

TERMS OF REFERENCE
for development of land management projects
for land plots of unaccounted forests in East Kazakhstan region

Project title and ID number:	Assistance to the Republic of Kazakhstan in fulfilling international obligations to reduce greenhouse gas emissions by reducing carbon footprint of electricity suppliers for the leading technology company Bitfury, 00111145
Contract type:	Contract for services by UNDP format
Duty station:	At the location of the supplier. If necessary, with trips to East Kazakhstan region, to the territory of identified unaccounted forests (in case if Supplier is not located in East Kazakhstan region)
Period:	12 (twelve) months from the date of Contract signing

PROJECT DESCRIPTION:

a) Project brief description, goals and initial data

Project "Assistance to the Republic of Kazakhstan in fulfilling international obligations to reduce greenhouse gas emissions by reducing the carbon footprint of electricity suppliers for the leading technology company Bitfury" (hereinafter as the Project) aimed at assisting the Republic of Kazakhstan in the fulfillment of international obligations under the Paris Agreement to reduce greenhouse gas emissions through a set of measures to reduce "carbon footprint" produced by electricity suppliers of the company Bitfury in the territory of the Republic of Kazakhstan.

The Project is aimed at the implementation of comprehensive measures in Kazakhstan to absorb CO₂ emissions by forest ecosystems.

The main objectives of the Project will be achieved through activities to (1) reduce the "carbon footprint" produced by Bitfury's electricity suppliers in the territory of the Republic of Kazakhstan, 110% with a total consumption of 82 MW; (2) support for Kazakhstan's national initiative to create offset mechanisms to neutralize greenhouse gas emissions in fulfillment of obligations under the Paris Agreement; (3) contributing to the achievement of the UN sustainable development goal of restoring 350 million hectares of forests worldwide by 2030 as part of the fight against climate change.

b) Context of required services

In Kazakhstan, according to preliminary data, there are more than 740 thousand hectares of forests that are not part of forestry institutions or PAs and practically unmanaged. In accordance with preliminary data issued by the state bodies, the largest areas of unaccounted forests are concentrated in East Kazakhstan and Pavlodar regions, which amount more than 67 thousand hectares and consist of deciduous and coniferous species.

The unaccounted forests of East Kazakhstan region have the highest coefficient of GHG absorption. According to assessment carried out in 2020 after completion of forest surveys (inventory), the unaccounted forests of the region sequestered 5.9 million tons of CO₂ equivalent. This indicator may increase up to 10 million tons of CO₂ equivalent in 50 years providing the proper management of unaccounted forests. But due to lack of accounting, monitoring and protection, the unaccounted forests can themselves be the sources of emissions by being exposed to fires, illegal felling, and other types of anthropogenic pressure. In this regard, there is a need to ensure effective management to maintain the existing level and to increase carbon sequestration by the unaccounted forests.

c) Relevance and purpose of required services

In 2020 within the Project an inventory was carried out round the East Kazakhstan region, and the unaccounted forests of 67.2 thousand hectares located on territory of 13 administrative districts have been revealed. As part of these works, the available (existing) cartographic data of forest fund boundaries were verified with the satellite images to correct these boundaries in further; survey (inventory) of areas with unaccounted forests was carried out obtaining the data on species composition, age of plantings, completeness, quality of locality, timber reserve; the summary materials were prepared. The next stage of works is to transfer the unrecorded forests to the state or private forest fund providing the proper processing and execution of land management documents.

The purpose is to develop a land management project for land plots based on results of unaccounted forests inventory in East Kazakhstan region to transfer in further to the category of managed forests.

d) Stakeholders

Bitfury Holding B.V. (Bitfury) is a leading international technology company that provides full-service blockchain services and one of the industry leaders which are conscious to environmental issues associated with the emission of GHG into the atmosphere. Most of the company's data centers are located in locations with environmentally friendly hydroelectric power, the production of which eliminates the harmful emissions, and the Company continues to work on improving this indicator.

The Forestry and Wildlife Committee of the Ministry of Ecology, Geology and Natural Resources of the Republic of Kazakhstan (hereinafter as the FWC) is a state body and department under the Ministry of Agriculture of the Republic of Kazakhstan, executing the implementation, control, and supervisory functions in the field of forestry, protection, reproduction and use of wildlife and protected areas.

The Ministry of Ecology, Geology and Natural Resources of the Republic of Kazakhstan (hereinafter as the MEGNR) is the central executive authority of the Republic of Kazakhstan, aimed at creating conditions for conservation, restoration and improvement of quality of the environment, water and biological resources, state subsoil geological study, reproduction of the mineral resource base, sustainable development of water, forestry, fishing and hunting sectors, specially protected natural areas, ensuring the transition of the Republic of Kazakhstan to low-carbon development and a "green economy" to meet the needs of present and future generations.

The Department of Natural Resources and Environmental Management of the East Kazakhstan region implements the state policy in the field of environmental protection, the efficient, sustainable use of renewable natural resources, the increasing forest cover and preserving the biological diversity of flora and fauna, improving the environment quality as the basis for a prosperous, safe, and comfortable life of population.

Zhasyl Damu JSC is an organization administered by the MEGNR and aimed at creating the conditions to conserve, restore and improve the environment quality through reduction of GHG emissions via establishment and smooth functioning of GHG quotas regulation and trading system in Kazakhstan.

Local community of East Kazakhstan region.

d) Features of planned activities and safety risks

Safety risks during the execution are minimal as data processing is expected without the field trips.

Important!!!

In connection with the COVID 19 pandemic, the Contractor undertakes to provide all the necessary protective equipment for its employees and comply with all the norms and recommendations of the WHO, as well as local authorized bodies of the Republic of Kazakhstan for performing work

during the period of the introduction of quarantine measures and emergency situations. The Contractor is responsible for the proper and timely provision of its employees involved in this Terms of Reference with all necessary personal protective equipment in accordance with the current WHO recommendations (masks, gloves, sanitizers, passing the COVID-19 test (if necessary) for the period of Contract.

SCOPE OF WORKS:

1. Development of land management documentation (technical, legal parts) in accordance with the requirements established by the legislation of the Republic of Kazakhstan, in 2 copies:

1.1. Preparatory works – identification of all owners and land users within whose boundaries the unaccounted forests are located by requesting the cadastral information with a copy attached;

The information should indicate the categories of lands, types of lands, their area, name of the owners and land users, their contact details (if information is available in land cadastral files), the basis for issuing the land plots.

Upon completion of preparatory works, the Contractor undertakes to provide the Customer with planning and cartographic material with marked land plots: on reserve lands, of agricultural purposes and other categories of land, including the land plots provided for ownership and land use.

1.2. In accordance with the Rules for development of land management project, the development of land management projects in 2 paper copies (first of all, free land plots on state land reserves);

1.3. Entering the coordinates of land plots into the database of State Land Cadaster, including (if necessary) removing the comments of the enterprise maintaining the land cadaster;

1.4. Agreement and approval of land management projects in the authorized bodies.

Terms of works:

1) When granting the land plots from state-owned land, the development of land management project on formation of new land plots;

2) When carrying out the land management works, there should be used materials and tools purchased at own expenses.

3) Delivery of specialists to duty station, their accommodation is paid at Contractor's expense.

4) The Contractor undertakes to perform the land management works for land plots of unrecorded forests in the East Kazakhstan region, observing the requirements of Land Code of the Republic of Kazakhstan dated on 20 June 2003 No. 442-II.

5) The Contractor must guarantee the quality performance. The errors and shortcomings by results of land management and land cadastral works, revealed during the design and approval process, are eliminated by the Contractor within the pre-agreed terms at Contractor's expense.

6) The Contract amount shall include all Contractor's expenses related to fulfillment of the contractual obligations (travel expenses, taxes, etc.), except for land development works on clarification of boundaries and areas (identification) of land plots in case of placing the unaccounted forests within the border of registered land plots.

7) Additional works related to agreement and approval of land management projects in the authorized bodies, required for the full implementation of assignment, the Contractor undertakes to perform at its own expense, being agreed in writing with an authorized representative of the Customer and indicating the deadlines for completion.

8) Upon Contract completion, UNDP receives all direct and related copyrights for materials prepared under this Terms of Reference. Using of materials prepared in accordance with this Terms of Reference for other works/contracts should be agreed with UNDP.

EXPECTED DELIVERABLES:

Interim reports of preparatory works to be provided according to planned stages by districts of

East Kazakhstan region. Payment is made in tranches after the completion of each stage with submission of an interim report.

№	Deliverables	Timeline	Payment	Coordination and approval
1	<p>Result 1. Divided into 3 stages. Preparatory works carried out in accordance with the requirements of the Terms of Reference</p> <p>Submission form: Report with results of preparatory work, cartographic materials; Land cadastral information on unrecorded forests by districts</p>			
	<p>Where:</p> <p>Stage 1 round territories of Ridderskaya, Glubokovsky districts</p>	3 months after signing of the Contract	30%	Project Manager, Project Expert
	Stage 2 round territories of Ulanskiy, Kokpektinskiy, Altai districts	5 months after signing of the Contract	20%	Project Manager, Project Expert
	Stage 3 round territories of Zaisanskiy, Kurshumskiy, Katon-Karagaiskiy districts	7 months after signing of the Contract	20%	Project Manager, Project Expert
2	<p>Result 2. Land management projects of land plots developed by districts and accounting plots of East Kazakhstan region in accordance with the requirements of the Terms of Reference</p> <p>Submission form:</p> <p>1) Interim progress report;</p> <p>2) Land management projects</p>	9 months after signing of the Contract	10%	Project Manager, Project Expert
3	<p>Result 3. Coordinates of land plots entered into the database of State Land Cadastre in accordance with the legislation of the Republic of Kazakhstan and the requirements of the Terms of Reference</p> <p>Submission form:</p> <p>Interim progress report, including confirmation issued by State Land Cadaster</p>	11 months after signing of the Contract	10%	Project Manager, Project Expert

4	<p>Result 4. Land management projects agreed and approved in the authorized bodies in accordance with the requirements of the legislation of the Republic of Kazakhstan and the Terms of Reference</p> <p>Submission form:</p> <p>1) Final progress report, including the documents confirming the official approval of land management projects by the authorized body</p>	12 months after signing of the Contract	10%	Project Manager, Project Expert
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NOTE:

- Payment will be made in installments after satisfactory completion of respective Clauses under the Expected Deliverables and Scope of Works of the ToR and authorization of results by Project Manager through a performance certificate and invoice;
- The Bidder's proposal shall specify lump-sum amount by installments as specified in "Expected Deliverables"

ESSENTIAL CONDITIONS:*a) Responsibility and Coordination:*

- The Contractor is responsible for timely and efficient planning, execution, and achievement of expected results in accordance with this Terms of Reference
- The Contractor is responsible for accuracy and validity of information provided;
- The Contractor may not distribute, transfer to the 3d parties any data, materials, reports compiled/prepared under this Terms of Reference without the permission of UNDP;
- As part of performance, the Contractor undertakes to ensure the complete safety of materials and reports in electronic and paper form. All materials and reports should be formatted and packaged in a way that ensures their safety during storage and transportation;
- As part of performance, the Contractor will independently hold the meetings by each stages of the assignment, if necessary;
- The works must be performed in a quality and timely manner, in accordance with the requirements of the Contract and this ToR. In case of poor quality of Contractor's work (inconsistency with the Terms of Reference), UNDP reserves the right to make suggestions and comments for quality improvement within a certain period of time;
- UNDP reserves the right to make any amendments to the Terms of Reference (up to 25% of the content) but does not allow for changes in the overall work content and Contract amount.
- When performing the works that may be required under the assignment, the Contractor must ensure that the required results (reports, finished products, except for counterfeit products) are produced safely and legally
 - It is necessary to comply with copyright (and related rights) laws and regulations of the Republic of Kazakhstan, and to comply with regulatory norms of the Republic of Kazakhstan by performing this assignment;
 - During the performing the works, the Contractor shall be accountable to the UNDP Project Manager and Project Experts. All actions related to works performance must be agreed with specified Project Team

b) Requirements to reporting:

- The reports should be submitted in accordance with the deadlines specified in the "Expected Deliverables" of this Terms of Reference;
- The reports must be submitted in Russian in electronic and paper format in MS Word, used font: Times New Roman 12;
- The reports must be approved by the Project Manager and will be used as the basis for payments as the performance acts per each deliverables signed;

- The Contractor shall transfer all copyrights for developed materials to UNDP. Upon works completion, UNDP will receive all direct and related copyrights for use of products to be produced under this ToR.

DURATION: 12 (twelve) months from the date of Contract signing.

DUTY STATION: Contractor based location, with trips (if the Contractor is not located in East Kazakhstan region) to Ust-Kamenogorsk (3 people per 3 working days), and to territory of identified unaccounted forests of East Kazakhstan region, to villages of Verkh-Uba, Tavria, Cheremshanka, Katon-Karagai, to Ridder and Altai towns (2 people per 3 days to each region (in total 6 regions), in total 36 days).

QUALIFICATION REQUIREMENTS TO THE CONTRACTOR:

Contractor can be a company/organization or consortium duly registered in the Republic of Kazakhstan and that meets the following requirements:

- 1) Must have legal capacity to enter into agreements;
- 2) Be solvent, not subject to liquidation, its property is not seized, and its business activities are not suspended constrainedly by laws;
- 3) To have the state licenses in the field of land management or engineering and geodetic surveys in accordance with the legislation of the Republic of Kazakhstan;
- 4) To have the certificates of conformity CT PK ИСО (recommended requirement);
- 5) To have at least 5 years of experience in land management and environmental design;
- 6) To have experience in developing at least 5 (ten) land management projects;
- 7) To have own or rented electronic office equipment and software: for design works - AUTOCAD, for cartographic work based on GIS technologies - MapInfo Professional or ArcGIS.
- 8) To have at least (as full time staff or on contractual basis) 2 specialists in the field of land management, 1 forestry specialist and 1 cartography specialist with minimal 5 years of work experience. The qualification requirements to the experts are given in the table below.

Specialist	Minimum Acceptable Level of Education and Specialization	Experience /Special skills
Team Leader, 1ppl	Higher education in the field of land cadaster and land management	- at least 5 years of experience in the field of land cadaster and land management - knowledge of land, forestry, environmental legislation of the Republic of Kazakhstan
Land Surveyors Specialists, at least 2 ppl	Higher education in the field of land cadaster and land management	- at least 5 years of experience with land management organizations - at least 3 years of experience in land management - knowledge of land and forestry legislation of the Republic of Kazakhstan, rules and procedures of land management
Forestry specialist, at least 1 ppl	Higher education in the forestry	- at least 5 years of experience in the forestry; - knowledge of land, forestry, ecological legislation of the Republic of Kazakhstan
Cartographer, at least 1 ppl	Higher education in cartography, geodesy, land management	- at least 5 years of experience by specialization; - experience with GIS software

RECOMMENDATIONS FOR SUBMITTING THE PROPOSALS:

- 1) Copies of certificate of registration/re-registration and constituent documents (Company's Charter is mandatory for submission);
- 2) Financial reporting over the last 2 years (2019-2020), including the balance sheets over the last 2 years, profit and loss report;
- 3) A duly completed Application for participation in the bidding, it is necessary to use the UNDP template
- 4) **A brief description** (company history) of why the Company considers itself the most suitable for works performance; and a methodology that describes what approach will be applied and how the assignment will be accomplished. Work schedule (should include the team composition and distribution of responsibilities, a brief description of methods and procedures to be applied);
- 5) **Financial proposal**, indicating the full Contract amount, including all costs and their breakdown according to the template (including VAT/other applicable taxes);
- 6) Statements confirming the absence of debts in serviced banks and tax authorities
- 7) Certificate of VAT registration, if Contractor is a taxpayer. If Contractor is not a taxpayer, it is necessary to provide a certificate certified by Company's Head;
- 8) Copies of state licenses in the field of land management or cartography required by the legislation of the Republic of Kazakhstan to implement this Terms of Reference;
- 9) Copies of certificates CT PK ICO (if available);
- 10) List of previously developed land management projects over the last 5 years, with indicating the name of Customer and deadlines;
- 11) Copies of documents confirming the availability of own or rented (lease agreement for the entire period of assignment) electronic office equipment and software for design works - AUTOCAD, for cartographic works based on GIS technologies - Map Info Professional or ArcGIS;
- 12) Detailed CV and documents confirming the qualifications of experts (diplomas, certificates, etc.)
- 13) A written declaration (free-form) confirming that the Company is not on the Security Council's UN1267/1989 list, the UN Procurement Division's list, or other disqualifying lists;
- 14) All other documents confirming the qualifications and experience in accordance with requirements specified in the Section "Required skills, work experience (requirements to Contractor)"

Technical assessment criteria

Highest Combined Score (based on the 70% technical proposal and 30% price proposal weight distribution).

Applications that will accumulate at least 490 points of the maximum 700 points during the technical evaluation process will be qualified for financial proposal.

300 is the maximum score for price proposal points that can be obtained.

The successful bidder will be selected based on the highest aggregated score (technical and financial scoring).

Criteria for the Assessment of Proposal:

Technical Proposal (70%, maximum 700 points):

- Expertise of the Company [45,7%]
- Methodology, Its Appropriateness to the Condition and Timeliness of the Implementation Plan 30%]
- Management Structure and Qualification of Key Personnel [24,29%]

Summary of Technical Proposal		Weight, %	Max points
1.	Expertise of the Firm	45,7%	320

2.	Methodology, Its Appropriateness to the Condition and Timeliness of the Implementation Plan	30%	210
3.	Management Structure and Qualification of Key Personnel	24,29%	170
Total			700

Expertise of the Firm/Organization			Max Points
1.1	At least 5 years of experience in the field of land and environmental design: <ul style="list-style-type: none"> • Less than 5 years - 0 points; • 5 years - 84 points; • Above 5 years – 10 points for each year 		120
1.2	Experience in developing at least 5 (five land development projects <ul style="list-style-type: none"> • Less than 5 projects - 0 points; • 5 projects - 70 points; • More than 5 projects- 10 points to each year 		100
1.3	Availability of own or rented electronic office equipment and software for project works - to perform cartographic works on the basis of GIS technology - "MapInfo Professional" or "ArcGIS": <ul style="list-style-type: none"> • Lack of own or rented electronic office equipment - 0 points; • Availability of own or rented electronic office equipment - 100 points; 		100
Total			320

Proposed Methodology, Approach and Implementation Plan			Max Points
2.1	Work methodology: <ul style="list-style-type: none"> • no methodology - 0 points; • availability of methodology - 77 points; • the proposed methodology of work clearly shows the algorithm to achieve results - 110 points. 		110
2.2	Work Plan: <ul style="list-style-type: none"> • absence of a work plan - 0 points; • existence of a work plan - 70 points; • the outlined work plan has a logical framework for achieving results, including the distribution of responsibilities among the members of the expert group - 100 points. 		100
Total			210

Management Structure and Qualification of Key Personnel		
3.1	Team Leader	70
3.1.1	Higher education in the field of land cadastre and land management: <ul style="list-style-type: none"> • Bachelor's degree - 10 points; • Master's degree or 5 years of higher education prior to 1999 - 15 points; • PhD and/or postgraduate degree - 20 points 	20
3.1.2	At least 5 years of experience in land cadastre and land management: <ul style="list-style-type: none"> • less than 5 years - 0 points; • 5 years - 35 points; • more than 5 years for each additional year - 5 points, but no more than 50 points 	50

3.2	Land Surveyors Specialists (2 persons)	30 x 2 =60
3.2.1	Higher education in the field of land cadastre and land management: <ul style="list-style-type: none"> Bachelor's degree - 3 points; Master's degree or 5 years of higher education prior to 1999 - 5 points; PhD and/or postgraduate degree - 10 points 	10
3.2.2	At least 5 years of experience in land surveying organizations: <ul style="list-style-type: none"> less than 5 years - 0 points; 5 years - 7 points; more than 5 years - 10 points 	10
3.2.3	At least 3 years of experience in land surveying: <ul style="list-style-type: none"> less than 3 years - 0 points; - 3 years - 7 points; - more than 3 years for each additional year - 2 points, but no more than 10 points. 	10
3.3	Forestry specialist	20
3.3.1	Higher education in forestry: <ul style="list-style-type: none"> Bachelor's degree - 3 points; Master's degree or 5 years of higher education prior to 1999 - 5 points; PhD and/or postgraduate degree - 10 points 	10
3.3.2	At least 5 years of experience in forest management: <ul style="list-style-type: none"> less than 5 years - 0 points; 5 years - 7 points; more than 5 years - 2 points for each additional year, but no more than 10 points 	10
3.4	Cartographer	20
3.4.1	Higher education in cartography, geodesy, land management: <ul style="list-style-type: none"> Bachelor's degree - 3 points; - Master's degree or 5 years of higher education prior to 1999 - 5 points; - PhD and/or postgraduate degree - 10 points 	10
3.4.2	At least 5 years of experience in the specialty and experience in GIS programs <ul style="list-style-type: none"> less than 5 years - 0 points; 5 years - 7 points; more than 5 years - 2 points for each additional year, but no more than 10 points 	10
Total		170

Talgat Kerteshev
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