

*United Nations Development Programme*



*Empowered lives.  
Resilient nations.*

## REQUEST FOR PROPOSAL

Provision of services to support Verkhovna Rada in Complex diagnostics of information systems of the Verkhovna Rada

RFP No.: 210-2020-UNDP-UKR-RFP-CO

Project: UNDP Country Office

Country: Ukraine

Issued on: 13 March 2020

# Contents

<b>SECTION 1. LETTER OF INVITATION.....</b>	<b>4</b>
<b>SECTION 2. INSTRUCTION TO BIDDERS .....</b>	<b>5</b>
<b>A. GENERAL PROVISIONS .....</b>	<b>5</b>
1. Introduction .....	5
2. Fraud & Corruption, Gifts and Hospitality .....	5
3. Eligibility .....	5
4. Conflict of Interests .....	6
<b>B. PREPARATION OF PROPOSALS .....</b>	<b>6</b>
5. General Considerations .....	6
6. Cost of Preparation of Proposal .....	6
7. Language .....	6
8. Documents Comprising the Proposal .....	6
9. Documents Establishing the Eligibility and Qualifications of the Bidder .....	7
10. Technical Proposal Format and Content .....	7
11. Financial Proposals .....	7
12. Proposal Security .....	7
13. Currencies .....	8
14. Joint Venture, Consortium or Association .....	8
15. Only One Proposal .....	9
16. Proposal Validity Period .....	9
17. Extension of Proposal Validity Period .....	9
18. Clarification of Proposal .....	9
19. Amendment of Proposals .....	9
20. Alternative Proposals .....	10
21. Pre-Bid Conference .....	10
<b>C. SUBMISSION AND OPENING OF PROPOSALS .....</b>	<b>10</b>
22. Submission .....	10
23. Deadline for Submission of Proposals and Late Proposals .....	11
24. Withdrawal, Substitution, and Modification of Proposals .....	11
25. Proposal Opening .....	12
<b>D. EVALUATION OF PROPOSALS .....</b>	<b>12</b>
26. Confidentiality .....	12
27. Evaluation of Proposals .....	12
28. Preliminary Examination .....	12
29. Evaluation of Eligibility and Qualification .....	12
30. Evaluation of Technical and Financial Proposals .....	13
31. Due Diligence .....	13
32. Clarification of Proposals .....	14
33. Responsiveness of Proposal .....	14
34. Nonconformities, Reparable Errors and Omissions .....	14
<b>E. AWARD OF CONTRACT .....</b>	<b>15</b>
35. Right to Accept, Reject, Any or All Proposals .....	15
36. Award Criteria .....	15
37. Debriefing .....	15
38. Right to Vary Requirements at the Time of Award .....	15
39. Contract Signature .....	15
40. Contract Type and General Terms and Conditions .....	15
41. Performance Security .....	15
42. Bank Guarantee for Advanced Payment .....	15
43. Liquidated Damages .....	16
44. Payment Provisions .....	16
45. Vendor Protest .....	16
46. Other Provisions .....	16
<b>SECTION 3. BID DATA SHEET .....</b>	<b>17</b>

**SECTION 4. EVALUATION CRITERIA .....20**

**SECTION 5. TERMS OF REFERENCE .....25**

**SECTION 6: RETURNABLE BIDDING FORMS / CHECKLIST .....36**

    FORM A: TECHNICAL PROPOSAL SUBMISSION FORM .....37

    FORM B: BIDDER INFORMATION FORM.....39

    FORM C: JOINT VENTURE/CONSORTIUM/ASSOCIATION INFORMATION FORM .....39

    FORM D: QUALIFICATION FORM .....40

    FORM E: FORMAT OF TECHNICAL PROPOSAL .....44

    FORM F: FINANCIAL PROPOSAL SUBMISSION FORM.....46

    FORM G: FINANCIAL PROPOSAL FORM .....47

    FORM H: FORM OF PROPOSAL SECURITY .....49

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

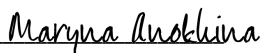
If you are interested in submitting a Proposal in response to this RFP, please prepare your Proposal in accordance with the requirements and procedure as set out in this RFP and submit it by the Deadline for Submission of Proposals set out in Bid Data Sheet.

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: **March 13, 2020**

Name: Sukhrob Kakharov  
Title: Operations manager, UNDP  
Date: **March 13, 2020**

## Section 2. Instruction to Bidders

A. GENERAL PROVISIONS	
1. Introduction	1.1 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 <a href="https://popp.undp.org/SitePages/POPPBSUnit.aspx?TermID=254a9f96-b883-476a-8ef8-e81f93a2b38d">https://popp.undp.org/SitePages/POPPBSUnit.aspx?TermID=254a9f96-b883-476a-8ef8-e81f93a2b38d</a>
	1.2 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.
	1.3 As part of the bid, it is desired that the Bidder registers at the United Nations Global Marketplace (UNGM) website ( <a href="http://www.ungm.org">www.ungm.org</a> ). 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.
2. Fraud & Corruption, Gifts and Hospitality	2.1 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 <a href="http://www.undp.org/content/undp/en/home/operations/accountability/audit/office_of_audit_andinvestigation.html#anti">http://www.undp.org/content/undp/en/home/operations/accountability/audit/office_of_audit_andinvestigation.html#anti</a>
	2.2 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.
	2.3 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.
	2.4 All Bidders must adhere to the UN Supplier Code of Conduct, which may be found at <a href="http://www.un.org/depts/ptd/pdf/conduct_english.pdf">http://www.un.org/depts/ptd/pdf/conduct_english.pdf</a>
3. Eligibility	3.1 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.
	3.2 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.

<b>4. Conflict of Interests</b>	<p>4.1 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:</p> <ul style="list-style-type: none"> <li>a) 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;</li> <li>b) Were involved in the preparation and/or design of the programme/project related to the services requested under this RFP; or</li> <li>c) Are found to be in conflict for any other reason, as may be established by, or at the discretion of UNDP.</li> </ul> <p>4.2 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.</p> <p>4.3 Similarly, the Bidders must disclose in their proposal their knowledge of the following:</p> <ul style="list-style-type: none"> <li>a) 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</li> <li>b) All other circumstances that could potentially lead to actual or perceived conflict of interest, collusion or unfair competition practices.</li> </ul> <p>Failure to disclose such an information may result in the rejection of the proposal or proposals affected by the non-disclosure.</p> <p>4.4 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.</p>
<b>B. PREPARATION OF PROPOSALS</b>	
<b>5. General Considerations</b>	<p>5.1 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.</p> <p>5.2 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</p>
<b>6. Cost of Preparation of Proposal</b>	<p>6.1 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.</p>
<b>7. Language</b>	<p>7.1 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.</p>
<b>8. Documents</b>	<p>8.1 The Proposal shall comprise of the following documents:</p>

<b>Comprising the Proposal</b>	<ul style="list-style-type: none"> <li>a) Documents Establishing the Eligibility and Qualifications of the Bidder;</li> <li>b) Technical Proposal;</li> <li>c) Financial Proposal;</li> <li>d) Proposal Security, if required by BDS;</li> <li>e) Any attachments and/or appendices to the Proposal.</li> </ul>
<b>9. Documents Establishing the Eligibility and Qualifications of the Bidder</b>	<p>9.1 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.</p>
<b>10. Technical Proposal Format and Content</b>	<p>10.1 The Bidder is required to submit a Technical Proposal using the Standard Forms and templates provided in Section 6 of the RFP.</p> <p>10.2 The Technical Proposal shall not include any price or financial information. A Technical Proposal containing material financial information may be declared non-responsive.</p> <p>10.3 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</p> <p>10.4 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.</p>
<b>11. Financial Proposals</b>	<p>11.1 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.</p> <p>11.2 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.</p> <p>11.3 Prices and other financial information must not be disclosed in any other place except in the financial proposal.</p>
<b>12. Proposal Security</b>	<p>12.1 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.</p> <p>12.2 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.</p> <p>12.3 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.</p> <p>12.4 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.</p> <p>12.5 The Proposal Security may be forfeited by UNDP, and the Proposal rejected, in the event of any one or combination, of the following conditions:</p> <ul style="list-style-type: none"> <li>a) If the Bidder withdraws its offer during the period of the Proposal Validity specified in the BDS, or;</li> <li>b) In the event that the successful Bidder fails:</li> </ul>

	<p>i. to sign the Contract after UNDP has issued an award; or</p> <p>12.6 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.</p>
<b>13. Currencies</b>	<p>13.1 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:</p> <p>a) 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</p> <p>b) 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.</p>
<b>14. Joint Venture, Consortium or Association</b>	<p>14.1 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.</p> <p>14.2 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.</p> <p>14.3 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.</p> <p>14.4 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.</p> <p>14.5 A JV, Consortium or Association in presenting its track record and experience should clearly differentiate between:</p> <p>a) Those that were undertaken together by the JV, Consortium or Association; and</p> <p>b) Those that were undertaken by the individual entities of the JV, Consortium or Association.</p> <p>14.6 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.</p> <p>14.7 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.</p>



<b>15. Only One Proposal</b>	<p>15.1 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.</p> <p>15.2 Proposals submitted by two (2) or more Bidders shall all be rejected if they are found to have any of the following:</p> <ul style="list-style-type: none"> <li>a) they have at least one controlling partner, director or shareholder in common; or</li> <li>b) any one of them receive or have received any direct or indirect subsidy from the other/s; or</li> <li>c) they have the same legal representative for purposes of this RFP; or</li> <li>d) 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;</li> <li>e) 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</li> <li>f) 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.</li> </ul>
<b>16. Proposal Validity Period</b>	<p>16.1 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.</p> <p>16.2 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.</p>
<b>17. Extension of Proposal Validity Period</b>	<p>17.1 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.</p> <p>17.2 If the Bidder agrees to extend the validity of its Proposal, it shall be done without any change in the original Proposal.</p> <p>17.3 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.</p>
<b>18. Clarification of Proposal</b>	<p>18.1 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.</p> <p>18.2 UNDP will provide the responses to clarifications through the method specified in the BDS.</p> <p>18.3 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.</p>
<b>19. Amendment of Proposals</b>	<p>19.1 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.</p>

	19.2 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.
<b>20. Alternative Proposals</b>	<p>20.1 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.</p> <p>20.2 If multiple/alternative proposals are being submitted, they must be clearly marked as "Main Proposal" and "Alternative Proposal"</p>
<b>21. Pre-Bid Conference</b>	21.1 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.
<b>C. SUBMISSION AND OPENING OF PROPOSALS</b>	
<b>22. Submission</b>	<p>22.1 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.</p> <p>22.2 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.</p> <p>22.3 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.</p>
<b>Hard copy (manual) submission</b>	<p>22.4 Hard copy (manual) submission by courier or hand delivery allowed or specified in the BDS shall be governed as follows:</p> <ul style="list-style-type: none"> <li>a) 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.</li> <li>b) 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: <ul style="list-style-type: none"> <li>i. Bear the name and address of the bidder;</li> <li>ii. Be addressed to UNDP as specified in the BDS</li> </ul> </li> </ul>

<p><b>Email Submission</b></p> <p><b>eTendering submission</b></p>	<p>iii. Bear a warning that states <i>"Not to be opened before the time and date for proposal opening"</i> as specified in the BDS.</p> <p>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.</p> <p>22.5 Email submission, if allowed or specified in the BDS, shall be governed as follows:</p> <ul style="list-style-type: none"> <li>a) Electronic files that form part of the proposal must be in accordance with the format and requirements indicated in BDS;</li> <li>b) 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.</li> <li>c) 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.</li> </ul> <p>22.6 Electronic submission through eTendering, if allowed or specified in the BDS, shall be governed as follows:</p> <ul style="list-style-type: none"> <li>a) Electronic files that form part of the proposal must be in accordance with the format and requirements indicated in BDS;</li> <li>b) The Technical Proposal and the Financial Proposal files MUST BE COMPLETELY SEPARATE and each of them must be uploaded individually and clearly labelled.</li> <li>d) 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.</li> <li>c) 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.</li> <li>d) 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:  <a href="http://www.undp.org/content/undp/en/home/operations/procurement/business/procurement-notices/resources/">http://www.undp.org/content/undp/en/home/operations/procurement/business/procurement-notices/resources/</a></li> </ul>
<p><b>23. Deadline for Submission of Proposals and Late Proposals</b></p>	<p>23.1 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</p> <p>23.2 UNDP shall not consider any Proposal that is submitted after the deadline for the submission of Proposals.</p>
<p><b>24. Withdrawal, Substitution, and Modification of Proposals</b></p>	<p>24.1 A Bidder may withdraw, substitute or modify its Proposal after it has been submitted at any time prior to the deadline for submission.</p> <p>24.2 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</p>

	<p>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"</p> <p>24.3 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.</p> <p>24.4 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</p>
<b>25. Proposal Opening</b>	<p>25.1 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.</p>
<b>D. EVALUATION OF PROPOSALS</b>	
<b>26. Confidentiality</b>	<p>26.1 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.</p> <p>26.2 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.</p>
<b>27. Evaluation of Proposals</b>	<p>27.1 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.</p> <p>27.2 Evaluation of proposals is made of the following steps:</p> <ol style="list-style-type: none"> <li>Preliminary Examination</li> <li>Minimum Eligibility and Qualification (if pre-qualification is not done)</li> <li>Evaluation of Technical Proposals</li> <li>Evaluation of Financial Proposals</li> </ol>
<b>28. Preliminary Examination</b>	<p>28.1 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.</p>
<b>29. Evaluation of Eligibility and Qualification</b>	<p>29.1 Eligibility and Qualification of the Bidder will be evaluated against the Minimum Eligibility/Qualification requirements specified in the Section 4 (Evaluation Criteria).</p> <p>29.2 In general terms, vendors that meet the following criteria may be considered qualified:</p> <ol style="list-style-type: none"> <li>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;</li> <li>They have a good financial standing and have access to adequate financial</li> </ol>

	<p>resources to perform the contract and all existing commercial commitments,</p> <ul style="list-style-type: none"> <li>c) 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;</li> <li>d) They are able to comply fully with UNDP General Terms and Conditions of Contract;</li> <li>e) They do not have a consistent history of court/arbitral award decisions against the Bidder; and</li> <li>f) They have a record of timely and satisfactory performance with their clients.</li> </ul>
<b>30. Evaluation of Technical and Financial Proposals</b>	<p>30.1 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.</p> <p>30.2 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.</p> <p>30.3 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.</p> <p>30.4 When the BDS specifies a combined scoring method, the formula for the rating of the Proposals will be as follows:</p> <div style="border: 1px solid black; padding: 10px; margin-top: 10px;"> <p><u>Rating the Technical Proposal (TP):</u></p> <p style="text-align: center;"><b>TP Rating</b> = (Total Score Obtained by the Offer / Max. Obtainable Score for TP) x 100</p> <p><u>Rating the Financial Proposal (FP):</u></p> <p style="text-align: center;"><b>FP Rating</b> = (Lowest Priced Offer / Price of the Offer Being Reviewed) x 100</p> <p><u>Total Combined Score:</u></p> <p style="text-align: center;"><b>Combined Score</b> = (TP Rating) x (Weight of TP, e.g. 70%) + (FP Rating) x (Weight of FP, e.g., 30%)</p> </div>
<b>31. Due Diligence</b>	<p>31.1 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</p>

	<p>following:</p> <ul style="list-style-type: none"> <li>a) Verification of accuracy, correctness and authenticity of information provided by the Bidder;</li> <li>b) Validation of extent of compliance to the RFP requirements and evaluation criteria based on what has so far been found by the evaluation team;</li> <li>c) 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;</li> <li>d) Inquiry and reference checking with previous clients on the performance on on-going or contracts completed, including physical inspections of previous works, as necessary;</li> <li>e) Physical inspection of the Bidder's offices, branches or other places where business transpires, with or without notice to the Bidder;</li> <li>f) Other means that UNDP may deem appropriate, at any stage within the selection process, prior to awarding the contract.</li> </ul>
<b>32. Clarification of Proposals</b>	<p>32.1 To assist in the examination, evaluation and comparison of Proposals, UNDP may, at its discretion, ask any Bidder for a clarification of its Proposal.</p> <p>32.2 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.</p> <p>32.3 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.</p>
<b>33. Responsiveness of Proposal</b>	<p>33.1 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.</p> <p>33.2 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.</p>
<b>34. Nonconformities, Repairable Errors and Omissions</b>	<p>34.1 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.</p> <p>34.2 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.</p> <p>34.3 For Financial Proposal that has been opened, UNDP shall check and correct arithmetical errors as follows:</p> <ul style="list-style-type: none"> <li>a) 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;</li> <li>b) if there is an error in a total corresponding to the addition or subtraction</li> </ul>

	<p>of subtotals, the subtotals shall prevail and the total shall be corrected; and</p> <p>c) 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.</p> <p>34.4 If the Bidder does not accept the correction of errors made by UNDP, its Proposal shall be rejected.</p>
<b>E. AWARD OF CONTRACT</b>	
<b>35. Right to Accept, Reject, Any or All Proposals</b>	35.1 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.
<b>36. Award Criteria</b>	36.1 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.
<b>37. Debriefing</b>	37.1 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.
<b>38. Right to Vary Requirements at the Time of Award</b>	38.1 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.
<b>39. Contract Signature</b>	39.1 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.
<b>40. Contract Type and General Terms and Conditions</b>	40.1 The types of Contract to be signed and the applicable UNDP Contract General Terms and Conditions, as specified in BDS, can be accessed at <a href="http://www.undp.org/content/undp/en/home/procurement/business/how-we-buy.html">http://www.undp.org/content/undp/en/home/procurement/business/how-we-buy.html</a>
<b>41. Performance Security</b>	41.1 40.1 A performance security, if required in BDS, shall be provided in the amount specified in BDS and form available at <a href="https://popp.undp.org/layouts/15/WopiFrame.aspx?sourcedoc=/UNDP_POPP_DOCUMENT_LIBRARY/Public/PSU_Solicitation_Performance%20Guarantee%20Form.docx&amp;action=default">https://popp.undp.org/layouts/15/WopiFrame.aspx?sourcedoc=/UNDP_POPP_DOCUMENT_LIBRARY/Public/PSU_Solicitation_Performance%20Guarantee%20Form.docx&amp;action=default</a> 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.
<b>42. Bank Guarantee for Advanced Payment</b>	42.1 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



	<a href="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&amp;action=default">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&amp;action=default</a>
<b>43. Liquidated Damages</b>	43.1 If specified in BDS, UNDP shall apply Liquidated Damages resulting from the Contractor's delays or breach of its obligations as per the Contract.
<b>44. Payment Provisions</b>	44.1 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.
<b>45. Vendor Protest</b>	45.1 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: <a href="http://www.undp.org/content/undp/en/home/operations/procurement/business/protest-and-sanctions.html">http://www.undp.org/content/undp/en/home/operations/procurement/business/protest-and-sanctions.html</a>
<b>46. Other Provisions</b>	<p>46.1 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.</p> <p>46.2 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.</p> <p>46.3 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 <a href="http://www.un.org/en/ga/search/view_doc.asp?symbol=ST/SGB/2006/15&amp;referer">http://www.un.org/en/ga/search/view_doc.asp?symbol=ST/SGB/2006/15&amp;referer</a></p>



## 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	Application forms to be filled in English; supporting documents and local registration/licenses may be provided in local language
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	<p>Will be Conducted 19.03.2020, 11:30</p> <p>Via skype-conference</p> <p>Tel. No. :+ 38 044 253-93-63</p> <p>To express your interest to take part please send notification to e-mail <a href="mailto:procurement.ua@undp.org">procurement.ua@undp.org</a> point out tender reference in subject, the title of the company, names and positions of the representatives including contact details in the body of e-mail. Link to skype conference will be provided upon processing your inquiry.</p>
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 (UAH) is also acceptable. The proposal will be fixed in the currency proposed. In case of proposal in local currency, the amount will be converted to USD based on UNORE currency rate for comparison.
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	Posted directly to eTendering  Additionally direct invitations were sent to prospective Bidders by email, posted on the web-sites as follows: <a href="http://procurement-notices.undp.org">http://procurement-notices.undp.org</a> and <a href="https://www.ungm.org/">https://www.ungm.org/</a>
14	23	Deadline for Submission	13.04.2020, 10:00 AM (GMT +2:00) Kyiv time / 04:00 AM (GMT -4:00) New York time
14	22	Allowable Manner of Submitting Proposals	Only through e-tendering system
15	22	Proposal Submission Address	Official address for e-submission: e-tendering system (links can be found on websites <a href="http://procurement-notices.undp.org">http://procurement-notices.undp.org</a> and <a href="https://www.ungm.org/">https://www.ungm.org/</a> )  <u>Please note that bids received through any other address/ by any other means will not be considered.</u>
16	22	Electronic submission (email or eTendering) requirements	<ul style="list-style-type: none"> <li>▪ Format: PDF files, <b>ZIP archives</b> only</li> <li>▪ File names must be maximum 60 characters long and must not contain any letter or special character other than from Latin alphabet/keyboard.</li> <li>▪ All files must be free of viruses and not corrupted.</li> <li>▪ Password for financial proposal <u>must</u> not be provided to UNDP until requested by UNDP</li> </ul>

			<ul style="list-style-type: none"> <li>▪ Time Zone to be Recognized: <i>[Kyiv +2]</i></li> <li>▪ <b>Max. File Size per transmission: 5 MB</b> <ul style="list-style-type: none"> <li>▪ Other conditions: <i>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.</i></li> </ul> </li> </ul>
17	27 36	Evaluation Method for the Award of Contract	<p>Combined Scoring Method, using the 70%-30% distribution for technical and financial proposals respectively</p> <p>The minimum technical score required to pass is 70% of the obtainable score of 1260 points, which is 882 points.</p>
18		Expected date for commencement of Contract	<i>April 27, 2020</i>
19		Maximum expected duration of contract	April – August 2020
20	35	UNDP will award the contract to:	<b>One Proposer Only</b>
21	39	Type of Contract	<p>Purchase Order and Contract for Goods and Services for UNDP and other UN Agencies in Ukraine</p> <p>Long-Term Agreement</p>
22	39	UNDP Contract Terms and Conditions that will apply	<p>UNDP General Terms and Conditions for Professional Services</p> <p><a href="http://www.undp.org/content/undp/en/home/procurement/business/how-we-buy.html">http://www.undp.org/content/undp/en/home/procurement/business/how-we-buy.html</a></p>
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;
- Statement of Satisfactory Performance (reference letters) from the Top 3 Clients in terms of Contract Value the past 2 years;
- List of corporate clients highlighting similar contracts for clients of comparable business nature and/or size as UNDP/UN;
- Examples of successful projects of similar scope in public bodies during last 3 years;
- Proposed working plan, with suggested timeline; approach to the development of the project and description how objectives mentioned in ToR will be achieved;
- Methodology, concept, approach and working plan;
- Should part of the work under this ToR be sub-contracted, the Proposer should provide documents and experience related information concerning the sub-contractor. Sub-contracting arrangements in this case must be clearly described in the Technical Proposal;
- CVs of responsible staff highlighting experiences in servicing similar contracts, including relevant certificates, accreditations and awards received as per Section 6;
- Latest Income Statement and Balance Sheet or Audited Financial Statement, including Auditor's Report, for the past 2 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.**

### 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

A two-stages procedure is utilized in evaluating of the Technical Proposals

### 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.

Subject	Criteria	Document Submission requirement
<b>ELIGIBILITY</b>		
<b>Legal Status</b>	Vendor is a legally registered entity.	Form B: Bidder Information Form
<b>Eligibility</b>	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
<b>Conflict of Interest</b>	No conflicts of interest in accordance with ITB clause 4.	Form A: Technical Proposal Submission Form
<b>Bankruptcy</b>	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
<b>QUALIFICATION</b>		
<b>History of Non-Performing Contracts<sup>1</sup></b>	Non-performance of a contract did not occur as a result of contractor default for the last 3 years.	Form D: Qualification Form
<b>Litigation History</b>	No consistent history of court/arbitral award decisions against the Bidder for the last 3 years.	Form D: Qualification Form
<b>Previous Experience</b>	At least 10 years of experience in similar ICT assessments and audit assignments;	Form D: Qualification Form
<b>Financial Standing</b>	Financial stability demonstrated by copies of balance sheets or audit reports past 2 years <i>(For JV/Consortium/Association, all Parties cumulatively should meet requirement).</i>	Form D: Qualification Form

<sup>1</sup> 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.

## 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 882 points)** of the obtainable score of **1260 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. 540)**. All other financial proposals will receive a number of points inversely proportional to their quoted price; e.g. 540 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.

### The evaluation of the technical proposals

Summary of Technical Proposal		Score Weight	Max Points obtainable	Company/Other Entity		
				A	B	C
1	Expertise of Firm / Organization	20%	250			
2	Proposed Concept, Approach	44%	560			
3	Management Structure and proposed Personnel	36%	450			
<b>Total</b>			1260			

Evaluation forms for technical proposals follow on the next pages. The obtainable number of points specified for each evaluation criterion indicates the relative significance or weight of the item in the overall evaluation process.

### The Technical Evaluation Forms are:

Form 1. Expertise of organization/group of experts submitting proposal

Form 2. Proposed Concept, Approach

Form 3. Personnel

**Expertise of company/organization/group of experts submitting proposal**

<b>Technical Proposal Evaluation Form 1</b>		<b>Points obtainable</b>	Company / Other Entity		
			<b>A</b>	<b>B</b>	<b>C</b>
<b>Expertise of the Organization</b>					
1.1	Reputation of Organization and Staff / Credibility / Reliability / Industry Standing	20			
1.2	General Organizational Capability which is likely to affect implementation – financial stability (up to 10 pts.) – loose consortium, holding company or one firm (up to 10 pts.) – age/size of the firm (10 years – 10 pts., each additional year – 5 pts., up to max 40 pts.) – strength of project management support (up to 10 pts.) – project financing capacity (up to 10 pts.) – project management controls (up to 10 pts.)	90			
1.3	Quality assurance procedures, warranty	40			
1.4	Relevance of experience: – At least 10 years of experience in similar ICT assessments and audit assignments (10 years – 20 pts., 5 pts. for each additional year to a max of 40 pts. in total.) – Have proven experience (at least 1 success project of similar scope in a public body during last 3 years (1 projects – 20 pts., each additional project – 5 pts., up to max 40 pts.) –Has strong skills and knowledge of international standards and control frameworks, including ITIL and COBIT (No – 0 pts., Yes – up to 5 pts.) – Experience in managing large public sector ICT projects will be an advantage (No – 0, Yes – up to 15 pts.).	100			
<b>Total Form 1</b>		<b>250</b>			

<b>Technical Proposal Evaluation Form 2</b>		<b>Points obtainable</b>	Company / Other Entity		
			<b>A</b>	<b>B</b>	<b>C</b>
<b>Proposed Concept, Implementation Plan, and Structure of the Educational Programme</b>					
2.1	To what degree does the applicant understand the task?	60			
2.2	Have the important aspects of the task been addressed in sufficient detail?	100			

2.3	Are the different components of the project adequately weighted relative to one another?	60			
2.3	Is the conceptual framework adopted appropriate for the task?	120			
2.4	Is the scope of task well defined and does it correspond to the TOR?	110			
2.5	Is the presentation clear and is the sequence of activities and the planning logical, realistic and promise efficient implementation to the project?	110			
<b>Total Form 2</b>		<b>560</b>			

<b>Technical Proposal Evaluation Form 3</b>		<b>Points obtainable</b>	<b>Company / Other Entity</b>		
<b>Management Structure and Key Personnel</b>			<b>A</b>	<b>B</b>	<b>C</b>
3.1	<b>Team Leader:</b>				
	Master degree in informatics, engineering or other IT related fields (Master's degree – 10 pts., PhD – 15 pts.);	15			
	At least 10 years of experience of information systems audit in corporate or public sector (10 years – 20 pts., each additional year – 10 pts., up to max of 70 pts.);	70			
	ICT Audit qualification (Certified Information Systems Auditor or equivalent such as CISM, CISSI, ISO 27001-2013 Lead Auditor)	15			
	Practical experience in ICT audit in public bodies (one project - 20 pts., additional projects – 10 pts., up to max. 60 pts.)	60			
	Fluency in Ukrainian and English (Ukrainian – 5 pts., English – 5 pts.).	10			
	<b>IT Auditor</b>				
	Master's degree in IT-related field – 10 pts.; PhD in IT related field – 15 pts.);	15			
	At least 5 years of experience of information systems audit in corporate or public sector (5 years – 15 pts., each additional year – 10 pts., up to max of 65 pts.);	65			



3.2	ICT Audit qualification (Certified Information Systems Auditor or equivalent such as CISM, CISS, ISO 27001-2013 Lead Auditor)	10			
	Practical experience in ICT audit in public bodies (one project - 10 pts., additional projects – 5 pts., up to max. 40 pts.)	40			
	Fluency in Ukrainian and English (Ukrainian – 5 pts., English – 5 pts).	10			
3.3	<b>IT Security expert</b>				
	Master's degree in IT-related field – 10 pts.; PhD in IT related field – 15 pts.;	15			
	At least 5 years of experience of information systems audit in corporate or public sector (5 years – 15 pts., each additional year – 10 pts., up to max of 65 pts.);	65			
	Relevant IT cypher security certification (including CompTIA Security+, CEH: Certified Ethical Hacker, GSEC: SAMS GIAC Security Essentials, CISSP: Certified Information Systems Security Professional, CISM: Certified Information Security Manager or ICS/SCADA or European Union Agency for Network and Information Security)	10			
	Practical experience in ICT audit in public bodies (one project - 10 pts., additional projects – 5 pts., up to max. 40 pts.)	40			
	Fluency in Ukrainian and English (Ukrainian – 5 pts., English – 5 pts).	10			
<b>Total Form 3</b>		<b>450</b>			

## Section 5. Terms of Reference

### Provision of services to support Verkhovna Rada in Complex diagnostics of information systems of the Verkhovna Rada

Project name: EU-UNDP Parliamentary Reform Project

Timeframe: The entire assignment has to be accomplished within 18 weeks after the signature of the contract (indicatively – April – August 2020)

## **1. Background Information on the Project:**

The EU-UNDP Parliamentary Reform Project (PRP) is aimed at strengthening the functioning of the Ukrainian Parliament, the Verkhovna Rada of Ukraine, its working bodies, MPs and Secretariat (VRU), to become a progressively more effective, accountable and transparent institution in carrying out its constitutional responsibilities of legislation, oversight, and representation with positive influence on the overall process of EU-Ukraine Association Agreement implementation. The project strategy is aligned with the priorities of the EU's Single Support Framework for Ukraine 2018 – 2020, the Government of Ukraine – UN Partnership Framework 2018–2022, and the UNDP Country Programme Document 2018 – 2022. It is built on achievements and lessons learnt of the EU-UNDP Rada for Europe project (2016-2018) and will continue to support parliamentary reform, including through promoting the implementation of the recommendations of the 2016 Needs Assessment Mission (NAM). For the continuation of parliamentary reform, top level leadership and political ownership is key, which will be assured through continuous high-level consultations with relevant stakeholders and full transparency of project implementation.

The project is an EU-funded initiative strongly connected to UNDP's Democratic Governance Programme and comprises of three components. Component One, #Rada4Reforms, will focus on fostering the parliament's role in the overall reform process with a particular emphasis on improvement of the legislative process and parliamentary oversight, by providing comprehensive expert support to the implementation of the VRU Roadmap for Internal Reform and Capacity Building, improving the quality draft law expertise and impact assessment, and enhancing parliamentary monitoring.

Component Two, #RadaPro, will support the professional modernization of the parliamentary Secretariat, through the finalisation and implementation of its strategic development plan and comprehensive human resource development, including in the Committee Secretariats, along the lines of broader public administration reform (PAR) and the law "On Civil Service".

Component Three, #Transparent&Service-OrientedRada, by making use of new technologies for communications, civic education and participation in coherence will build stronger transparency and accountability links between parliament and citizens with special focus of increasing public trust to the Ukrainian Parliament.

A strategy of electronic parliamentarism for 2018-2020 (hereafter - eParliament Strategy) was adopted by the decision of the Speaker of the Verkhovana Rada of Ukraine on 5 July 2018 (<https://zakon.rada.gov.ua/laws/show/278/18-%D1%80%D0%B3>). The strategy foresees implementation of a number of e-governance initiatives, namely:

- digital legislative process based upon the electronic document management system (including e-draft law, e-committee, MP e-office, Eurovoc, and other instruments);
- plenary work in the framework of electronic room of plenary sessions (registration and voting procedures for MPs aimed, inter alia, at elimination of proxy voting)

- single information environment for legislative activity ensuring the transparency of the work of the Verkhovna Rada of Ukraine
- reliable protection of information resources of the Verkhovna Rada of Ukraine (in particular for website of the Verkhovna Rada of Ukraine; website of committees; web resources of the Verkhovna Rada of Ukraine; e-mail server of the Verkhovna Rada of Ukraine)

Implementation of the above initiatives requires a comprehensive review of the current information and communication systems used for parliamentary work. To support Verkhovna Rada in carrying out complex diagnostics of information systems UNDP is seeking to contract through competitive selection process a company/organisation/expert group specialised in information&communication technologies audits (ICT audit).

Complex diagnostics of information systems of the Verkhovna Rada should be conducted in accordance with European standards in the field of information technology and current Ukrainian regulations on protection of information.

## **2. DESCRIPTION OF RESPONSIBILITIES / SCOPE OF WORK**

The Objective of this assignment is to:

1. Conduct inclusive and comprehensive assessment/review/diagnostics of independent information systems used of the Verkhovna Rada covering the following aspects:
  - sustainability of infrastructure and software (through diagnostics of data centres and technical infrastructure, diagnostics of equipment and software);
  - gaps in software functionality and analysis of continuity of service provision;
  - ITC security;
  - relevance of the existing infrastructure and software in relation to the objectives & tasks of the E-Parliament Strategy;
  - analysis of implementation of the E-Parliament Strategy during 2018-2019;
  - analysis of costs for information systems support;
  - cost estimate for the implementation of e-governance initiatives foreseen by the E-Parliament Strategy taking into account the available information systems;
  - prioritization plan for the implementation of e-governance initiatives foreseen by the E-Parliament Strategy
  - analysis of IT governance in the Secretariat of the Verkhovna Rada of Ukraine.
2. Provide analysis of internal rules and regulations on the functioning of the existing information systems in the Secretariat of the Verkhovna Rada of Ukraine;
3. Prepare an ICT Audit report, including relevant recommendations to support the Verkhovna Rada in implementation of the E-Parliament Strategy.
4. Develop the action plan for implementation of the recommendations based on findings of the ICT Audit, including the list of the information systems, responsible persons from the Secretariat of the Verkhovna Rada of Ukraine, budget needed to develop or update the information systems with indicated source of funding (state budget or technical assistance).

The ITC Audit shall be carried out in close cooperation with the Department of computerized systems of the VRU and shall cover the following information systems of the Verkhovna Rada:

Part I	<ul style="list-style-type: none"> <li>- Software and technical complex "Electronic voting and counting system;</li> <li>- AS "Electronic voting and vote counting of new generation";</li> <li>- AS "Electronic Conciliation Council";</li> <li>- Hardware and software complex "Electronic Meeting Hall of the Committee and Factions";</li> <li>- AS "Electronic agenda of Plenary Meeting";</li> <li>- AS "Electronic Committee"; AS "Electronic meeting of the Verkhovna Rada Committee";</li> <li>- AS "Automated Document Management System of the Verkhovna Rada of Ukraine";</li> <li>- AS to register all types of information produced in the Secretariat;</li> <li>- AS "Electronic Draft Law";</li> <li>- Ukrainian version of Eurovoc thesaurus;</li> <li>- AS "Entrance permits of the VRU"; AS "Requests to visit open plenary meetings".</li> </ul>
Part II	<ul style="list-style-type: none"> <li>- AS "Electronic Personal Office of the Member of Parliament of Ukraine, an employee of the Secretariat of the Verkhovna Rada of Ukraine";</li> <li>- System of electronic interaction between the subjects of the legislative initiative: the MPs of Ukraine, the Cabinet of Ministers of Ukraine and the President of Ukraine;</li> <li>- AS "Unified system for accounting and control of requests for information"; AS "Requests for Information";</li> <li>- AS "Requests of MPs, Instructions of the Verkhovna Rada of Ukraine";</li> <li>- AS "Automated workplace "Appeals of MPs";</li> <li>- E-mail server of the VRU, mailboxes of the MPs and employees of the Secretariat;</li> <li>- AS "Automatization of the activities of the Department of Inter-Parliamentary Relations";</li> <li>- AS "Legislation of Ukraine".</li> </ul>
Part III	<ul style="list-style-type: none"> <li>- Official public web portal of the Verkhovna Rada of Ukraine;</li> <li>- Websites of the Verkhovna Rada Committees (23);</li> <li>- Websites of departments of the Secretariat of the Verkhovna Rada of Ukraine (6);</li> <li>- The Verkhovna Rada of Ukraine's open data portal;</li> <li>- Web-portal of electronic petitions of the Verkhovna Rada of Ukraine;</li> <li>- Web-portal of public discussion of draft laws of the Verkhovna Rada of Ukraine;</li> <li>- Web-portal "Citizen's Electronic Office";</li> <li>- AS "Electronic Petitions";</li> <li>- AS "Citizens' Appeals".</li> </ul>
Part IV	<ul style="list-style-type: none"> <li>- IS "Electronic library and archives of the Verkhovna Rada of Ukraine";</li> <li>- AS "Computer hardware and software";</li> <li>- Software and technical complex "Archives";</li> <li>- IP telephony;</li> <li>- Digital TV;</li> <li>- System of video-conferences in boardrooms;</li> <li>- Video surveillance and pattern recognition systems.</li> </ul>

The ICT audit shall be structured in the final report and grouped in at least the following areas (see Annex I for more details):

### **Evaluation of infrastructure sustainability**

Shall cover inventory of the existent hardware and software and assessment of the current situation regarding the infrastructure identifying hardware in production service that is past the manufacturers recommended end-of-life or infrastructure software that is not current to the vendor current release minus 1. It shall also include assessment of relevance and need to upgrade the existing infrastructure (data centers and equipment) in the light of implementation of the E-Parliament Strategy, including a cost estimate for necessary investments and prioritization plan.

The results of evaluation of infrastructure sustainability shall include conclusions regarding:

1. Correspondence of the current IT architecture to the goals of ensuring the stability and reliability of information systems and preservation of databases.
2. Correspondence of the current IT architecture to the objectives of tasks of the E-Parliament Strategy.
3. Compliance of the equipment with modern requirements in terms of ensuring the stability, reliability of the information systems, the size of the VRU IT department, the number of staff and the volume of operations.
4. The list of equipment that needs to be replaced due to the end of the life cycle or the failure to meet current (modern) IT security requirements and objectives of the E-Parliament Strategy. An indicative cost estimate of the equipment to be replaced or upgraded.
5. Efficiency of the use of existing information systems, including those already procured but not implemented or partially implemented, existing risks and bottlenecks identified at operation (including information security status of these systems), their impact on administrative processes.
6. General risks and recommendations for improving the stability, reliability, preservation of databases and their backups.

#### **Evaluation of application sustainability**

Shall be an objective assessment of sustainability of maintenance, routine operation and opportunities to upgrade each application or application software product listed above, particularly, in the light of objectives & tasks of the E-Parliament Strategy (including cost estimate and prioritization plan). Each application should to be rated depending on how it is measured by key factors of sustainability:

- Are basic application software documentation needs met?
- Can the source code and the database model be modified and upgraded?
- Has the application been built using sustainable programming language or sustainable development tools, or turn-key commercial products that are still supported?
- Whether the product versions, on which the application software is based, are at the current release or current release minus 1 of the product?
- Is the application relevant for the implementation of the the E-Parliament Strategy.

The results of evaluation of application sustainability shall include conclusions regarding:

1. Key issues, limitations, disadvantages regarding the status, service sustainability and informational systems operation as well as recommendations on options for improving informational systems sustainability (technical, financial and operational), particularly, in the light of the implementation of the E-Parliament Strategy.
2. Critical dependence on external IT service providers.
3. Scope and relevance of the developed IT product/solution/automated system (AS) to the specifications stated in the tender notice and the contract signed between the Verkhovna

Rada and the contractor, as well as in the light of the objectives & tasks of the E-Parliament Strategy.

4. Efficiency of the use of existing information systems, including those already procured but not implemented or partially implemented, existing risks and bottlenecks identified at operation (including information security status of these systems), their impact on administrative processes.
5. Sustainability of the internal methodological framework, existing guidelines, regulations, policies in the field of IT management, with recommendations on possible further improvement steps and critical gaps in the methodological basis of the VRU IT Department.

### **Assessment of the functional gaps of the applications**

Shall be a subjective assessment of the functionality of the software per the current and future operational needs, particularly, in the light of the objectives & tasks of the E-Parliament Strategy. Assessment of functional software gaps should be carried out for each of the key business functions of the parliamentary process (see list of information systems of the VRU provided above). The preliminary options to address identified functional gaps should be considered in the final report.

The results of Assessment of the functional gaps of the applications shall include conclusions regarding:

1. Identified functional gaps, the compliance of the informational systems with the number of operating personnel and the volume of transactions, as well as recommendations on possible options for further development of informational systems in the implementation of the E-Parliament Strategy. The recommendations should base on fit-gap analysis with proposing alternatives and sequencing for reducing functional gaps. It must include a cost-benefit analysis in addition to all the technical, functional content and must consider options, such as, creation of new applications, developing/building new functionalities within the existing applications, integration, support on external products, substitution of applications, or even not covering them.
2. Recommendations regarding:
  - automation of key functions of parliamentary work;
  - integration\consolidation of VRU information systems;
  - possible ways of addressing the identified problems and further development in the medium term in the framework of the implementation of the E-Parliament Strategy.

### **Security Review**

The scope of the security review is an end-to-end assessment of the current security posture of the VRU information systems in comparison to good practices in IT infrastructure and applications as well as security policies, administrative practices, and management practices.

ICT security and data protection are directed at threat prevention, detection, analysis, response, and recovery. Each aspect is expected to be covered in the security review. The outcome of the review shall identify security and data protection gaps and the related risks they present, include recommendations on how these gaps can be addressed, the priority of addressing gaps (H, M, L), and any indicative costs for addressing gaps that can be provided.

From an infrastructure and monitoring tools perspective, the audit is intended to highlight weaknesses or gaps compared to good practices in threat prevention, detection, and analysis. Security review shall also cover:

- security policy and security administration practices including proper segregation of system access privileges based on employee roles to guard against data theft and financial fraud,
- adequacy of transaction audit trailing and investigator access to audit trails,
- proper utilization of database management systems logging features to provide evidence of source the of changes, and
- integrity of change control practices for application code or database changes by ICT staff.

The results of the security review should include:

- Critical observations and implications – the list of identified deficiencies and description of their impact on the stability and reliability of key information systems and data;
- Recommendations to eliminate or reduce the impact of identified deficiencies; and
- Recommendations on introducing additional monitoring and control systems.

### **Requirements for the final report.**

The reports should include both fully detailed research summaries with recommendations and smaller summary presentations with links between them that will help drill down.

The report should show the scope and relevance of the developed IT product (information system) to the specifications stated in the tender notice and the contract signed between the Verkhovna Rada and the contractor.

The recommendations provided should consider the requirements and limitations of the current legislation in the field of ensuring the operation of information systems in public authorities and the requirements for the protection of information in information and telecommunication systems.

### **3. DELIVERABLES AND IMPLEMENTATION SCHEDULE**

The contractor will be responsible for the following specific deliverables:

Deliverable #	Task description	Deadline
Deliverable #1	<p><u>Inception report</u> (to be annexed to the Interim Report #1)            Shall cover a) initial results; b) work plan; c) proposed approach for fulfilment of the assignment; d) proposed clarifications to the resources to be provided by the Contractor and the VRU; e) any other assignment-related matters that the Contractor wishes to raise.</p> <p>The proposed approach should be based on the Information Technology Infrastructure Library (ITIL) and Control Objectives for Information and Related Technology (COBIT) methodologies.</p> <p>The Inception report is subject to mandatory approval by the UNDP prior to commencement of ITC audit works (practical diagnostics of equipment and software).</p> <p>After the commencement of the works, changes and adjustments to the Inception Report, which do not contradict these specifications, can be made upon approval by both parties.</p>	<p>Within 4 weeks after the signature of the contract</p>

Deliverable #2	<p>ITC Audit report covering VRU information systems grouped in the Part I above. (to be annexed to the Interim Report #2)</p> <p>Shall include a) the results of the assessment of the VRU information systems grouped in Part I above as per key aspects specified in the section 2 of these Terms of Reference; b) analysis of internal rules and regulations on the functioning of the information systems; c) prioritized recommendations (high, medium, and low) and action plan for their implementation with relevant estimated costs according to prioritization.</p>	Within 8 weeks after the signature of the contract
Deliverable #3	<p><u>ITC Audit report</u> covering VRU information systems grouped in the <u>Part II</u> above. (to be annexed to the Interim Report #3)</p> <p>Shall include a) the results of the assessment of the VRU information systems grouped in Part II above as per key aspects specified in the section 2 of these Terms of Reference; b) analysis of internal rules and regulations on the functioning of the information systems; c) prioritized recommendations (high, medium, and low) and action plan for their implementation with relevant estimated costs according to prioritization.</p>	Within 11 weeks after the signature of the contract
Deliverable #4	<p><u>ITC Audit report</u> covering VRU information systems grouped in the <u>Part III</u> above. (to be annexed to the Interim Report #4)</p> <p>Shall include a) the results of the assessment of the VRU information systems grouped in Part III above as per key aspects specified in the section 2 of these Terms of Reference; b) analysis of internal rules and regulations on the functioning of the information systems; c) prioritized recommendations (high, medium, and low) and action plan for their implementation with relevant estimated costs according to prioritization.</p>	Within 14 weeks after the signature of the contract
Deliverable #5	<p><u>ITC Audit report</u> covering VRU information systems grouped in the <u>Part IV</u> above. (to be annexed to the Final Report)</p> <p>Shall include a) the results of the assessment of the VRU information systems grouped in Part IV above as per key aspects specified in the section 2 of these Terms of Reference; b) analysis of internal rules and regulations on the functioning of the information systems; c) prioritized recommendations (high, medium, and low) and action plan for their implementation with relevant estimated costs according to prioritization.</p>	Within 17 weeks after the signature of the contract

UNDP will provide payments upon provision of deliverables duly certified by UNDP in accordance with the table above. UNDP will be the ultimate authority to control the quality of work results and assess the Contractor's performance during the assignment.

Payments are made in four tranches as per the Schedule of payments indicated in the table above.

#### 4. MONITORING/REPORTING REQUIREMENTS



UNDP Parliamentary Reform Team Lead in close coordination with the Parliamentary E-Governance and Transparency Specialist will supervise the work of the contractor through regular in person and e-mail/or telephone / Skype communication. Upon completion of the task, the deliverables will be checked by the Parliamentary Reform Project team. The final report in English shall be submitted electronically to UNDP within 18 weeks after the signature of the contract in addition to documents within deliverables. UNDP will be the ultimate authority to control the quality and evaluate the work. No reports, documents, communications should be published or distributed to third parties without prior approval of UNDP. Should any travel be needed for the assignment, which is not envisaged at this stage, the related costs will be covered additionally, therefore, the incumbent should not include this cost in his/her financial proposal.

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

- Interim report #1– upon completion of Deliverable 1
- Interim Report #2 - upon completion of Deliverable 2;
- Interim Report #3 – upon completion of Deliverable 3;
- Interim Report #4 – upon completion of Deliverables 4;
- Final Report – upon completion of Deliverable 5.

The Contractor's Team

- The team will ensure that the tasks are implemented timely, as agreed in the work plan and the contract. The contractor will be responsible for timely completion of their milestones;
- The team members will be responsible for accessing any documentation relating to their assignment and will treat this information as confidential;
- The team members will be responsible to follow-up with the setting agenda of meetings and interviews;
- The team will flag UNDP of any problems faced during conduct of the work, any foreseen delays, etc. on time, to ensure a development of a risk mitigation measure.

### **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.

## **5. REQUIREMENTS FOR CONTRACTOR (COMPANY/ORGANISATION/EXPERT GROUP)**

The consultancy requests company/organisation/expert group that will be presented in the tender proposal with their key qualifications and specialities related to the assignment: Team Leader, at least one IT Auditor, IT Security Expert. Team Leader will lead the assignment in close collaboration with IT auditor and IT Security expert.

Key requirements to the organisation:

- Officially registered organisation (commercial or non-profit). In case, if Group of Experts decides to apply, a letter of affiliation with an officially registered organisation (which will be the Contractor in case of contract award) must be provided;

- At least 10 years of experience in similar ICT assessments and audit assignments;
- Have proven experience (at least 1 success project of similar scope in a public body during last 3 years);
- Strong skills and knowledge of international standards and control frameworks, including ITIL and COBIT;
- Experience in managing large public sector ICT projects will be an advantage.

Key requirements to the Expert Team:

Team Leader:

- Master degree in informatics, engineering or other IT related fields;
- At least 10 years of experience of information systems audit in corporate or public sector;
- ICT Audit qualification (Certified Information Systems Auditor or equivalent such as CISM, CISSI, ISO 27001-2013 Lead Auditor);
- Practical experience in ICT audit in public bodies (concrete projects) will be an advantage;
- Fluency in Ukrainian and English.

IT Auditor:

- Master's degree in IT-related field;
- At least 5 years of experience of information systems audit in corporate or public sector;
- ICT Audit qualification (Certified Information Systems Auditor or equivalent such as CISM, CISSI, ISO 27001-2013 Lead Auditor);
- Practical experience in ICT audit in public bodies (concrete projects) will be an advantage;
- Fluency in Ukrainian and working level of English.

IT Security Expert:

- Master's degree in IT-related field;
- At least 5 years of experience of information systems audit in corporate or public sector
- Relevant IT cypher security certification (including CompTIA Security+, CEH: Certified Ethical Hacker, GSEC: SAMS GIAC Security Essentials, CISSP: Certified Information Systems Security Professional, CISM: Certified Information Security Manager or ICS/SCADA or European Union Agency for Network and Information Security);
- Practical experience in ICT audit in public bodies (concrete projects) will be an advantage;
- Fluency in Ukrainian and working level of English.

The proposed team may be extended in case of necessity, by other members to ensure delivery. Technical evaluation will be provided for Team Leader, IT Auditor and IT Security Expert.

Failure to comply with the above-mentioned minimum requirements shall constitute a reason for disqualification.

## **6. DOCUMENTS TO BE SUBMITTED IN TECHNICAL PROPOSAL**



Letter of interest/proposal, with concrete action on how the work will be conducted and/or approached;

- ☒ Proposed working plan, with suggested timeline; approach to the development of the project and description how objectives mentioned in ToR will be achieved.
- ☒ Publicly available information about similar projects.  
Should part of the work under this ToR be sub-contracted, the applicant can provide samples from the expected sub-contractors. Sub-contracting arrangements in this case must be clearly described in the Technical Proposal.

#### **SUGGESTED PAYMENT SCHEDULE:**

Payment for services of the Contractor will be held in 5 stages upon completion of each deliverable after the submission of the interim/final reports:

1. 20% from the grand total are to be paid upon submission of Interim Report #1;
2. 20% from the grand total are to be paid after submission of Interim Report #2;
3. 20% from the grand total are to be paid after submission of Interim Report #3;
4. 20% from the grand total are to be paid after submission of Interim Report#4;
5. 20% from the grand total are to be paid after submission of Final Report.

## 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:

<b>Have you duly completed all the Returnable Bidding Forms?</b>	
▪ Form A: Technical Proposal Submission Form	<input type="checkbox"/>
▪ Form B: Bidder Information Form	<input type="checkbox"/>
▪ Form C: Joint Venture/Consortium/ Association Information Form	<input type="checkbox"/>
▪ Form D: Qualification Form	<input type="checkbox"/>
▪ Form E: Format of Technical Proposal	<input type="checkbox"/>
<b>Have you provided the required documents to establish compliance with the evaluation criteria in Section 4?</b>	<input type="checkbox"/>

### Financial Proposal Envelope

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

▪ Form F: Financial Proposal Submission Form	<input type="checkbox"/>
▪ Form G: Financial Proposal Form	<input type="checkbox"/>

## 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:

- a) 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;
- b) 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;
- c) have no conflict of interest in accordance with Instruction to Bidders Clause 4;
- d) 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);
- e) 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;
- f) 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: Bidder Information Form

<b>Legal name of Bidder</b>	[Complete]
<b>Legal address</b>	[Complete]
<b>Year of registration</b>	[Complete]
<b>Bidder's Authorized Representative Information</b>	Name and Title: [Complete] Telephone numbers: [Complete] Email: [Complete]
<b>Are you a UNGM registered vendor?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No If yes, [insert UGNM vendor number]
<b>Are you a UNDP vendor?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No If yes, [insert UNDP vendor number]
<b>Countries of operation</b>	[Complete]
<b>No. of full-time employees</b>	[Complete]
<b>Quality Assurance Certification (e.g. ISO 9000 or Equivalent) (If yes, provide a Copy of the valid Certificate):</b>	[Complete]
<b>Does your Company hold any accreditation such as ISO 14001 related to the environment? (If yes, provide a Copy of the valid Certificate):</b>	[Complete]
<b>Does your Company have a written Statement of its Environmental Policy? (If yes, provide a Copy)</b>	[Complete]
<b>Contact person UNDP may contact for requests for clarification during Proposal evaluation</b>	Name and Title: [Complete] Telephone numbers: [Complete] Email: [Complete]
<b>Please attach the following documents:</b>	▪ as per Section 4, required documents

## 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 <i>(address, telephone numbers, fax numbers, e-mail address)</i>	Proposed proportion of responsibilities (in %) and type of services to be performed
1	[Complete]	[Complete]
2	[Complete]	[Complete]
3	[Complete]	[Complete]

<b>Name of leading partner</b>  (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: _____



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

<input type="checkbox"/> Contract non-performance did not occur for the last 3 years			
<input type="checkbox"/> 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)

<input type="checkbox"/> No litigation history for the last 3 years			
<input type="checkbox"/> 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

<b>Annual Turnover for the last 3 years</b>	Year	USD
	Year	USD
	Year	USD
<b>Latest Credit Rating (if any), indicate the source</b>		

Financial information (in US\$ equivalent)	Historic information for the last 3 years		
	Year 1	Year 2	Year 3
	<i>Information from Balance Sheet</i>		
Total Assets (TA)			
Total Liabilities (TL)			
Current Assets (CA)			
Current Liabilities (CL)			
	<i>Information from Income Statement</i>		
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:

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

## Form E: Format of Technical 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

- 1.1 Brief description of the organization, including the year and country of incorporation, and types of activities undertaken.
- 1.2 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).
- 1.3 Relevant certificates and association membership confirming documents.
- 1.4 Quality assurance procedures and risk mitigation measures.
- 1.5 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.

- 2.1 Detailed organizational structure of the Company, including quantity of qualified personal available.
- 2.2 Information about sales volumes past 3 years.
- 2.3 Description of booking system in use
- 2.4 Quality assurance and service support provision information.
- 2.5 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.
- 2.6 Description of available performance monitoring and evaluation mechanisms and tools; how they shall be adopted and used for a specific requirement.
- 2.7 Demonstrate how you plan to integrate sustainability measures in the execution of the contract.
- 2.8 Any other comments or information regarding the project approach and methodology that will be adopted.

### SECTION 3: Management Structure and Key Personnel

- 3.1 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.
- 3.2 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

<b>Name of Personnel</b>	[Insert]
<b>Position for this assignment</b>	[Insert]
<b>Nationality</b>	[Insert]
<b>Language proficiency</b>	[Insert]
<b>Education/ Qualifications</b>	<i>[Summarize college/university and other specialized education of personnel member, giving names of schools, dates attended, and degrees/qualifications obtained.]</i>
	[Insert]
<b>Professional certifications</b>	<i>[Provide details of professional certifications relevant to the scope of services]</i>
	<ul style="list-style-type: none"> <li>▪ Name of institution: [Insert]</li> <li>▪ Date of certification: [Insert]</li> </ul>
<b>Employment Record/ Experience</b>	<i>[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.]</i>
	[Insert]
<b>References</b>	<i>[Provide names, addresses, phone and email contact information for two (2) references]</i>
	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 Proposal Form

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 a file separate from the Technical Proposal and password protected** 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.

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. Please clearly indicate currency of the proposal

### A. Cost Breakdown per Deliverables\*

	Deliverables [list them as referred to in the TOR]	Percentage of Total Price (Weight for payment)	Tentative Schedule	Price (Lump Sum, All Inclusive)
1	<u>Inception report</u>	20%		
2	<u>ITC Audit report</u> covering VRU information systems grouped in the <u>Part I</u>	20%		
3	<u>ITC Audit report</u> covering VRU information systems grouped in the <u>Part II</u>	20%		
4	<u>ITC Audit report</u> covering VRU information systems grouped in the <u>Part III</u>	20%		
5	<u>ITC Audit report</u> covering VRU information systems grouped in the <u>Part IV</u>	20%		
	<b>Total</b>	<b>100%</b>		<b>USD</b>

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

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

Activity/Costs	Remuneration per Unit of Time (e.g., day, month, etc.)	Total Period of Engagement	Cost per unit	Amount excluding VAT
Personnel Services				
Team Leader				
IT Auditor				
IT Security Expert				
Other members of the team, if needed				
<i>Other costs (if any – to define clearly activities/costs)</i>				

**NB Amounts in both tables must be equal as they represent the same financial proposal from different aspects.**

“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: \_\_\_\_\_



\* Dear partners!

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

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

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

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

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

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