* United Nations Development Programme*

**REQUEST FOR PROPOSAL**

Study on growing energy crops on underutilized lands in Ukraine including lessons learnt from grants provided by UNDP to energy crop growing

RFP No.: 266-2019-UNDP-UKR-RFP-Biomass

Project: UNDP Country Office

Country: Ukraine

Issued on: 15 May 2019

**Contents**

[Section 1. Letter of Invitation 4](#_Toc508440476)

[Section 2. Instruction to Bidders 5](#_Toc508440477)

[A. GENERAL PROVISIONS 5](#_Toc508440478)

[1. Introduction 5](#_Toc508440479)

[2. Fraud & Corruption, Gifts and Hospitality 5](#_Toc508440480)

[3. Eligibility 5](#_Toc508440481)

[4. Conflict of Interests 6](#_Toc508440482)

[B. PREPARATION OF PROPOSALS 6](#_Toc508440483)

[5. General Considerations 6](#_Toc508440484)

[6. Cost of Preparation of Proposal 6](#_Toc508440485)

[7. Language 6](#_Toc508440486)

[8. Documents Comprising the Proposal 6](#_Toc508440487)

[9. Documents Establishing the Eligibility and Qualifications of the Bidder 7](#_Toc508440488)

[10. Technical Proposal Format and Content 7](#_Toc508440489)

[11. Financial Proposals 7](#_Toc508440490)

[12. Proposal Security 7](#_Toc508440491)

[13. Currencies 8](#_Toc508440492)

[14. Joint Venture, Consortium or Association 8](#_Toc508440493)

[15. Only One Proposal 9](#_Toc508440494)

[16. Proposal Validity Period 9](#_Toc508440495)

[17. Extension of Proposal Validity Period 9](#_Toc508440496)

[18. Clarification of Proposal 9](#_Toc508440497)

[19. Amendment of Proposals 9](#_Toc508440498)

[20. Alternative Proposals 10](#_Toc508440499)

[21. Pre-Bid Conference 10](#_Toc508440500)

[C. SUBMISSION AND OPENING OF PROPOSALS 10](#_Toc508440501)

[22. Submission 10](#_Toc508440502)

[23. Deadline for Submission of Proposals and Late Proposals 11](#_Toc508440503)

[24. Withdrawal, Substitution, and Modification of Proposals 11](#_Toc508440504)

[25. Proposal Opening 12](#_Toc508440505)

[D. EVALUATION OF PROPOSALS 12](#_Toc508440506)

[26. Confidentiality 12](#_Toc508440507)

[27. Evaluation of Proposals 12](#_Toc508440508)

[28. Preliminary Examination 12](#_Toc508440509)

[29. Evaluation of Eligibility and Qualification 12](#_Toc508440510)

[30. Evaluation of Technical and Financial Proposals 13](#_Toc508440511)

[31. Due Diligence 13](#_Toc508440512)

[32. Clarification of Proposals 14](#_Toc508440513)

[33. Responsiveness of Proposal 14](#_Toc508440514)

[34. Nonconformities, Reparable Errors and Omissions 14](#_Toc508440515)

[E. AWARD OF CONTRACT 15](#_Toc508440516)

[35. Right to Accept, Reject, Any or All Proposals 15](#_Toc508440517)

[36. Award Criteria 15](#_Toc508440518)

[37. Debriefing 15](#_Toc508440519)

[38. Right to Vary Requirements at the Time of Award 15](#_Toc508440520)

[39. Contract Signature 15](#_Toc508440521)

[40. Contract Type and General Terms and Conditions 15](#_Toc508440522)

[41. Performance Security 15](#_Toc508440523)

[42. Bank Guarantee for Advanced Payment 15](#_Toc508440525)

[43. Liquidated Damages 16](#_Toc508440526)

[44. Payment Provisions 16](#_Toc508440527)

[45. Vendor Protest 16](#_Toc508440528)

[46. Other Provisions 16](#_Toc508440529)

[Section 3. Bid Data Sheet 17](#_Toc508440530)

[Section 4. Evaluation Criteria 20](#_Toc508440531)

[Section 5. Terms of Reference 24](#_Toc508440532)

[Section 6: Returnable Bidding Forms / Checklist 27](#_Toc508440533)

[form a: technical proposal submission form 28](#_Toc508440534)

[form b: bidder information form 29](#_Toc508440535)

[form c: joint venture/consortium/association information form 30](#_Toc508440536)

[form d: qualification form 31](#_Toc508440537)

[form e: format of technical proposal 34](#_Toc508440538)

[form f: financial proposal submission form 37](#_Toc508440539)

[form g: financial proposal form 38](#_Toc508440540)

[form h: form of proposal security 40](#_Toc508440541)

# Section 1. Letter of Invitation

The United Nations Development Programme (UNDP) hereby invites you to submit a Proposal to this Request for Proposal (RFP) for the above-referenced subject.

This RFP includes the following documents and the General Terms and Conditions of Contract which is inserted in the Bid Data Sheet (BDS):

Section 1: This Letter of Invitation

Section 2: Instruction to Bidders

Section 3: Bid Data Sheet (BDS)

Section 4: Evaluation Criteria

Section 5: Terms of Reference

Section 6: Returnable Bidding Forms

* Form A: Technical Proposal Submission Form
* Form B: Bidder Information Form
* Form C: Joint Venture/Consortium/Association Information Form
* Form D: Qualification Form
* Form E: Format of Technical Proposal
* Form F: Financial Proposal Submission Form
* Form G: Financial Proposal Form

If you are interested in submitting a Proposal in response to this RFP, please prepare your Proposal in accordance with the requirements and procedure as set out in this RFP and submit it by the Deadline for Submission of Proposals set out in Bid Data Sheet.

Please acknowledge receipt of this RFP by sending an email to [procurement.ua@undp.org](mailto:procurement.ua@undp.org), indicating whether you intend to submit a Proposal or otherwise. You may also utilize the “Accept Invitation” function in e-Tendering system, where applicable. This will enable you to receive amendments or updates to the RFP. Should you require further clarifications, kindly communicate with the contact person/s identified in the attached Bid Data Sheet as the focal point for queries on this RFP.

UNDP looks forward to receiving your Proposal and thank you in advance for your interest in UNDP procurement opportunities.

Issued by: Approved by:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

|  |  |
| --- | --- |
| Name: Maryna Anokhina  Title: Procurement associate  Date: May 15, 2019 | Name: Sukhrob Kakharov  Title: Operations manager, UNDP  Date: May 15, 2019 |

# Section 2. Instruction to Bidders

|  |  |
| --- | --- |
| GENERAL PROVISIONS | |
| Introduction | * 1. Bidders shall adhere to all the requirements of this RFP, including any amendments in writing by UNDP. This RFP is conducted in accordance with the UNDP Programme and Operations Policies and Procedures (POPP) on Contracts and Procurement which can be accessed at <https://popp.undp.org/SitePages/POPPBSUnit.aspx?TermID=254a9f96-b883-476a-8ef8-e81f93a2b38d>   2. Any Proposal submitted will be regarded as an offer by the Bidder and does not constitute or imply the acceptance of the Proposal by UNDP. UNDP is under no obligation to award a contract to any Bidder as a result of this RFP.   3. As part of the bid, it is desired that the Bidder registers at the United Nations Global Marketplace (UNGM) website ([www.ungm.org](http://www.ungm.org)). The Bidder may still submit a bid even if not registered with the UNGM. However, if the Bidder is selected for contract award, the Bidder must register on the UNGM prior to contract signature. |
| Fraud & Corruption,  Gifts and Hospitality | * 1. UNDP strictly enforces a policy of zero tolerance on proscribed practices, including fraud, corruption, collusion, unethical or unprofessional practices, and obstruction of UNDP vendors and requires all bidders/vendors observe the highest standard of ethics during the procurement process and contract implementation. UNDP’s Anti-Fraud Policy can be found at <http://www.undp.org/content/undp/en/home/operations/accountability/audit/office_of_audit_andinvestigation.html#anti>   2. Bidders/vendors shall not offer gifts or hospitality of any kind to UNDP staff members including recreational trips to sporting or cultural events, theme parks or offers of holidays, transportation, or invitations to extravagant lunches or dinners.   3. In pursuance of this policy, UNDP (a) Shall reject a proposal if it determines that the selected bidder has engaged in any corrupt or fraudulent practices in competing for the contract in question; (b) Shall declare a vendor ineligible, either indefinitely or for a stated period of time, to be awarded a contract if at any time it determines that the vendor has engaged in any corrupt or fraudulent practices in competing for, or in executing a UNDP contract.   4. All Bidders must adhere to the UN Supplier Code of Conduct, which may be found at <http://www.un.org/depts/ptd/pdf/conduct_english.pdf> |
| Eligibility | * 1. A vendor should not be suspended, debarred, or otherwise identified as ineligible by any UN Organization or the World Bank Group or any other international Organization. Vendors are therefore required to disclose to UNDP whether they are subject to any sanction or temporary suspension imposed by these organizations.   2. It is the Bidder’s responsibility to ensure that its employees, joint venture members, sub-contractors, service providers, suppliers and/or their employees meet the eligibility requirements as established by UNDP. |
| Conflict of Interests | * 1. Bidders must strictly avoid conflicts with other assignments or their own interests, and act without consideration for future work. Bidders found to have a conflict of interest shall be disqualified. Without limitation on the generality of the above, Bidders, and any of their affiliates, shall be considered to have a conflict of interest with one or more parties in this solicitation process, if they:   2. Are or have been associated in the past, with a firm or any of its affiliates which have been engaged by UNDP to provide services for the preparation of the design, specifications, Terms of Reference, cost analysis/estimation, and other documents to be used for the procurement of the goods and services in this selection process;   3. Were involved in the preparation and/or design of the programme/project related to the services requested under this RFP; or   4. Are found to be in conflict for any other reason, as may be established by, or at the discretion of UNDP.   5. In the event of any uncertainty in the interpretation of a potential conflict of interest, Bidders must disclose to UNDP, and seek UNDP’s confirmation on whether or not such a conflict exists.   6. Similarly, the Bidders must disclose in their proposal their knowledge of the following:   7. If the owners, part-owners, officers, directors, controlling shareholders, of the bidding entity or key personnel are family members of UNDP staff involved in the procurement functions and/or the Government of the country or any Implementing Partner receiving services under this RFP; and   8. All other circumstances that could potentially lead to actual or perceived conflict of interest, collusion or unfair competition practices.   Failure to disclose such an information may result in the rejection of the proposal or proposals affected by the non-disclosure.   * 1. The eligibility of Bidders that are wholly or partly owned by the Government shall be subject to UNDP’s further evaluation and review of various factors such as being registered, operated and managed as an independent business entity, the extent of Government ownership/share, receipt of subsidies, mandate and access to information in relation to this RFP, among others. Conditions that may lead to undue advantage against other Bidders may result in the eventual rejection of the Proposal. |
| PREPARATION OF PROPOSALS | |
| General Considerations | * 1. In preparing the Proposal, the Bidder is expected to examine the RFP in detail. Material deficiencies in providing the information requested in the RFP may result in rejection of the Proposal.   2. The Bidder will not be permitted to take advantage of any errors or omissions in the RFP. Should such errors or omissions be discovered, the Bidder must notify the UNDP |
| Cost of Preparation of Proposal | * 1. The Bidder shall bear any and all costs related to the preparation and/or submission of the Proposal, regardless of whether its Proposal was selected or not. UNDP shall not be responsible or liable for those costs, regardless of the conduct or outcome of the procurement process. |
| Language | * 1. The Proposal, as well as any and all related correspondence exchanged by the Bidder and UNDP, shall be written in the language (s) specified in the BDS. |
| Documents Comprising the Proposal | * 1. The Proposal shall comprise of the following documents:   2. Documents Establishing the Eligibility and Qualifications of the Bidder;   3. Technical Proposal;   4. Financial Proposal;   5. Proposal Security, if required by BDS;   6. Any attachments and/or appendices to the Proposal. |
| Documents Establishing the Eligibility and Qualifications of the Bidder | * 1. The Bidder shall furnish documentary evidence of its status as an eligible and qualified vendor, using the Forms provided under Section 6 and providing documents required in those forms. In order to award a contract to a Bidder, its qualifications must be documented to UNDP’s satisfaction. |
| Technical Proposal Format and Content | * 1. The Bidder is required to submit a Technical Proposal using the Standard Forms and templates provided in Section 6 of the RFP.   2. The Technical Proposal shall not include any price or financial information. A Technical Proposal containing material financial information may be declared non-responsive.   3. Samples of items, when required as per Section 5, shall be provided within the time specified and unless otherwise specified by UNDP, and at no expense to UNDP   4. When applicable and required as per Section 5, the Bidder shall describe the necessary training programme available for the maintenance and operation of the services and/or equipment offered as well as the cost to the UNDP. Unless otherwise specified, such training as well as training materials shall be provided in the language of the Bid as specified in the BDS. |
| Financial Proposals | * 1. The Financial Proposal shall be prepared using the Standard Form provided in Section 6 of the RFP. It shall list all major cost components associated with the services, and the detailed breakdown of such costs.   2. Any output and activities described in the Technical Proposal but not priced in the Financial Proposal, shall be assumed to be included in the prices of other activities or items, as well as in the final total price.   3. Prices and other financial information must not be disclosed in any other place except in the financial proposal. |
| Proposal Security | * 1. A Proposal Security, if required by BDS, shall be provided in the amount and form indicated in the BDS. The Proposal Security shall be valid up to thirty (30) days after the final date of validity of the Proposal.   2. The Proposal Security shall be included along with the Technical Proposal. If Proposal Security is required by the RFP but is not found along with the Technical Proposal, the Proposal shall be rejected.   3. If the Proposal Security amount or its validity period is found to be less than what is required by UNDP, UNDP shall reject the Proposal.   4. In the event an electronic submission is allowed in the BDS, Bidders shall include a copy of the Bid Security in their proposal and the original of the Proposal Security must be sent via courier or hand delivery as per the instructions in BDS.   5. The Proposal Security may be forfeited by UNDP, and the Proposal rejected, in the event of any one or combination, of the following conditions:      1. If the Bidder withdraws itsoffer during the period of the Proposal Validity specified in the BDS, or;      2. In the event that the successful Bidder fails:      3. to sign the Contract after UNDP has issued an award; or   6. to furnish the Performance Security, insurances, or other documents that UNDP may require as a condition precedent to the effectivity of the contract that may be awarded to the Bidder. |
| Currencies | * 1. All prices shall be quoted in the currency or currencies indicated in the BDS. Where Proposals are quoted in different currencies, for the purposes of comparison of all Proposals:  1. UNDP will convert the currency quoted in the Proposal into the UNDP preferred currency, in accordance with the prevailing UN operational rate of exchange on the last day of submission of Proposals; and 2. In the event that UNDP selects a proposal for award that is quoted in a currency different from the preferred currency in the BDS, UNDP shall reserve the right to award the contract in the currency of UNDP’s preference, using the conversion method specified above. |
| Joint Venture, Consortium or Association | * 1. If the Bidder is a group of legal entities that will form or have formed a Joint Venture (JV), Consortium or Association for the Proposal, they shall confirm in their Proposal that : (i) they have designated one party to act as a lead entity, duly vested with authority to legally bind the members of the JV, Consortium or Association jointly and severally, which shall be evidenced by a duly notarized Agreement among the legal entities, and submitted with the Proposal; and (ii) if they are awarded the contract, the contract shall be entered into, by and between UNDP and the designated lead entity, who shall be acting for and on behalf of all the member entities comprising the joint venture.   2. After the Deadline for Submission of Proposal, the lead entity identified to represent the JV, Consortium or Association shall not be altered without the prior written consent of UNDP.   3. The lead entity and the member entities of the JV, Consortium or Association shall abide by the provisions of Clause 9 herein in respect of submitting only one proposal.   4. The description of the organization of the JV, Consortium or Association must clearly define the expected role of each of the entity in the joint venture in delivering the requirements of the RFP, both in the Proposal and the JV, Consortium or Association Agreement.  All entities that comprise the JV, Consortium or Association shall be subject to the eligibility and qualification assessment by UNDP.   5. A JV, Consortium or Association in presenting its track record and experience should clearly differentiate between:  1. Those that were undertaken together by the JV, Consortium or Association; and 2. Those that were undertaken by the individual entities of the JV, Consortium or Association.    1. Previous contracts completed by individual experts working privately but who are permanently or were temporarily associated with any of the member firms cannot be claimed as the experience of the JV, Consortium or Association or those of its members, but should only be claimed by the individual experts themselves in their presentation of their individual credentials.    2. JV, Consortium or Associations are encouraged for high value, multi-sectoral requirements when the spectrum of expertise and resources required may not be available within one firm. |
| Only One Proposal | * 1. The Bidder (including the individual members of any Joint Venture) shall submit only one Proposal, either in its own name or as part of a Joint Venture.   2. Proposals submitted by two (2) or more Bidders shall all be rejected if they are found to have any of the following:   3. they have at least one controlling partner, director or shareholder in common; or   4. any one of them receive or have received any direct or indirect subsidy from the other/s; or   5. they have the same legal representative for purposes of this RFP; or   6. they have a relationship with each other, directly or through common third parties, that puts them in a position to have access to information about, or influence on the Proposal of, another Bidder regarding this RFP process;   7. they are subcontractors to each other’s Proposal, or a subcontractor to one Proposal also submits another Proposal under its name as lead Bidder; or   8. some key personnel proposed to be in the team of one Bidder participates in more than one Proposal received for this RFP process. This condition relating to the personnel, does not apply to subcontractors being included in more than one Proposal. |
| Proposal Validity Period | * 1. Proposals shall remain valid for the period specified in the BDS, commencing on the Deadline for Submission of Proposals. A Proposal valid for a shorter period may be rejected by UNDP and rendered non-responsive.   2. During the Proposal validity period, the Bidder shall maintain its original Proposal without any change, including the availability of the Key Personnel, the proposed rates and the total price. |
| Extension of Proposal Validity Period | * 1. In exceptional circumstances, prior to the expiration of the proposal validity period, UNDP may request Bidders to extend the period of validity of their Proposals. The request and the responses shall be made in writing, and shall be considered integral to the Proposal.   2. If the Bidder agrees to extend the validity of its Proposal, it shall be done without any change in the original Proposal.   3. The Bidder has the right to refuse to extend the validity of its Proposal, and in which case, such Proposal will not be further evaluated. |
| Clarification of Proposal | * 1. Bidders may request clarifications on any of the RFP documents no later than the date indicated in the BDS. Any request for clarification must be sent in writing in the manner indicated in the BDS. If inquiries are sent other than specified channel, even if they are sent to a UNDP staff member, UNDP shall have no obligation to respond or confirm that the query was officially received.   2. UNDP will provide the responses to clarifications through the method specified in the BDS.   3. UNDP shall endeavor to provide responses to clarifications in an expeditious manner, but any delay in such response shall not cause an obligation on the part of UNDP to extend the submission date of the Proposals, unless UNDP deems that such an extension is justified and necessary. |
| Amendment of Proposals | * 1. At any time prior to the deadline of Proposal submission, UNDP may for any reason, such as in response to a clarification requested by a Bidder, modify the RFP in the form of an amendment to the RFP. Amendments will be made available to all prospective bidders.   2. If the amendment is substantial, UNDP may extend the Deadline for submission of proposal to give the Bidders reasonable time to incorporate the amendment into their Proposals. |
| Alternative Proposals | * 1. Unless otherwise specified in the BDS, alternative proposals shall not be considered. If submission of alternative proposal is allowed by BDS, a Bidder may submit an alternative proposal, but only if it also submits a proposal conforming to the RFP requirements. UNDP shall only consider the alternative proposal offered by the Bidder whose conforming proposal ranked the highest as per the specified evaluation method. Where the conditions for its acceptance are met, or justifications are clearly established, UNDP reserves the right to award a contract based on an alternative proposal.   2. If multiple/alternative proposals are being submitted, they must be clearly marked as “Main Proposal” and “Alternative Proposal” |
| Pre-Bid Conference | * 1. When appropriate, a Bidder’s conference will be conducted at the date, time and location specified in the BDS. All Bidders are encouraged to attend. Non-attendance, however, shall not result in disqualification of an interested Bidder. Minutes of the Bidder’s conference will be disseminated on the procurement website and shared by email or on the e-Tendering platform as specified in the BDS. No verbal statement made during the conference shall modify the terms and conditions of the RFP, unless specifically incorporated in the Minutes of the Bidder’s Conference or issued/posted as an amendment to RFP. |
| SUBMISSION AND OPENING OF PROPOSALS | |
| Submission | * 1. The Bidder shall submit a duly signed and complete Proposal comprising the documents and forms in accordance with the requirements in the BDS. The submission shall be in the manner specified in the BDS.   2. The Proposal shall be signed by the Bidder or person(s) duly authorized to commit the Bidder. The authorization shall be communicated through a document evidencing such authorization issued by the legal representative of the bidding entity, or a Power of Attorney, accompanying the Proposal.   3. Bidders must be aware that the mere act of submission of a Proposal, in and of itself, implies that the Bidder fully accepts the UNDP General Contract Terms and Conditions. |
| **Hard copy (manual) submission**  **Email Submission**  **eTendering submission** | * 1. Hard copy (manual) submission by courier or hand delivery allowed or specified in the BDS shall be governed as follows:   2. The signed Proposal shall be marked “Original”, and its copies marked “Copy” as appropriate. The number of copies is indicated in the BDS. All copies shall be made from the signed original only. If there are discrepancies between the original and the copies, the original shall prevail.   3. The Technical Proposal and the Financial Proposal envelopes MUST BE COMPLETELY SEPARATE and each of them must be submitted sealed individually and clearly marked on the outside as either “TECHNICAL PROPOSAL” or “FINANCIAL PROPOSAL”, as appropriate. Each envelope SHALL clearly indicate the name of the Bidder. The outer envelopes shall:   i. Bear the name and address of the bidder;  ii. Be addressed to UNDP as specified in the BDS   1. Bear a warning that states “*Not to be opened before the time and date for proposal opening*” as specified in the BDS.   If the envelopes and packages with the Proposal are not sealed and marked as required, UNDP shall assume no responsibility for the misplacement, loss, or premature opening of the Proposal.   * 1. Email submission, if allowed or specified in the BDS, shall be governed as follows:  1. Electronic files that form part of the proposal must be in accordance with the format and requirements indicated in BDS; 2. The Technical Proposal and the Financial Proposal files MUST BE COMPLETELY SEPARATE. The financial proposal shall be encrypted with different passwords and clearly labelled. The files must be sent to the dedicated email address specified in the BDS. 3. The password for opening the Financial Proposal should be provided only upon request of UNDP. UNDP will request password only from bidders whose Technical Proposal has been found to be technically responsive. Failure to provide correct password may result in the proposal being rejected.    1. Electronic submission through eTendering, if allowed or specified in the BDS, shall be governed as follows: 4. Electronic files that form part of the proposal must be in accordance with the format and requirements indicated in BDS; 5. The Technical Proposal and the Financial Proposal files MUST BE COMPLETELY SEPARATE and each of them must be uploaded individually and clearly labelled. 6. The Financial Proposal file must be encrypted with a password so that it cannot be opened nor viewed until the password is provided. The password for opening the Financial Proposal should be provided only upon request of UNDP. UNDP will request password only from bidders whose technical proposal has been found to be technically responsive. Failure to provide the correct password may result in the proposal being rejected. 7. Documents which are required to be in original form (e.g. Bid Security, etc.) must be sent via courier or hand delivery as per the instructions in BDS. 8. Detailed instructions on how to submit, modify or cancel a bid in the eTendering system are provided in the eTendering system Bidder User Guide and Instructional videos available on this link: <http://www.undp.org/content/undp/en/home/operations/procurement/business/procurement-notices/resources/> |
| Deadline for Submission of Proposals and Late Proposals | * 1. Complete Proposals must be received by UNDP in the manner, and no later than the date and time, specified in the BDS. UNDP shall only recognize the date and time that the bid was received by UNDP   2. UNDP shall not consider any Proposal that is submitted after the deadline for the submission of Proposals. |
| Withdrawal, Substitution, and Modification of Proposals | * 1. A Bidder may withdraw, substitute or modify its Proposal after it has been submitted at any time prior to the deadline for submission.   2. Manual and Email submissions: A bidder may withdraw, substitute or modify its Proposal by sending a written notice to UNDP, duly signed by an authorized representative, and shall include a copy of the authorization (or a Power of Attorney). The corresponding substitution or modification of the Proposal, if any, must accompany the respective written notice. All notices must be submitted in the same manner as specified for submission of proposals, by clearly marking them as “WITHDRAWAL” “SUBSTITUTION,” or “MODIFICATION”   3. eTendering: A Bidder may withdraw, substitute or modify its Proposal by Canceling, Editing, and re-submitting the proposal directly in the system. It is the responsibility of the Bidder to properly follow the system instructions, duly edit and submit a substitution or modification of the Proposal as needed. Detailed instructions on how to cancel or modify a Proposal directly in the system are provided in Bidder User Guide and Instructional videos.   4. Proposals requested to be withdrawn shall be returned unopened to the Bidders (only for manual submissions), except if the bid is withdrawn after the bid has been opened |
| Proposal Opening | * 1. There is no public bid opening for RFPs. UNDP shall open the Proposals in the presence of an ad-hoc committee formed by UNDP, consisting of at least two (2) members. In the case of e-Tendering submission, bidders will receive an automatic notification once their proposal is opened. |
| EVALUATION OF PROPOSALS | |
| Confidentiality | * 1. Information relating to the examination, evaluation, and comparison of Proposals, and the recommendation of contract award, shall not be disclosed to Bidders or any other persons not officially concerned with such process, even after publication of the contract award.   2. Any effort by a Bidder or anyone on behalf of the Bidder to influence UNDP in the examination, evaluation and comparison of the Proposals or contract award decisions may, at UNDP’s decision, result in the rejection of its Proposal and may be subject to the application of prevailing UNDP’s vendor sanctions procedures. |
| Evaluation of Proposals | * 1. The Bidder is not permitted to alter or modify its Proposal in any way after the proposal submission deadline except as permitted under Clause 24 of this RFP. UNDP will conduct the evaluation solely on the basis of the submitted Technical and Financial Proposals.   2. Evaluation of proposals is made of the following steps:   3. Preliminary Examination   4. Minimum Eligibility and Qualification (if pre-qualification is not done)   5. Evaluation of Technical Proposals   6. Evaluation of Financial Proposals |
| Preliminary Examination | * 1. UNDP shall examine the Proposals to determine whether they are complete with respect to minimum documentary requirements, whether the documents have been properly signed, and whether the Proposals are generally in order, among other indicators that may be used at this stage. UNDP reserves the right to reject any Proposal at this stage. |
| Evaluation of Eligibility and Qualification | * 1. Eligibility and Qualification of the Bidder will be evaluated against the Minimum Eligibility/Qualification requirements specified in the Section 4 (Evaluation Criteria).   2. In general terms, vendors that meet the following criteria may be considered qualified:   3. They are not included in the UN Security Council 1267/1989 Committee's list of terrorists and terrorist financiers, and in UNDP’s ineligible vendors’ list;   4. They have a good financial standing and have access to adequate financial resources to perform the contract and all existing commercial commitments,   5. They have the necessary similar experience, technical expertise, production capacity where applicable, quality certifications, quality assurance procedures and other resources applicable to the provision of the services required;   6. They are able to comply fully with UNDP General Terms and Conditions of Contract;   7. They do not have a consistent history of court/arbitral award decisions against the Bidder; and   8. They have a record of timely and satisfactory performance with their clients. |
| Evaluation of Technical and Financial Proposals | * 1. The evaluation team shall review and evaluate the Technical Proposals on the basis of their responsiveness to the Terms of Reference and other RFP documents, applying the evaluation criteria, sub-criteria, and point system specified in the Section 4 (Evaluation Criteria). A Proposal shall be rendered non-responsive at the technical evaluation stage if it fails to achieve the minimum technical score indicated in the BDS. When necessary and if stated in the BDS, UNDP may invite technically responsive bidders for a presentation related to their technical proposals. The conditions for the presentation shall be provided in the bid document where required.   2. In the second stage, only the Financial Proposals of those Bidders who achieve the minimum technical score will be opened for evaluation. The Financial Proposals corresponding to Technical Proposals that were rendered non-responsive shall remain unopened, and, in the case of manual submission, be returned to the Bidder unopened. For emailed Proposals and e-tendering submissions, UNDP will not request for the password of the Financial Proposals of bidders whose Technical Proposal were found not responsive.   3. The evaluation method that applies for this RFP shall be as indicated in the BDS, which may be either of two (2) possible methods, as follows: (a) the lowest priced method which selects the lowest evaluated financial proposal of the technically responsive Bidders; or (b) the combined scoring method which will be based on a combination of the technical and financial score.   4. When the BDS specifies a combined scoring method, the formula for the rating of the Proposals will be as follows:   Rating the Technical Proposal (TP):  **TP Rating** = (Total Score Obtained by the Offer / Max. Obtainable Score for TP) x 100  Rating the Financial Proposal (FP):  **FP Rating** = (Lowest Priced Offer / Price of the Offer Being Reviewed) x 100  Total Combined Score:  **Combined Score =** (TP Rating) x (Weight of TP, e.g. 70%) + (FP Rating) x (Weight of FP, e.g., 30%) |
| Due Diligence | * 1. UNDP reserves the right to undertake a due diligence exercise, also called post qualification, aimed at determining to its satisfaction, the validity of the information provided by the Bidder. Such exercise shall be fully documented and may include, but need not be limited to, all or any combination of the following:      1. Verification of accuracy, correctness and authenticity of information provided by the Bidder;      2. Validation of extent of compliance to the RFP requirements and evaluation criteria based on what has so far been found by the evaluation team;      3. Inquiry and reference checking with Government entities with jurisdiction on the Bidder, or with previous clients, or any other entity that may have done business with the Bidder;      4. Inquiry and reference checking with previous clients on the performance on on-going or contracts completed, including physical inspections of previous works, as necessary;      5. Physical inspection of the Bidder’s offices, branches or other places where business transpires, with or without notice to the Bidder;      6. Other means that UNDP may deem appropriate, at any stage within the selection process, prior to awarding the contract. |
| Clarification of Proposals | * 1. To assist in the examination, evaluation and comparison of Proposals, UNDP may, at its discretion, ask any Bidder for a clarification of its Proposal.   2. UNDP’s request for clarification and the response shall be in writing and no change in the prices or substance of the Proposal shall be sought, offered, or permitted, except to provide clarification, and confirm the correction of any arithmetic errors discovered by UNDP in the evaluation of the Proposals, in accordance with RFP.   3. Any unsolicited clarification submitted by a Bidder in respect to its Proposal, which is not a response to a request by UNDP, shall not be considered during the review and evaluation of the Proposals. |
| Responsiveness of Proposal | * 1. UNDP’s determination of a Proposal’s responsiveness will be based on the contents of the Proposal itself. A substantially responsive Proposal is one that conforms to all the terms, conditions, TOR and other requirements of the RFP without material deviation, reservation, or omission.   2. If a Proposal is not substantially responsive, it shall be rejected by UNDP and may not subsequently be made responsive by the Bidder by correction of the material deviation, reservation, or omission. |
| Nonconformities, Reparable Errors and Omissions | * 1. Provided that a Proposal is substantially responsive, UNDP may waive any non-conformities or omissions in the Proposal that, in the opinion of UNDP, do not constitute a material deviation.   2. UNDP may request the Bidder to submit the necessary information or documentation, within a reasonable period of time, to rectify nonmaterial nonconformities or omissions in the Proposal related to documentation requirements. Such omission shall not be related to any aspect of the price of the Proposal. Failure of the Bidder to comply with the request may result in the rejection of its Proposal.   3. For Financial Proposal that has been opened, UNDP shall check and correct arithmetical errors as follows:  1. if there is a discrepancy between the unit price and the line item total that is obtained by multiplying the unit price by the quantity, the unit price shall prevail and the line item total shall be corrected, unless in the opinion of UNDP there is an obvious misplacement of the decimal point in the unit price; in which case the line item total as quoted shall govern and the unit price shall be corrected; 2. if there is an error in a total corresponding to the addition or subtraction of subtotals, the subtotals shall prevail and the total shall be corrected; and 3. if there is a discrepancy between words and figures, the amount in words shall prevail, unless the amount expressed in words is related to an arithmetic error, in which case the amount in figures shall prevail.    1. If the Bidder does not accept the correction of errors made by UNDP, its Proposal shall be rejected. |
| AWARD OF CONTRACT | |
| Right to Accept, Reject, Any or All Proposals | * 1. UNDP reserves the right to accept or reject any Proposal, to render any or all of the Proposals as non-responsive, and to reject all Proposals at any time prior to award of contract, without incurring any liability, or obligation to inform the affected Bidder(s) of the grounds for UNDP’s action. UNDP shall not be obliged to award the contract to the lowest priced offer. |
| Award Criteria | * 1. Prior to expiration of the proposal validity, UNDP shall award the contract to the qualified Bidder based on the award criteria indicated in the BDS. |
| Debriefing | * 1. In the event that a Bidder is unsuccessful, the Bidder may request a debriefing from UNDP. The purpose of the debriefing is to discuss the strengths and weaknesses of the Bidder’s submission, in order to assist the Bidder in improving its future proposals for UNDP procurement opportunities. The content of other proposals and how they compare to the Bidder’s submission shall not be discussed. |
| Right to Vary Requirements at the Time of Award | * 1. At the time of award of Contract, UNDP reserves the right to vary 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. |
| Contract Signature | * 1. Within fifteen (15) days from the date of receipt of the Contract, the successful Bidder shall sign and date the Contract and return it to UNDP. Failure to do so may constitute sufficient grounds for the annulment of the award, and forfeiture of the Proposal Security, if any, and on which event, UNDP may award the Contract to the Second Ranked Bidder or call for new Proposals. |
| Contract Type and General Terms and Conditions | * 1. The types of Contract to be signed and the applicable UNDP Contract General Terms and Conditions, as specified in BDS, can be accessed at <http://www.undp.org/content/undp/en/home/procurement/business/how-we-buy.html> |
| Performance Security | * 1. 40.1 A performance security, if required in BDS, shall be provided in the amount specified in BDS and form available at   <https://popp.undp.org/_layouts/15/WopiFrame.aspx?sourcedoc=/UNDP_POPP_DOCUMENT_LIBRARY/Public/PSU_Solicitation_Performance%20Guarantee%20Form.docx&action=default> within fifteen (15) days of the contract signature by both parties. Where a performance security is required, the receipt of the performance security by UNDP shall be a condition for rendering the contract effective. |
| Bank Guarantee for Advanced Payment | * 1. Except when the interests of UNDP so require, it is UNDP’s preference to make no advance payment(s) (i.e., payments without having received any outputs). If an advance payment is allowed as per BDS, and exceeds 20% of the total contract price, or USD 30,000, whichever is less, the Bidder shall submit a Bank Guarantee in the full amount of the advance payment in the form available at <https://popp.undp.org/_layouts/15/WopiFrame.aspx?sourcedoc=/UNDP_POPP_DOCUMENT_LIBRARY/Public/PSU_Contract%20Management%20Payment%20and%20Taxes_Advanced%20Payment%20Guarantee%20Form.docx&action=default> |
| Liquidated Damages | * 1. If specified in BDS, UNDP shall apply Liquidated Damages resulting from the Contractor’s delays or breach of its obligations as per the Contract. |
| Payment Provisions | * 1. Payment will be made only upon UNDP's acceptance of the work performed. The terms of payment shall be within thirty (30) days, after receipt of invoice and certification of acceptance of work issued by the proper authority in UNDP with direct supervision of the Contractor. Payment will be effected by bank transfer in the currency of contract. |
| Vendor Protest | * 1. UNDP’s vendor protest procedure provides an opportunity for appeal to those persons or firms not awarded a contract through a competitive procurement process. In the event that a Bidder believes that it was not treated fairly, the following link provides further details regarding UNDP vendor protest procedures: <http://www.undp.org/content/undp/en/home/operations/procurement/business/protest-and-sanctions.html> |
| Other Provisions | * 1. In the event that the Bidder offers a lower price to the host Government (e.g. General Services Administration (GSA) of the federal government of the United States of America) for similar services, UNDP shall be entitled to same lower price. The UNDP General Terms and Conditions shall have precedence.   2. UNDP is entitled to receive the same pricing offered by the same Contractor in contracts with the United Nations and/or its Agencies. The UNDP General Terms and Conditions shall have precedence.   3. The United Nations has established restrictions on employment of (former) UN staff who have been involved in the procurement process as per bulletin ST/SGB/2006/15 <http://www.un.org/en/ga/search/view_doc.asp?symbol=ST/SGB/2006/15&referer> |

# Section 3. Bid Data Sheet

The following data for the services to be procured shall complement, supplement, or amend the provisions in the Request for Proposals. In the case of a conflict between the Instructions to Bidders, the Data Sheet, and other annexes or references attached to the Data Sheet, the provisions in the Data Sheet shall prevail**.**

|  |  |  |  |
| --- | --- | --- | --- |
| **BDS No.** | **Ref. to Section.2** | **Data** | **Specific Instructions / Requirements** |
| 1 | 7 | Language of the Proposal | Ukrainian, English, Russian |
| 2 |  | Submitting Proposals for Parts or sub-parts of the TOR (partial bids) | Not Allowed |
| 3 | 20 | Alternative Proposals | Shall not be considered |
| 4 | 21 | Pre-proposal conference | Will not be conducted |
| 5 | 10 | Proposal Validity Period | 60 days |
| 6 | 14 | Bid Security | Not Required |
| 7 | 41 | Advanced Payment upon signing of contract | Not Allowed |
| 8 | 42 | Liquidated Damages | Will not be imposed |
| 9 | 40 | Performance Security | Not Required |
| 10 | 18 | Currency of Proposal | United States Dollar  ☒ Local Currency – can be considered.  Reference date for determining UN Operational Exchange Rate: May 2019, please refer to treasury.un.org |
| 11 | 31 | Deadline for submitting requests for clarifications/ questions | 5 days before the submission deadline |
| 12 | 31 | Contact Details for submitting clarifications/questions | Focal Person in UNDP: Procurement Unit  Address: 1, Klovsky Uzviz, 01021 Kyiv, Ukraine    Tel. No. :+ 38 044 253-93-63  E-mail address dedicated for this purpose: procurement.ua@undp.org |
| 13 | 18, 19 and 21 | Manner of Disseminating Supplemental Information to the RFP and responses/clarifications to queries | Direct communication to prospective Proposers by email and Posting on the website http://procurement-notices.undp.org |
| 14 | 23 | Deadline for Submission | 23.05.2019, 23:59 local time |
| 14 | 22 | Allowable Manner of Submitting Proposals | Submission by email |
| 15 | 22 | Proposal Submission Address | [tenders.ua@undp.org](mailto:tenders.ua@undp.org)  Please note that bids received through any other address will not be considered. |
| 16 | 22 | Electronic submission (email or eTendering) requirements | * Format: PDF files, **ZIP archives** only * File names must be maximum 60 characters long and must not contain any letter or special character other than from Latin alphabet/keyboard. * All files must be free of viruses and not corrupted*.* * Password for financial proposal must not be provided to UNDP until requested by UNDP * Time Zone to be Recognized: *[Kyiv +2]* * Max. File Size per transmission:5 MB * Mandatory subject of email: *266-2019-UNDP-UKR-RFP-Biomass Study* * Other conditions: *Proposers are solely responsible for ensuring that any and all files sent to UNDP are readable, that is, uncorrupted, in the indicated electronic format, and free from viruses and malware. Failure to provide readable files will result in the proposal being rejected.* |
| 17 | 27  36 | Evaluation Method for the Award of Contract | Combined Scoring Method, using the 70%-30% distribution for technical and financial proposals respectively    The minimum technical score required to pass is 70% of the obtainable score of 700 points. |
| 18 |  | Expected date for commencement of Contract | *June 10, 2019* |
| 19 |  | Maximum expected duration of contract | 5 months |
| 20 | 35 | UNDP will award the contract to: | One Proposer Only |
| 21 | 39 | Type of Contract | Contract for Goods and Services on behalf of UN Entities |
| 22 | 39 | UNDP Contract Terms and Conditions that will apply | UNDP General Terms and Conditions for Mixed Goods and Services  <http://www.undp.org/content/undp/en/home/procurement/business/how-we-buy.html> |
| 23 |  | Other Information Related to the RFP |  |

# Section 4. Evaluation Criteria

**Required documents**

* Company Profile, which should not exceed ten (10) pages, including printed brochures and product catalogues relevant to the goods/services being procured;
* Tax Registration/Payment Certificate issued by the Internal Revenue Authority evidencing that the Bidder is updated with its tax payment obligations, or Certificate of Tax exemption, if any such privilege is enjoyed by the Bidder;
* Certificate of Registration of the business, including Articles of Incorporation, or equivalent document if Bidder is not a corporation;
* Quality Certificate (e.g., ISO, etc.) and/or other similar certificates, accreditations, awards and citations received by the Bidder, if any; Quality Assurance procedures information to be provided in details.
* Latest Audited Financial Statement (Income Statement and Balance Sheet) including Auditor’s Report for the past 2 years
* Statement of Satisfactory Performance from the Top 3 Clients in terms of Contract Value the past 3 years
* Duly signed Technical and financial proposals as per Forms A, B, F and G. Financial proposal must be in a separate file and password protected.
* CVs of responsible staff highlighting experiences in servicing similar contracts, including relevant certificates, accreditations and awards received as per Form E, Section 3.
* List of corporate clients highlighting similar contracts for clients of comparable business nature and/or size as UNDP/UN;

**Preliminary Examination Criteria**

Submitted offers will be reviewed on “Pass” or “Fail” basis to determine compliance with the below formal criteria/ requirements:

Offers must be submitted within the stipulated deadline

Offers must meet required Offer Validity

Offers have been signed by the proper authority

Offers include requested company documentation, including documentation regarding the company’s legal status and registration

**All relevant licenses / certificates and agreements with state authorized landfills or waste treatment facilities for garbage disposal/utilization must be provided**

Offers must comply with general administrative requirements:

a) properly registered and licensed company

b) at least 5 years of experience in the required area

Other information is available on http://www.undp.org.ua/en/tenders; For the information, please contact [procurement@undp.org.ua](mailto:procurement@undp.org.ua)

**Minimum Eligibility and Qualification Criteria**

Eligibility and Qualification will be evaluated on Pass/Fail basis.

If the Proposal is submitted as a Joint Venture/Consortium/Association, each member should meet minimum criteria, unless otherwise specified in the criterion.

Minimum requirements during administrative check:

1. Officially registered organization (commercial, non-governmental, public);

2. Financially stable company

3. Not being involved in legal disputes as a party

|  |  |  |
| --- | --- | --- |
| **Subject** | **Criteria** | **Document Submission requirement** |
| **ELIGIBILITY** |  |  |
| **Legal Status** | Vendor is a legally registered entity. | Form B: Bidder Information Form |
| **Eligibility** | Vendor is not suspended, nor debarred, nor otherwise identified as ineligible by any UN Organization or the World Bank Group or any other international Organization in accordance with ITB clause 3. | Form A: Technical Proposal Submission Form |
| **Conflict of Interest** | No conflicts of interest in accordance with ITB clause 4. | Form A: Technical Proposal Submission Form |
| **Bankruptcy** | Not declared bankruptcy, not involved in bankruptcy or receivership proceedings, and there is no judgment or pending legal action against the vendor that could impair its operations in the foreseeable future. | Form A: Technical Proposal Submission Form |
| **QUALIFICATION** |  |  |
| **History of Non-Performing Contracts[[1]](#footnote-1)** | Non-performance of a contract did not occur as a result of contractor default for the last 3 years. | Form D: Qualification Form |
| **Litigation History** | No consistent history of court/arbitral award decisions against the Bidder for the last 3 years. | Form D: Qualification Form |
| **Previous Experience** | Minimum 5 years of relevant experience. | Form D: Qualification Form |
| **Financial Standing** | Bidder must demonstrate the current soundness of its financial standing and indicate its prospective long-term profitability.  *(For JV/Consortium/Association, all Parties cumulatively should meet requirement).* | Form D: Qualification Form |

**Technical Evaluation Criteria**

|  |  |  |
| --- | --- | --- |
| **Summary of Technical Proposal Evaluation Forms** | | **Points Obtainable** |
| 1. | Experience of the organization submitting the proposal | 150 |
| 2. | Proposed work plan, methodology and approach | 250 |
| 3. | Personnel and invited experts/consultants | 300 |
|  | **Total** | **700** |

|  |  |  |
| --- | --- | --- |
| **Section 1. Experience of the organization submitting the proposal** | | **Points obtainable** |
| 1.1 | Experience in the renewable energy sector:  Minimum 5 years – 40 pts.  6 years and more – 50 pts. | 50 |
| 1.2 | Experience in the field as follows (15 pts for each)  -law-drafting activity in the energy sector;  -energy crops projects;  -biomass resource assessment. | 45 |
| 1.3 | Positive track record with similar type of assignments  At least 3 reference letters – 40 pts.  4 and more – 50 pts. | 50 |
| 1.4 | Experience in cooperation with international organizations would be an asset | 50 |
| **Total Section 1** | | **150** |

|  |  |  |
| --- | --- | --- |
| **Section 2. Proposed work plan, methodology and approach** | | **Points obtainable** |
| 2.1 | How well is developed the workplan, methodology and approach for the assessment of the potential and analysis of barriers for energy crops production in Ukraine component: a) The proposed methodology and approach: is of acceptable quality but requires further work – 50 points; cover in full the described outputs – 60 points;b) Geographic area of the study: covers three climatic zones similar to those identified in the ToR ( Lviv, Khmelnytsky and Mykolaiv) – 15 points; covers the three oblasts in Ukraine: Lviv, Khmelnytsky and Mykolaiv – 20 points;  c) Overview of the existing barriers to the energy crop growing: is of acceptable quality but requires further work – 15 points; provided together with comprehensive approach to identify ways to overcome the barriers –20 points. | up to 100 |
| 2.2 | How well is developed the workplan, methodology and approach for the development of typical feasibility studies of growing selected energy crops in pilot oblasts in Ukraine component:  a) The proposed methodology and approach: are of acceptable quality but requires further work – 20 points; cover in full the described outputs – up to 30 points;  b) The proposed approach, including analysis of international cases of energy crop growing: is of acceptable quality but requires further work – 5 points; fully complies with the ToR requirements - 10 points;  c)The methodology includes proposal for developing a universal financial model for energy crop growing: proposal is of acceptable quality but requires further work – 5 points; proposal fully complies with the ToR requirements - 10 points | up to 50 |
| 2.3 | How well is developed the workplan, methodology and approach for the assessment of the potential and analysis of barriers for energy crops production in Ukraine component:a) The proposed approach includes a detailed plan for developing draft regulation for state support of energy crop growing: the proposed approach is of acceptable quality but requires further work – 30 points; the proposed approach fully complies with the ToR requirements - –40 points;  b) The proposal includes both financial and regulatory measures to support energy crop growing: the proposed approach is of acceptable quality but requires further work – 30 points; the proposed approach fully complies with the ToR requirements – 40 points;  c) The proposed analysis of international experience with energy crop growing support: is of acceptable quality but requires further work – 15 points; fully complies with the ToR requirements – 20 points. | up to 100 |
| **Total Section** **2** | | **250** |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | **Evaluation of the Technical Proposal**  **Form 3** | Maximum score | Company/Other organization | | |
| А | B | C |
| **Personnel** | | | | | |
| **Senior Technical Expert/Team Leader** | | | | | |
| 3.1. | Experience with managing similar consultancy assignments: 3-7 years – 40 points, 8-11 years – 45 points, 12 years or above – 50 points | 50 |  |  |  |
| 3.3. | Relevant work experience in development of biomass projects. 5-9 years – 50 points, 10 years or above – 70 points | 70 |  |  |  |
| 3.4. | Experience with energy crop growing: 3-4 years – 12 points, 5-9 years – 15 points, 10 years or above – 20 points | 20 |  |  |  |
| 3.5. | Higher education in Energy, Economics, Management or a related field. (Master’s/ Specialist’s degree – 8, PhD or higher - 10 points) | 10 |  |  |  |
| **Interim score by criteria 3.1.-3.5.** | | **150** |  |  |  |
| **Technical Expert** | | | | | |
| 3.6. | Relevant work experience in development of biomass projects. 5-7 years – 30 points, 8-9 years – 40 points, above 10 years – 45 points | 45 |  |  |  |
| 3.7. | Experience with energy crop growing: 3-4 years – 12 points, 5-9 years – 15 points, 10 years or above – 20 points | 20 |  |  |  |
| 3.8. | Higher education in Energy, Economics, Management or a related field. (Master’s/ Specialist’s degree – 8, PhD or higher - 10 points) | 10 |  |  |  |
|  | **Interim score by criteria 3.6.-3.8.** | **75** |  |  |  |
| **Legal Expert** | | | | | |
| 3.9. | Professional experience in law-drafting activity in biomass energy: 5-7 years – 30 points; 8-9 years – 40 points, above 10 years – 45 points | 45 |  |  |  |
| 3.10. | Experience in researching European and Ukrainian legislation: 5-7 years – 12 points; 8-9 years – 15 points, above 10 years – 20 points | 20 |  |  |  |
| 3.11. | Higher education in Law. (Master’s/ Specialist’s degree – 8, PhD or higher - 10 points) | 10 |  |  |  |
|  | **Interim score by criteria 3.9.-3.11.** | **75** |  |  |  |
|  | **The total score on Form 3** | **300** |  |  |  |

# Section 5. Terms of Reference

**Assignment title:** Study on growing energy crops on underutilized lands in Ukraine including lessons learnt from grants provided by UNDP to energy crop growing

**Description of the assignment:** Assessment of the potential of energy crops in the selected oblasts of Ukraine (Lviv, Khmelnytsky and Mykolaiv). Analysis of existing practices of growing energy crops in the world. Analysis of the market of growing energy crops in Ukraine, including study of the results delivered by energy crops plantations in Ukraine planted with UNDP grant support. Analysis of mechanisms for regulating and stimulating the cultivation of energy crops in the world. Development of proposals for the optimal method of state incentives for energy crops growing. Development of a regulatory legal act on the introduction of an incentive mechanism for projects on growing energy crops.

**Country/place of implementation:** Ukraine

**Possible travels (if applicable):** within Ukraine

**Starting date of the assignment:** June 2019

**Assignment duration:** 5 months

**Name and position of the Assignment Manager:**

Ievgenii Groza, Project Manager, Development and Commercialization of Bioenergy Technologies in the Municipal Sector in Ukraine

**I. BACKGROUND**

Bioenergy is one of the most promising renewable energy sources in Ukraine. In 2014 Ukraine has defined a binding 11% target of energy from renewable sources in gross final energy consumption by 2020, including 12,4% of renewable energy in heating and cooling sector (currently 7,6%), where bioenergy is expected to take around an 85% share in renewable heating.

In this context the objective of UNDP/GEF Project “Development and Commercialization of Bioenergy Technologies in the Municipal Sector of Ukraine” (Biomass project), which started in November 2014, is to accelerate sustainable agricultural biomass utilization for municipal heat and hot water services to enable Ukraine substantially moving closer to its renewable energy (RE) targets.

Along with agricultural biomass, there is a significant potential of biomass from energy crops in Ukraine that can be cultivated on underutilized agricultural lands, not competing with food and feed production, but at the same time creating added value to these lands and additional source of income to the regional economy.

The project aims to contribute to achieve RE targets by assisting the Government of Ukraine in introducing a conducive regulatory framework and by establishing a financial support mechanism that together will facilitate private sector participation in growing energy crops and utilizing biomass of energy crops to supply municipal heat and hot water services and assist the Government in closing private sector funded investments in municipal biomass. It is envisaged that this project will enable Ukraine to substantially move closer to its target of having some 40% of the country’s annual primary energy requirements for heating and hot water services supplied by biomass by 2035, as outlined in the “Energy Strategy of Ukraine till 2035”.

At regional level, the UNDP/GEF Project “Development and Commercialization of Bioenergy Technologies in the Municipal Sector of Ukraine” defined seven pilot regions (Poltava, Dnipropetrovsk, Cherkasy, Zhytomyr, Ivano-Frankivsk, Volyn and Zakarpattia) for introduction of bioenergy technologies at municipal heat and hot water services by developing and approving the Regional Programs in accordance with the law. Development of Regional Programs included 6 specific targets, including the target to increase the use of biomass as a fuel source for heat and hot water services in municipal sector in pilot regions. Activities to achieve the targets of Regional programs include the identification of potentially suitable places in the regions for growing energy crops (energy willow, energy poplar).

The Project consists of four components and among them Component 3: To promote investment in municipal biomass through the establishment/strengthening of a Financial Support Mechanism (FSM) within financial institutions. The proposed activities on energy crops are part of Output 3.3: Feasibility studies and business plans for municipal biomass heat and hot water systems.

**II. CURRENT STATE OF ACHIEVEMENT OF OUTCOME 3.3 UNDER THE COMPONENT 3 OF THE PROJECT**

Within the UNDP/GEF Project “Development and Commercialization of Bioenergy Technologies in the Municipal Sector of Ukraine” several pilot projects on planting energy willow have been launched in 2016 in cooperation with the GEF Small Grants Programme and local non-governmental organizations. Pilot plantations were started on private lands in Zakarpattia oblast (5 ha at Kvasovo village, Beregovo region), Poltava oblast (5 ha at Shylivka village, Reshetylivskyi region), Ivano-Frankivsk oblast (5 ha at Kozari village, Rogatyn region). Totally, 310,000 willow seedlings of Swiss selection were planted at these areas. The harvest after the first vegetation period amounted 11.76 t of dry matter/ha.

Pilot projects demonstrated that energy crops plantations can be an additional source of biomass at regional level, and should be broaden and further promoted for provision of sustainable biomass source to fulfil energy and heating demand in Ukraine.

According to data of preliminary assessments of Regional Programs, technically feasible potential for growing energy crops is 6.7 th. ha for Volyn oblast, 150 th. ha in Dnipropetrovsk oblast, 12.53 th. ha in Zhytomyr oblast, 0.54 th. ha in Zakarpattia oblast, 9.83 th. ha in Ivano-Frankivsk oblast, 13.91 th. ha in Poltava oblast, 31.8 th. ha in Cherkasy oblast.

Output 3.3: Provision of various Technical Assistance (TA) is envisaged.

The feasibility of the biomass technologies for heat and hot water supply, including financial feasibility, has been studied at the early stage of the project implementation. During 2015-2016, 12 biomass demonstration projects were implemented in 3 pilot regions and 12 straw-fired boilers with 220 kW thermal capacities installed and started operation. The results of the Monitoring & Evaluation of the operation of demonstration projects have been summarized in April 2018 and thus, it is possible to assess the financial feasibility of the demo projects. In spite of the advantages of the use of straw for heat generation (resource availability, affordable price of straw pellets), the cost of straw-fired boilers is higher than of boilers using other agricultural biomass, that may affect the financial feasibility. In July 2018 the project has announced a call for the municipal bioenergy projects (MBPs), which would use agricultural biomass as a fuel, and to which the UNDP could provide an assistance. 42 MBPs have applied to the call, out of which 3 MBPs were planning to use energy willow and 5 MBPs intended to use straw briquettes for heat production. The remaining MBPs either were considering either using husk pellets or needed advice regarding the optimal biomass type for heating. This clearly shows the necessity of availability of different types of biomass.

To provide a technical assistance to the MBP applicants, a project support platform (PSP) has been established in December 2018 consisting of eight experts. Experts of the project support platform are currently working on providing technical assistance to the partner municipalities, aiming at delivering up to 15 feasibility studies of biomass projects aimed at heat generation, combined heat and power production, growing of energy crops and production of biomass briquettes/pellets.

The identified by the Project goal of diversification of the types of biomass to be used for energy purposes is in line with the national energy policy priorities. The State Agency for Energy Efficiency (SAEE) is currently exploring the possibilities to enhance investments into growing of bioenergy crops, such as willow, poplar and miscanthus. The Biomass project has received a request from SAEE in December 2018 to provide assistance in analysing potential for growing energy crops in at least three regions of Ukraine, and assist with identifying options to support investors who intend to grow energy crops.

**III. SCOPE OF WORK AND EXPECTED OUTCOMES**

The Contractor will perform the following tasks, as agreed with UNDP.

**1. Deliverable 1. Develop a Market Study on growing energy crops on underutilized lands in Lviv, Khmelnytsky and Mykolaiv oblasts of Ukraine.** The selected oblasts represent three main climatic zones of Ukraine: steppe (Mykolaiv), forest zone (Lviv) and mixed forest-steppe zone (Khmelnytsky). Each of the climatic zones has specific characteristics, suitable for growing of a certain mix of energy crops, i.e. forest zone is optimal for growing willow and miscanthus, forest-steppe zone is mostly suitable for willow, miscanthus and poplar, and steppe zone is appropriate for miscanthus and poplar.

Outputs:

* Assessment of the potential of energy crops in Lviv oblast
* Assessment of the potential of energy crops in Khmelnytsky oblast
* Assessment of the potential of energy crops in Mykolaiv oblast
* Lessons learnt of energy crops plantations, planted under UNDP grants
* Analysis of existing barriers for growing and utilization energy crops in Ukraine with recommendations for their overcoming

The Contractor shall perform at least three site visit to energy crop plantations where (exact locations of site visits to be approved by UNDP). A detailed outline of the Market Study is provided in the Annex I. All outputs shall be provided in Ukrainian with an executive summary in English. All translation costs shall be borne by the Contractor.

**2. Deliverable 2. Analysis of the existing global practices in energy crop growing, and summary of the findings of feasibility studies of growing energy crops delivered by UNDP Bioenergy Project Support Platform during 2018-2019. Development of a universal financial model for calculating the projected economic effect of the introduction of the incentive mechanism.**

The Contractor is expected to conduct analysis of existing practices of growing energy crops in the world and analysis of the market of growing energy crops in Ukraine. The findings of feasibility studies of growing energy crops delivered by UNDP Bioenergy Project Support Platform during 2018-2019 are to be summarized under this task. The summary of FS findings must include summary of the available agro-technological solutions for the cultivation of energy crops; organizational and technological solutions for the collection and storage of biomass fuel from energy crops; typical financial and economic indicators; characteristics of biomass fuel obtained from energy crops; SWOT analysis. The Contractor shall develop a universal financial model for calculating the projected economic effect of the introduction of the incentive mechanism.

Outputs:

* Review of existing case studies of energy crops growing in the world
* Analysis of the market of growing energy crops in Ukraine
* Summary of the findings of feasibility studies of growing energy crops delivered by UNDP Bioenergy Project Support Platform during 2018-2019
* A universal financial model for calculating the projected economic effect of the introduction of the incentive mechanism

All outputs shall be provided in Ukrainian with an executive summary in English. All translation costs shall be borne by the Contractor.

**3. Deliverable 3. Development of the state incentive mechanism for energy crops growing for energy needs in Ukraine.** The Contractor is expected to deliver analysis of mechanisms for regulating and stimulating the cultivation of energy crops in the world. Proposals for the optimal method of state incentives for energy crops growing are to be developed. The Contractor shall develop a draft regulatory legal act on the introduction of an incentive mechanism for projects on growing energy crops.

Outputs:

* Analysis of mechanisms for regulating and stimulating the cultivation of energy crops in the world
* Proposal for the optimal method of state incentives for energy crops growing
* A draft regulatory legal act on the introduction of an incentive mechanism for projects on growing energy crops

All outputs shall be provided in Ukrainian with an executive summary in English. All translation costs shall be borne by the Contractor.

**IV. GENERAL OPERATIONS**

* Ensuring the reference to UNDP in all the products created under the Contract.
* The Contractor will be responsible for managing the process of the task implementation, its human resources, logistics and expenditures related to the tasks in terms of time and adequacy in close consultation with UNDP.

**V. REQUIREMENTS FOR MONITORING/REPORTING**

The Contractor will report to the Project Manager, Development and Commercialization of Bioenergy Technologies in the Municipal Sector in Ukraine

The Contractor shall provide the necessary information, reports and statistics according to a preliminary determined schedule and on an ad hoc basis (within a reasonable period of time).

In particular, the Contractor shall prepare and submit the following reports to UNDP:

* The Contractor is obliged report the ongoing progress during biweekly progress meetings in person, or upon approval by UNDP via phone or videoconference. The biweekly progress meetings are to be scheduled by UNDP and conducted at UNDP premises.
* A Midterm report shall be provided by the Contractor not later than 60 days after the contract signing date.
* A Final Report shall be provided by the Contractor not later than 10 days after the Deliverable 3 is accepted by UNDP.

All reports shall be provided in English. All translation costs shall be borne by the Contractor.

**Use of Reports/Documents**

No report or document should be published or distributed to third parties without approval of UNDP. The Tentative Work Plan provided hereinabove may be amended upon Contractor’s suggestions and/or mutual discussion of UNDP and the Contractor and solely upon a written consent. Any unauthorized breach of terms and conditions of the agreed plan may lead to termination of the contract.

**VI. COMPANY PROFILE AND QUALIFICATION REQUIREMENTS**

* Officially registered organization (commercial, non-governmental, public);
* Minimum 5 years of experience in the renewable energy sector;
* Experience in conducting in law-drafting activity in the energy sector;
* Experience in energy crops projects
* Experience in biomass resource assessment
* Positive track record with similar type of assignments
* Financially stable company
* Not being involved in legal disputes as a party
* Experience in cooperation with international organizations would be an asset.

Requirements for the Company Team members:

**Senior Technical Expert/Team Leader**

Education:

* University degree (e.g. Masters/Specialist degree) in Energy, Economics, Management or a related field. PhD would be an asset.

Experience:

* At least 5 years of relevant work experience in development of biomass projects (feasibility studies, business plans, detailed design, construction, monitoring & evaluation, etc.)
* At least 3 years of experience in project management;
* Experience in energy crops projects
* Knowledge of biomass technologies and markets
* Experience in biomass resource assessment
* Previous experience in cooperation with international organizations/projects would be an asset.

Language Proficiency:

* Fluency in oral and written Ukrainian and English.

**Technical Expert**

Education:

* University degree (e.g. Masters/Specialist degree) in Energy, Economics or a related field.

Experience:

* At least 5 years of relevant work experience in development of biomass projects (feasibility studies, business plans, detailed design, construction, monitoring & evaluation, etc.)
* Experience in energy crops projects
* Knowledge of biomass technologies and markets
* Experience in biomass resource assessment

Language Proficiency:

* Fluency in oral and written Ukrainian and English.

**Legal Expert**

Education:

* University degree (e.g. Masters degree) in Law. PhD would be an asset.

Experience:

* At least 5 years of professional experience in law-drafting activity in biomass energy
* Knowledge of biomass technologies and markets
* Experience in researching European and Ukrainian legislation
* Previous experience in cooperation with international organizations/projects would be an asset.

Language Proficiency:

* Fluency in oral and written Ukrainian and English.

**VII. DOCUMENTS TO BE SUBMITTED IN TECHNICAL PROPOSAL**

|  |  |
| --- | --- |
|  | Company profile and proposed methodology on how the work will be conducted and/or approached; |
|  | Registration documents, financial balances for the past 2 years, and information on being involved as a party in any legal disputes |
|  | Proposed working plan, with suggested timeline (Gannt chart with key stages and events, their dates and places) as well as responsible staff for each activity; |
|  | At least 3 reference letters from the clients for provision of similar services |
|  | Proof of experience with similar assignments (studies in the renewable energy sector). References to the reports/studies in the renewable energy sector are to be provided together with recommendations from the clients. |
|  | Should part of the work under this ToR to be sub‐contracted, information regarding responsibility sharing between principal and subcontractor to be provided.  Sub‐contracting arrangements in this case must be clearly described in the Technical Proposal. |
|  | Organizational structure and the team’s personal CVs of the team to be working on the assignment of the Senior Technical Expert/Project Manager, Technical Expert and Legal Expert |

**SUGGESTED PAYMENT SHEDULE:**

Payment for services of the Contractor will be held in 3 stages upon completion of each deliverable after the submission of the interim/final reports:

1. 30% from the grand total are to be paid upon the acceptance of the Deliverable 1;
2. 30% from the grand total are to be paid upon the acceptance of the Deliverable 2;
3. 40% from the grand total are to be paid upon acceptance of the Deliverable 3 and acceptance of the Final Report.

**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 on the basis of 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. 300). All other financial proposals will receive a number of points inversely proportional to their quoted price; e.g. 300 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 awarded to the bidder that submitted the winning proposal.

# Section 6: Returnable Bidding Forms / Checklist

This form serves as a checklist for preparation of your Proposal. Please complete the Returnable Bidding Forms in accordance with the instructions in the forms and return them as part of your Proposal submission. No alteration to format of forms shall be permitted and no substitution shall be accepted.

Before submitting your Proposal, please ensure compliance with the Proposal Submission instructions of the BDS 22.

**Technical Proposal Envelope:**

|  |  |
| --- | --- |
| **Have you duly completed all the Returnable Bidding Forms?** |  |
| * Form A: Technical Proposal Submission Form |  |
| * Form B: Bidder Information Form |  |
| * Form C: Joint Venture/Consortium/ Association Information Form |  |
| * Form D: Qualification Form |  |
| * Form E: Format of Technical Proposal |  |
| **Have you provided the required documents to establish compliance with the evaluation criteria in Section 4?** |  |

**Financial Proposal Envelope**

**(Must be submitted in password protected file via email. Electronic format of submission only)**

|  |  |
| --- | --- |
| * Form F: Financial Proposal Submission Form |  |
| * Form G: Financial Proposal Form |  |

## **Form A:** Technical Proposal Submission Form

|  |  |  |  |
| --- | --- | --- | --- |
| Name of Bidder: | [Insert Name of Bidder] | Date: | Select date |
| RFP reference: | [Insert RFP Reference Number] | | |

We, the undersigned, offer to provide the services for [Insert Title of services] in accordance with your Request for Proposal No. [Insert RFP Reference Number] and our Proposal. We are hereby submitting our Proposal, which includes this Technical Proposal and our Financial Proposal sealed under a separate envelope.

We hereby declare that our firm, its affiliates or subsidiaries or employees, including any JV/Consortium /Association members or subcontractors or suppliers for any part of the contract:

1. is not under procurement prohibition by the United Nations, including but not limited to prohibitions derived from the Compendium of United Nations Security Council Sanctions Lists;
2. have not been suspended, debarred, sanctioned or otherwise identified as ineligible by any UN Organization or the World Bank Group or any other international Organization;
3. have no conflict of interest in accordance with Instruction to Bidders Clause 4;
4. do not employ, or anticipate employing, any person(s) who is, or has been a UN staff member within the last year, if said UN staff member has or had prior professional dealings with our firm in his/her capacity as UN staff member within the last three years of service with the UN (in accordance with UN post-employment restrictions published in ST/SGB/2006/15);
5. have not declared bankruptcy, are not involved in bankruptcy or receivership proceedings, and there is no judgment or pending legal action against them that could impair their operations in the foreseeable future;
6. undertake not to engage in proscribed practices, including but not limited to corruption, fraud, coercion, collusion, obstruction, or any other unethical practice, with the UN or any other party, and to conduct business in a manner that averts any financial, operational, reputational or other undue risk to the UN and we embrace the principles of the United Nations Supplier Code of Conduct and adhere to the principles of the United Nations Global Compact.

We declare that all the information and statements made in this Proposal are true and we accept that any misinterpretation or misrepresentation contained in this Proposal may lead to our disqualification and/or sanctioning by the UNDP.

We offer to provide services in conformity with the Bidding documents, including the UNDP General Conditions of Contract and in accordance with the Terms of Reference

Our Proposal shall be valid and remain binding upon us for the period of time specified in the Bid Data Sheet.

We understand and recognize that you are not bound to accept any Proposal you receive.

I, the undersigned, certify that I am duly authorized by [Insert Name of Bidder] to sign this Proposal and bind it should UNDP accept this Proposal.

Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[*Stamp with official stamp of the Bidder*]

## **Form B:** BidderInformation Form

|  |  |
| --- | --- |
| **Legal name of Bidder** | [Complete] |
| **Legal address** | [Complete] |
| **Year of registration** | [Complete] |
| **Bidder’s Authorized Representative Information** | Name and Title: [Complete]  Telephone numbers: [Complete]  Email: [Complete] |
| **Are you a UNGM registered vendor?** | Yes  No If yes, [insert UGNM vendor number] |
| **Are you a UNDP vendor?** | Yes  No If yes, [insert UNDP vendor number] |
| **Countries of operation** | [Complete] |
| **No. of full-time employees** | [Complete] |
| **Quality Assurance Certification (e.g. ISO 9000 or Equivalent) (***If yes, provide a Copy of the valid Certificate):* | [Complete] |
| **Does your Company hold any accreditation such as ISO 14001 related to the environment?** *(If yes, provide a Copy of the valid Certificate):* | [Complete] |
| **Does your Company have a written Statement of its Environmental Policy?** *(If yes, provide a Copy)* | [Complete] |
| **Contact person UNDP may contact for requests for clarification during Proposal evaluation** | Name and Title: [Complete]  Telephone numbers: [Complete]  Email: [Complete] |
| **Please attach the following documents:** | * Company Profile, which should not exceed ten (10) pages, including printed brochures and product catalogues relevant to the goods/services being procured; * Tax Registration/Payment Certificate issued by the Internal Revenue Authority evidencing that the Bidder is updated with its tax payment obligations, or Certificate of Tax exemption, if any such privilege is enjoyed by the Bidder; * Certificate of Registration of the business, including Articles of Incorporation, or equivalent document if Bidder is not a corporation; * Quality Certificate (e.g., ISO, etc.) and/or other similar certificates, accreditations, awards and citations received by the Bidder, if any; Quality Assurance procedures information to be provided in details. * Latest Audited Financial Statement (Income Statement and Balance Sheet) including Auditor’s Report for the past 2 years * Statement of Satisfactory Performance from the Top 3 Clients in terms of Contract Value the past 3 years * Duly signed Technical and financial proposals as per Forms A, B, F and G. Financial proposal must be in a separate file and password protected. * CVs of responsible staff highlighting experiences in servicing similar contracts, including relevant certificates, accreditations and awards received as per Form E, Section 3. * List of corporate clients highlighting similar contracts for clients of comparable business nature and/or size as UNDP/UN; |

## **Form C:** Joint Venture/Consortium/Association Information Form

|  |  |  |  |
| --- | --- | --- | --- |
| Name of Bidder: | [Insert Name of Bidder] | Date: | Select date |
| RFP reference: | [Insert RFP Reference Number] | | |

To be completed and returned with your Proposal if the Proposal is submitted as a Joint Venture/Consortium/Association.

|  |  |  |
| --- | --- | --- |
| **No** | **Name of Partner and contact information** *(address, telephone numbers, fax numbers, e-mail address)* | **Proposed proportion of responsibilities (in %) and type of services to be performed** |
| 1 | [Complete] | [Complete] |
| 2 | [Complete] | [Complete] |
| 3 | [Complete] | [Complete] |

|  |  |
| --- | --- |
| **Name of leading partner**  (with authority to bind the JV, Consortium, Association during the RFP process and, in the event a Contract is awarded, during contract execution) | [Complete] |

We have attached a copy of the below document signed by every partner, which details the likely legal structure of and the confirmation of joint and severable liability of the members of the said joint venture:

Letter of intent to form a joint venture ***OR***  JV/Consortium/Association agreement

We hereby confirm that if the contract is awarded, all parties of the Joint Venture/Consortium/Association shall be jointly and severally liable to UNDP for the fulfillment of the provisions of the Contract.

|  |  |
| --- | --- |
| Name of partner: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | Name of partner: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
|  |  |
| Name of partner: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | Name of partner: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

## **Form D:** QualificationForm

|  |  |  |  |
| --- | --- | --- | --- |
| Name of Bidder: | [Insert Name of Bidder] | Date: | Select date |
| RFP reference: | [Insert RFP Reference Number] | | |

If JV/Consortium/Association, to be completed by each partner.

**Historical Contract Non-Performance**

|  |  |  |  |
| --- | --- | --- | --- |
| Contract non-performance did not occur for the last 3 years | | | |
| Contract(s) not performed for the last 3 years | | | |
| **Year** | **Non- performed portion of contract** | **Contract Identification** | **Total Contract Amount** (current value in US$) |
|  |  | Name of Client:  Address of Client:  Reason(s) for non-performance: |  |

**Litigation History** (including pending litigation)

|  |  |  |  |
| --- | --- | --- | --- |
| No litigation history for the last 3 years | | | |
| Litigation History as indicated below | | | |
| **Year of dispute** | **Amount in dispute** (in US$) | **Contract Identification** | **Total Contract Amount** (current value in US$) |
|  |  | Name of Client:  Address of Client:  Matter in dispute:  Party who initiated the dispute:  Status of dispute:  Party awarded if resolved: |  |

**Previous Relevant Experience**

Please list only previous similar assignments successfully completed in the last 3 years.

List only those assignments for which the Bidder was legally contracted or sub-contracted by the Client as a company or was one of the Consortium/JV partners. Assignments completed by the Bidder’s individual experts working privately or through other firms cannot be claimed as the relevant experience of the Bidder, or that of the Bidder’s partners or sub-consultants, but can be claimed by the Experts themselves in their CVs. The Bidder should be prepared to substantiate the claimed experience by presenting copies of relevant documents and references if so requested by UNDP.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Project name & Country of Assignment** | **Client & Reference Contact Details** | **Contract Value** | **Period of activity and status** | **Types of activities undertaken** |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |

*Bidders may also attach their own Project Data Sheets with more details for assignments above.*

  Attached are the Statements of Satisfactory Performance from the Top 3 (three) Clients or more.

**Financial Standing**

|  |  |
| --- | --- |
| **Annual Turnover for the last 3 years** | Year       USD  Year       USD  Year       USD |
| **Latest Credit Rating (if any), indicate the source** |  |

|  |  |  |  |
| --- | --- | --- | --- |
| **Financial information**  (in US$ equivalent) | **Historic information for the last 3 years** | | |
|  | Year 1 | Year 2 | Year 3 |
|  | *Information from Balance Sheet* | | |
| Total Assets (TA) |  |  |  |
| Total Liabilities (TL) |  |  |  |
| Current Assets (CA) |  |  |  |
| Current Liabilities (CL) |  |  |  |
|  | *Information from Income Statement* | | |
| Total / Gross Revenue (TR) |  |  |  |
| Profits Before Taxes (PBT) |  |  |  |
| Net Profit |  |  |  |
| Current Ratio |  |  |  |

 Attached are copies of the audited financial statements (balance sheets, including all related notes, and income statements) for the years required above complying with the following condition:

* 1. Must reflect the financial situation of the Bidder or party to a JV, and not sister or parent companies;
  2. Historic financial statements must be audited by a certified public accountant;
  3. Historic financial statements must correspond to accounting periods already completed and audited. No statements for partial periods shall be accepted.

## **Form E:** Format ofTechnical Proposal

|  |  |  |  |
| --- | --- | --- | --- |
| Name of Bidder: | [Insert Name of Bidder] | Date: | Select date |
| RFP reference: | [Insert RFP Reference Number] | | |

The Bidder’s proposal should be organized to follow this format of Technical Proposal. Where the bidder is presented with a requirement or asked to use a specific approach, the bidder must not only state its acceptance, but also describe how it intends to comply with the requirements. Where a descriptive response is requested, failure to provide the same will be viewed as non-responsive.

**SECTION 1: Bidder’s experience and reputation on the market**

* 1. Brief description of the organization, including the year and country of incorporation, and types of activities undertaken.
  2. General organizational capability which is likely to affect implementation: management structure, financial stability and project financing capacity, project management controls, extent to which any work would be subcontracted (if so, provide details).
  3. Relevant certificates and association membership confirming documents.
  4. Quality assurance procedures and risk mitigation measures.
  5. Organization’s commitment to sustainability.

**SECTION 2: Bidder’s capability and expertise**

This section should demonstrate the bidder’s responsiveness to the TOR by identifying the specific components proposed, addressing the requirements, providing a detailed description of the essential performance characteristics proposed and demonstrating how the proposed approach and methodology meets or exceeds the requirements. All important aspects should be addressed in sufficient detail and different components of the project should be adequately weighted relative to one another.

* 1. Detailed organizational structure of the Company, including quantity of qualified personal available.
  2. Information about sales volumes past 3 years.
  3. Description of booking system in use
  4. Quality assurance and service support provision information.
  5. Explain whether any work would be subcontracted, to whom, how much percentage of the work, the rationale for such, and the roles of the proposed sub-contractors and how everyone will function as a team.
  6. Description of available performance monitoring and evaluation mechanisms and tools; how they shall be adopted and used for a specific requirement.
  7. Demonstrate how you plan to integrate sustainability measures in the execution of the contract.
  8. Any other comments or information regarding the project approach and methodology that will be adopted.

**SECTION 3: Management Structure and Key Personnel**

* 1. Describe the overall management approach toward planning and implementing the project. Include an organization chart for the management of the project describing the relationship of key positions and designations. Provide a spreadsheet to show the activities of each personnel and the time allocated for his/her involvement.
  2. Provide CVs for key personnel that will be provided to support the implementation of this project using the format below. CVs should demonstrate qualifications in areas relevant to the Scope of Services.

**Format for CV of Proposed Key Personnel**

|  |  |
| --- | --- |
| Name of Personnel | [Insert] |
| Position for this assignment | [Insert] |
| Nationality | [Insert] |
| Language proficiency | [Insert] |
| Education/ Qualifications | *[Summarize college/university and other specialized education of personnel member, giving names of schools, dates attended, and degrees/qualifications obtained.]* |
| [Insert] |
| Professional certifications | *[Provide details of professional certifications relevant to the scope of services]* |
| * Name of institution: [Insert] * Date of certification: [Insert] |
| Employment Record/ Experience | *[List all positions held by personnel (starting with present position, list in reverse order), giving dates, names of employing organization, title of position held and location of employment. For experience in last five years, detail the type of activities performed, degree of responsibilities, location of assignments and any other information or professional experience considered pertinent for this assignment.]* |
| [Insert] |
| References | *[Provide names, addresses, phone and email contact information for two (2) references]* |
| Reference 1:  [Insert]  Reference 2:  [Insert] |

I, the undersigned, certify that to the best of my knowledge and belief, these data correctly describe my qualifications, my experiences, and other relevant information about myself.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature of Personnel Date (Day/Month/Year)

## **Form F:** Financial Proposal Submission Form

|  |  |  |  |
| --- | --- | --- | --- |
| Name of Bidder: | [Insert Name of Bidder] | Date: | Select date |
| RFP reference: | [Insert RFP Reference Number] | | |

We, the undersigned, offer to provide the services for [Insert Title of services] in accordance with your Request for Proposal No. [Insert RFP Reference Number] and our Proposal. We are hereby submitting our Proposal, which includes this Technical Proposal and our Financial Proposal sealed under a separate envelope.

Our attached Financial Proposal is for the sum of [Insert amount in words and figures].

Our Proposal shall be valid and remain binding upon us for the period of time specified in the Bid Data Sheet.

We understand you are not bound to accept any Proposal you receive.

Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[*Stamp with official stamp of the Bidder*]

## **Form G:** Financial ProposalForm

|  |  |  |  |
| --- | --- | --- | --- |
| Name of Bidder: | [Insert Name of Bidder] | Date: | Select date |
| RFP reference: | [Insert RFP Reference Number] | | |

The Bidder is required to prepare the Financial Proposal following the below format and submit it in an file separate from the Technical Proposal as indicated in the Instruction to Bidders. Any Financial information provided in the Technical Proposal shall lead to Bidder’s disqualification.

The Financial Proposal should align with the requirements in the Terms of Reference and the Bidder’s Technical Proposal.

The below table represents a breakdown of costs connected to waste management procedures. Table is not final but should be taken for the basis, adding specific costs with description in the section Different. Currency of proposal may be UAH or USD, though USD is highly recommended as the price of the contract will be based on the proposal and its currency and will not be changed in its duration. Thus, USD price proposal provides better option for currency risk mitigation.

The Financial Proposal should be submitted in a separate archived file protected by password and include the following categories of costs.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| # | Activity/Costs | Unit | Number | Cost per unit | Amount excluding VAT | VAT | Amount including VAT |
| 1 | Personnel |  |  |  |  |  |  |
|  | Senior Technical Expert/Project Manager | day |  |  |  |  |  |
| Technical Expert | day |  |  |  |  |  |
| Legal Expert | day |  |  |  |  |  |
|  |  |  |  |  |  |  |
|  | *Transportation costs* |  |  |  |  |  |  |
|  | *Administration costs* |  |  |  |  |  |  |
|  | *Other costs (if any – to define clearly activities/costs)* |  |  |  |  |  |  |

“Duly authorized to sign the proposal for and on behalf of” \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Name of Organisation): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature/Stamp of Entity/Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name of representative: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Telephone/Fax: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Email: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

## 

1. Non-performance, as decided by UNDP, shall include all contracts where (a) non-performance was not challenged by the contractor, including through referral to the dispute resolution mechanism under the respective contract, and (b) contracts that were so challenged but fully settled against the contractor. Non-performance shall not include contracts where Employers decision was overruled by the dispute resolution mechanism. Non-performance must be based on all information on fully settled disputes or litigation, i.e. dispute or litigation that has been resolved in accordance with the dispute resolution mechanism under the respective contract and where all appeal instances available to the Bidder have been exhausted. [↑](#footnote-ref-1)