

ANNEX A

UKR/RFP/2023-011

TERMS OF REFERENCE (TOR)

Background:

Big influx of IDPs to western part of Ukraine requires the immediate humanitarian response, including shelter component, while the existing capacity of the region is limited. In parallel with different approaches to provide temporary/permanent shelter there is another approach: to use for this purpose premises/buildings which are currently not in use.

As of now UNHCR identified and completed the technical assessment of buildings/premises within Poltava oblast and seeks to identify the Contractor to conduct construction works in line with the technical documentation provided by UNHCR.

Tasks:

To conduct construction works following parameters specified in Annex documents (Annex A, A.1, A.2, A.3, B and B.1, full set of quantities with specifications). Upon the completion of construction works the Company submits to UNHCR the Technical Report and issues the Act of Acceptance.

Timeframe:

The timeframe for the construction works in Poltava oblast, Reshetilovka, 81 Pokrovska St., is **150** calendar days (according to the project design)

Unit of measure:

The financial offer should be provided on all-inclusive basis as the whole budget needs to include all construction services and construction material procurement under the BoQ provided by UNHCR including ancillary expenses (administration, transportation, delivery of materials, accommodation of working brigades, insurance, amortization of machinery and equipment etc.). Please note that UNHCR has tax and duty exemption status, therefore please provide your quotation without VAT.

UNHCR's role:

UNHCR will be monitoring, certifying, approving, controlling, and verifying implementation of all tasks under this TOR and due provision of all expected services. This includes the overall control and approval of works at all stages within this Project. The quality of construction work, the scope of work, the size and pricing of all work and all expected results within the framework of this Project are also checked by the third party contracted by UNHCR that conducts audit, engineering, and technical supervision services in accordance with contracts for consulting services, while the author supervision of the Project will conduct the consulting company AK Art Bud.

Technical Requirements

Construction services will be done by the Company identified through a bidding process. The Company's technical compliance will be evaluated by a TEC (technical evaluation committee) against the following requirements:

- *Evidence of past contracts - successfully executed - with similar construction services and similar size*
- *Availability of all licenses and permissions needed to conduct construction works*
- *Ability to conduct qualified construction works in the specified location and in the capacity specified in BoQ provided by UNHCR*
- *Ability to complete the construction works in number of days specified in the timeframe **including submission of (1) Construction Schedule and (2) Work Plan***
- *Ensure presence at the site visit at the stage of application for participation in the tender (**pre-bidding site visit presence mandatory**)*

Evaluation

The Bidder submits its technical and financial proposals, which collects all documents in line with requests as to conduct all construction services and construction material procurement under the BoQ provided by UNHCR including all associated expenses (administration, transportation, delivery of materials, accommodation of working brigades, insurance, amortization of machinery and equipment, electricity etc.).

Upon the completion of construction works the Company submits to UNHCR the Technical Report and issues the Act of Acceptance.

Supplementary BoQ (additional kinds of works)

The bidder indicates the price per unit measurement of additional kinds of works or of construction material (that may be considered as unforeseen).

Warranty and Maintenance:

According to the Article 884 of the Civil Code of Ukraine (edition of January 16, 2023 № 435-IV) the warranty period is ten years for all products within the scope of the tender, starting from the approval date of provisional acceptance. During this period, all materials will be under warranty against manufacturing and workmanship faults, and the material damaged by faulty manufacturing, workmanship or assembly are to be replaced with a new one. Identified during the exploitation of the premises deficiencies of the repair will be fixed by contractor free of charge within the warranty period.

Minimum Quality Standards:

All materials/products/works must comply with Ukrainian standards for construction works (DBN, DSTU, etc.).

Location of the required works:

Building (dormitory) of the State Educational Institution "Reshetylovsky Vocational Agrarian Lyceum named after. I.G. Borovensky" at the address: 81, Pokrovska St., Reshetylivka, Poltava region

In his financial offer Bidder is to provide the price per unit of measurement regarding construction materials and construction services and the total budget for intervention

Estimated construction period is **150** days.

Payment:

The payment schedule/milestones will be discussed and agreed on with the awarded bidder(s).

UNHCR does not make advance payments.

All invoices as per the agreed payment milestones are payable within 30 days.

Invoices will be payable following certification by UNHCR technical authority, in the form of a signed Act of Acceptance.