



## REQUEST FOR PROPOSAL (RFP)

All interested	DATE: May 15, 2019
	REFERENCE:271-2019-UNDP-UKR-RFP-RPP

Dear Sir / Madam:

We kindly request you to submit your Proposal for conducting services of **“Comprehensive legal process mapping exercise of four kinds of judicial cases”**.

Please be guided by the form attached hereto as Annex 2, in preparing your Proposal.

Proposals may be submitted on or before **23:59 (Kyiv time) Wednesday, May 29, 2019** and via email to the address below:

**United Nations Development Programme**  
*tenders.ua@undp.org*  
**Procurement Unit**

Your Proposal must be expressed in the **English or Ukrainian or Russian**, and valid for a minimum period of **90 days**.

In the course of preparing your Proposal, it shall remain your responsibility to ensure that it reaches the address above on or before the deadline. Proposals that are received by UNDP after the deadline indicated above, for whatever reason, shall not be considered for evaluation. If you are submitting your Proposal by email, kindly ensure that they are signed and in the .pdf format, and free from any virus or corrupted files.

**NB. The Offeror shall create 2 archive files (\*.zip format only!): one should include *technical proposal*, another one should include *financial proposal* and be encrypted with password. Both files should be attached to the email letter.**

During evaluation process only technically compliant companies will be officially asked by UNDP procurement unit via email to provide password to archive with financial proposal. Please do not include the password either to email letter or technical proposal and disclose before official request.

Messages should **not exceed 5 MB in size**. Offers larger than 5 MB should be split into several messages and each message subject should indicate “part x of y” besides the marking mentioned in the announcement and the solicitation documents. Messages larger than 5 Mb will not be delivered. *All electronic submissions are confirmed by an automatic reply.*

The Offeror shall mark the email letter/s:

Subject of the message should include: **“271-2019-UNDP-UKR-RFP-RPP”** and **“Comprehensive legal process mapping exercise of four kinds of judicial cases.”**

Body of the message should include: **Name of the offeror**

Archive files should be marked as: **Technical proposal** and **Financial proposal**

Note: if the email letters or archive files are not marked as per the instructions in this clause, the procuring UNDP entity will not assume responsibility for the Proposal’s misplacement or premature opening.

Services proposed shall be reviewed and evaluated based on completeness and compliance of the Proposal and responsiveness with the requirements of the RFP and all other annexes providing details of UNDP requirements.

The Proposal that meets all the evaluation criteria and offers the best value for money shall be selected and awarded the contract. Any offer that does not meet the requirements shall be rejected.

Any discrepancy between the unit price and the total price shall be re-computed by UNDP, and the unit price shall prevail and the total price shall be corrected. If the Service Provider does not accept the final price based on UNDP’s re-computation and correction of errors, its Proposal will be rejected.

No price variation due to escalation, inflation, fluctuation in exchange rates, or any other market factors shall be accepted by UNDP after it has received the Proposal. At the time of Award of Contract or Purchase Order, UNDP reserves the right to vary (increase or decrease) the quantity of services and/or goods, by up to a maximum twenty-five per cent (25%) of the total offer, without any change in the unit price or other terms and conditions.

Any Contract or Purchase Order that will be issued as a result of this RFP shall be subject to the General Terms and Conditions attached hereto. The mere act of submission of a Proposal implies that the Service Provider accepts without question the General Terms and Conditions of UNDP, herein attached as Annex 3.

Please be advised that UNDP is not bound to accept any Proposal, nor award a contract or Purchase Order, nor be responsible for any costs associated with a Service Providers preparation and submission of a Proposal, regardless of the outcome or the manner of conducting the selection process.

UNDP’s vendor protest procedure is intended to afford an opportunity to appeal for persons or firms not awarded a Purchase Order or Contract in a competitive procurement process. In the event that you believe you have not been fairly treated, you can find detailed information about vendor protest procedures in the following link:

<http://www.undp.org/content/undp/en/home/operations/procurement/business/protest-and-sanctions.html>

UNDP encourages every prospective Service Provider to prevent and avoid conflicts of interest, by disclosing to UNDP if you, or any of your affiliates or personnel, were involved in the preparation of the requirements, design, cost estimates, and other information used in this RFP.

UNDP implements a zero tolerance on fraud and other proscribed practices, and is committed to preventing, identifying and addressing all such acts and practices against UNDP, as well as third parties involved in UNDP activities. UNDP expects its Service Providers to adhere to the UN Supplier Code of Conduct found in this link:

<http://www.undp.org/content/dam/undp/img/corporate/procurement/UN%20Supplier%20Code%20of%20Conduct.pdf>

Thank you and we look forward to receiving your Proposal.

Sincerely yours,

*Sukhrob Kaharov*

*Mr. Sukhrob Kaharov,  
Operations Manager*

*UNDP Ukraine  
May 15, 2019*

## Description of Requirements

Project name:	"Recovery and Peacebuilding Program"
Brief Description of the Required Services	The overall goal of this assignment is improving the accessibility of justice services provision through the free legal aid system, police, local courts and State/private executors in target oblasts. This study will allow to assess and map the internal processes on the access to justice path, which will identify and show the gaps, delays, distorts, barriers and obstacles of formal and actual procedures and, in respect, recommendation on the process improvement.
The overall objective	<p>The main objective of the service is to undertake a comprehensive process mapping exercise starting from the appeal to the local legal aid offices, lawyers, police and courts and State/private executors till the full restoration of rights on the following legal paths:</p> <ol style="list-style-type: none"> <li>1) The establishment of legal facts of birth and death;</li> <li>2) Compensation for the destroyed property (housing) due to the conflict the conflict in the East of Ukraine;</li> <li>3) Domestic violence (on the examples of the applications of the article 1261 of the Criminal Code of Ukraine, articles 3501 – 3508 of the Civil Procedural Code of Ukraine) from the perspective of the SGBV survivor;</li> <li>4) Confirmation of the work experience.</li> </ol> <p>The process mapping for paths 1) and 4) should be assessed only from the perspective of persons who permanently stay in the Non-Government-Controlled Areas (NGCA), but receive legal services in GCA, which will additionally include time, cost and any other relevant expenses for travel and temporary residence in the GCA.</p> <p>Detailed description of each step of accessing justice in mentioned legal cases will allow improving the understanding of the actual procedures, but also to identify the gaps and problems which are hidden from persons who are not directly involved into each step of the problem solving, in other words, the process mapping will provide a clear understanding of communication between stages/justice services providers, highlight complexity and diagnose a gap between current and 'ideal' process of service provision.</p>
Person to Supervise the Work/Performance of the Service Provider	Community Security and Social Cohesion Specialist
Frequency of Reporting	According to TOR attached
Progress Reporting Requirements	According to TOR attached
Location of work	According to TOR attached
Expected duration of work	According to the proposed timeframe specified in the attached TOR
Target start date	June 2019
Target completion date	September 2019
Travels Expected	According to TOR attached

Special Security Requirements	n/a
Facilities to be Provided by UNDP (i.e., must be excluded from Price Proposal)	The Program does not provide premises, equipment, supporting personnel, services or logistic support
Implementation Schedule indicating breakdown and timing of activities/sub-activities	<input checked="" type="checkbox"/> Required <input type="checkbox"/> Not Required
Names and curriculum vitae of individuals who will be involved in completing the services	<input checked="" type="checkbox"/> Required <input type="checkbox"/> Not Required
Currency of Proposal	<input checked="" type="checkbox"/> United States Dollars (USD) – strongly advised to use as a risk mitigation measure against the impact of the local currency devaluation. UNDP shall arrange the payment in local currency based on the UN Operational Exchange Rate prevailing at the time of invoicing. For details please see: <a href="http://treasury.un.org">http://treasury.un.org</a> <input type="checkbox"/> Euro <input checked="" type="checkbox"/> UAH
Value Added Tax on Price Proposal	<input type="checkbox"/> must be inclusive of VAT and other applicable indirect taxes (VAT should be clearly indicated in separate line), if applicable <input checked="" type="checkbox"/> must be exclusive of VAT and other applicable indirect taxes
Validity Period of Proposals (Counting for the last day of submission of quotes)	<input type="checkbox"/> 30 days <input type="checkbox"/> 60 days <input checked="" type="checkbox"/> 90 days <input type="checkbox"/> 120 days <p>In exceptional circumstances, UNDP may request the Proposer to extend the validity of the Proposal beyond what has been initially indicated in this RFP. The Proposal shall then confirm the extension in writing, without any modification whatsoever on the Proposal.</p>
Partial Quotes	<input checked="" type="checkbox"/> Not permitted <input type="checkbox"/> Permitted
A pre-proposal conference will be held on:	<p>Pre-Bidding Conference will be held on 23th of May 2019 at 3 pm at the following address:          UNDP Ukraine          1, Klovsky Uzviz, Kyiv Ukraine.          Skype Conference shall be supported for interested bidders unable to attend the Pre-Bidding Conference.          Interested bidders are required to register for Pre-Bidding Conference by submitting their company name, list of attending representatives and their contact information as well as Skype ID (for bidders willing to participating via Skype Conference) at the following e-mail:          procurement.ua@undp.org          Attn: Procurement Unit          Subject: <b>271-2019-UNDP-UKR-RFP-RPP</b> – Pre-Bidding Conference Registration</p>

Payment Terms <sup>1</sup>	<p>The contractor is invited to assess the complexity of work on the implementation by each of these Deliverables, and to offer the customer the preferred percentage of the total proposed value of the contract. Proposed by UNDP payment schedule:</p> <ol style="list-style-type: none"> <li>1. Delivery of output 1 – 20% of the total payment</li> <li>2. Delivery of outputs 2 – 30% of the total payment</li> <li>3. Delivery of outputs 3,4 – 30% of the total payment</li> <li>4. Delivery of outputs 5 – 20% of the total payment</li> </ol> <p>Payment terms: Not later than thirty (30) days as of meeting the following conditions:</p> <ol style="list-style-type: none"> <li>a) UNDP's written acceptance (i.e., not mere receipt) of the quality of the outputs;</li> <li>b) Receipt of invoice from the Contractor.</li> </ol>
Person(s) to review/inspect/ approve outputs/completed services and authorize the disbursement of payment	Community Security and Social Cohesion Specialist
Type of Contract to be Signed	<input type="checkbox"/> Purchase Order <input type="checkbox"/> Institutional Contract <input checked="" type="checkbox"/> Contract for Professional Services <input type="checkbox"/> Long-Term Agreement <input type="checkbox"/> Other Type of Contract
Criteria for Contract Award	<input type="checkbox"/> Lowest Price Quote among technically responsive offers <input checked="" type="checkbox"/> Highest Combined Score (based on the 70% technical offer and 30% price weight distribution) <input checked="" type="checkbox"/> Full acceptance of the UNDP Contract General Terms and Conditions (GTC). <u>This is a mandatory criterion and cannot be deleted regardless of the nature of services required. Non-acceptance of the GTC may be grounds for the rejection of the Proposal.</u>
Criteria for the Assessment of Proposal	<p><b><u>Technical Proposal (70%)</u></b></p> <input checked="" type="checkbox"/> Experience of the company/organization submitting the proposal 7% <input checked="" type="checkbox"/> Proposed work plan, methodology and approach 36% <input checked="" type="checkbox"/> Personnel and invited experts/consultants 57% <p><b><u>Financial Proposal (30%)</u></b></p> <p>To be computed as a ratio of the Proposal's offer to the lowest price among the proposals received by UNDP.</p>
UNDP will award the contract to:	<input checked="" type="checkbox"/> One and only one Contractor <input type="checkbox"/> One or more Contractors, depending on the following factors:
Annexes to this RFP	<input checked="" type="checkbox"/> Form for Submission of Proposal (Annex 2) <input checked="" type="checkbox"/> General Terms and Conditions / Special Conditions - Available through the Link: <a href="https://www.undp.org/content/undp/en/home/procurement/business/how-we-buy.html">https://www.undp.org/content/undp/en/home/procurement/business/how-we-buy.html</a> <input checked="" type="checkbox"/> Detailed TOR and Evaluation Criteria (Annex 3) <input checked="" type="checkbox"/> Contract for professional services template (Annex 4)

<sup>1</sup> UNDP preference is not to pay any amount in advance upon signing of contract. If the Service Provider strictly requires payment in advance, it will be limited only up to 20% of the total price quoted. For any higher percentage, or any amount advanced exceeding \$30,000, UNDP shall require the Service Provider to submit a bank guarantee or bank cheque payable to UNDP, in the same amount as the payment advanced by UNDP to the Service Provider.

Contact Person for Inquiries (Written inquiries only) <sup>2</sup>	<p><i>Procurement Unit</i>  <i>UNDP Ukraine</i>  <i>procurement.ua@undp.org</i></p> <p>Any delay in UNDP's response shall be not used as a reason for extending the deadline for submission, unless UNDP determines that such an extension is necessary and communicates a new deadline to the Proposers.</p>
Documents to be submitted in proposal	<p><input checked="" type="checkbox"/> Dully filled in and Signed Form for Submission of Proposal (Annex 2);</p> <p><input checked="" type="checkbox"/> Business Licenses (Copies of State/Tax registration documents) and other Certificates (if any). In case a group of experts decides to apply, a letter of affiliation with an officially registered organization (which will be the Contractor in case of contract award) must be provided;</p> <p><input checked="" type="checkbox"/> Copies of other licenses or certificates (if any);</p> <p><input checked="" type="checkbox"/> Financial statements (Copies of income/balance statements for last 2 years or Audited statements);</p> <p><input checked="" type="checkbox"/> Letter of interest/letter of proposal, which briefly describes the organization's profile (date of creation, size, number of staff/consultants, description of key staff/consultants) and approach to the performance of work (up to 2 pages);</p> <p><input checked="" type="checkbox"/> Technical proposal detailing the proposed work plan;</p> <p><input checked="" type="checkbox"/> A list and short summary of previous experience in Analytical Assessments in legal field (at least 3 products);</p> <p><input checked="" type="checkbox"/> A list and short summary of previous experience in legal assistance provision (including experience with free legal aid system, police, local courts and State / Private Executive Service) (for the last 5 years);</p> <p><input checked="" type="checkbox"/> A timeline detailing how the required results will be achieved/completed within the required timeline.</p> <p><input checked="" type="checkbox"/> at least 2 references from past customers regarding implementation of likely tasks;</p> <p><input checked="" type="checkbox"/> Experience with assignments in the East of Ukraine (in Donetsk, Luhansk Oblasts (conflict zone));</p> <p><input checked="" type="checkbox"/> CVs of the intended Team Leader and 4 specialists for each legal path process, which clearly indicate their experience against TOR requirements, and certification of their availability if selected for this project as well as contact details for referees.</p> <p><input checked="" type="checkbox"/> <b>Financial proposal (must be password protected and provided in separate archive. Don't provide password unless requested and don't include password to letter with technical proposal part).</b></p>

<sup>2</sup> This contact person and address is officially designated by UNDP. If inquiries are sent to other person/s or address/es, even if they are UNDP staff, UNDP shall have no obligation to respond nor can UNDP confirm that the query was received.

<p>Other Information Related to the RFP</p>	<p><b><u>Administrative Requirements:</u></b></p> <p>Submitted offers will be reviewed on “Pass” or “Fail” basis to determine compliance with the below formal criteria/ requirement/s:</p> <ul style="list-style-type: none"> <li>✓ Offers must be submitted within the stipulated deadline</li> <li>✓ Offers must meet required Offer Validity</li> <li>✓ Offers have been signed by the proper authority</li> <li>✓ Offers include requested company/organization documentation, including documentation regarding the company/organization’s legal status and registration</li> <li>✓ Offers must comply with general administrative requirements:             <ol style="list-style-type: none"> <li>1. An officially registered organization (commercial, nonprofit, nongovernmental, public);</li> <li>2. A list and short summary of previous experience in Analytical Assessments in legal field (at least 3 products);</li> <li>3. A list and short summary of previous experience in legal assistance provision (including experience with free legal aid system, police, local courts and State / Private Executive Service) (for the last 5 years);</li> <li>4. Presentation of at least 2 references from past customers regarding implementation of likely tasks.</li> <li>5. Experience with assignments in the East of Ukraine (in Donetsk, Luhansk Oblasts (conflict zone))</li> </ol> </li> </ul> <p>Other information is available on <a href="http://procurement-notice.undp.org">http://procurement-notice.undp.org</a>; For the information, please contact <a href="mailto:procurement.ua@undp.org">procurement.ua@undp.org</a></p>
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**Annex 2****FORM FOR SUBMITTING SERVICE PROVIDER'S PROPOSAL<sup>3</sup>*****(This Form must be submitted only using the Service Provider's Official Letterhead/Stationery<sup>4</sup>)***

[insert: Location].

[insert: Date]

To: [insert: Name and Address of UNDP focal point]

Dear Sir/Madam:

We, the undersigned, hereby offer to render the following services to UNDP in conformity with the requirements defined in the 271-2019-UNDP-UKR-RFP-RPP dated 5/14/2019, and all of its attachments, as well as the provisions of the UNDP General Contract Terms and Conditions:

**A. Qualifications of the Service Provider**

<b>BRIEF COMPANY PROFILE</b>	
The Service Provider must describe and explain how and why they are the best entity that can deliver the requirements of UNDP by indicating the following:	
Full registration name	
Year of foundation	
Legal status	If Consortium, please provide written confirmation from each member
Legal address	
Actual address	
Bank information	
VAT payer status	
Contact person name	
Contact person email	
Contact person phone	
Company/Organization's core activities	
Profile – describing the nature of business, field of expertise, licenses, certifications, accreditations (If any);	Please indicate here
Business Licenses – Registration Papers, Tax Payment Certification, etc	EDRPOU, ID tax number

<sup>3</sup> This serves as a guide to the Service Provider in preparing the Proposal.

<sup>4</sup> Official Letterhead/Stationery must indicate contact details – addresses, email, phone and fax numbers – for verification purposes

	Copies of State registration and Tax registration should be attached
Latest Audited Financial Statement or Financial results (2015 -2016)	Copies of income statement and balance sheet to indicate its financial stability, liquidity, credit standing, and market reputation
Track Record performed within the last 5 years	Please indicate here the List of clients for similar services as those required by UNDP, indicating description of contract scope, contract duration, contract value, contact references; Brief description of previous products developed by the company (list);
Certificates and Accreditation	Please indicate here applicable including Quality Certificates, Patent Registrations, Environmental Sustainability Certificates, etc.
Please provide contact details of at least 2 previous partners for reference	Please attach the signed reference letters <i>if any</i> .
Company is not in the UN Security Council 1267/1989 List, UN Procurement Division List or Other UN Ineligibility List.	Yes/No (Please choose)
Other relevant information	

**B. Proposed Methodology for the Completion of Services**

*The Service Provider must describe how it will address/deliver the demands of the RFP; providing a detailed description of the essential performance characteristics, reporting conditions and quality assurance mechanisms that will be put in place, while demonstrating that the proposed methodology, and expected deliverables, implementation schedule for each deliverable/output will be appropriate to the local conditions and context of the work.*

**Must include:**

- 1. Letter of interest/letter of proposal, which briefly describes the organization's profile (date of creation, size, number of staff/consultants, description of key staff/consultants) and approach to the performance of work (up to 2 pages);**
- 2. Technical proposal detailing the proposed work plan;**
- 3. A timeline detailing how the required results will be achieved/completed within the required timeline**

**C. Qualifications of Key Personnel**

***If required by the RFP, the Service Provider must provide:***

***a) Names and qualifications of the key personnel that will perform the services; description of roles of key personnel (Team Leader, Specialists);***

***b) CVs demonstrating qualifications, experience and language skills of Team Leader and Specialists as well as contact details for referees;***

***e) Written confirmation from each team member that they are available for the entire duration of the contract.***

**1) Team Leader**

**2) Specialists**

## Financial Proposal

The Proposer is required to prepare the Financial Proposal in an envelope separate from the rest of the RFP as indicated in the Instruction to Proposers.

The Financial Proposal must provide a detailed cost breakdown. Provide separate figures for each functional grouping or category.

Any estimates for cost-reimbursable items, such as travel and out-of-pocket expenses, should be listed separately.

In case of an equipment component to the service provider, the Price Schedule should include figures for both purchase and lease/rent options. UNDP reserves the option to either lease/rent or purchase outright the equipment through the Contractor.

The format shown on the following pages is suggested for use as a guide in preparing the Financial Proposal. The format includes specific expenditures, which may or may not be required or applicable but are indicated to serve as examples.

### A. Cost Breakdown per Deliverables\*

The key steps and a description of the results that must be obtained in the specified time frames are listed below.

The contractor is invited to assess the complexity of work on the implementation by each of these stages, and to offer the customer the preferred percentage of the total proposed value of the agreement.

<b>Deliverables</b> <i>[list them as referred to in the RFP]</i>	<b>Percentage of Total Price (Weight for payment)</b>	<b>Amount, currency, excl. VAT</b>
Delivery of output 1		
Delivery of outputs 2		
Delivery of outputs 3, 4		
Delivery of outputs 5		
<b>Total</b> (please indicate currency)	100%	

*\*This shall be the basis of the payment tranches*

**B. Cost Breakdown by Cost Component:**

The Proposers are requested to provide the cost breakdown for the above given prices for each deliverable based on the following format. UNDP shall use the cost breakdown for the price reasonability assessment purposes as well as the calculation of price in the event that both parties have agreed to add new deliverables to the scope of Services.

<i><b>Nº</b></i>	<i><b>Activity/Costs</b></i>	<i><b>Unit</b></i>	<i><b>Number</b></i>	<i><b>Cost per unit, currency</b></i>	<i><b>Amount, currency excl. VAT</b></i>
<b>1</b>	<b>Personnel</b>				
1.1	Team Leader	1 month of work			
1.2	Specialist 1	1 month of work			
1.3	Specialist 2	1 month of work			
1.4	Specialist 3	1 month of work			
...	...				
<b>2</b>	<b>Administration Costs (if necessary)</b>				
2.1	Communication (Internet/Phone/etc.)				
2.2	Other (if any - to define clearly activities/costs)				
...	...				
<b>3</b>	<b>Travel and Lodging</b>				
3.1	Travel costs (tickets)	Travel for 1 person			
3.2	Accommodation	Day			
3.3	Daily Allowance	Day			
3.4	...				
<b>4</b>	<b>Other costs (if any - to define clearly activities/costs)</b>				
4.1	...				
4.2	...				
	<b>Total</b> (please indicate currency)				

*[Name and Signature of the Service Provider's Authorized Person]*

*[Designation]*

*[Date]*

**\*\* Dear partners!**

The United Nations Office in Ukraine would like to inform you that the purchase of goods and services announced in the tender will be carried out within the project of international technical assistance.

According to the provisions of the Tax Code of Ukraine (paragraph 197.11), an exemption from VAT is provided for operations that are financed through material and technical assistance.

The procedure for obtaining the right to exemption from taxation for operations that are made within international technical assistance projects is regulated by the Decree of the Cabinet of Ministers of Ukraine No.153 dated February 15, 2002.

According to this procedure, the price of the contract is determined "without VAT" and the tax invoice is drawn up in accordance with paragraph 2 of Order No. 1307. In the left part of this invoice, the corresponding mark "X" should be made and the type of reason 12 should be indicated. At the same time in the column "Recipient" (buyer) the name of the legal entity (UN Office in Ukraine) should be indicated, and in the column "Individual tax number of the beneficiary" (buyer) should be indicated conventional TIN (taxpayer reg. No.) "2000000000000".

Based on the above stated, we request that you prepare your bid proposals / invoices for payment without VAT taking into account the provisions of the Ukrainian legislation stated in the above mentioned normative acts.

If you have any additional questions, please contact the offices of the State Fiscal Service of Ukraine at the place of registration of your company for additional advice within the Article 52 of the Tax Code of Ukraine.

**\*\* Уважаемые партнеры!****Уважаемые партнеры!**

Представительство ООН в Украине информирует Вас, что приобретение товаров и услуг объявленных в тендере 056-2017-UNDP-UKR-RFQ-RPP производится в рамках выполнения проекта международной технической помощи.

Согласно положений Налогового Кодекса Украины (п. 197.11) предусмотрено освобождение от налогообложения НДС операций, которые финансируются за счет материально-технической помощи.

Порядок получения права на освобождение от налогообложения операций, которые производятся в рамках проектов международной технической помощи регламентируется постановлением Кабинета Министров Украины от 15 февраля 2002 года №153.

В случае наличия права на применение этой НДСной льготы на дату получения аванса от ПРООН вы должны составить и зарегистрировать в ЕРНН налоговую накладную (далее — НН), которая заполняется следующим образом:

- в графе «Складена на операції, звільнені від оподаткування» верхней левой части делается пометка «Без ПДВ»;
- в раздел А табличной части НН (строки I - X) вносятся обобщающие данные по операциям, на которые складывается такая НН, а именно: в строке I указывается общая сумма средств, подлежащих уплате с учетом НДС; в строке IX — общий объем поставки товаров/услуг. Строки II - VIII раздела А не заполняются;
- в графе 2 раздела В указывается номенклатура услуг поставщика (продавца);
- в графа 3.3 раздела В — код услуги согласно ГКПУ. Графа 3.3 заполняются на всех этапах поставки услуг.
- в графе 4 и 5 — единица измерения услуг;
- в графе 6 — количество (объем) поставки услуг;
- в графе 7 — цена поставки единицы услуги без учета НДС;
- в графе 8 — указывается код ставки НДС 903;
- в графе 9 — код льготы согласно Справочнику других налоговых льгот налоговых льгот, утвержденному ГФС по состоянию на дату составления НН — «14060523».
- в графе 10 — объем поставки без учета НДС (сумма аванса). Детально — в материалах «Налоговая накладная – 2017: порядок заполнения» и «Новая налоговая накладная в образцах».

Что касается налогового кредита с НДС по покупкам материалов для выполнения соответствующих строительных работ, то здесь правила его компенсации, предусмотренные п. 198.5 НКУ, не действуют. Ведь согласно п. 198.5 НКУ на операции по поставке товаров и услуг, освобождение от налогообложения НДС которых предусмотрено п. 197.11 НКУ, правила начисления налоговых обязательств не распространяются.

Это значит, что в ходе использования материалов, которые покупались с НДС, для выполнения данных работ налоговый кредит компенсировать не нужно, соответственно не нужно и начислять для этого налоговые обязательства.

Исходя из вышесказанного, просим Вас формировать Ваши тендерные заявки/счета на оплату без НДС учитывая положения украинского законодательства, изложенного в перечисленных нормативных актах.

В случае возникновения дополнительных вопросов просим Вас обращаться в отделения Государственной Фискальной Службы Украины по месту регистрации Вашего предприятия для получения дополнительной консультации в рамках статьи 52 Налогового Кодекса Украины.



## TERMS OF REFERENCE

**Project Title:** United Nations Recovery and Peacebuilding Programme

**Description of the assignment:** Comprehensive legal process mapping exercise of four kinds of judicial cases

**Country/place of implementation:** Donetsk and Luhansk (both government controlled) oblasts, Ukraine

**Duration of initial contract:** June 2019 – September 2019

**Direct supervisor:** Community Security and Social Cohesion Specialist

### I. Context

The ongoing conflict in eastern Ukraine has had a direct and highly negative impact on social cohesion, resilience, livelihoods, community security, and the rule of law. Recognizing the need to urgently address reconstruction, economic recovery and peacebuilding needs in areas affected both directly and indirectly by the conflict, in late 2014 the Government of Ukraine requested technical assistance and financial support from the international community to assess priority recovery needs. In late 2014, the United Nations, the World Bank and the European Union conducted a Recovery and Peacebuilding Assessment, which was endorsed by the Cabinet of Ministers in mid-2015.

UNDP has been active and present in eastern Ukraine for the past decade, prior to the conflict, with a focus on community development, civil society development, and environmental protection. Work on addressing the specific conflict-related development challenges discussed above built on this earlier engagement and established partnerships and started in 2015 through the United Nations **Recovery and Peacebuilding Programme (UN RPP)**, a multi-donor funded framework programme implemented by four United Nations partnering agencies: the United Nations Development Programme (UNDP), the UN Entity for Gender Equality and the Empowerment of Women (UN Women), the United Nations Population Fund (UNFPA) and the Food and Agriculture Organization of the United Nations (FAO).

The UN RPP was designed to **respond to and mitigate the causes and effects of the conflict**. It is based on findings of the Recovery and Peacebuilding Assessment (RPA) and is aligned to the State Target Programme for Recovery as well as to the two oblasts development strategies up to 2020. The UN RPP involves three pillars for action: 1) restoration of infrastructure and economic recovery; 2) support to local governance and related capacity building; and 3) social resilience and peacebuilding. It is an integral component of the UNDP Country Programme and is therefore fully aligned with the United Nations Partnership Framework (UNPF) It is closely interlinked with the Democratic Governance and Reform Programme, operating nationally and in all of Ukraine's regions and is consistent with the SDGs, in particular SDG 16 (Peace, Justice and Strong institutions).

As an area-based programme specifically developed for the conflict-affected areas of eastern Ukraine, the UN RPP addresses the key stabilization, peacebuilding, economic and governance priority needs in eastern Ukraine following the start of the conflict. It takes into account the opportunities that have arisen from the Minsk Protocol of September 2014 and the renewal of its cease-fire provisions (the latest cease-fire having been agreed in March 2018) and is also fully adjusted to the humanitarian-development nexus.

The Programme's interventions are grouped under the following key Programme components, which reflect the region's priority needs:

Component I: Economic Recovery and Restoration of Critical Infrastructure

Component II: Local Governance and Decentralization Reform

Component III: Community Security and Social Cohesion (CSC).

The Programme, which operates on the basis of a pooled funding arrangement, follows a multi-sectoral programme-based approach and is implemented using an area-based methodology. With the current project, it is a unifying interventions framework for 17 projects funded by 12 international partners.

Component III of UN RPP «Community Security and Social Cohesion» (CSSC) aims to reach some of its goals through enhancing community security; civic mobilization and empowerment of communities; reconciliation and restoration of social cohesion.

CSSC approach is being implemented through Community Security and Social Cohesion Working Groups as open dialogue platforms which are inclusive and representative of the respected communities. CSSC Mobilization Methodology involves the use of participatory methods and involving wide range of stakeholders to look for and implement community-based solutions for community security, civil protection and social cohesion.

The overall objective of the Project “EU Support to the East of Ukraine – Recovery, Peacebuilding and Governance” under Component III of UN RPP is to restore effective governance and promote reconciliation in crisis-affected communities of Donetsk and Luhansk regions of Ukraine thereby enhancing the credibility and legitimacy of local governments in the government-controlled areas of the regions. It will contribute to peace-building and preventing further conflict in Ukraine through effective and accountable decentralization, gender-responsive recovery planning and equal access to services, as well as enhanced community security and social cohesion.

This endeavor will be achieved through pursuit of the following specific objectives:

1. To enhance local capacity for gender-responsive decentralization and administrative reforms to improve governance, local development and the delivery of services.
2. To stimulate employment and economic growth by providing assistance to Micro, Small and Medium Enterprise (MSME) development through demand-driven business development services and professional skills training.
3. To enhance social cohesion and reconciliation through the promotion of civic initiatives.
4. To support sector reforms and structural adjustments in health, education and critical public infrastructure to mitigate direct impacts of the conflict.

## **II. Main Goals and Objectives**

One of the goals of the Project is to improve the accessibility of justice services provision through the free legal aid system, police, local courts and State/private executors in target oblasts. This study will allow to assess and map the internal processes on the access to justice path, which will identify and show the gaps, delays, distorts, barriers and obstacles of formal and actual procedures and, in respect, recommendation on the process improvement. For this purpose, UN RPP seeks to hire a qualified company (Contractor) to conduct an assessment on process mapping on access to justice in the GCA of Donetsk and Luhansk oblasts.

The main objective of the service is to undertake a comprehensive process mapping exercise starting from the appeal to the local legal aid offices, lawyers, police and courts and State/private executors till the full restoration of rights on the following legal paths:

- 1) The establishment of legal facts of birth and death;
- 2) Compensation for the destroyed property (housing) due to the conflict the conflict in the East of Ukraine;
- 3) Domestic violence (on the examples of the applications of the article 126<sup>1</sup> of the Criminal Code of Ukraine, articles 350<sup>1</sup> – 350<sup>8</sup> of the Civil Procedural Code of Ukraine) from the perspective of the SGBV survivor;
- 4) Confirmation of the work experience.

The process mapping for paths 1) and 4) should be assessed only from the perspective of persons who permanently stay in the Non-Government-Controlled Areas (NGCA), but receive legal services in GCA, which will additionally include time, cost and any other relevant expenses for travel and temporary residence in the GCA.

Detailed description of each step of accessing justice in mentioned legal cases will allow improving the understanding of the actual procedures, but also to identify the gaps and problems which are hidden from persons who are not directly involved into each step of the problem solving, in other words, the process mapping will provide a clear understanding of communication between stages/justice services providers, highlight complexity and diagnose a gap between current and 'ideal' process of service provision.

### III. Scope of Work and Expected Outcomes

The Contractor will be responsible for the preparation of the following documents and knowledge products:

1. Detailed Work Plan with a timeline (to be approved by UNDP);
2. Preparation of the Inception Report describing proposed methodology and the access to justice process in terms of current legislation;
3. Preparation of the Interim Report describing and mapping the actual state of access to justice paths (including results of the target groups questioning);
4. Conduction of Workshops and preparation of Workshops Recommendations (including the results of the "brainstorming" and discussion);
5. Preparation of the Final Analytical Report, which will include compartment of the Inception and Interim Reports results, Workshops Recommendations and proposed concrete recommendations on the access to justice improvements.

The contracted organization will thus be responsible for **designing/developing the methodology** including description of approaches and measures for the creation of analytical documents **and conducting a research** among the above-mentioned target groups (persons who live in the GCA and NGCA) in two oblasts (government-controlled areas of Donetsk and Luhansk oblasts) and two cities (Kharkiv and Zaporizhzhia) and **reporting on the data collected**.

The task itself includes the conduction of questioning of the target groups, workshops and a number of the analytical reports. The description of these tasks is in the below.

The minimum number of polled persons is 90 justice users and 10 officials per one justice path (at least 400 persons in total). The polled persons should also be divided by sex (at least 50% should be women), age, place of permanent residence and level of education. Other requirements should be proposed by the Contractor. The questionnaire should be developed by the Contractor and approved by UNDP.

- A. Inception Report should contain detailed mapping of each step to the full restoration of the violated right, including:
  - 1) Sources of the information regarding the receiving of free legal aid or other legal counseling;
  - 2) Process of the appointment of the legal representative;
  - 3) Interaction with law enforcement bodies (police investigation units);
  - 4) Filling in the pre-case;
  - 5) Appeal to the court;
  - 6) Court trial;
  - 7) Obtaining of the court decision from the court of the first stage (local court of general jurisdiction);
  - 8) Execution of the courts' decisions (State Executive Service and Private Executors);
  - 9) Visual process mapping of each legal path.

This list is not final. It describes the main stages and should be divided into sub-processes, sub-activities and smaller actions where each of those steps is inter-connected or where one step leads to another. Alternative paths (if any) should also be described. All received information should be finalized and submitted to the Inception Report.

- B. Interim Report with a detailed description of each step, including:
  - 1) Timeframes (detailed description of the amount of time required to pass each step);
  - 2) Formal and informal obstacles, barriers and blockages (such description may include legislative challenges or gaps in legislation, artificial or informal barriers, etc.);

- 3) Issues that cause delay or distort the intent of formal procedures (legislative/personal (both clients and officials) / low level of legal information awareness economic/social/etc.);
- 4) Costs (detailed description of the amount of money required to pass each step including formal and informal (if any) requirements);
- 5) Process management in the system of free legal aid provision (including an appointment of the concrete lawyers on each case, internal procedures of the case management);
- 6) Process management in the system of national police investigation units (including an appointment of the concrete police officers on each case, internal procedures of the case management);
- 7) Process management in the local courts (including an appointment of the concrete judge on each case, internal procedures of the case management);
- 8) Process management in the system of State Executive Service and Private Executors (including an appointment of the concrete executive specialists on each case, internal procedures of the case management);
- 9) Actual paths (official and unofficial) to pass the identified obstacles;
- 10) The level of automation (e.g. the electronic document flow or online payment/payment terminals).

This list is not final and describes the main topics. Report, however, should contain a description of each and every process stage/path, its content should be discussed with the UNDP. All received information should be finalized and submitted to the Interim Report.

- C. To conduct the workshops with representatives of the local/regional legal aid offices, lawyers (legal defenders and representatives), police (the representatives of the investigation units and management), courts, territorial departments of the State court Administration of Donetsk and Luhansk oblasts, and State/private executors where the Inception and Interim Report will be presented. Beside this, actors will brainstorm on how the “ideal” justice path will look like and how to reach it. All received information should be finalized and submitted to the Workshop Recommendations and, in respect, included to the Final Analytical Report.

The workshops should be conducted with the following minimal requirements:

- ✓ One workshop per oblast (two in total);
  - ✓ Places - Kramatorsk (Donetsk region) and Severodonetsk (Luhansk region);
  - ✓ Number of participants – at least 2 representatives from each legal services provider and each oblast, no less than 15 persons per one Workshop;
  - ✓ Prior short description of the gained results should be prepared as Handouts (\*.docs), the results should be presented in \*.pptx.
- D. The Final Analytical Report should include information from the activities A-C and concrete recommendations for the process improvement (including division on sub-processes which can be fixed with and without changes to the legislation):
    - 1) Reduction of the access to justice costs;
    - 2) Removal or reduction of the obstacles, barriers and blockages;
    - 3) Speeding up the delays;
    - 4) Turning unofficial path to the official or removing them;
    - 5) Shorten of the timeframes;
    - 6) Management processes improvement (including the possibility and readiness to the electronic document flow or on-line payment/payment terminals).

This list is not final and describes the main topics. Other recommendations should be proposed by the Contractor. All received information should be finalized and submitted to the Final Analytical Report.

## **RECOMMENDATIONS TO METHODOLOGY OF SERVICE PROVISION:**

### **General recommendations**

The Contractor is responsible for ensuring proper security of project team members. It is recommended to consult with UNDP on security in the region, especially before the field phase of the assignment. All costs regarding the conduction of the events in frames of this assignment realization should be included in the

budget proposal, but the scope of these events should be described (number of events, number of participants, duration of each event, etc.). During the events the eco-standards (e.g. stationery or glass bottles with water) should be followed.

#### **Recommendations on the Contractor's team composition:**

To optimize the time of the assignment the composition of the project team should include, in addition to the Team Leader, at least 1 specialist in each legal path process (with legal background and respective work experience), no less than 4 specialists in total. The Contractor is responsible for proposals regarding the assessment of the actual state of access to justice (e.g. interviewing of the free legal aid system lawyers, legal defenders and representatives, police officers (investigation units), judges, state / private executive specialists and access to justice users).

#### **GENERAL OPERATIONS**

1. Coordination with other partners of the UNDP Project «EU Support to the East of Ukraine – Recovery, Peacebuilding and Governance» to provide for effective interaction where possible. In particular, the Implementer interacts with UNDP on the issue of obtaining analyzes and on-the spot evaluations of the project, including the results of gender analysis.
2. Ensuring the reference to UNDP and the European Union in all the products created under the Contract.

#### **Deliverables to be provided for approval:**

The following deliverables will be provided by the contractor:

- Work Plan (including methodology) in \*.docs format, Times New Roman, 12 pt., lines space – 1,15;
- Inception report in \*.docs format, at least 15 pages, Times New Roman, 12 pt., lines space – 1,15; Annexes are followed if necessary;
- Interim Report in \*.docs format at least 30 pages, Times New Roman, 12 pt., lines space – 1,15; Annexes are followed if necessary;
- Workshop Recommendations in \*.docs format at least 10 pages, Times New Roman, 12 pt., lines space – 1,15; Annexes are followed if necessary;
- Final Analytical Report in \*.pdf and \*.docs formats at least 70 pages, Times New Roman, 12 pt., lines space – 1,15; Annexes are followed if necessary.

#### **IV. Requirements for Monitoring / Reporting**

The Contractor will work under overall guidance of the Community Security and Social Cohesion Specialist and direct supervision of the Community Security and Social Cohesion Coordinator in accordance with terms of deliverable submission through meetings\calls\mails.

Electronic versions of reports and duly completed timesheets should be prepared and submitted for clearance and approval by the Community Security and Social Cohesion Specialist in accordance with terms of deliverable submission.

The Contractor should clearly and concisely identify the work that has been carried out during this period, list major accomplishments, and difficulties/problems encountered during the process. The report should also indicate whether the result was achieved or whether there is a delay in the implementation of the planned activities. In the case of a delay, the reasons and advised solutions should be clearly stated.

#### **The proposed schedule of services and payments:**

#	Deliverable	Date of submission
1.	Preparation of the Work Plan and development of methodology	By the end of the 1 <sup>st</sup> week after the start of the assignment

2.	Preparation of the Inception Report	By the end of the 2 <sup>nd</sup> week after the start of the assignment
3.	Preparation of the Interim Report	By the end of the 8 <sup>th</sup> week after the start of the assignment
4.	Conduction of Workshops, Preparation of the Workshops Recommendations	By the end of the 10 <sup>th</sup> week after the start of the assignment
5.	Preparation of the Final Analytical Report	By the end of the 12 <sup>th</sup> week after the start of the assignment

All documents and knowledge products should be prepared in **Ukrainian**.

UNDP will pay the negotiated amount in 4 tranches as per delivery of tasks outlined above. In the below there are % of the total budget (tranches) which shall be payed after the deliverables:

Upon completion of Deliverable 1 – 20% of the total payment

Upon completion of Deliverable 2 – 30% of the total payment

Upon completion of Deliverable 3, 4 – 30% of the total payment

Upon completion of Deliverable 5 – 20% of the total payment

UNDP shall pay the negotiated contract fees for the services within 30 days after the services have been delivered in parts according with the above payments schedule. he payments will be processed upon the full completion and acceptance of contractual obligations whereupon the UNDP representative signs the certification of acceptance.

## V. Experience and Qualification Requirements

- a) Officially registered organization (commercial or non-profit) in the GCA Ukraine.
- b) At least 5 years of experience in legal assistance provision (including experience with free legal aid system, police, local courts and State / Private Executive Service);
- c) At least 3 Analytical Assessments in legal field are conducted;
- d) Presentation at least 2 recommendations from past customers;
- e) Work experience in Donetsk, Luhansk Oblasts (conflict zone) will be an advantage;
- f) Availability of human resources that will ensure due quality and timely implementation of the contract; the team proposed for conducting of this assignment should include at least:
  - Team Leader:
    - ✓ advanced graduate degree (MA, MSc, PhD) in law;
    - ✓ experience of at least seven years in law;
    - ✓ experience of at least five years of legal practice;
    - ✓ conduction of at least 3 research studies;
    - ✓ prior experience with free legal aid system, police, local courts and State / Private Executive Service;
    - ✓ Fluency in Ukrainian and Russian, knowledge of English would be an advantage.
  - 1 specialist for each legal path process (at least 4 in total):
    - ✓ graduate degree in law (masters);
    - ✓ experience of at least five years in law;
    - ✓ experience of at least three years of legal practice;
    - ✓ prior experience of conduction / participation of at least 2 research studies;
    - ✓ prior experience with free legal aid system / police / local courts or State / Private Executive Service;
    - ✓ Fluency in Ukrainian and Russian, knowledge of English would be an advantage.

## VI. Evaluation Criteria

### Evaluation and comparison of proposals

A two-stage procedure is utilized in evaluating the proposals, with evaluation of the technical proposal being completed prior to any price proposal being opened and compared. The price proposals will be opened only for submissions that passed the minimum technical score of 70% (or 490 points) of the obtainable score of 700 points in the evaluation of the technical proposals.

In the First Stage, the technical proposal is evaluated based on its responsiveness to the Terms of Reference (TOR) and as per below Evaluation Criteria. In the Second Stage, the price proposals of all offerors, who have attained minimum 70% score in the technical evaluation, will be reviewed. Overall evaluation will be completed in accordance with cumulative analysis scheme, under which the technical and financial aspects will have pre-assigned weights on 70% and 30% of the overall score respectively. The lowest cost financial proposal (out of technically compliant) will be selected as a baseline and allocated the maximum number of points obtainable for financial part (i.e. 490). All other financial proposals will receive a number of points inversely proportional to their quoted price; e.g. 490 points x lowest price / quoted price.

The winning proposal will be the one with the highest number of points after the points obtained in both technical and financial evaluations, respectively, are added up. The contract will be devoted to the bidder that submitted the winning proposal.

### Evaluation and comparison of proposals

Summary of Technical Proposal Evaluation Forms		Score Weight	Maximum score	Company / Organization			
1	Experience of the firm / organization submitting the proposal	7%	50				
2	Proposed work plan, methodology and approach	36%	250				
3	Personnel	57%	400				
	<b>Total Score</b>	100%	700				
	<b>Notes</b>						

Technical evaluation forms are provided at the next pages. The maximal points obtainable as per each criterion indicate the relative importance or score weight in general evaluation process.

### Technical Evaluation Forms:

Form 1. Experience of the firm / organization submitting the proposal

Form 2. Proposed work plan, methodology and approach

Form 3. Personnel

Evaluation of the Technical Proposal Form 1		Maximum score	Company/other organization		
			A	B	C
The experience of the company / organization submitting the proposal					
1.1	Experience in legal assistance provision (including experience with free legal aid system, police, local courts and State / Private Executive Service) [10 pts – more than 6 years; 5 pts –5 years]	10			

1.2	Experience in the Analytical Assessments conduction [10 pts – 4 and more Analytical Assessments conducted; 5 pts – 3 Analytical Assessments conducted]	10			
1.3	Work experience in Donetsk, Luhansk Oblasts (conflict zone) [10 point – the Company has relevant experience]	10			
1.4	Presentation at least 2 recommendations from past customers - [20 pts – more than 2 recommendations; 10 pts – 2 recommendations]	20			
	<b>Total score on Form 1</b>	<b>50</b>			



Evaluation of the Technical Proposal Form 2		Maximum score	Company/other organization		
			A	B	C
The proposed work plan, methodology and approach					
2.1	Does the submitted technical offer sufficiently meet the objective and scope of work? The Technical Proposal generally meets the objectives and scope of work - 50 points; The Technical Proposal corresponds well to the task, but workload overstated / understated - 60 points; The Technical Proposal is logical and details the algorithm of the task which is corresponding to the volume of work - 70 points	70			
2.2	How well developed, reasonable and reliable is the methodology of implementation of Services? The methodology was developed with an incomplete understanding of current realities and compliance with the tasks – up to 60 points; The methodology logically describes a sequence of works – up to 75 points; The methodology includes thorough criteria that demonstrate its feasibility – up to 90 points	90			
2.3	How well developed and reliable is the approach to the organization of services to create requested product? The developed approach contains separate inconsistencies - 60 points; Good approach, but low reliability on realism - 75 points; The organization has shown perfect approach which fully complies with reality - 90 points	90			
	Total score on Form 2	250			

Evaluation of the Technical Proposal Form 3		Maximum score	Company/other organization		
			A	B	C
Personnel					
	Team Leader				



3.1	Education level [30 pts – PhD in law; 25 pts – MSc]	30			
3.2	Work experience in law [30 pts – more than 7 years of experience; 25 pts – at least 7 years of experience]	30			
3.3	Experience of legal practice [30 pts – more than 5 years of experience; 25 pts – at least 5 years of experience]	30			
3.4	Experience of research studies conduction [30 pts – more than 3 researches conduction; 25 pts – at least 3 researches conduction]	30			
3.5	Experience with free legal aid system / police / local courts or State / Private Executive Service [30 pts – experience with all abovementioned institutions; 25 pts – experience with at least three abovementioned institutions]	30			
3.6	Language [30 pts – Fluency in Ukrainian and Russian; 35 pts – Fluency in Ukrainian and Russian and knowledge of English]	35			
	Interim score by criteria 3.1 – 3.6	185			
	<b>Experts' Group</b>				
4.1	Education level [35 pts – PhD in law; 30 pts – MSc]	35			
4.2	Work experience in law [35 pts – more than 5 years of experience; 30 pts – at least 5 years of experience]	35			
4.3	Experience of legal practice [35 pts – more than 3 years of experience; 30 pts – at least 3 years of experience]	35			
4.4	Experience of research studies conduction / participation [35 pts – more than 3 researches conduction / participation; 30 pts – at least 2 researches conduction / participation]	35			
4.5	Experience with free legal aid system / police / local courts or State / Private Executive Service [35 pts – experience with all abovementioned institutions; 30 pts – experience with at least two abovementioned institutions]	35			
4.6	Language [40 pts – Knowledge of English and fluency in Ukrainian and Russian; 35 pts – Fluency in Ukrainian and Russian]	40			
	Interim score by criteria 4.1 – 4.6	215			
	<b>Total score on Form 3</b>	400			

## Model Contract

<p><b>Договір на надання Товарів та/або Послуг між Програмою розвитку Організації Об'єднаних Націй та Іноземне Підприємство «ГФК Юкрейн»</b></p>  <p><i>Empowered lives. Resilient nations.</i></p>	<p><b>Contract for Goods and/or Services Between the United Nations Development Programme and Foreign Enterprise "GfK Ukraine"</b></p>  <p><i>Empowered lives. Resilient nations.</i></p>
<b>1. Країна, у якій будуть постачатись Товари та/або надаватись Послуги:</b> Україна	<b>1. Country Where Goods Will be Delivered and/or Services Will be Provided:</b> Ukraine
<b>2. ПРООН</b> <input type="checkbox"/> <b>Запит цін</b> <input checked="" type="checkbox"/> <b>Запит пропозиції</b> <input type="checkbox"/> <b>Запрошення на участь у конкурсі</b> <input type="checkbox"/> <b>укладення прямих договорів</b> Номер та дата:	<b>2. UNDP</b> <input type="checkbox"/> <b>Request for Quotation</b> <input checked="" type="checkbox"/> <b>Request for Proposal</b> <input type="checkbox"/> <b>Invitation to Bid</b> <input type="checkbox"/> <b>direct contracting</b> Number and Date:
<b>3. Посилання на номер договору (напр., номер присудження договору):</b>	<b>3. Contract Reference (e.g. Contract Award Number):</b>
<b>4. Довгострокова угода:</b> Ні	<b>4. Long Term Agreement:</b> No
<b>5. Предмет Договору:</b> <input type="checkbox"/> товари <input checked="" type="checkbox"/> послуги <input type="checkbox"/> товари <i>та</i> послуги	<b>5. Subject Matter of the Contract:</b> <input type="checkbox"/> goods <input checked="" type="checkbox"/> services <input type="checkbox"/> goods <i>and</i> services
<b>6. Тип Послуг:</b>	<b>6. Type of Services:</b>
<b>7. Дата початку Договору:</b>	<b>7. Contract Starting Date:</b>
<b>8. Дата завершення Договору:</b>	<b>8. Contract Ending Date:</b>
<b>9. Загальна сума Договору:</b> <b>9a. Передплата:</b> Не застосовується	<b>9. Total Contract Amount:</b> <b>9a. Advance Payment:</b> Not applicable
<b>10. Загальна вартість Товарів та/або Послуг:</b> <input type="checkbox"/> <b>менше 50 000 дол. США (лише Послуги)</b> – застосовуються Загальні умови ПРООН для базових (незначних) договорів <input type="checkbox"/> <b>менше 50 000 дол. США (Товари або Товари та Послуги)</b> – застосовуються Загальні умови ПРООН для договорів <input type="checkbox"/> <b>50 000 дол. США або більше (Товари та/або Послуги)</b> – застосовуються Загальні умови ПРООН для договорів	<b>10. Total Value of Goods and/or Services:</b> <input type="checkbox"/> <b>below US\$50,000 (Services only)</b> – UNDP General Terms and Conditions for Institutional (de minimis) Contracts apply <input type="checkbox"/> <b>below US\$50,000 (Goods or Goods and Services)</b> – UNDP General Terms and Conditions for Contracts apply <input type="checkbox"/> <b>equal to or above US\$50,000 (Goods and/or Services)</b> – UNDP General Terms and Conditions for Contracts apply
<b>11. Метод оплати:</b> <input checked="" type="checkbox"/> <b>тверда (фіксована) ціна</b> <input type="checkbox"/> <b>відшкодування витрат</b>	<b>11. Payment Method:</b> <input checked="" type="checkbox"/> <b>fixed price</b> <input type="checkbox"/> <b>cost reimbursement</b>
<b>12. Назва(Ім'я) Підприємця:</b>	<b>12. Contractor's Name:</b>
<b>13. Ім'я контактної особи Підприємця:</b> Посада: керівник Адреса: Номер телефону: Факс: Email:	<b>13. Contractor's Contact Person's Name:</b> Title Address: Telephone number: Fax: Email:
<b>14. Ім'я контактної особи ПРООН:</b> Посада: Адреса: Тел.: +380 508002879 Email:	<b>14. UNDP Contact Person's Name:</b> Title: Address: Telephone number Email:
<b>15. Банківський рахунок Підприємця, на який будуть перераховуватись платежі:</b> Отримувач: Назва рахунку: Номер рахунку: Назва банку: МФО ЄДРПОУ	<b>15. Contractor's Bank Account to which payments will be transferred:</b> Beneficiary: Account name: Account number: Bank name: Bank address: МФО EDRPOU

Даний Договір складається з наступних документів, які, у разі виникнення конфлікту між ними, мають перевагу один перед одним у наступному порядку:

1. Дана лицьова сторінка («Лицьова сторінка»).
2. Загальні умови ПРООН для договорів – Додаток 1
3. Технічне завдання (ТЗ) - Додаток 2
4. Графік надання послуг, що включають опис послуг, результати надання товарів та/або послуг, планові показники, терміни, графік здійснення платежів, та загальну суму договору – Додаток 3.
5. Технічна та Фінансова пропозиції Підрядника від \_\_\_\_\_; причому ці документи не додаються, але відомі Сторонам і знаходяться у їх розпорядженні, і є невід'ємною частиною цього Договору.
6. Реалізація даного Контракту відбувається в рамках виконання проекту міжнародної технічної допомоги між Урядом України та відповідними Донорами та Виконавцем та, згідно з умовами пункту 197.11 Податкового Кодексу України, операції звільнені від ПДВ.
- 7.

Все вищезазначене, включене до цього документу за допомогою посилання, містить увесь обсяг домовленостей («Договір») між Сторонами, при цьому усі інші переговори та/або угоди, незалежно від того, виконані вони в усній або ж у письмовій формі, що відносяться до предмету даного Договору, втрачають силу.

Даний Договір вступає в силу з дня проставлення належним чином уповноваженими представниками Сторін останнього підпису на Лицьовій сторінці і припиняє свою дію в Дату завершення Договору, яка зазначена на Лицьовій сторінці. Внесення змін та/або доповнень до даного Договору можливе лише у разі оформлення належним чином уповноваженими представниками Сторін письмової угоди.

**НА ПОСВІДЧЕННЯ ЧОГО**, нижчепідписані, належним чином уповноважені на це представники Сторін, підписали цю Угоду від імені Сторін у місці та в день, що вказані нижче

**Від імені Підрядника / For the Contractor**

Підпис / Signature:

Ім'я / Name:

Посада / Title:

Дата / Date:

This Contract consists of the following documents, which in case of conflict shall take precedence over one another in the following order:

1. This face sheet ("Face Sheet").
2. UNDP General Terms and Conditions for Contracts – Annex 1
3. Terms of Reference (TOR) – Annex 2
4. Schedule of Services provision, incorporating the description of services, deliverables and performance targets, time frames, schedule of payments, and total contract amount – Annex 3
5. The Contractor's Technical Proposal and Financial Proposal, dated \_\_\_\_\_; these documents not attached hereto but known to and in the possession of the Parties, and forming an integral part of this Contract.
6. This Contract implementation is conducted within the framework of the of international technical assistance project between the Government of Ukraine and the relevant Donors and the Executor and is concluded without VAT, in accordance with paragraph 197.11 of the Tax Code of Ukraine.
- 7.

All the above, hereby incorporated by reference, shall form the entire agreement between the Parties (the "Contract"), superseding the contents of any other negotiations and/or agreements, whether oral or in writing, pertaining to the subject of this Contract.

This Contract shall enter into force on the date of the last signature of the Face Sheet by the duly authorized representatives of the Parties, and terminate on the Contract Ending Date indicated on the Face Sheet. This Contract may be amended only by written agreement between the duly authorized representatives of the Parties.

**IN WITNESS WHEREOF**, the undersigned, being duly authorized thereto, have on behalf of the Parties hereto signed this Contract at the place and on the day set forth below.

**Від імені ПРООН / For UNDP**

Підпис / Signature:

Ім'я / Name:

Посада / Title:

Дата / Date: