

REQUEST FOR PROPOSAL (RFP)

NAME & ADDRESS OF FIRM	DATE: March 6, 2020		
	REFERENCE: UNDP/RFP/02/2020		

Dear Sir / Madam:

We kindly request you to submit your Proposal **to provide training and support on ERDAS Apollo Advantage Software by Intergraph for Electoral Support Project (ESP).** The detailed Terms of Reference (ToR) is attached as Annex 4.

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

Proposals may be submitted on or before **5:00PM Monday, April 13, 2020** by hand delivery/courier mail to the address below:

United Nations Development Programme UNDP/RFP/02/2020 – Training & support on ERDAS Apollo Advantage Software by Intergraph UNDP Registry, UN House, Pulchowk, Lalitpur, Nepal.

Your Proposal must be expressed in the English language, and valid for a minimum period of 90 days.

In the course of preparing your Proposal, it shall remain your responsibility to ensure that it reaches the address above on or before the deadline. Proposals that are received by UNDP after the deadline indicated above, for whatever reason, shall not be considered for evaluation.

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

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

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

No price variation due to escalation, inflation, fluctuation in exchange rates, or any other market

factors shall be accepted by UNDP after it has received the Proposal. At the time of Award of Contract or Purchase Order, UNDP reserves the right to vary (increase or decrease) the quantity of services and/or goods, by up to a maximum twenty-five per cent (25%) of the total offer, without any change in the unit price or other terms and conditions.

Any Contract or Purchase Order that will be issued as a result of this RFP shall be subject to the General Terms and Conditions indicated herein. The mere act of submission of a Proposal implies that the Service Provider accepts without question the General Terms and Conditions of UNDP in this link: http://www.undp.org/content/undp/en/home/procurement/business/how-we-buy.html

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

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

http://www.undp.org/content/undp/en/home/operations/procurement/protestandsanctions/

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

UNDP implements a zero tolerance on fraud and other proscribed practices, and is committed to preventing, identifying and addressing all such acts and practices against UNDP, as well as third parties involved in UNDP activities. UNDP expects its Service Providers to adhere to the UN Supplier Code of Conduct found in this link : <u>http://www.un.org/depts/ptd/pdf/conduct_english.pdf</u>

Thank you and we look forward to receiving your Proposal.

Sincerely yours,

Shiva Prakash Adhikari Procurement Associate UNDP – Nepal 6 March 2020

Description of Requirements

Context of the Requirement	The Electoral Support Project (ESP) has been supporting the Election Commission, Nepal in electoral operation activities since 2008. During 2013, ESP has supported the Commission to establish a GIS unit on its premises in Kathmandu by providing the necessary hardware, software and training for the staff.
	ECN used the GIS system during the 2013 CA election. An electoral atlas and maps of then 75 districts showing all 240 constituencies were also produced through ESP support that helped ECN in logistics and operational planning during the 2013 elections. The project supported training on GIS and Electoral Risk Management (ERM) for representatives from all 75 DEOs. These trainings created awareness on the wide array of ERM tools and the application of GIS technology on enhancing the management of elections, including electoral security.
	Similarly, with technical support of ESP, ECN developed a series of national and regional electoral maps showing development regions, constituencies, VDC boundaries and polling locations. As part of handing over GIS to ECN, ESP provided technical assistance in developing a manual for District Election Offices (DEOs) that elaborates processes for independently capturing, storing and analysing all types of spatial and geographical data. The management of GIS was officially handed over to ECN in 2016.
	The GIS was a useful tool and facilitated much of the ECN work in terms of delimitation of electoral boundaries, to record all polling stations/locations, disseminate election results, and to use for the distribution of various comparative statistics.
	In 2017 Government of Nepal has introduced the new federal structure and its political boundaries. Due to the limited time and unavailability of the new political boundaries GIS map, ECN was not able to use GIS system in 2017 local level, provincial and federal elections. In addition, the trained staff on GIS were transferred to other government ministries which also affected operation of GIS system in the ECN.
	In the Electoral Support Project Phase II, final evaluation report, one of the major recommendations for ESP was to assist the ECN to ensure the GIS system is functional by training the relevant staff involved in GIS (IT staff and others). Updating the electoral atlas and mapping with the results of the 2017 elections would be useful for ECN's future planning and for the EEIC's exhibits, as well as for other electoral stakeholders such as political parties, media, CSOs and academics. The GIS system also has the potential of supporting ECN monitoring, data analysis, operational planning and outreach and for this purpose can be linked to other current and future ICT systems.
	For the investment to be sustained and GIS mapping to be available to the Election Commission in future processes, the system needs to be revitalized so seek the company/firm to provide training and support to ECN.

Implementing Partner of UNDP	N/A
Brief Description of the Required Services ¹	 The objective is to 1) Make the GIS system of ECN operational; and 2) Ensure that ECN is in a position to manage and maintain the GIS system in a sustainable manner
List and Description of Expected Outputs to be Delivered	 The main expected output of the assignment is to: Make the ECN web-based GIS electoral mapping system operational by using the ERDAS Apollo Advantage Software by Intergraph already installed in the ECN and providing training for the ECN officials. In order to complete the above-mentioned task, the service provider should: Configure the GIS server for performance enhancements. Update the maps with the new federal structure up to ward level map. Test the applications (including the web portal) and its components that were developed earlier; and reconfigure them as required. Prepare a backup server and contingency plan. Prepare or Update training materials (system administration document and user manuals) Train the ECN staff on system administration and operation of the GIS electoral mapping system by using ERDAS Apollo Advantage Software by Intergraph. The training must include, at a minimum: How to use the web portal; Knowledge of the database used in the GIS electoral mapping system; Updating database and provide knowledge of the core application; and Application management (user management and basic application configuration).
Person to Supervise the Work/Performance of the Service Provider	IT Specialist
Frequency of Reporting	As per the ToR
Progress Reporting Requirements	As per the ToR
Location of work	🛛 Kathmandu, Nepal
Expected duration of work	10 working days between April to May 2020
Target start date	20 April 2020

¹ A detailed TOR may be attached if the information listed in this Annex is not sufficient to fully describe the nature of the work and other details of the requirements.

Latest completion	31 May 2020
date	
	N/A
Travels Expected	
Special Security	
Requirements	☑ Others: Not Applicable
Facilities to be	
Provided by UNDP	
(i.e., must be	
excluded from	
Price Proposal)	☑ Others: Not Applicable
Implementation	
Schedule indicating	🖾 Required
breakdown and	
timing of	
activities/sub-	
activities	
Company	🛛 Required
Registration	
Certificate	
Company Profile	🛛 Required
Latest Tax	
Clearance	⊠ Required
Certificate	
VAT/PAN	☑ Required (in case of the companies and firms)
Registration	
List of projects	🛛 Required
completed (please	
indicate contract	
value and	
duration)	
List of major clients	🖾 Required
with detailed	
contact address for	
last two years	
Names and	
curriculum vitae of	🖾 Required
the Team Leader	
and Expert	
including the	
individuals who	
will be involved in	
completing the	
services	
Currency of	
Proposal	M Local Currency Nepalece Purses (NDD.)
	⊠ Local Currency: Nepalese Rupees (NPR.)

Value Added Tax on Price Proposal ²	 must be inclusive of VAT and other applicable indirect taxes must be exclusive of VAT and other applicable indirect taxes 			
Validity Period of Proposals (Counting for the last day of submission of quotes)	■ 90 days In exceptional circumstances, UNDP may request the Proposer to extend the validity of the Proposal beyond what has been initially indicated in this RFP. The Proposal shall then confirm the extension in writing, without any modification			
	whatsoever on the Pro	posal.		
Partial Quotes	⊠ Not permitted			
Payment Terms ³	Outputs Upon submission of all deliverables as mentioned in the TOR	Percentage 100%	Timing	Condition for Payment Release Within thirty (30) days from the date of meeting the following conditions: a) UNDP's written acceptance (i.e., not mere receipt) of the quality of the outputs; and b) Receipt of invoice from the Service Provider.
Person(s) to review/inspect/ approve outputs/completed services and authorize the disbursement of payment	CTA/Project Manager			
Criteria for Contract Award	☑ Highest Combined So weight distribution)	core (based on	the 70% te	chnical offer and 30% price

 $^{^{2}}$ VAT exemption status varies from one country to another. Pls. check whatever is applicable to the UNDP CO/BU requiring the service.

³ UNDP preference is not to pay any amount in advance upon signing of contract. If the Service Provider strictly requires payment in advance, it will be limited only up to 20% of the total price quoted. For any higher percentage, or any amount advanced exceeding \$30,000, UNDP shall require the Service Provider to submit a bank guarantee or bank cheque payable to UNDP, in the same amount as the payment advanced by UNDP to the Service Provider.

	☑ Full acceptance of the UNDP Contract General Terms and Conditions (GTC). This is a mandatory criterion and cannot be deleted regardless of the nature of services required. Non acceptance of the GTC may be grounds for the rejection of the Proposal.
Criteria for the Assessment of Proposal	 Technical Proposal – 1000 points ☑ Expertise of the Firm – 350 points ☑ Methodology, Its Appropriateness to the Condition and Timeliness of the Implementation Plan- 350 points ☑ Management Structure and Qualification of Key Personnel- 300 points
	Financial Proposal – 300 points To be computed as a ratio of the Proposal's offer to the lowest price among the proposals received by UNDP.
UNDP will award the contract to:	☑ One and only one Service Provider
Type of Contract to be Signed	 Purchase Order Contract Face Sheet (Goods and-or Services) UNDP (this template is also utilised for Long-Term Agreement⁴ and <i>if LTA will be signed, specify the document that will trigger the call-off. E.g., PO, etc.</i>) Other Type/s of Contract
Contract General Terms and Conditions ⁵	 □ General Terms and Conditions for contracts (goods and/or services) ☑ General Terms and Conditions for de minimi contracts (services only) Applicable Terms and Conditions are available at: <u>http://www.undp.org/content/undp/en/home/procurement/business/how-we-buy.html</u>
Annexes to this RFP ⁶	 Form for Submission of Proposal (Annex 2) General Terms and Conditions / Special Conditions (Annex 3)⁷ Detailed TOR – Annex 4 [pls. specify]

⁴ Minimum of one (1) year period and may be extended up to a maximum of three (3) years subject to satisfactory

performance evaluation ⁵ Service Providers are alerted that non-acceptance of the terms of the General Terms and Conditions (GTC) may be grounds for disqualification from this procurement process.

⁶ Where the information is available in the web, a URL for the information may simply be provided.

⁷ Service Providers are alerted that non-acceptance of the terms of the General Terms and Conditions (GTC) may be grounds for disqualification from this procurement process.

⁸ A more detailed Terms of Reference in addition to the contents of this RFP may be attached hereto.

Contact Person for	Procurement Unit				
Inquiries	UNDP Nepal				
(Written inquiries	Email: query.procurement.np@undp.org				
only) ⁹	Written inquiries must be submitted mentioning RFP Ref: UNDP/RFP/02/2020 –				
Only	Training & support on ERDAS Apollo Advantage Software by Intergraph, on or				
	before 5:00PM, 23 March 2020. UNDP shall respond to the inquiries through a				
	bulletin posted in UNDP Website:				
	bulletin posted in UNDP Website: http://www.np.undp.org/content/nepal/en/home/operations/				
	procurement.html. Inquiries received after the above date and time shall not be				
	entertained.				
	entertained.				
	Any delay in UNDP's response shall be not used as a reason for extending the				
	deadline for submission, unless UNDP determines that such an extension is				
	necessary and communicates a new deadline to the Proposers				
	The Financial evaluation will be carried out only for the technically qualified				
Other Information	submission that pass the minimum technical score of 70% (700 points) of the				
[pls. specify]	obtainable score of 1000 points in the evaluation of the technical proposals.				
[[]]					
	The Financial Proposal and the Technical Proposal Envelopes MUST BE				
	<u>COMPLETELY SEPARATE</u> and each of them must be submitted sealed individually				
	and clearly marked on the outside and as either "TECHNICAL PROPOSAL" or				
	"FINANCIAL PROPOSAL", as appropriate. Each envelope MUST clearly indicate the				
	name of the Proposer. Failing to submit the Technical and Financial Proposals in				
	separately sealed envelopes will be treated as non-responsive.				
	The outer envelope shall be				
	Addressed to:				
	Deputy Resident Representative				
	United Nations Development Programme				
	UN House, Pulchowk				
	Lalitpur, Nepal				
	Marked with:				
	UNDP/RFP/02/2020 – Training & support on ERDAS Apollo Advantage Software				
	by Intergraph for ESP				

⁹ This contact person and address is officially designated by UNDP. If inquiries are sent to other person/s or address/es, even if they are UNDP staff, UNDP shall have no obligation to respond nor can UNDP confirm that the query was received.

Sum	mary of Technical Proposal Evaluation Forms	Score Weight	Points Obtainable
1	Expertise of firm/Organisation submitting proposal	35%	350
2	Proposed Work Plan and Approach	35%	350
3	Personnel	30%	300
			1000

I. Expertise of firm / organisation submitting proposal (Points obtainable 350 Poi	nts)
1.1 Reputation of Organisation and Staff (Competence / Reliability)	50
1.2 Litigation and Arbitration history	20
1.3 General Organisational Capability which is likely to affect	
implementation (i.e. loose consortium, holding company or one firm,	
size of the firm / organisation, strength of project management	
support e.g. project financing capacity and project management	
controls)	40
1.4 Extent to which any work would be subcontracted (subcontracting	
carries additional risks which may affect project implementation, but	
properly done it offers a chance to access specialised skills.	20
1.5 Quality assurance procedures, warranty	30
Sub total (1.1 to 1.5)	160
1.6 Relevance of: (Points - 190)	
- Specialised Knowledge	80
- Experience on Similar Programme / Projects	60
- Experience on Projects in the Region	25
- Work for UNDP/ major multilateral/ or bilateral programmes	25
Sub Total for 1.6	190
Total for Expertise of firm / organisation submitting proposal (I)	350
II. Proposed Work Plan and Approach (Points obtainable 350 Points)	
2.1 To what degree does the Offeror understand the task?	50
2.2 Have the important aspects of the task been addressed in sufficient	
detail?	30
2.3 Are the different components of the project adequately weighted	
relative to one another?	25
2.4 Is there evidence that the proposal been prepared based on an in-	
depth understanding and prior knowledge of the project environment?	50
2.5 Is the conceptual framework adopted appropriate for the task?	45
2.6 Is the scope of task well defined and does it correspond to the	
TOR?	75
2.7 Is the presentation clear and is the sequence of activities and the	
planning logical, realistic and promise efficient implementation to the	
project?	75
Total for Proposed Work Plan and Approach (II)	350
III. Personnel (Points obtainable 300 Points)	
3.1 Team Leader	

Grand Total (A+B+C)	1000
Total for Personnel (III)	300
Knowledge of Nepali language	15
and Election	85
Professional experience and substantive knowledge in the area of GIS	
Experience in the ERDAS Apollo Advantage Software by Intergraph	100
Experience in GIS applications development and training	50
experiences	50
Should be bachelor degree in GIS or related field with seven years of	

Annex 2

FORM FOR SUBMITTING SERVICE PROVIDER'S PROPOSAL¹⁰

(This Form must be submitted only using the Service Provider's Official Letterhead/Stationery¹¹)

[insert: Location]. [insert: Date]

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

Dear Sir/Madam:

We, the undersigned, hereby offer to render the following services to UNDP in conformity with the requirements defined in the RFP dated [specify date], and all of its attachments, as well as the provisions of the UNDP General Contract Terms and Conditions:

A. Qualifications of the Service Provider

The Service Provider must describe and explain how and why they are the best entity that can deliver the requirements of UNDP by indicating the following :

a) Profile – describing the nature of business, field of expertise, licenses, certifications, accreditations;

- b) Business Licenses Registration Papers, Latest Tax Payment Certification, etc.
- c) Latest Audited Financial Statement income statement and balance sheet to indicate Its financial stability, liquidity, credit standing, and market reputation, etc. ;
- d) Track Record list of clients for similar services as those required by UNDP, indicating description of contract scope, contract duration, contract value, contact references;
- e) Certificates and Accreditation including Quality Certificates, Patent Registrations, Environmental Sustainability Certificates, etc.
- *f)* Written Self-Declaration that the company is not in the UN Security Council 1267/1989 List, UN Procurement Division List or Other UN Ineligibility List.

B. Proposed Methodology for the Completion of Services

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

C. Qualifications of Key Personnel

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

a) Names and qualifications of the key personnel that will perform the services indicating who is

¹⁰ This serves as a guide to the Service Provider in preparing the Proposal.

¹¹ Official Letterhead/Stationery must indicate contact details – addresses, email, phone and fax numbers – for verification purposes

Team Leader, who are supporting, etc.;

- b) CVs demonstrating qualifications must be submitted if required by the RFP; and
- *c)* Written confirmation from each personnel that they are available for the entire duration of the contract.

D. Cost Breakdown per Deliverable*

	Deliverables [list them as referred to in the RFP]	Percentage of Total Price (Weight for payment)	Price (Lump Sum, All Inclusive)
1	Upon submission of all deliverables as mentioned in the TOR	100%	
	Total	100%	

*This shall be the basis of the payment tranches

E. Cost Breakdown by Cost Component:

SN	Activities	Unit	Rate	No. of Days	Total NPR
Α	Key Human Resources				
1	Team Leader	1		10	
	Sub Total A				
В	Other costs (if any)				
	Sub Total B				
С	Total (A+B)				
D	VAT 13%				
	Grand Total (C+D)				

N. B. Administrative and other associated costs, if any, should be built into the above headings proportionately.

Proposal will be disqualified if it does not follow the above price schedule format.

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

Annex 3

General Terms and Conditions of Contract



UNITED NATIONS DEVELOPMENT PROGRAMME

TERMS OF REFERENCE

Empowered lives. Resilient nations.

I. Position Information

Title: Company to provide training and support on ERDAS Apollo Advantage Software by Intergraph				
Department/Unit: Electoral Support Project, UNDP				
Reports to: The Project/UNDP				
Duty Station: Kathmandu				
Expected Places of Travel (if applicable): Kathmandu				
Duration of Assignment: Total of 10 working days (from April 10 to May 31, 2020)				
Partial				
⊠ Intermittent				
□ Full time				
PROVISION OF SUPPORT SERV	/ICES:			
Office space	⊠Yes	□No		
Equipment (laptop etc)	□Yes	⊠No		
Secretarial Services	□Yes	⊠No		
II. BACKGROUND INFORMATIO	N			

The Electoral Support Project (ESP) has been supporting the Election Commission, Nepal in electoral operation activities since 2008. During 2013, ESP has supported the Commission to establish a GIS unit on its premises in Kathmandu by providing the necessary hardware, software and training for the staff.

ECN used the GIS system during the 2013 CA election. An electoral atlas and maps of then 75 districts showing all 240 constituencies were also produced through ESP support that helped ECN in logistics and operational planning during the 2013 elections. The project supported training on GIS and Electoral Risk Management (ERM) for representatives from all 75 DEOs. These trainings created awareness on the wide array of ERM tools and the application of GIS technology on enhancing the management of elections, including electoral security.

Similarly, with technical support of ESP, ECN developed a series of national and regional electoral maps showing development regions, constituencies, VDC boundaries and polling locations. As part of handing over GIS to ECN, ESP provided technical assistance in developing a manual for District Election Offices (DEOs) that elaborates processes for independently capturing, storing and analysing all types of spatial and geographical data. The management of GIS was officially handed over to ECN in 2016.

The GIS was a useful tool and facilitated much of the ECN work in terms of delimitation of electoral boundaries, to record all polling stations/locations, disseminate election results, and to use for the distribution of various comparative statistics.

In 2017 Government of Nepal has introduced the new federal structure and its political boundaries. Due to the limited time and unavailability of the new political boundaries GIS map, ECN was not able to use GIS system in 2017 local level, provincial and federal elections. In addition, the trained staff on GIS were transferred to other government ministries which also affected operation of GIS system in the ECN.

In the Electoral Support Project Phase II, final evaluation report, one of the major recommendations for ESP was to assist the ECN to ensure the GIS system is functional by training the relevant staff involved in GIS (IT staff and others). Updating the electoral atlas and mapping with the results of the 2017 elections would be useful for ECN's future planning and for the EEIC's exhibits, as well as for other electoral stakeholders such as political parties, media, CSOs and academics. The GIS system also has the potential of supporting ECN monitoring, data analysis, operational planning and outreach and for this purpose can be linked to other current and future ICT systems.

For the investment to be sustained and GIS mapping to be available to the Election Commission in future processes, the system needs to be revitalised.

III. OBJECTIVES OF ASSIGNMENT

The objective is to

- 3) Make the GIS system of ECN operational; and
- 4) Ensure that ECN is in a position to manage and maintain the GIS system in a sustainable manner.

IV. SCOPE OF WORK AND DELIVERABLES

• Making the ECN web-based GIS electoral mapping system operational by using the ERDAS Apollo Advantage Software by Intergraph already installed in the ECN and providing training for the ECN officials.

In order to complete the above-mentioned task, the service provider should:

- 7. Configure the GIS server for performance enhancements.
- 8. Update the maps with the new federal structure up to ward level map.
- 9. Test the applications (including the web portal) and its components that were developed earlier; and reconfigure them as required.
- 10. Prepare a backup server and contingency plan.
- 11. Prepare or Update training materials (system administration document and user manuals)
- 12. Train the ECN staff on system administration and operation of the GIS electoral mapping system by using ERDAS Apollo Advantage Software by Intergraph. The training must include, at a minimum:
 - How to use the web portal;
 - Knowledge of the database used in the GIS electoral mapping system;
 - Updating database and provide knowledge of the core application; and
 - Application management (user management and basic application configuration).

V. Qualifications

Institutional	• The service provider will report directly to the IT Specialist of UNDP ESP. The service
Arrangement	provider should provide the detail work schedule to complete the deliverables mention

	in ToR. Upon the approved work schedule, the service provider needs to carry out the task.
Location of Work	 The service provider needs to work in the ECN premises. Training will be conducted in the ECN building and ESP will provide training logistics.
Qualifications of the Successful Service Provider at Various Levels	 The applicants should be a technology company with a proven record of ERDAS Apollo Advantage Software by Intergraph. The company should have a proven record of successful implementation of ERDAS Apollo Advantage Software by Intergraph. The company should have a team of experts that include technology experts and good trainer. The team leader should have at least 7 years of relevant technology and innovations experience and hold a bachelor's degree in a relevant field. The team leader should have proven ability of innovation with a working knowledge of the United Nations or any other international organization.
Recommended Presentation of Proposal	 The following documents will be requested: a) A company profile; b) Financial Proposal that indicates the all-inclusive fixed total contract price for the training and support GIS applications. c) Estimated timeline, for the completion of deliverables mention in ToR as well as a break-down of the costs;
Criteria for Selecting the Best Offer	 The selection of the best proposal will be done by using Combined Scoring method – where the qualifications and methodology will be weighted a maximum of 70% and combined with the price offer which will be weighted a maximum of 30%. The technical part of the application will be assessed based on the strength of the mobile ideation that best fits ESP's needs, as well as previous experiences of the provider in developing such tools.

VI. Payment

100% payment after the receipt of all deliverables as mentioned in the TOR.