evaluation:

For the award of this project, UNHCR has established a two-stage evaluation criteria which govern the selection of proposals received. The evaluation of proposals will be done on a technical and financial basis according to a point scoring system. The final proposal points are the sum of the technical and financial points. The percentage assigned to each component is determined in advance as follows:

The **Technical proposal** will be evaluated using inter alia the following criteria and percentage distribution: **70%** from the total score:

#	MANDATORY PRE-QUALIFICATION CRITERIA	Pass/Fail
1	Copy of certificate of registration with the Government of Ukraine, with a foundation year min 3 years before the tender deadline.	
2	Document(s) of the company registration with the tax services in Ukraine.	
3	Acceptance of UNHCR Conditions of Contract for Civil Works (signed/stamped Annex E).	
4	Availability of balance sheets for the last 2 years, indicating clearly the turnover of the company.	
5	Participation in the site visit and pre-bid conference.	

Only bidders scoring 'Pass' on all Pre-Qualification Criteria will be further considered.

#	TECHNICAL EVALUATION CRITERIA POINTS	Maximum Score
6	Company profile + duly completed, signed, stamped and dated vendor registration form	No scoring
7	Number and description of similar construction projects that have been satisfactorily and substantially completed within the last 5 years	15
8	Timeline for provision of construction works (No. of calendar days)	50
9	Detailed construction schedule/work plan per each lot	15
10	Personnel capacity	5
11	Teams/brigades deployed for construction works	10
12	Equipment capacity	5
	TOTAL	100

The cut-off points for submissions to be considered as technically compliant **will be a minimum of 60 points out of the 100 available. After the evaluation, this will be converted into 70 points allocated to technical proposal.**

Note: the total score for the Technical Proposal will be calculated by the following formula: [points scored] x [0,7] = the total score for the Technical Proposal.

IMPORTANT:

All suppliers must have bank account capable of receiving either Ukrainian Hryvna (UAH), or United States Dollars (USD) and must have legal entity registered in compliance with the applicable legal framework of the state. Failure to provide evidence of above two criteria may result in disqualification of your proposal from further evaluation.

A financial proposal will only be considered if the technical part of the supplier's proposal passed a minimum of 42 points out of 70 allocated to technical proposal, is accepted by UNHCR as complying with the technical requirements listed in RFP documentation.

The **Financial Proposal** will use the following percentage distribution: **30%** from the total score.

The maximum number of points will be allotted to the lowest price proposal that is opened and compared among those technically-compliant firms. All other price offers will receive points in inverse proportion to the lowest price, e.g., $[\text{lowest Price Component}] \times [100] / [\text{total price component}] \times 30\%$] = points for other supplier's Price Component.

For evaluation purposes only, the proposals submitted in currency other than US Dollars will be converted into US Dollars using the United Nations rate of exchange in effect on the date the submissions are due.

The financial component will be evaluated only for those suppliers that pass the technical evaluation.

Clarifications of Proposals:

To assist in the examination, evaluation and comparison of proposals UNHCR may at its discretion ask the bidder for clarification about the content of the proposal. The request for clarification and the response shall be in writing and no change in price or substance of the proposal shall be sought, offered or accepted. All such queries with the vendors will be made by Procurement Function.

2.6 SUBMISSION OF BID:

Bids should be submitted by e-mail and all attachments should be in PDF format. (copies of the PDF format documents may, as an addition, be included in Excel or other formats).

Bids must be sent by e-mail ONLY to: UNHCR-UKR-tendercommittee@unhcr.org

IMPORTANT:

The technical proposal and financial proposal are to be **sent in separate emails**. Failure to do so may result in disqualification.

Deadline for submission of proposals: 30 August 2022– 23:59 hours Ukrainian time.

IMPORTANT:

Any bid received after this date or sent to another UNHCR address may be rejected. UNHCR may, at its discretion, extend the deadline for the submission of bids, by notifying all prospective bidders simultaneously.

It is your responsibility to verify that all e-mails have been received properly before the deadline. Please be aware of the fact that the e-mail policy employed by UNHCR limits the size of attachments to a maximum of **20 Mb** so it may be necessary to send more than one e-mail for the whole submission.

Please indicate in e-mail subject field:

- Bid Reference: **UKRKI/RFP/2022-06**
- Name of your firm with the title of the attachment
- Number of e-mails that are sent (example: 1/3, 2/3, 3/4).

For example: UKRKI/RFP/2022-06 Company ABC – Technical Proposal (email 1 of 3)

UNHCR will not be responsible for locating or securing any information that is not identified in the bid. Accordingly, to ensure that sufficient information is available, the bidder shall furnish, as part of the bid, any descriptive material such as extracts, descriptions, and other necessary information it deems would enhance the comprehension of its proposal.

2.7 BID ACCEPTANCE:

UNHCR reserves the right to accept the whole or part of your bid or allow split or partial awards on this project.

UNHCR may at its discretion increase or decrease the proposed content when awarding the contract and would not expect a significant variation of the rate submitted. Any such increase or decrease in the contract duration would be negotiated with the successful bidder as part of the finalization of the Purchase Orders for Services.

UNHCR may, at its discretion, extend the deadline for the submission of bids, by notifying all prospective suppliers in writing. The extension of the deadline may accompany a modification of the solicitation documents prepared by UNHCR at its own initiative or in response to a clarification requested by a prospective supplier.

Please note that UNHCR is not bound to select any of the firms' submitting bids and does not bind itself in any way to select the firm offering the lowest price. Furthermore, the contract will be awarded to the bid considered most responsive to the needs, as well as conforming to UNHCR's general principles, including economy and efficiency and best value for money.

2.8 CURRENCY AND PAYMENT TERMS FOR PURCHASE ORDERS

Payment can be made in US Dollars if the suppliers hold valid USD account with Ukrainian banks, or in UAH at United Nations rate of exchange in effect on the date the Invoice and Act of Acceptance following the link <https://treasury.un.org/operationalrates/OperationalRates.php>.

Suppliers who do not hold valid USD bank account with Ukrainian bank must agree to receive payment in UAH at the UN rate of exchange in the month of invoice. It is to be noted that currently the UN rate of exchange into UAH is lower than the prevailing mark

2.9 UNHCR GENERAL CONDITIONS OF CONTRACTS FOR THE PROVISION OF CIVIL WORKS

Please note that the General Conditions of Contracts for Civil Works (**Annex E**) will be strictly adhered to for the purpose of any future contract. The Bidder must confirm the acceptance of these terms and conditions in writing.

2.10 ZERO TOLERANCE POLICY

Please note that UNHCR strictly follows zero tolerance policy and as such advises its suppliers not to offer any gift, favor, hospitality, etc. to its staff

2.11 THE UN GLOBAL COMPACT

UN Global Compact and other factors: UNHCR supports the UN Global Compact Initiative put forward on 31 January 1999 by UN Secretary-General Kofi Annan that would bring companies together with UN agencies, labor and civil society to support ten principles in the areas of the human rights, labor, environment and anti-corruption. We encourage our suppliers to sign up with the UN Global Compact Initiative.

Salumeza Cosmas Kanoti
Supply Officer,
UNHCR Ukraine