*United Nations Development Programme*

**REQUEST FOR PROPOSAL**

**Development of the Design for remediation and recultivation of the former industrial location “Incel” in Banja Luka**

RFP No.: RFP-019-21

Project: POPs

Country: Bosnia and Herzegovina

Issued on: 4 May 2021

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# Section 1. Letter of Invitation

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

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

 Section 1: This Letter of Invitation

Section 2: Instruction to Bidders

Section 3: Bid Data Sheet (BDS)

Section 4: Evaluation Criteria

Section 5: Terms of Reference

Section 6: Returnable Bidding Forms

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

If you are interested in submitting a Proposal in response to this RFP, please prepare your Proposal in accordance with the requirements and procedure as set out in this RFP and submit it by the Deadline for Submission of Proposals set out in Bid Data Sheet through the UNDP ATLAS E-Tendering system, which can be accessed at <https://etendering.partneragencies.org>.

**Insert BU Code: BIH10**

**Event ID: 0000009180**

Please acknowledge receipt of this RFP by sending an email to registry.ba@undp.org, indicating whether you intend to submit a Proposal or otherwise. You may also utilize the “Accept Invitation” function in eTendering 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.

 Sincerely,

UNDP BiH

# Section 2. Instruction to Bidders

|  |
| --- |
| GENERAL PROVISIONS |
| Introduction | * 1. Bidders shall adhere to all the requirements of this RFP, including any amendments in writing by UNDP. This RFP is conducted in accordance with the UNDP Programme and Operations Policies and Procedures (POPP) on Contracts and Procurement which can be accessed at <https://popp.undp.org/SitePages/POPPBSUnit.aspx?TermID=254a9f96-b883-476a-8ef8-e81f93a2b38d>
	2. Any Proposal submitted will be regarded as an offer by the Bidder and does not constitute or imply the acceptance of the Proposal by UNDP. UNDP is under no obligation to award a contract to any Bidder as a result of this RFP.
	3. As part of the bid, it is desired that the Bidder registers at the United Nations Global Marketplace (UNGM) website ([www.ungm.org](http://www.ungm.org)). The Bidder may still submit a bid even if not registered with the UNGM. However, if the Bidder is selected for contract award, the Bidder must register on the UNGM prior to contract signature.
 |
| Fraud & Corruption, Gifts and Hospitality | * 1. UNDP strictly enforces a policy of zero tolerance on proscribed practices, including fraud, corruption, collusion, unethical or unprofessional practices, and obstruction of UNDP vendors and requires all bidders/vendors observe the highest standard of ethics during the procurement process and contract implementation. UNDP’s Anti-Fraud Policy can be found at <http://www.undp.org/content/undp/en/home/operations/accountability/audit/office_of_audit_andinvestigation.html#anti>
	2. Bidders/vendors shall not offer gifts or hospitality of any kind to UNDP staff members including recreational trips to sporting or cultural events, theme parks or offers of holidays, transportation, or invitations to extravagant lunches or dinners.
	3. In pursuance of this policy, UNDP(a) Shall reject a proposal if it determines that the selected bidder has engaged in any corrupt or fraudulent practices in competing for the contract in question;(b) Shall declare a vendor ineligible, either indefinitely or for a stated period of time, to be awarded a contract if at any time it determines that the vendor has engaged in any corrupt or fraudulent practices in competing for, or in executing a UNDP contract.
	4. All Bidders must adhere to the UN Supplier Code of Conduct, which may be found at <http://www.un.org/depts/ptd/pdf/conduct_english.pdf>
 |
| Eligibility | * 1. A vendor should not be suspended, debarred, or otherwise identified as ineligible by any UN Organization or the World Bank Group or any other international Organization. Vendors are therefore required to disclose to UNDP whether they are subject to any sanction or temporary suspension imposed by these organizations.
	2. It is the Bidder’s responsibility to ensure that its employees, joint venture members, sub-contractors, service providers, suppliers and/or their employees meet the eligibility requirements as established by UNDP.
 |
| Conflict of Interests | * 1. Bidders must strictly avoid conflicts with other assignments or their own interests, and act without consideration for future work. Bidders found to have a conflict of interest shall be disqualified. Without limitation on the generality of the above, Bidders, and any of their affiliates, shall be considered to have a conflict of interest with one or more parties in this solicitation process, if they:
	2. Are or have been associated in the past, with a firm or any of its affiliates which have been engaged by UNDP to provide services for the preparation of the design, specifications, Terms of Reference, cost analysis/estimation, and other documents to be used for the procurement of the goods and services in this selection process;
	3. Were involved in the preparation and/or design of the programme/project related to the services requested under this RFP; or
	4. Are found to be in conflict for any other reason, as may be established by, or at the discretion of UNDP.
	5. In the event of any uncertainty in the interpretation of a potential conflict of interest, Bidders must disclose to UNDP, and seek UNDP’s confirmation on whether or not such a conflict exists.
	6. Similarly, the Bidders must disclose in their proposal their knowledge of the following:
	7. If the owners, part-owners, officers, directors, controlling shareholders, of the bidding entity or key personnel are family members of UNDP staff involved in the procurement functions and/or the Government of the country or any Implementing Partner receiving services under this RFP; and
	8. All other circumstances that could potentially lead to actual or perceived conflict of interest, collusion or unfair competition practices.

Failure to disclose such an information may result in the rejection of the proposal or proposals affected by the non-disclosure.* 1. The eligibility of Bidders that are wholly or partly owned by the Government shall be subject to UNDP’s further evaluation and review of various factors such as being registered, operated and managed as an independent business entity, the extent of Government ownership/share, receipt of subsidies, mandate and access to information in relation to this RFP, among others. Conditions that may lead to undue advantage against other Bidders may result in the eventual rejection of the Proposal.
 |
| PREPARATION OF PROPOSALS |
| General Considerations | * 1. In preparing the Proposal, the Bidder is expected to examine the RFP in detail. Material deficiencies in providing the information requested in the RFP may result in rejection of the Proposal.
	2. The Bidder will not be permitted to take advantage of any errors or omissions in the RFP. Should such errors or omissions be discovered, the Bidder must notify the UNDP
 |
| Cost of Preparation of Proposal | * 1. The Bidder shall bear any and all costs related to the preparation and/or submission of the Proposal, regardless of whether its Proposal was selected or not. UNDP shall not be responsible or liable for those costs, regardless of the conduct or outcome of the procurement process.
 |
| Language  | * 1. The Proposal, as well as any and all related correspondence exchanged by the Bidder and UNDP, shall be written in the language (s) specified in the BDS.
 |
| Documents Comprising the Proposal | * 1. The Proposal shall comprise of the following documents:
	2. Documents Establishing the Eligibility and Qualifications of the Bidder;
	3. Technical Proposal;
	4. Financial Proposal;
	5. Proposal Security, if required by BDS;
	6. Any attachments and/or appendices to the Proposal.
 |
| Documents Establishing the Eligibility and Qualifications of the Bidder | * 1. The Bidder shall furnish documentary evidence of its status as an eligible and qualified vendor, using the Forms provided under Section 6 and providing documents required in those forms. In order to award a contract to a Bidder, its qualifications must be documented to UNDP’s satisfaction.
 |
| Technical Proposal Format and Content | * 1. The Bidder is required to submit a Technical Proposal using the Standard Forms and templates provided in Section 6 of the RFP.
	2. The Technical Proposal shall not include any price or financial information. A Technical Proposal containing material financial information may be declared non-responsive.
	3. Samples of items, when required as per Section 5, shall be provided within the time specified and unless otherwise specified by UNDP, and at no expense to UNDP
	4. When applicable and required as per Section 5, the Bidder shall describe the necessary training programme available for the maintenance and operation of the services and/or equipment offered as well as the cost to the UNDP. Unless otherwise specified, such training as well as training materials shall be provided in the language of the Bid as specified in the BDS.
 |
| Financial Proposals | * 1. The Financial Proposal shall be prepared using the Standard Form provided in Section 6 of the RFP. It shall list all major cost components associated with the services, and the detailed breakdown of such costs.
	2. Any output and activities described in the Technical Proposal but not priced in the Financial Proposal, shall be assumed to be included in the prices of other activities or items, as well as in the final total price.
	3. Prices and other financial information must not be disclosed in any other place except in the financial proposal.
 |
| Proposal Security | * 1. A Proposal Security, if required by BDS, shall be provided in the amount and form indicated in the BDS. The Proposal Security shall be valid up to thirty (30) days after the final date of validity of the Proposal.
	2. The Proposal Security shall be included along with the Technical Proposal. If Proposal Security is required by the RFP but is not found along with the Technical Proposal, the Proposal shall be rejected.
	3. If the Proposal Security amount or its validity period is found to be less than what is required by UNDP, UNDP shall reject the Proposal.
	4. In the event an electronic submission is allowed in the BDS, Bidders shall include a copy of the Bid Security in their proposal and the original of the Proposal Security must be sent via courier or hand delivery as per the instructions in BDS.
	5. The Proposal Security may be forfeited by UNDP, and the Proposal rejected, in the event of any one or combination, of the following conditions:
		1. If the Bidder withdraws itsoffer during the period of the Proposal Validity specified in the BDS, or;
		2. In the event that the successful Bidder fails:
		3. to sign the Contract after UNDP has issued an award; or
	6. to furnish the Performance Security, insurances, or other documents that UNDP may require as a condition precedent to the effectivity of the contract that may be awarded to the Bidder.
 |
|  Currencies | * 1. All prices shall be quoted in the currency or currencies indicated in the BDS. Where Proposals are quoted in different currencies, for the purposes of comparison of all Proposals:
1. UNDP will convert the currency quoted in the Proposal into the UNDP preferred currency, in accordance with the prevailing UN operational rate of exchange on the last day of submission of Proposals; and
2. In the event that UNDP selects a proposal for award that is quoted in a currency different from the preferred currency in the BDS, UNDP shall reserve the right to award the contract in the currency of UNDP’s preference, using the conversion method specified above.
 |
|  Joint Venture, Consortium or Association | * 1. If the Bidder is a group of legal entities that will form or have formed a Joint Venture (JV), Consortium or Association for the Proposal, they shall confirm in their Proposal that : (i) they have designated one party to act as a lead entity, duly vested with authority to legally bind the members of the JV, Consortium or Association jointly and severally, which shall be evidenced by a duly notarized Agreement among the legal entities, and submitted with the Proposal; and (ii) if they are awarded the contract, the contract shall be entered into, by and between UNDP and the designated lead entity, who shall be acting for and on behalf of all the member entities comprising the joint venture.
	2. After the Deadline for Submission of Proposal, the lead entity identified to represent the JV, Consortium or Association shall not be altered without the prior written consent of UNDP.
	3. The lead entity and the member entities of the JV, Consortium or Association shall abide by the provisions of Clause 9 herein in respect of submitting only one proposal.
	4. The description of the organization of the JV, Consortium or Association must clearly define the expected role of each of the entity in the joint venture in delivering the requirements of the RFP, both in the Proposal and the JV, Consortium or Association Agreement.  All entities that comprise the JV, Consortium or Association shall be subject to the eligibility and qualification assessment by UNDP.
	5. A JV, Consortium or Association in presenting its track record and experience should clearly differentiate between:
1. Those that were undertaken together by the JV, Consortium or Association; and
2. Those that were undertaken by the individual entities of the JV, Consortium or Association.
	1. Previous contracts completed by individual experts working privately but who are permanently or were temporarily associated with any of the member firms cannot be claimed as the experience of the JV, Consortium or Association or those of its members, but should only be claimed by the individual experts themselves in their presentation of their individual credentials.
	2. JV, Consortium or Associations are encouraged for high value, multi-sectoral requirements when the spectrum of expertise and resources required may not be available within one firm.
 |
| Only One Proposal | * 1. The Bidder (including the individual members of any Joint Venture) shall submit only one Proposal, either in its own name or as part of a Joint Venture.
	2. Proposals submitted by two (2) or more Bidders shall all be rejected if they are found to have any of the following:
	3. they have at least one controlling partner, director or shareholder in common; or
	4. any one of them receive or have received any direct or indirect subsidy from the other/s; or
	5. they have the same legal representative for purposes of this RFP; or
	6. they have a relationship with each other, directly or through common third parties, that puts them in a position to have access to information about, or influence on the Proposal of, another Bidder regarding this RFP process;
	7. they are subcontractors to each other’s Proposal, or a subcontractor to one Proposal also submits another Proposal under its name as lead Bidder; or
	8. some key personnel proposed to be in the team of one Bidder participates in more than one Proposal received for this RFP process. This condition relating to the personnel, does not apply to subcontractors being included in more than one Proposal.
 |
| Proposal Validity Period | * 1. Proposals shall remain valid for the period specified in the BDS, commencing on the Deadline for Submission of Proposals. A Proposal valid for a shorter period may be rejected by UNDP and rendered non-responsive.
	2. During the Proposal validity period, the Bidder shall maintain its original Proposal without any change, including the availability of the Key Personnel, the proposed rates and the total price.
 |
| Extension of Proposal Validity Period | * 1. In exceptional circumstances, prior to the expiration of the proposal validity period, UNDP may request Bidders to extend the period of validity of their Proposals. The request and the responses shall be made in writing, and shall be considered integral to the Proposal.
	2. If the Bidder agrees to extend the validity of its Proposal, it shall be done without any change in the original Proposal.
	3. The Bidder has the right to refuse to extend the validity of its Proposal, and in which case, such Proposal will not be further evaluated.
 |
| Clarification of Proposal | * 1. Bidders may request clarifications on any of the RFP documents no later than the date indicated in the BDS. Any request for clarification must be sent in writing in the manner indicated in the BDS. If inquiries are sent other than specified channel, even if they are sent to a UNDP staff member, UNDP shall have no obligation to respond or confirm that the query was officially received.
	2. UNDP will provide the responses to clarifications through the method specified in the BDS.
	3. UNDP shall endeavor to provide responses to clarifications in an expeditious manner, but any delay in such response shall not cause an obligation on the part of UNDP to extend the submission date of the Proposals, unless UNDP deems that such an extension is justified and necessary.
 |
| Amendment of Proposals | * 1. At any time prior to the deadline of Proposal submission, UNDP may for any reason, such as in response to a clarification requested by a Bidder, modify the RFP in the form of an amendment to the RFP. Amendments will be made available to all prospective bidders.
	2. If the amendment is substantial, UNDP may extend the Deadline for submission of proposal to give the Bidders reasonable time to incorporate the amendment into their Proposals.
 |
| Alternative Proposals | * 1. Unless otherwise specified in the BDS, alternative proposals shall not be considered. If submission of alternative proposal is allowed by BDS, a Bidder may submit an alternative proposal, but only if it also submits a proposal conforming to the RFP requirements. UNDP shall only consider the alternative proposal offered by the Bidder whose conforming proposal ranked the highest as per the specified evaluation method. Where the conditions for its acceptance are met, or justifications are clearly established, UNDP reserves the right to award a contract based on an alternative proposal.
	2. If multiple/alternative proposals are being submitted, they must be clearly marked as “Main Proposal” and “Alternative Proposal”
 |
| Pre-Bid Conference | * 1. When appropriate, a Bidder’s conference will be conducted at the date, time and location specified in the BDS. All Bidders are encouraged to attend. Non-attendance, however, shall not result in disqualification of an interested Bidder. Minutes of the Bidder’s conference will be disseminated on the procurement website and shared by email or on the e-Tendering platform as specified in the BDS. No verbal statement made during the conference shall modify the terms and conditions of the RFP, unless specifically incorporated in the Minutes of the Bidder’s Conference or issued/posted as an amendment to RFP.
 |
| SUBMISSION AND OPENING OF PROPOSALS |
| Submission  | * 1. The Bidder shall submit a duly signed and complete Proposal comprising the documents and forms in accordance with the requirements in the BDS. The submission shall be in the manner specified in the BDS.
	2. The Proposal shall be signed by the Bidder or person(s) duly authorized to commit the Bidder. The authorization shall be communicated through a document evidencing such authorization issued by the legal representative of the bidding entity, or a Power of Attorney, accompanying the Proposal.
	3. Bidders must be aware that the mere act of submission of a Proposal, in and of itself, implies that the Bidder fully accepts the UNDP General Contract Terms and Conditions.
 |
| **Hard copy (manual) submission** **Email Submission****eTendering submission** | * 1. Hard copy (manual) submission by courier or hand delivery allowed or specified in the BDS shall be governed as follows:
	2. The signed Proposal shall be marked “Original”, and its copies marked “Copy” as appropriate. The number of copies is indicated in the BDS. All copies shall be made from the signed original only. If there are discrepancies between the original and the copies, the original shall prevail.
	3. The Technical Proposal and the Financial Proposal envelopes MUST BE COMPLETELY SEPARATE and each of them must be submitted sealed individually and clearly marked on the outside as either “TECHNICAL PROPOSAL” or “FINANCIAL PROPOSAL”, as appropriate. Each envelope SHALL clearly indicate the name of the Bidder. The outer envelopes shall:

i. Bear the name and address of the bidder;ii. Be addressed to UNDP as specified in the BDS1. Bear a warning that states “*Not to be opened before the time and date for proposal opening*” as specified in the BDS.

If the envelopes and packages with the Proposal are not sealed and marked as required, UNDP shall assume no responsibility for the misplacement, loss, or premature opening of the Proposal.* 1. Email submission, if allowed or specified in the BDS, shall be governed as follows:
1. Electronic files that form part of the proposal must be in accordance with the format and requirements indicated in BDS;
2. The Technical Proposal and the Financial Proposal files MUST BE COMPLETELY SEPARATE. The financial proposal shall be encrypted with different passwords and clearly labelled. The files must be sent to the dedicated email address specified in the BDS.
3. The password for opening the Financial Proposal should be provided only upon request of UNDP. UNDP will request password only from bidders whose Technical Proposal has been found to be technically responsive. Failure to provide correct password may result in the proposal being rejected.
	1. Electronic submission through eTendering, if allowed or specified in the BDS, shall be governed as follows:
4. Electronic files that form part of the proposal must be in accordance with the format and requirements indicated in BDS;
5. The Technical Proposal and the Financial Proposal files MUST BE COMPLETELY SEPARATE and each of them must be uploaded individually and clearly labelled.
6. The Financial Proposal file must be encrypted with a password so that it cannot be opened nor viewed until the password is provided. The password for opening the Financial Proposal should be provided only upon request of UNDP. UNDP will request password only from bidders whose technical proposal has been found to be technically responsive. Failure to provide the correct password may result in the proposal being rejected.
7. Documents which are required to be in original form (e.g. Bid Security, etc.) must be sent via courier or hand delivery as per the instructions in BDS.
8. Detailed instructions on how to submit, modify or cancel a bid in the eTendering system are provided in the eTendering system Bidder User Guide and Instructional videos available on this link: <http://www.undp.org/content/undp/en/home/operations/procurement/business/procurement-notices/resources/>
 |
| Deadline for Submission of Proposals and Late Proposals | * 1. Complete Proposals must be received by UNDP in the manner, and no later than the date and time, specified in the BDS. UNDP shall only recognize the date and time that the bid was received by UNDP
	2. UNDP shall not consider any Proposal that is submitted after the deadline for the submission of Proposals.
 |
| Withdrawal, Substitution, and Modification of Proposals | * 1. A Bidder may withdraw, substitute or modify its Proposal after it has been submitted at any time prior to the deadline for submission.
	2. Manual and Email submissions: A bidder may withdraw, substitute or modify its Proposal by sending a written notice to UNDP, duly signed by an authorized representative, and shall include a copy of the authorization (or a Power of Attorney). The corresponding substitution or modification of the Proposal, if any, must accompany the respective written notice. All notices must be submitted in the same manner as specified for submission of proposals, by clearly marking them as “WITHDRAWAL” “SUBSTITUTION,” or “MODIFICATION”
	3. eTendering: A Bidder may withdraw, substitute or modify its Proposal by Canceling, Editing, and re-submitting the proposal directly in the system. It is the responsibility of the Bidder to properly follow the system instructions, duly edit and submit a substitution or modification of the Proposal as needed. Detailed instructions on how to cancel or modify a Proposal directly in the system are provided in Bidder User Guide and Instructional videos.
	4. Proposals requested to be withdrawn shall be returned unopened to the Bidders (only for manual submissions), except if the bid is withdrawn after the bid has been opened
 |
| Proposal Opening  | * 1. There is no public bid opening for RFPs. UNDP shall open the Proposals in the presence of an ad-hoc committee formed by UNDP, consisting of at least two (2) members. In the case of e-Tendering submission, bidders will receive an automatic notification once their proposal is opened.
 |
| EVALUATION OF PROPOSALS |
| Confidentiality | * 1. Information relating to the examination, evaluation, and comparison of Proposals, and the recommendation of contract award, shall not be disclosed to Bidders or any other persons not officially concerned with such process, even after publication of the contract award.
	2. Any effort by a Bidder or anyone on behalf of the Bidder to influence UNDP in the examination, evaluation and comparison of the Proposals or contract award decisions may, at UNDP’s decision, result in the rejection of its Proposal and may be subject to the application of prevailing UNDP’s vendor sanctions procedures.
 |
| Evaluation of Proposals | * 1. The Bidder is not permitted to alter or modify its Proposal in any way after the proposal submission deadline except as permitted under Clause 24 of this RFP. UNDP will conduct the evaluation solely on the basis of the submitted Technical and Financial Proposals.
	2. Evaluation of proposals is made of the following steps:
	3. Preliminary Examination
	4. Minimum Eligibility and Qualification (if pre-qualification is not done)
	5. Evaluation of Technical Proposals
	6. Evaluation of Financial Proposals
 |
| Preliminary Examination  | * 1. UNDP shall examine the Proposals to determine whether they are complete with respect to minimum documentary requirements, whether the documents have been properly signed, and whether the Proposals are generally in order, among other indicators that may be used at this stage. UNDP reserves the right to reject any Proposal at this stage.
 |
| Evaluation of Eligibility and Qualification | * 1. Eligibility and Qualification of the Bidder will be evaluated against the Minimum Eligibility/Qualification requirements specified in the Section 4 (Evaluation Criteria).
	2. In general terms, vendors that meet the following criteria may be considered qualified:
	3. They are not included in the UN Security Council 1267/1989 Committee's list of terrorists and terrorist financiers, and in UNDP’s ineligible vendors’ list;
	4. They have a good financial standing and have access to adequate financial resources to perform the contract and all existing commercial commitments,
	5. They have the necessary similar experience, technical expertise, production capacity where applicable, quality certifications, quality assurance procedures and other resources applicable to the provision of the services required;
	6. They are able to comply fully with UNDP General Terms and Conditions of Contract;
	7. They do not have a consistent history of court/arbitral award decisions against the Bidder; and
	8. They have a record of timely and satisfactory performance with their clients.
 |
| Evaluation of Technical and Financial Proposals | * 1. The evaluation team shall review and evaluate the Technical Proposals on the basis of their responsiveness to the Terms of Reference and other RFP documents, applying the evaluation criteria, sub-criteria, and point system specified in the Section 4 (Evaluation Criteria). A Proposal shall be rendered non-responsive at the technical evaluation stage if it fails to achieve the minimum technical score indicated in the BDS. When necessary and if stated in the BDS, UNDP may invite technically responsive bidders for a presentation related to their technical proposals. The conditions for the presentation shall be provided in the bid document where required.
	2. In the second stage, only the Financial Proposals of those Bidders who achieve the minimum technical score will be opened for evaluation. The Financial Proposals corresponding to Technical Proposals that were rendered non-responsive shall remain unopened, and, in the case of manual submission, be returned to the Bidder unopened. For emailed Proposals and e-tendering submissions, UNDP will not request for the password of the Financial Proposals of bidders whose Technical Proposal were found not responsive.
	3. The evaluation method that applies for this RFP shall be as indicated in the BDS, which may be either of two (2) possible methods, as follows: (a) the lowest priced method which selects the lowest evaluated financial proposal of the technically responsive Bidders; or (b) the combined scoring method which will be based on a combination of the technical and financial score.
	4. When the BDS specifies a combined scoring method, the formula for the rating of the Proposals will be as follows:

Rating the Technical Proposal (TP): **TP Rating** = (Total Score Obtained by the Offer / Max. Obtainable Score for TP) x 100 Rating the Financial Proposal (FP): **FP Rating** = (Lowest Priced Offer / Price of the Offer Being Reviewed) x 100Total Combined Score:**Combined Score =** (TP Rating) x (Weight of TP, e.g. 70%) + (FP Rating) x (Weight of FP, e.g., 30%) |
|  Due Diligence | * 1. UNDP reserves the right to undertake a due diligence exercise, also called post qualification, aimed at determining to its satisfaction, the validity of the information provided by the Bidder. Such exercise shall be fully documented and may include, but need not be limited to, all or any combination of the following:
		1. Verification of accuracy, correctness and authenticity of information provided by the Bidder;
		2. Validation of extent of compliance to the RFP requirements and evaluation criteria based on what has so far been found by the evaluation team;
		3. Inquiry and reference checking with Government entities with jurisdiction on the Bidder, or with previous clients, or any other entity that may have done business with the Bidder;
		4. Inquiry and reference checking with previous clients on the performance on on-going or contracts completed, including physical inspections of previous works, as necessary;
		5. Physical inspection of the Bidder’s offices, branches or other places where business transpires, with or without notice to the Bidder;
		6. Other means that UNDP may deem appropriate, at any stage within the selection process, prior to awarding the contract.
 |
| Clarification of Proposals | * 1. To assist in the examination, evaluation and comparison of Proposals, UNDP may, at its discretion, ask any Bidder for a clarification of its Proposal.
	2. UNDP’s request for clarification and the response shall be in writing and no change in the prices or substance of the Proposal shall be sought, offered, or permitted, except to provide clarification, and confirm the correction of any arithmetic errors discovered by UNDP in the evaluation of the Proposals, in accordance with RFP.
	3. Any unsolicited clarification submitted by a Bidder in respect to its Proposal, which is not a response to a request by UNDP, shall not be considered during the review and evaluation of the Proposals.
 |
| Responsiveness of Proposal | * 1. UNDP’s determination of a Proposal’s responsiveness will be based on the contents of the Proposal itself. A substantially responsive Proposal is one that conforms to all the terms, conditions, TOR and other requirements of the RFP without material deviation, reservation, or omission.
	2. If a Proposal is not substantially responsive, it shall be rejected by UNDP and may not subsequently be made responsive by the Bidder by correction of the material deviation, reservation, or omission.
 |
| Nonconformities, Reparable Errors and Omissions | * 1. Provided that a Proposal is substantially responsive, UNDP may waive any non-conformities or omissions in the Proposal that, in the opinion of UNDP, do not constitute a material deviation.
	2. UNDP may request the Bidder to submit the necessary information or documentation, within a reasonable period of time, to rectify nonmaterial nonconformities or omissions in the Proposal related to documentation requirements. Such omission shall not be related to any aspect of the price of the Proposal. Failure of the Bidder to comply with the request may result in the rejection of its Proposal.
	3. For Financial Proposal that has been opened, UNDP shall check and correct arithmetical errors as follows:
1. if there is a discrepancy between the unit price and the line item total that is obtained by multiplying the unit price by the quantity, the unit price shall prevail and the line item total shall be corrected, unless in the opinion of UNDP there is an obvious misplacement of the decimal point in the unit price; in which case the line item total as quoted shall govern and the unit price shall be corrected;
2. if there is an error in a total corresponding to the addition or subtraction of subtotals, the subtotals shall prevail and the total shall be corrected; and
3. if there is a discrepancy between words and figures, the amount in words shall prevail, unless the amount expressed in words is related to an arithmetic error, in which case the amount in figures shall prevail.
	1. If the Bidder does not accept the correction of errors made by UNDP, its Proposal shall be rejected.
 |
| AWARD OF CONTRACT |
| Right to Accept, Reject, Any or All Proposals | * 1. UNDP reserves the right to accept or reject any Proposal, to render any or all of the Proposals as non-responsive, and to reject all Proposals at any time prior to award of contract, without incurring any liability, or obligation to inform the affected Bidder(s) of the grounds for UNDP’s action. UNDP shall not be obliged to award the contract to the lowest priced offer.
 |
| Award Criteria | * 1. Prior to expiration of the proposal validity, UNDP shall award the contract to the qualified Bidder based on the award criteria indicated in the BDS.
 |
| Debriefing | * 1. In the event that a Bidder is unsuccessful, the Bidder may request a debriefing from UNDP. The purpose of the debriefing is to discuss the strengths and weaknesses of the Bidder’s submission, in order to assist the Bidder in improving its future proposals for UNDP procurement opportunities. The content of other proposals and how they compare to the Bidder’s submission shall not be discussed.
 |
| Right to Vary Requirements at the Time of Award | * 1. At the time of award of Contract, UNDP reserves the right to vary the quantity of services and/or goods, by up to a maximum twenty-five per cent (25%) of the total offer, without any change in the unit price or other terms and conditions.
 |
| Contract Signature | * 1. Within fifteen (15) days from the date of receipt of the Contract, the successful Bidder shall sign and date the Contract and return it to UNDP. Failure to do so may constitute sufficient grounds for the annulment of the award, and forfeiture of the Proposal Security, if any, and on which event, UNDP may award the Contract to the Second Ranked Bidder or call for new Proposals.
 |
| Contract Type and General Terms and Conditions  | * 1. The types of Contract to be signed and the applicable UNDP Contract General Terms and Conditions, as specified in BDS, can be accessed at <http://www.undp.org/content/undp/en/home/procurement/business/how-we-buy.html>
 |
| Performance Security | * 1. 40.1 A performance security, if required in BDS, shall be provided in the amount specified in BDS and form available at

<https://popp.undp.org/_layouts/15/WopiFrame.aspx?sourcedoc=/UNDP_POPP_DOCUMENT_LIBRARY/Public/PSU_Solicitation_Performance%20Guarantee%20Form.docx&action=default> within fifteen (15) days of the contract signature by both parties. Where a performance security is required, the receipt of the performance security by UNDP shall be a condition for rendering the contract effective. |
| Bank Guarantee for Advanced Payment | * 1. Except when the interests of UNDP so require, it is UNDP’s preference to make no advance payment(s) (i.e., payments without having received any outputs). If an advance payment is allowed as per BDS, and exceeds 20% of the total contract price, or USD 30,000, whichever is less, the Bidder shall submit a Bank Guarantee in the full amount of the advance payment in the form available at <https://popp.undp.org/_layouts/15/WopiFrame.aspx?sourcedoc=/UNDP_POPP_DOCUMENT_LIBRARY/Public/PSU_Contract%20Management%20Payment%20and%20Taxes_Advanced%20Payment%20Guarantee%20Form.docx&action=default>
 |
| Liquidated Damages | * 1. If specified in BDS, UNDP shall apply Liquidated Damages resulting from the Contractor’s delays or breach of its obligations as per the Contract.
 |
| Payment Provisions | * 1. Payment will be made only upon UNDP's acceptance of the work performed. The terms of payment shall be within thirty (30) days, after receipt of invoice and certification of acceptance of work issued by the proper authority in UNDP with direct supervision of the Contractor. Payment will be effected by bank transfer in the currency of contract.
 |
| Vendor Protest | * 1. UNDP’s vendor protest procedure provides an opportunity for appeal to those persons or firms not awarded a contract through a competitive procurement process. In the event that a Bidder believes that it was not treated fairly, the following link provides further details regarding UNDP vendor protest procedures: <http://www.undp.org/content/undp/en/home/operations/procurement/business/protest-and-sanctions.html>
 |
| Other Provisions | * 1. In the event that the Bidder offers a lower price to the host Government (e.g. General Services Administration (GSA) of the federal government of the United States of America) for similar services, UNDP shall be entitled to same lower price. The UNDP General Terms and Conditions shall have precedence.
	2. UNDP is entitled to receive the same pricing offered by the same Contractor in contracts with the United Nations and/or its Agencies. The UNDP General Terms and Conditions shall have precedence.
	3. The United Nations has established restrictions on employment of (former) UN staff who have been involved in the procurement process as per bulletin ST/SGB/2006/15 <http://www.un.org/en/ga/search/view_doc.asp?symbol=ST/SGB/2006/15&referer>
 |

# Section 3. Bid Data Sheet

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

|  |  |  |  |
| --- | --- | --- | --- |
| **BDS No.** | **Ref. to Section.2** | **Data** | **Specific Instructions / Requirements** |
| 1 | 7 | Language of the Proposal  | Other (pl.specify) English or B/H/S |
| 2 |  | Submitting Proposals for Parts or sub-parts of the TOR (partial bids) | Not Allowed |
| 3 | 20 | Alternative Proposals  | Shall not be considered |
| 4 | 21 | Pre-proposal conference  | Will not be conducted |
| 5 | 10 | Proposal Validity Period | 90 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  | EUR or local currency BAM; (UN Operational Exchange Rate on bid opening date will be applied). The payment to the local vendor will be made in BAM |
| 11 | 31 | Deadline for submitting requests for clarifications/ questions | 7 calendar days before the submission deadline |
| 12 | 31 | Contact Details for submitting clarifications / questions  | Focal Person in UNDP: REGISTRY UNDP BiHAddress: Zmaja od Bosne bb E-mail address: registry.ba@undp.org |
| 13 | 18, 19 and 21 | Manner of Disseminating Supplemental Information to the RFP and responses /clarifications to queries | Direct communication to prospective Proposers by email and Posting on the website UNDP and UNGM**Uploading in the E-tendering system. Once uploaded,****Prospective bidder (i.e. bidder that have accepted the bid****Invitation in the system) will be notified via email that changes have occurred. It is the responsibility of the bidder to view the respective changes and clarifications in the system**. |
| 14 | 23 | Deadline for Submission  | **May 31st, 2021 until 12.00 CET**Note that system time zone is in EST/EDT (New York) time zone.Try to submit your proposal a day prior or well before the closing time.  Do not wait until last minute. If you face any issue submitting your bid at the last minute, UNDP may not be able to assist.  |
| 14 | 22 | Allowable Manner of Submitting Proposals | ⌧ e-TenderingDetailed instructions on how to register, submit, modify or cancel a bid in the e-Tendering system are provided in Bidder User Guide and Video available on link:<http://www.ba.undp.org/content/bosnia_and_herzegovina/bs/home/presscenter/vijesti/2019/introductionofetendering.html> <http://www.ba.undp.org/content/bosnia_and_herzegovina/en/home/presscenter/articles/2019/introductionofetendering.html>  |
| 15 | 22 | Proposal Submission Address  | [**https://etendering.partneragencies.org**](https://etendering.partneragencies.org)**Insert BU Code: BIH10****Event ID: 0000009180** |
| 16 | 22 | eTendering requirement | * Format: PDF/word/excel files only
* File names must be maximum 60 characters long and must not contain any letter or special character other than from Latin alphabet/keyboard.
* All files must be free of viruses and not corrupted*.*
* Max. File Size per transmission: 50MB
* If you are uploading a large number of files (ex. 15 or more), please zip the files into a ZIP folder and upload the folder instead of each file individually. You can upload several ZIP folders, but if you do this, please note that the total size of each ZIP folder uploaded cannot exceed 50MB.
* **The Proposer is required to submit the Financial Proposal and Financial Proposal Submission Form in a password protected PDF file separate from the rest of the proposal submission. The password for financial proposal must not be provided until requested by UNDP BiH**
 |
| 17 | 2736 | Evaluation Method for the Award of Contract | Combined Scoring Method, using the 70%-30% distribution for technical and financial proposals respectivelyThe minimum technical score required to pass is 70%. |
| 18 |  | Expected date for commencement of Contract | June 7, 2021 |
| 19 |  | Maximum expected duration of contract  | 18 weeks, June 2021 – October 2021 |
| 20 | 35 | UNDP will award the contract to: | One Proposer Only\*The award will also be based on assessment of bidder capacity including ongoing contracts (experts engagements)  |
| 21 | 39 | Type of Contract  | Contract for Goods and Services on behalf of UN Entities<http://www.undp.org/content/undp/en/home/procurement/business/how-we-buy.html> |
| 22 | 39 | UNDP Contract Terms and Conditions that will apply | UNDP General Terms and Conditions for Professional Services<http://www.undp.org/content/undp/en/home/procurement/business/how-we-buy.html> |
| 23 |  | Other Information Related to the RFP | **Important Note: While entering financial proposal in the e-Tendering system, always insert your Bid Price as 1 (one).** **The proposals of those bidders that insert their financial proposal value in the e-Tendering system will be disqualified** |

# Section 4. Evaluation Criteria

**Preliminary Examination Criteria**

Proposals will be examined to determine whether they are complete and submitted in accordance with RFP requirements as per below criteria on a Yes/No basis:

* Appropriate signatures
* Power of Attorney
* Minimum documents provided
* Technical and Financial Proposals submitted separately
* Bid Validity
* Bid Security submitted as per RFP requirements with compliant validity period

**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** |
| **ELIGIBILITY**  |  |  |
| **Legal Status** | Vendor is a legally registered entity. | Form B: Bidder Information Form  |
| **Eligibility** | Vendor is not suspended, nor debarred, nor otherwise identified as ineligible by any UN Organization or the World Bank Group or any other international Organization in accordance with RFP clause 3.  | Form A: Technical Proposal Submission Form |
| **Conflict of Interest** | No conflicts of interest in accordance with RFP clause 4.  | Form A: Technical Proposal Submission Form |
| **Bankruptcy** | Not declared bankruptcy, not involved in bankruptcy or receivership proceedings, and there is no judgment or pending legal action against the vendor that could impair its operations in the foreseeable future. | Form A: Technical Proposal Submission Form |
| **QUALIFICATION** |  |  |
| **History of Non-Performing Contracts[[1]](#footnote-2)**  | Non-performance of a contract did not occur as a result of contractor default for the last 3 years. | Form D: Qualification Form |
| **Litigation History** | No consistent history of court/arbitral award decisions against the Bidder for the last 3 years.  | Form D: Qualification Form |
| **Previous Experience** | Minimum 5 years of relevant experience | Form D: Qualification Form |
| Minimum 3 contracts of similar nature and complexity implemented over the last 5 years *(For JV/Consortium/Association, all Parties cumulatively should meet requirement).* | Form D: Qualification Form |
| **Financial Standing** | Minimum average annual turnover of USD 200,000 USD for the last 3 years. *(For JV/Consortium/Association, all Parties cumulatively should meet requirement).* | Form D: Qualification Form |
| Bidder must demonstrate the current soundness of its financial standing and indicate its prospective long-term profitability. *(For JV/Consortium/Association, all Parties cumulatively should meet requirement).* | Form D: Qualification Form |
| **Personnel** | The Contractor must have a proposed team of three (3) key experts, plus three (3) non-key experts, as per this ToR. At least two (2) key experts and one (1) non-key expert proposed for the implementation of required tasks must be full-time employees of the Contractor (Consortium). *(For JV/Consortium/Association, all Parties cumulatively should meet requirement).* | Form B: Bidder Information Form   |
| **Licenses/Certificates**  | Bidder must be authorized to perform services in the field of environmental protection (perform environmental sampling and measurements/monitoring of pollutants). Bidder must possess a valid license to perform these activities issued by the Ministry for Spatial Planning, Civil Engineering and Ecology of Republika Srpska.Bidder must have its own or subcontracted a laboratory accredited in accordance with requirements of the ISO 17025 standard and to have accredited methods (EPA methods) for laboratory analyses of soil and groundwater for determination of polychlorinated biphenyl’s (PCB) levels. (Bidder must enclose a signed Agreements between the Contractor and laboratory if it is subcontracted).Bidder must possess a valid license for performing activities of developing technical documentation issued by the Ministry of Spatial Planning, Civil Engineering and Ecology of RS. (For JV/Consortium/Association, all Parties cumulatively should meet requirement). |  |
| **Other** |  | Form B: Bidder Information Form   |

**Technical Evaluation Criteria**

|  |  |
| --- | --- |
| **Summary of Technical Proposal Evaluation Forms** | **Points Obtainable** |
| 1. | Bidder’s qualification, capacity and experience  | 300 |
| 2. | Proposed Methodology, Approach and Implementation Plan | 400 |
| 3. | Management Structure and Key Personnel | 580 |
|  | **Total** | **1280** |

|  |  |
| --- | --- |
| **Section 1. Bidder’s qualification, capacity and experience** | **Points obtainable** |
| 1.1 | Reputation of Organization and Staff Credibility / Reliability / Industry Standing  | 50 |
| 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 | 90 |
| 1.3 | Relevance of specialized knowledge and experience on similar engagements  | 70 |
| 1.4 | Quality assurance procedures and risk mitigation measures | 60 |
| 1.5 | Organizational Commitment to Sustainability (mandatory weight)-Organization is compliant with ISO 14001 or ISO 14064 or equivalent – 20 points-Organization is a member of the UN Global Compact -5 points-Organization demonstrates significant commitment to sustainability through some other means- 5 points, for example internal company policy documents on women empowerment, renewable energies or membership of trade institutions promoting such issues | 30 |
| **Total Section 1** | **300** |

|  |  |
| --- | --- |
| **Section 2. Proposed Methodology, Approach and Implementation Plan** | **Points obtainable** |
| 2.1 | Understanding of the requirement: Have the important aspects of the task been addressed in sufficient detail? Are the different components of the project adequately weighted relative to one another? | 80 |
| 2.2 | Description of the Offeror’s approach and methodology for meeting or exceeding the requirements of the Terms of Reference | 100 |
| 2.3 | Details on how the different service elements shall be organized, controlled and delivered  | 50 |
| 2.4 | Description of available performance monitoring and evaluation mechanisms and tools; how they shall be adopted and used for a specific requirement | 50 |
| 2.5 | Assessment of the implementation plan proposed including whether the activities are properly sequenced and if these are logical and realistic | 70 |
| 2.6 | Demonstration of ability to plan, integrate and effectively implement sustainability measures in the execution of the contract  | 50 |
| **Total Section** **2** | **400** |

|  |  |
| --- | --- |
| **Section 3. Management Structure and Key Personnel** | **Points obtainable** |
| 3.1 | Composition and structure of the team proposed. Are the proposed roles of the management and the team of key personnel suitable for the provision of the necessary services? |  | 100 |
| 3.2 | Qualifications of key personnel proposed |  | 480 |
| 3.2 a | **Key expert 1 - Team Leader**  |  | 110 |
|  | - General Experience  | 20 |  |
| - Specific Experience relevant to the assignment* Experience in internationally funded projects related to environmental soil and groundwater surveys of POPs contaminated sites, site assessments, soil remediation design and site clean-up campaigns – 40
* Experience in working with international organizations (UNDP, UNIDO, UNEP, World Bank, EU Delegation, EBRD, etc.) - 10
 | 50 |
| - International experience  | 30 |
| - Language QualificationsFluency/proficiency in English language | 10 |
|  |  |
| 3.2 b | **Key expert 2 – Field Manager** |  | 110 |
|  | - General Experience  | 20 |  |
| - Specific Experience relevant to the assignment* Experience in conducting environmental soil and groundwater surveys and site assessments - 40
* Experience in working with international organizations (UNDP, UNIDO, UNEP, World Bank, EU Delegation, EBRD, etc.) - 10
 | 50 |
| - International experience | 30 |
| - Language QualificationsFluency/proficiency in English language | 10 |
|  |  |
| 3.2 c | **Key expert 3 – Senior expert for environmental protection and PCB contaminated sites**  |  | 100 |
|  | - General Experience  | 20 |  |
| - Specific Experience relevant to the assignment* Experience in the field of POPs contaminated site risk assessment – 20
* Experience in the field of environmental impact assessment - 10
* Experience in working with international organizations (UNDP, UNIDO, UNEP, World Bank, EU Delegation, EBRD, etc.) - 10
 | 40 |
| - International experience | 30 |
| - Language QualificationsFluency/proficiency in English language | 10 |
|  |  |
| 3.2 d | **Expert for environmental protection and PCB contaminated sites**  |  | 70  |
|  | - General Experience  | 20  |  |
| - Specific Experience relevant to the assignment* Experience in the field of POPs contaminated site risk assessment – 15
* Experience in the field of POPs remediation project document development - 10
* Experience in the field of environmental impact assessment – 10
* Experience in working with international organizations (UNDP, UNIDO, UNEP, World Bank, EU Delegation, EBRD, etc.) - 5
 | 40 |
| - Language QualificationsBoth fluency/proficiency in English and local languages | 10  |
|  |  |
| 3.2 e | **Field Assistant** |  | 40 |
|  | General experience | 10 |  |
|  | Specific experience:- Experience in environmental soil and groundwater surveys and site assessments  | 20 |  |
|  | Language requirementsBasic knowledge of English | 10 |  |
| 3.2 f | **Local coordinator**  |  | 50 |
|  | General Experience  | 10 |  |
|  | Specific experience * Experience in internationally funded projects related to environmental protection and contaminated site risk assessment – 10
* Good understanding of local circumstances in terms of industrial pollution, environmental protection, soil contamination and soil remediation - 15
* Experience in working with international organizations (UNDP, UNIDO, UNEP, World Bank, EU Delegation, EBRD, etc.) – 5
 | 30 |  |
|  | Language qualificationsBasic knowledge of English and fluency/proficiency local languages | 10 |  |
| **Total Section 3** | **580** |

**Section 5.** Terms of Reference

1. **Background Information and Rationale, Project Description**

UNDP is implementing the project “Environmentally Sound Management of Persistent Organic Pollutants (POPs) in industrial and hazardous waste sectors”. This project intends to prevent the release of POPs in the environment through the improvement of health care waste management, implementation of green chemistry initiatives in the industry and agriculture along with destruction of identified POPs waste stockpiles. The following POPs are targeted by the project: Dioxins (PCDD/F) released by unsafe incineration of medical waste and empty pesticide containers, POPs substances listed under Stockholm Convention (SC) on Persistent Organic Pollutants used in the manufacturing of plastic products, with special reference to plastic use in articles exposed to sources of heat; and polychlorinated biphenyls (PCBs) existing in the dielectric fluid of electrical equipment, and obsolete POPs stockpiles/materials.

All these substances pose a global threat to the environment and human health due to their persistence in the environment, their long term and cumulative toxic properties, and their capacity to bioaccumulate in living organisms.

The overall objective of the project is to reduce risk for people’s health and the environment through the prevention of U-POP releases, shifting from POPs toward non-POPs chemicals in the plastic industry, and sound destruction of at least 50 tons of POPs waste.

The project has five components. The subject of this RFP will be implemented under Component 1: Capacity Building and Mainstreaming of POP Related Legislation into the Process of Harmonization of the BIH Environmental Legislation.

Services contracted as the result of this tender are intended to complete the detailed inventory of POPs as per the following:

* Stocks of POPs pesticides
* Stocks of polychlorinated biphenyls (PCB) contaminated materials and equipment
* Inventories of polybrominated diphenyl ethers (PBDEs), perfluorooctane sulfonic acid (PFOS), hexabromobiphenyl (HBB), Hexabromocyclododecane (HBCD) and U-POPs Identification
* Identification and characterization of POPs contaminated sites
1. **Specific Objectives**

Development of the Remediation and Recultivation Design for the location of the former industrial site “Incel” in Banjaluka.

The Design will be developed in accordance with the Rulebook on the Content of the Remediation and Recultivation Project ("Official Gazette of RS", No. 97/2020).

The Design/Project will be used as a background document in a later stage to implement all activities recommended by the Fieldwork Report, Site Assessment Report, and Remediation Assessment Report (given in appendix of the RfP) and agree on the financial distribution of the costs amongst local stakeholders (Ministry of Spatial Planning, Civil Engineering and Ecology of RS, City of Banjaluka, industrial facilities on the site).

1. **Scope**

The Scope of the activities to be performed is prescribed by the Rulebook on the Content of the Remediation and Recultivation Project ("Official Gazette of RS", No. 97/2020), and contains the following Chapters:

**Data on the holder of the remediation and reclamation project:**

* + - business name of the holder of the remediation and reclamation project,
		- registration data, activity code, personal identification number of the legal entity and unique identification number (JIB),
		- address of the business seat of the project developer,
		- name and surname, address, telephone, fax, e-mail address of the responsible person responsible for the preparation of the remediation and reclamation project,
		- a copy of the license of the legal entity for the preparation of technical documentation and a copy of the license of the legal entity for performing activities in the field of environmental protection,
		- name and surname, address, telephone, fax, e-mail address of the contact person - holder of the remediation and reclamation project.

**Information on the owner or user of the land:**

* + - business name of the legal entity or entrepreneur, address, telephone, fax, e-mail address of the contact person,
		- registration data, activity code, identification number of the legal entity or entrepreneur and unique identification number (JIB).

**Description of the activity performed on the site by the owner or user of the land:**

* + - description of activities and activities performed at the location,
		- the time when the activity started, and if it is no longer performed, it is necessary to state the year of cessation of activity,
		- description and period of performing previous activities on the location.

**Description of the polluted, ie degraded location:**

* The description of the polluted, ie degraded location where the remediation and reclamation project is planned to be performed contains:
	+ - geographical location of the location (macrolocation and microlocation) and a copy of the plan of cadastral parcels on which the remediation and reclamation project is planned (with the layout of all buildings) with a clear distance of neighbouring residential and other buildings,
		- climatic characteristics of the area,
		- data on the area and purpose of the location,
		- presentation of pedological, geomorphological, geomechanical, hydrographic, hydrogeological and seismological characteristics of the terrain,
		- data on the source of water supply (distance, capacity, endangerment, zones of hygienic and sanitary protection) with basic hydrological characteristics,
		- description of the state of nature and natural values related to the degree of endangerment of geoheritage objects, wild species and their habitats, habitat types, ecosystems, ecologically significant areas, protected areas, ecological corridors, ecological networks and landscapes,
		- inspection of immovable cultural property,
		- data on population, concentration of population and demographic characteristics.
* For industrial plants, ie legal entities and entrepreneurs working with hazardous and harmful substances and waste, data on:
	+ - quantities and types of hazardous and harmful substances at the complex,
		- place and manner of storage of hazardous and harmful substances and waste,
		- adopted procedures and standards in the field of environmental protection (chemical management, waste management, protection against large-scale accidents),
		- registered pollution and large-scale accidents at the complex in the previous period,
		- the results of regular monitoring which monitored the impacts on the location and the environment.

**Data on the state of the environment at the location and the wider environment before pollution, ie land degradation**

The description of the state of the environment and the wider environment of the location before contamination shall also contain the results of the environmental examination with the results and expert assessment, if it was conducted at the location in question or the immediate wider environment. The test results from the previous period can be used to assess the state of the environment before the pollution occurred and to compare with the results obtained after the pollution occurred.

**An overview of the circumstances that led to the pollution or degradation of the land shall contain:**

* + - description of activities or events that led to pollution, ie land degradation,
		- type and quantity of released pollutants and presentation of their toxicological and eco-toxicological characteristics,
		- presentation of the undertaken measures for stopping and further spreading of pollution, ie land degradation,
		- presentation of the consequences of pollution, ie land degradation on the environment, human health, material and cultural goods, economic and other activities in the zone of influence.

**Data on the examination of the condition and quality of polluted or degraded land, with the results and expert assessment include** (more detail approach given in d. Approach and Methodology):

* + - results of land testing by a legal entity accredited for monitoring the quality of land,
		- results of groundwater testing by a legal entity accredited for groundwater testing,
		- the results of additional soil tests to determine the degree of soil contamination, if any,
		- indicators that may indicate visible consequences of pollution, ie land degradation,
		- volumes of land and / or aquifer affected by pollution, and in case of degradation of degraded land areas,
		- expert assessment of the condition and quality of the land, with the results of the performed tests;
		- schematic representation of the obvious or presumed spread of pollutants (contamination),
		- position and distance of sensitive objects and contents on the map,
		- assessment of possible impact on sensitive facilities and contents.

**From sensitive objects and contents, it is necessary to single out and process the position, distance and possible impacts on:**

* + - sources of drinking water supply facilities
		- residential and other areas where people live,
		- protected natural and cultural assets,
		- open watercourses,
		- infrastructure facilities.

**Display of quantities and concentrations of hazardous substances on the site and their impact on human health and the environment It is necessary to present in a clear manner all hazardous substances present at the site, state the maximum quantities of hazardous substances that are present or may be present at the site of pollution or degradation, chemical name and identification number, such as CAS number.**

* + - It is necessary to present the properties of hazardous substances, ie to single out important characteristics from the point of view of possible consequences for human life and health and the environment, including physical and chemical properties, toxicity, eco-toxicity, concentrations determined as air emission limit values, level of pollutants in environmental elements, flammability, corrosivity, thermal and chemical resistance.

**The terms of reference and the proposed project solution for remediation and reclamation, with measures and activities elaborated according to priorities, an overview of the alternatives considered and a dynamic plan for the implementation of remediation and reclamation contain:**

* + - presentation of the terms of reference and the proposed project solution for remediation and / or reclamation,
		- comparison of variants related to remediation and reclamation procedures and presentation of reasons for selection of the proposed solution,
		- description of measures planned to stop pollution and further land degradation,
		- description of planned activities within the remediation procedure (physical, chemical or biological procedure or combination of remediation technologies), ie their technological and other characteristics,
		- description of planned activities within the reclamation procedure,
		- presentation of treatment technology (treatment, recycling, disposal, etc.) of all types of waste materials,
		- presentation of the environmental impact of the selected project,
		- the manner of handling waste generated as a result of pollution and the applied remediation and reclamation measures,
		- level of soil treatment (non-hazardous or inert waste) and place of disposal, if excavation and removal of land is planned,
		- defining deadlines for the implementation of individual phases and the complete project,
		- environmental protection measures to be taken during the project implementation,
		- graphic attachments,
		- bill of quantities and estimate of works for separate land plots, with clear indication of the ownership over the individual land plots
			* Lukic Invest (former power plant)
			* Business zone (in front of BC Metal)
			* Business zone (Electrolysis)
			* Business zone (north)
			* TOP Metal
			* Univerzum AD
			* SHP CELEX (concrete platform)

**Planned measures of professional supervision over the implementation of the remediation and reclamation project.**

* + - It is necessary to provide information on the person performing professional supervision during the implementation of activities planned by the project, the manner of performing professional supervision and the appropriate license for the person performing professional supervision over the implementation of the project.

**Planned internal control measures that include a monitoring program to monitor the progress of the project.**

**Development of the GIS and geoportal**

* + - The outputs of the project are to include geodetic measurement of the shallow soil probes.
		- All the geodetic results need to be processed in the GIS software to obtain sampling point maps.
		- The developed GIS is to be used for visualization and interpretation of analytical results of soil samples taken and detailed quantification of the volume of contaminated soil.
		- In addition to printed maps with visualization of analytical results, the developed GIS needs to be made and available online (GIS portal), so that the map outputs can be presented and viewed by the Client. The GIS portal is to be publicly accessible at the provided Internet address.

The Consultant will provide necessary equipment for the required works to achieve overall and specific objectives of this project in terms of time, costs and quality. The Consultant will ensure smooth implementation of all activities, including necessary field works (obtain required permits, consents, agreements, etc.) and communication with local stakeholders.

1. **Approach and Methodology**

This section should demonstrate the Offeror`s in-depth understanding of the purpose and objectives of the ToR and provide the Offeror`s approach to structuring and most effective implementation of the service. In addition, this section should clearly show the Offeror`s understanding and sufficient detailed consideration of all-important aspects of the service with regard to development of the Design for remediation and recultivation of the former industrial location “Incel” in Banja Luka.

Being the core instrument for the successful provision of the service, the proposed methodology by the Offeror shall undoubtedly demonstrate capability to reach the envisaged results of the ToR and strong relevance to the specific scope, objectives and range of tasks in a complex manner.

This section should propose the Offeror`s vision and approach to organizing and performing the tasks as stated within the ToR and as per the overall scope and objectives of the service in the most logical, realistic, efficient and relevant to the context in BiH manner.

Project/Design of remediation and recultivation for Incel site has to contain all data listed under Rulebook on the Content of the Remediation and Recultivation Project ("Official Gazette of RS", No. 97/2020). Furthermore, Project/Design of remediation ad recultivation, has to consider findings made under previous, above mentioned, reports (given in appendix of the RfP) of Incel site.

The following will be used as input data in the activities for detailed soiled investigations, to determine the exact degree of soil contamination volumes of soil affected by pollution:

* + - Area of soil contaminated above remediation target limit (3 mg/kg of PCBs): 4,762 m2
		- Area of soil contaminated in the range between screening level (0.94 mg/kg of PCBs) and remediation target limit (3 mg/kg of PCBs): 2,552 m2
		- Total area for detailed assessment 7,314 m2
		- Proposed grid for soil sampling: 5 x 5 m
		- Total number of shallow soil probes (to 0,2 m): up to 300 pcs
		- Total number of soil samples: up to 600 pcs (2 samples/probe, 1st sample 0,0-0,1 m, 2nd 0,1-0,2 m)

Both areas are to be investigated to determine the level of contamination (4762m2+2552m2), based on the Ministry of environment opinion soil polluted with concentrations above 0,94 mg/kg (Screening level US EPA) or 3 mg/kg (Risk assessment-based limit) should be subject of the Project design for remediation.

Collected samples will be analyzed in the accredited laboratory for PCB and other analyses (TPH, TOC, heavy metals, leaching tests, ecotoxicity, etc.).

The Bidder will conduct a Geodetic survey (GPS positioning of soil probes) and develop the GIS-portal to be used by the landowners and land users in the future.

1. **Deliverables and Schedules/Expected Outputs**

|  |  |
| --- | --- |
| Deliverables | Deadline |
| **Deliverable 1** Detailed Work Plan  | 2 weeks from Contract signing |
| **Deliverable 2**Report on soil sampling, laboratory analyses and geodetic survey  | 13 weeks from Contract signing |
| **Deliverable 3**Project/Design of remediation and recultivation | 18 weeks from Contract signing |
| Biweekly progress reports describing activities conducted in the last 15 days  | Biweekly during contract duration  |
|  |  |
|  |  |

1. **Key Performance Indicators and Service Level**

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Weeks in which activities are implemented** | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 |
| **Deliverable 1** Detailed Work Plan  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| **Deliverable 2**Report on soil sampling, laboratory analyses and geodetic survey  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| **Deliverable 3**Project/Design of remediation and recultivation |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Biweekly progress reports describing activities conducted in the last 15 days  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |

1. **Governance and Accountability**

Monitoring and evaluation of the Service Provider’s work will be conducted by the UNDP Project Manager. Service provider will submit monthly reports on progress of all activities. UNDP withholds the right to request periodical updates/reports on particular issues. All reports will be submitted in writing to the above listed persons.

Due to complexity of the tasks, Service Provider will need to appoint at least one person who will always be responsible for keeping track of plans, harmonizing activities, progress reports and ongoing issues

1. **Facilities to be provided by UNDP**

The UNDP Team will be available to transfer the specific knowledge on the Project which can be useful for the Service Provider.

1. **Expected duration of the contract/assignment**

Anticipated duration of the Contract is up to 18 weeks. The intended commencement date is May, 2021.

In case of delay with timely implementation consequence/impact are cancellation of the budget allocation for the project.

Estimated level of effort for this assignment is 160 expert days in total (key and non-key experts together).

1. **Duty Station**

Most of the technical work will take place in the own premises of the consultant, with the field works on the former Incel site location. The consultant should organize necessary mission of its team to beneficiaries/data holders.

All meetings have to be attended by consultant’s Team leader and a key expert with an expertise in the subject issues. The consultant will prepare all necessary inputs for the meetings, in coordination with UNDP project team, as well as draft of the minutes of the meeting.

Th Consultant will hold an Inception meeting (Kick-off) with UNDP Project team to agree on all necessary details and submit a written report after the meeting, summarizing the following:

* Participants
* Issues discussed
* Conclusions and next steps
1. **Professional Qualifications of the Successful Contractor and its key personnel**

Experience in provision of services in the area of chemicals, site risk assessments, environmental protection and in development of the remediation and recultivation project design for POPs contaminated sites management during last five years.

The Contractor must have a proposed team of three (3) key experts, plus three (3) non-key experts, as per this ToR. At least two (2) key experts and one (1) non-key expert proposed for the implementation of required tasks must be full-time employees of the Contractor (Consortium).

The offer should clearly state the personnel that will be allocated to each of the activities described.

**Team leader – Key expert 1**

The Team leader will be responsible for overall project coordination and management.

General experience:

* + - * University degree in chemicals, agricultural, natural resource management or environmental management with minimum 15 years of experience

Specific experience:

* + - * At least 10 years of experience in projects related to environmental soil and groundwater surveys of POPs contaminated sites, site assessments, soil remediation design and site clean-up campaigns;
			* Experience in working with international organizations (UNDP, UNIDO, UNEP, World Bank, EU Delegation, EBRD, etc.)

Language qualifications:

* + - * Fluency/proficiency in English language

**Field manager - Key expert 2**

General experience:

* University degree in chemicals, agricultural, natural resource management or environmental management with minimum 10 years of experience

Specific experience:

* At least 7 years of proven experience in conducting environmental soil and groundwater surveys of POPs contaminated sites and site assessments
* Experience in working with international organizations (UNDP, UNIDO, UNEP, World Bank, EU Delegation, EBRD, etc.)

Language qualifications:

* Fluency/proficiency in English language

**Senior expert for environmental protection and PCB contaminated sites – Key expert 3**

General experience:

* University and preferably master`s degree in Engineering, Environment, Chemistry or related natural sciences, with minimum 10 years of experience

Specific experience:

* Experience in the field of contaminated site risk assessment
* Experience in the field of environmental impact assessment
* Experience in working with international organizations (UNDP, UNIDO, UNEP, World Bank, EU Delegation, EBRD, etc.)

Language qualifications:

* Fluency/proficiency in English

**Expert for environmental protection and PCB contaminated sites**

General experience:

* University and preferably master`s degree in Engineering, Environment, Chemistry or related natural sciences, with minimum 7 years of experience

Specific experience:

* Experience in the field of POPs contaminated site risk assessment
* Experience in the field of POPs remediation project document development
* Knowledge of the local context and infrastructure as it relates to chemicals and waste management

Language qualifications:

* Both fluency/proficiency in English and local languages

**Field assistant**

General experience:

• University degree in chemicals, agricultural, natural resource management or environmental management with 5 years of experience

Specific experience:

* At least 3 years of relevant experience in environmental soil and groundwater surveys and site assessments

Language qualifications:

Basic knowledge of English

**Local coordinator**

General Experience

* University and preferably master`s degree in Engineering, Environment, Chemistry or related natural sciences, with minimum 7 years of experience

Specific experience

* Experience in internationally funded projects related to environmental protection and contaminated site risk assessment
* Good understanding of local circumstances in terms of industrial pollution, environmental protection, soil contamination and soil remediation
* Experience in working with international organizations (UNDP, UNIDO, UNEP, World Bank, EU Delegation, EBRD, etc.)

Language qualifications

Basic knowledge of English and fluency/proficiency in local languages

1. **Price and Schedule of Payments**

Payments of the delivered services will be done according to the following timetable:

* Deliverable 1 – 20% of the Contract value
* Deliverable 2 - 50% of the Contract value
* Deliverable 3 – 30% of the Contract value

For each deliverable, release of tranche for payment is subject to Project Manager’s approval of the submitted Report on completed activity in line with section g. Governance and Accountability.

Reports should be submitted in English and local language and sent by e-mail to UNDP Project team.

The UNDP Project team will have up to 15 calendar days to review outputs, provide comments/feedback and/or approve 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:**

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

**Financial Proposal Envelope**

**(Must be submitted in a separate sealed envelope/password protected email)**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

[*Stamp with official stamp of the Bidder*]

## **Form B:** BidderInformation Form

|  |  |
| --- | --- |
| **Legal name of Bidder** | [Complete] |
| **Legal address** | [Complete] |
| **Year of registration** | [Complete] |
| **Bidder’s Authorized Representative Information** | Name and Title: [Complete] Telephone numbers: [Complete]Email: [Complete] |
| **Are you a UNGM registered vendor?** | [ ]  Yes [ ]  No If yes, [insert UGNM vendor number]  |
| **Are you a UNDP vendor?** | [ ]  Yes [ ]  No If yes, [insert UNDP vendor number]  |
| **Countries of operation** | [Complete] |
| **No. of full-time employees** | [Complete] |
| **Quality Assurance Certification (e.g. ISO 9000 or Equivalent) (***If yes, provide a Copy of the valid Certificate):* | [Complete] |
| **Does your Company hold any accreditation such as ISO 14001 related to the environment?** *(If yes, provide a Copy of the valid Certificate):* | [Complete] |
| **Does your Company have a written Statement of its Environmental Policy?** *(If yes, provide a Copy)* | [Complete] |
| **Contact person UNDP may contact for requests for clarification during Proposal evaluation**  | Name and Title: [Complete]Telephone numbers: [Complete]Email: [Complete] |
| **Please attach the following documents:**  | * Company Profile, which should not exceed fifteen (15) pages, including printed brochures and product catalogues relevant to the goods/services being procured
* Certificate of Incorporation/ Business Registration
* 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
* Trade name registration papers, if applicable
* Local Government permit to locate and operate in assignment location, if applicable
* Official Letter of Appointment as local representative, if Bidder is submitting a Bid in behalf of an entity located outside the country
* Power of Attorney
* j) Bidder must enclose a spreadsheet showing time allocated during period from May 2021 - October 2021 for each of proposed experts covering both ongoing contracts with UNDP and the proposed one (under this procedure).
* k) Bidder must enclose a signed Agreements between the Contractor and proposed experts stating that actual number of days for engagement will be in line with number of days proposed for this RfP.
* l) Bidder must enclose a signed Agreements between the Contractor and accredited laboratory if it is subcontracted.
 |

##

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

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

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

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

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

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

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

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

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

## **Form D:** QualificationForm

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

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

**Historical Contract Non-Performance**

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

**Litigation History** (including pending litigation)

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

**Previous Relevant Experience**

Please list only previous similar assignments successfully completed in the last 5 years

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

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

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

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

**Financial Standing**

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

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

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

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

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

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

**SECTION 1: Bidder’s qualification, capacity and expertise**

* 1. Brief description of the organization, including the year and country of incorporation, and types of activities undertaken.
	2. General organizational capability which is likely to affect implementation: management structure, financial stability and project financing capacity, project management controls, extent to which any work would be subcontracted (if so, provide details).
	3. Relevance of specialized knowledge and experience on similar engagements done in the region/country.
	4. Quality assurance procedures and risk mitigation measures.
	5. Organization’s commitment to sustainability.

**SECTION 2: Proposed Methodology, Approach and Implementation Plan**

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

* 1. A detailed description of the approach and methodology for how the Bidder will achieve the Terms of Reference of the project, keeping in mind the appropriateness to local conditions and project environment. Details how the different service elements shall be organized, controlled and delivered.
	2. The methodology shall also include details of the Bidder’s internal technical and quality assurance review mechanisms.
	3. 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.
	4. Description of available performance monitoring and evaluation mechanisms and tools; how they shall be adopted and used for a specific requirement.
	5. Implementation plan including a Gantt Chart or Project Schedule indicating the detailed sequence of activities that will be undertaken and their corresponding timing.
	6. Demonstrate how you plan to integrate sustainability measures in the execution of the contract.
	7. Any other comments or information regarding the project approach and methodology that will be adopted.

**SECTION 2A: Bidder’s Comments and Suggestions on the Terms of Reference**

Provide comments and suggestions on the Terms of Reference, or additional services that will be rendered beyond the requirements of the TOR, if any.

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

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

**Format for CV of Proposed Key Personnel**

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

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

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

Signature of Personnel Date (Day/Month/Year)

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

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

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

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

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

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

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

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

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

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

[*Stamp with official stamp of the Bidder*]

## **Form G:** Financial ProposalForm

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

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

The Financial Proposal should align with the requirements in the Terms of Reference and the Bidder’s Technical Proposal. (kindly enter amount VAT excluded) VAT should be stated separately

**Currency of the proposal:** [Insert Currency]

**Table 1: Summary of Overall Prices**

|  |  |
| --- | --- |
|  | **Amount(s)** |
| **Professional Fees** (from Table 2) |  |
| **Other Costs** (from Table 3) |  |
| **Total Amount of Financial Proposal** |  |

**Table 2: Breakdown of Professional Fees**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Name** | **Position** | **Fee Rate** | **No. of Days/months/ hours** | **Total Amount** |
| *A* | *B* | *C=A+B* |
| In-Country  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
| Home Based  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
| **Subtotal Professional Fees:** |  |

**Table 3: Breakdown of Other Costs**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  **Description** | **UOM** | **Quantity** | **Unit Price** | **Total Amount** |
| International flights | Trip |  |  |  |
| Subsistence allowance | Day |  |  |  |
| Miscellaneous travel expenses | Trip |  |  |  |
| Local transportation costs | Lump Sum |  |  |  |
| Out-of-Pocket Expenses |  |  |  |  |
| Other Costs: (please specify, such as PPE, Covid tests, shipment of samples, etc.)  |  |  |  |  |
| Geodetic survey |  |  |  |  |
| Development of the GIS portal  |  |  |  |  |
| Laboratory analyses  |  |  |  |  |
| Translation costs |  |  |  |  |
| **Subtotal Other Costs:** |  |

**Table 4: Breakdown of Price per Deliverable/Activity**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Deliverable/****Activity description**  | **Time**(person days) | **Professional Fees** | **Other Costs** | **Total** |
| Deliverable 1 |  |  |  |  |
| Deliverable 2 |  |  |  |  |
| Deliverable 3 |  |  |  |  |
| ….. |  |  |  |  |

## **Form H:** Form ofProposal Security

Proposal Security must be issued using the official letterhead of the Issuing Bank.

Except for indicated fields, no changes may be made on this template.

To: UNDP

 *[Insert contact information as provided in Data Sheet]*

WHEREAS [Name and address of Bidder] (hereinafter called “the Bidder”) has submitted a Proposal to UNDP dated Click here to enter a date. to execute Services [Insert Title of Services] (hereinafter called “the Proposal”):

AND WHEREAS it has been stipulated by you that the Bidder shall furnish you with a Bank Guarantee by a recognized bank for the sum specified therein as security in the event that the Bidder:

1. Fails to sign the Contract after UNDP has awarded it;
2. Withdraws its Proposal after the date of the opening of the Proposals;
3. Fails to comply with UNDP’s variation of requirement, as per RFP instructions; or
4. Fails to furnish Performance Security, insurances, or other documents that UNDP may require as a condition to rendering the contract effective.

AND WHEREAS we have agreed to give the Bidder such this Bank Guarantee:

NOW THEREFORE we hereby affirm that we are the Guarantor and responsible to you, on behalf of the Bidder, up to a total of [*amount of guarantee*] [*in words and numbers*], such sum being payable in the types and proportions of currencies in which the Price Proposal is payable, and we undertake to pay you, upon your first written demand and without cavil or argument, any sum or sums within the limits of *[amount of guarantee as aforesaid*] without your needing to prove or to show grounds or reasons for your demand for the sum specified therein.

This guarantee shall be valid up to 30 days after the final date of validity of bids.

**SIGNATURE AND SEAL OF THE GUARANTOR BANK**

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

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

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

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

Name of Bank \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*[Stamp with official stamp of the Bank]*

1. Non-performance, as decided by UNDP, shall include all contracts where (a) non-performance was not challenged by the contractor, including through referral to the dispute resolution mechanism under the respective contract, and (b) contracts that were so challenged but fully settled against the contractor. Non-performance shall not include contracts where Employers decision was overruled by the dispute resolution mechanism. Non-performance must be based on all information on fully settled disputes or litigation, i.e. dispute or litigation that has been resolved in accordance with the dispute resolution mechanism under the respective contract and where all appeal instances available to the Bidder have been exhausted. [↑](#footnote-ref-2)