

**DATE: 24.06.2020**

**REQUEST FOR PROPOSAL: No. RFP/2020-03**

**FOR THE ESTABLISHMENT  
OF FRAME AGREEMENT FOR PROVISION OF REPAIR WORKS OF PRIVATE  
HOUSES IN DONETSK REGION (NGCA))**

**CLOSING DATE AND TIME: 15.07.2020 – 23:59 hrs EET**

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**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 coordinate 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 11,500 people in more than 128 countries continues to help about 68.5 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 with experience in carrying out repair of damaged houses, sourcing quality repair materials and providing the required number of brigades to make an offer for the establishment of a Frame Agreement for provision of repair materials and services for private houses in the non-Governmentally Controlled areas (NGCA) of Donetsk region (hereinafter referred to as the "Civil Construction Works").

UNHCR may award a Frame Agreement for the period of 1 (one) year potentially extendable till 31 December 2021.

The indicative scope of works for the specified period - 418 (four hundred and eighteen) private houses, including the forecasted division of types of work: Lot 1 – 380 households, medium repairs; Lot 2 – 38 households, heavy repairs. The indicative scope of work for each lot is listed in **Annex A** (Technical Proposal Form).

Only proposals for both Lots and both Parts of each lot shall be considered. Partial proposals shall not be accepted.

**The successful bidders will be requested to maintain their quoted price model for the duration of the Frame Agreement(s) including extensions, if any.**

**UNHCR may award a contract to one or more bidders to secure adequate capacities to meet workplans.**

**IMPORTANT:**

Exact scope of work on materials are detailed in **Annex A** (Technical Specification Form) and **Annex B** (Financial offer form). **Quantities indicated in the Annexes are tentative; the exact quantities will depend on actual conditions of houses to be repaired.**

Please note that figures have been stated in order to enable bidders to have an indication of the projected requirements for the medium and heavy repairs of private houses. **It does not represent a commitment that UNHCR will purchase a minimum quantity of services. Quantities may vary and will depend on the actual requirements and funds available regulated by issuance of individual Purchase Orders against the Frame Agreement.**

Other United Nations Agencies, Funds and Programmes shall be entitled to the same prices and terms as those contained in the offers of the successful bidders and could form the basis for a Frame Agreement with other UN Agencies.

**IMPORTANT:**

When a Frame Agreement is awarded, either party can terminate the agreement only upon 60 days (2 months) notice, in writing to the other party.

The initiation of conciliation or arbitral proceedings in accordance with **article 19** "settlement of disputes" of the UNHCR General Conditions of Contracts for Civil Construction Works shall not be deemed to be a "cause" for or otherwise to be in itself a termination clause.

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

**Sub-Contracting: Please take careful note of Article 7 of the attached General Terms and Conditions for Civil Works Annex D.**

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

## **2. BIDDING INFORMATION:**

### **2.1 RFP DOCUMENTS**

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

- Annex A: Technical Specification Form
- Annex B: Financial Offer Form
- Annex C: Vendor Registration Form
- Annex D: UNHCR General Conditions of Contracts for Civil Works
- Annex E: Documentation procedures on tax reporting (for companies with VAT payer status)
- Annex F: UNHCR Supplier's Code of Conduct
- Annex G: Template of frame agreement on Civil Works

### **2.2 ACKNOWLEDGMENT**

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

- Your confirmation of receipt of this RFP
- Whether or not you will be submitting a bid
- The source where you have acquired this tender document (e.g. E-Mail, UNHCR website, UNHCR Facebook page, UNGM website etc.)

**IMPORTANT:**

Failure to send the above requested information may result in disqualification of your offer 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 to the **Supply Unit [ukrkipro@unhcr.org](mailto:ukrkipro@unhcr.org)**. **The deadline for receipt of questions is 23:59 hrs EET on 10 July 2020.** Bidders are requested to keep all questions concise. **NO QUESTIONS MAY BE MADE BY TELEPHONE TO ANY SUPPLY STAFF OF UNHCR UKRAINE.**

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

UNHCR will collect the questions received and will reply to them in writing. A Questions & Answers document will be prepared and shared with all vendors intending to submit a proposal (please take appropriate action re paragraph 2.2 above) and posted on the UNHCR web-site.

### **2.4 YOUR OFFER**

**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 frame agreement.

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

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

**IMPORTANT:**

Inclusion of copies of your offer 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 offer. Please send your bid directly to the address provided in the "Submission of Bid" section 2.6 of this RFP.

Your offer shall comprise the following two sets of documents:

- Technical offer
- Financial offer

#### **2.4.1 Content of the TECHNICAL OFFER**

**IMPORTANT:**

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

The technical requirements of materials and services requested by UNHCR can be found in **Annex A** (Technical Specification Form). The scope of work and materials are given for each type of repair in **Annex B** to this document (Financial Proposal form).

Your **technical offer** should contain duly fulfilled Technical Offer Form **Annex A** and the documentation concisely and structurally presenting the following information:

### **Section 1 – Mandatory requirements**

Please provide a description of your company with supporting documentation as follows:

- a) The date of the company's foundation;
- b) Registration certificate issued by the respected governmental authority in Ukraine or other recognized country;
- c) Capacity to provide construction services and materials in Donetsk city and Donetsk region;
- d) Valid Permits Accreditation for conducting engineering construction civil works, issued by the respective authorities;
- e) The bank certificate confirming the company has a valid bank account in Ukraine capable of receiving funds in Ukrainian hryvnia.
- f) Confirmations of Tax Identification Number and certificate of taxpayer, issued by the respected governmental authority in Ukraine or abroad;
- g) Documentary evidence of financial capacity: The audited balance sheets, staff turnover of the company, details of any outstanding claims or litigation against the company.
- h) Confirmation and agreement on the provision of a one (1) year quality warranty on executed works;
- i) Confirmation of capability to execute works - when requested - with construction material supplied partially or entirely by UNHCR.
- j) Any information that will facilitate our evaluation of your company's substantive reliability, financial and managerial capacity to provide the services.

**UNHCR General Conditions for Civil Works:** your technical offer **must** contain your acknowledgement by signing/initialing EACH PAGE OF **Annex D**.

**UN Supplier Code of Conduct:** your technical offer **must** contain your acknowledgement by signing/initialing EACH PAGE OF **Annex F**.

Documentation procedures on tax reporting (for companies with VAT payer status in Ukraine). Your technical offer should contain your acknowledgement of the documentation procedures on tax reporting (content defined in **Annex E**);

### **Section 2 – General requirement**

Any comments or suggestions on the Technical Offer Annex A as well as your detailed description of the way your company would respond to the whole Technical Specification be confirmed through completing Technical Specification Offer **Annex A** and providing attachments.

The documentation regarding company capacity:

- a) List of main contracts (i.e., key customers) entered by the bidder into as a contractor or subcontractor with references;

- b) Number and description of similar construction projects that have been satisfactorily and substantially completed;
- c) Timeframe (number of days) required to complete 1 medium repair for 1 house and timeframe required to complete 1 heavy repair for 1 house with reasonable estimations according to the Lot 1 and Lot 2 Technical Specification Offer;
- d) Proof of capacity to provide appropriate freight transportation, loading and unloading of construction materials supplied partially or entirely by UNHCR;
- e) Availability of all necessary construction tools and machineries necessary for the project implementation;
- f) Proof of capacity to provide secure and proper storage for UNHCR provided construction materials, if any.

Detailed methodology and description of quality control of the materials and works shall include:

- a) Confirmation that the quality of materials will comply with the standards set forth in the signed and stamped Technical Specification Offer (**Annex A**).
- b) Proof of ability to conduct qualified damage assessment;
- c) Capacity to provide internal controls ensuring materials and repair works are provided exclusively according to damage assessments and UNHCR approval.
- d) Capacity to hand-over the repaired object to UNHCR according to the operating schedule agreed separately by UNHCR.
- e) Capacity to cover all expenses related to resources required for materials and services provision including but not limited to water, electricity etc, the running of equipment, tools, instruments and machinery.
- f) Capacity to pay all sub-contractors timely even when UNHCR releases the payment only after completion of the work.
- g) Ability to prepare, timely and accurately, cost estimates (for both works and materials), using dedicated software officially recognized in Ukraine or in other countries.
- h) Capacity to provide UNHCR with reports on a weekly basis and at short notice.
- i) Availability to grant UNHCR staff access to the construction site and to the storage place of the construction material used for this project;
- j) Number and detailed CV of key managerial and engineering staff who will be involved in the project implementation.

**Vendor Registration Form:** If your company is not already registered with UNHCR, you should complete, sign and submit with your technical proposal the Vendor Registration Form (**Annex C**).

#### **2.4.3 Content of the FINANCIAL OFFER**

Your separate **Financial Offer** must contain an overall offer in a single currency, either in UAH (Ukrainian hryvnas) or USD (United States dollars).

The financial offer must cover all the services to be provided (price “all inclusive”) including transportation, handling, loading/unloading, inspection etc.

The Financial Offer is to be comprised of:

- a) Duly fulfilled Financial Offer Form **Annex B**
- b) Detailed cost estimates for each Lot, through the use of dedicated cost calculation software officially recognized in Ukraine or abroad.

Bids that have a different price structure than **Annex B** may not be accepted.

UNHCR is exempt from all direct taxes and customs duties. With this regard, price has to be quoted without VAT but the VAT amount should be clearly stated separately where indicated in **Annex B**.

You are requested to hold your offer 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 full or partial implementation and receipt of documents.

The payments under the Frame Agreement will be done ONLY to a bank account in Ukraine. **Only companies with an operative bank account in Ukraine will be admitted to the evaluation phase.**

The cost of preparing the bid and negotiating the 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 will be considered separately and independently. Bidders shall submit a complete proposal in order to participate and use all forms and checklists provided. 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 on the same subject. Contract(s) will be awarded to the vendor(s) 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 investigation of suitability based on the submitted Vendor Registration Form and supporting documents. The investigation involves consideration of several factors such as:

- Financial standing;
- Core business and activity profile;
- Track record;
- Contracts 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 evaluation criteria which govern the selection of offers received. Evaluation is made on a technical and financial basis. The percentage assigned to each component is: technical and financial offers (60% and 40%).

The **Technical offer** will be evaluated using inter alia the following criteria and percentage distribution: **60%** from the total score of 1000 points.

The criteria for the Technical Proposal are divided into two sections. The first containing mandatory criteria with a PASS/FAIL rating and the second containing general criteria with a score rating.

**In order for a submission to be considered technically compliant, the mandatory criteria must be fully covered by the proposal; incomplete information or lack of supporting documents may lead to a rating of 'FAIL'. All mandatory criteria require a 'PASS' rating for the proposal to qualify.**

| #  | TECHNICAL EVALUATION CRITERIA   | Minimum essential or Max Points Obtainable |  |
|--|---|--|--|
| <b>MANDATORY REQUIREMENTS (Section 1 of RFP 2020-03)</b>   |   |  |  |
| <b>1</b>   | 1.1 The company's foundation date of minimum one year before the tender deadline.   | PASS/FAIL                                  |  |
|  | 1.2 The bidder confirmed capacity to provide construction services and materials in Donetsk city and Donetsk region.  | PASS/FAIL                                  |  |
|  | 1.3 The company has a bank account in Ukraine capable of receiving funds in Ukrainian hryvnia.  | PASS/FAIL                                  |  |
|  | 1.4 The company is registered with the tax services.  | PASS/FAIL                                  |  |
|  | 1.5 Audited financial statements of the company of at least 1 year.   | PASS/FAIL                                  |  |
|  | 1.6 UNHCR General Conditions of Contracts for Civil Works and UN Supplier Code of Conduct are accepted and all pages of Annex D and F signed by the bidder.   | PASS/FAIL                                  |  |
|  | 1.7 The bidder confirmed and agreed on the provision of a one (1) year quality warranty on executed works   | PASS/FAIL                                  |  |
|  | 1.8 The bidder confirmed capability to execute works - when requested - with construction material supplied partially or entirely by UNHCR.   | PASS/FAIL                                  |  |
| <b>GENERAL REQUIREMENTS (Section 2 of RFP 2020-03)</b>   |   |  |  |
| <b>a) Company capacity</b>   |   |  |  |
| <b>2</b>   | 2.1 Number and description of similar construction projects that have been satisfactorily and substantially completed.  | 15 points                                  |  |
|  | 2.2 Number of main contracts (i.e., key customers) entered by the bidder into as a contractor or subcontractor with references;   | 15 points                                  |  |
|  | 2.3 Number of days needed to complete 1 medium repair for 1 house (based on the Technical Specifications for Lot 1)   | 100 points                                 |  |
|  | 2.4 Number of days needed to complete 1 heavy repair for 1 house (based on the Technical Specifications for Lot 2)  | 100 points                                 |  |
|  | 2.5 Capacity to provide appropriate freight transportation, loading and unloading of construction materials supplied partially or entirely by UNHCR.  | 50 points                                  |  |
|  | 2.6 Availability of all necessary construction tools and machineries necessary for the project implementation   | 100 points                                 |  |
|  | 2.7 Capacity to provide secure and proper storage for UNHCR-provided construction materials, if any.  | 100 points                                 |  |
|  | <b>b) Detailed methodology and quality control of materials and works</b>   |  |  |
|  | 2.8 Ability to conduct qualified damage assessment  | 50 points                                  |  |
|  | 2.9 Capacity to provide internal controls ensuring materials and repair works are provided exclusively according to damage assessments and UNHCR approval.  | 50 points                                  |  |
|  | 2.10 Capacity to hand-over the repaired object to UNHCR according to the operating schedule agreed separately by UNHCR  | 50 points                                  |  |
|  | 2.11 Capacity to cover all expenses related to resources required for materials and services provision including but not limited to water, electricity etc, the running of equipment, tools, instruments and machinery. | 20 points                                  |  |
| 2.12 Capacity to pay all sub-contractors timely even when UNHCR releases the payment only after completion of the work | 100 points  |  |  |

|   |                     |
|---|---------------------|
| 2.13 Ability to prepare, timely and accurately, cost estimates (for both works and materials), using dedicated software officially recognized in Ukraine or in other countries. | 100 points          |
| 2.14 Capacity to provide UNHCR reports on a weekly basis and at short notice.   | 50 points           |
| 2.15 Availability to grant UNHCR staff access to the Construction site and to the storage place of the construction material used for this project;                             | 50 points           |
| 2.16 Qualification of the staff to be involved in the project implementation  | 50 points           |
| <b>MAXIMUM POSSIBLE TOTAL SCORE:</b>  | <b>1,000 points</b> |
| <b>Minimum Passing Score to be obtained (50%) of the Total Score:</b>   | <b>500 points</b>   |

**A minimum passing score of 500 points must be achieved in order to offer to be considered as technically compliant.**

**Note:** the total score for the Technical Proposal will be calculated by the following formula: [points scored] x [0,06 (Technical Component 60%)] = the total score for the Technical Proposal.

The **Financial Offer** will only be opened and evaluated when the technical offer scores the minimum passing score or more.

The **Financial Offer** will use the following percentage distribution: **40%** from the total score.

The maximum number of points will be allotted to the lowest price offer that is opened and compared with price offers submitted by the other participants. All other price offers will receive points in inverse proportion to the lowest price; e.g., [40 (Finance Component 40%)] x [US\$ lowest bid] \ [US\$ other] = points for other supplier's Price Component.

For evaluation purposes only, the offers 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.

**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.

**2.6 SUBMISSION OF BID:**

The offers must bear your official letter head, clearly identifying your company.

Bids should be submitted by e-mail and all attachments (Annex A, Annex B) should be in PDF and excel format, (Annex C, Annex D, Annex E, Annex F) should be in PDF format. (Copies of the PDF format documents may, as an addition, be included in Excel or other formats etc.).

**The Technical and Financial offers shall be clearly separated and sent in separate e-mail folders or files. Each email folder must clearly indicate with Technical Component and Financial offer.**

**Bids must be sent by e-mail ONLY to: [UNHCR-UKR-tendercommittee@unhcr.org](mailto:UNHCR-UKR-tendercommittee@unhcr.org)**

**Or, paper-based offers may be hand-delivered and contained in an outer envelope clearly indicating the project title, project number and address below:**



**THE BID OPENING COMMITTEE  
RFP / 2020-03  
UNHCR Representation for Ukraine  
16, Lavrska St. Kyiv**

**The outer envelope should be containing two inner envelopes as described below.**

**Both inner envelopes shall indicate your firm's name and address. The first inner envelope shall be marked "Technical Offer" and contain the full technical component of your offer.**

**In case of submission of paper-copies, the Financial Offer in Excel format must be signed and stamped.**

**The paper-based offers must be placed in the "Tender Box" placed in the Reception area of UNHCR at 16 Lavrska St.**

**Paper-based offers submitted in any other manner will not be accepted.**

**IMPORTANT:**

The technical offer and financial offer are to be sent as separate documents in separate emails. Failure to do so may result in disqualification.

**Deadline for submission of offers: 15.07.2020, 23:59 hrs EET.**

**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 **10 Mb** so it may be necessary to send more than one e-mail for the whole submission.

Please indicate in e-mail subject field:

- RFP 2020-03
- Name of your firm with the title of the attachment
- Number of e-mails that are sent (example: 1/3, 2/3, 3/4).

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 offer.

**2.7 BID ACCEPTANCE:**

UNHCR may at its discretion increase or decrease the proposed content when awarding the contract and would not expect a 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**

Any Purchase Order (PO) issued as a result of this RFP will be made in Ukrainian hryvnia. Payment will be made in accordance to the General Conditions for the Purchase of Civil Works and in the currency in which the PO is issued. Payments shall only be initiated after confirmation of successful completion by UNHCR business owner.

## **2.9 UNHCR GENERAL CONDITIONS OF CONTRACTS FOR CIVIL WORKS**

Please note that the General Conditions for Civil Works (**Annex D**) 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.

Claire Mary McNaughton, Supply Officer  
UNHCR Representation in Ukraine

