

## Terms of Reference

### Services for the development of land management projects for land plots of unaccounted forests in Pavlodar region

<b>Name and number project:</b>	"Assistance to the Republic of Kazakhstan in the implementation of international commitments to reduce greenhouse gas emissions by reducing the carbon footprint of electricity suppliers for the leading technology company Bitfury", 00111145
<b>Contract type:</b>	Contract for the provision of services in the UNDP format
<b>Place of service</b>	At the location of the supplier, if necessary, with trips to the Pavlodar region, on the territory of the identified unaccounted for forests (in case the supplier is not located in Pavlodar)
<b>Period:</b>	12 (twelve) months from the date of signing the contract

### **PROJECT DESCRIPTION**

#### *a) Brief description, project objectives and background data.*

The project "Assistance to the Republic of Kazakhstan in meeting international obligations to reduce greenhouse gas emissions by reducing the "carbon footprint" of electricity suppliers for the leading technology company Bitfury" (hereinafter referred to as the Project) is aimed at assisting the Republic of Kazakhstan in meeting international obligations under the Paris Agreement to reduce emissions greenhouse gases through a set of measures to reduce the "carbon footprint" produced by Bitfury's electricity suppliers in the Republic of Kazakhstan.

The project is aimed at the implementation of complex measures in Kazakhstan to absorb CO<sub>2</sub> 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 Republic of Kazakhstan by 110% with a total consumption of 82 MW; (2) support for Kazakhstan's national initiative to create compensatory mechanisms to neutralize greenhouse gas emissions as part of fulfilling 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*

On the territory of Kazakhstan, according to preliminary data, more than 740 thousand hectares of forests are concentrated, which are not part of forestry institutions or protected areas and are practically not managed. In accordance with the preliminary data of state bodies, in Pavlodar region there are areas of unaccounted for forests, the area of which is more than 20 thousand hectares and consists of deciduous and coniferous species.

#### *c) Relevance and purpose of the required services*

In 2022, within the framework of the Project, an inventory was carried out on the territory of the Pavlodar region and the Semey region of the East Kazakhstan region and unaccounted forests with an area of about 47.0 thousand hectares located on the territory of 9 administrative districts were identified. In the course of these works, the existing cartographic data of the boundaries of the forest fund were verified with satellite images with further adjustment of the indicated boundaries; inventory of areas of unrecorded forests was carried out, with the receipt of data on species composition, age of stands, density, quality, wood stock; summary materials prepared. The next stage of work is the transfer of unrecorded forests to the state or private forest fund, through the proper execution of title documents for land management.

The purpose of the work is to develop a land management project for land plots based on the results of an inventory of unaccounted for forests in the Pavlodar region for subsequent transfer to the category of managed forests.

*d) Stakeholders*

Bitfury Holding BV (Bitfury) is a leading international technology company providing a full cycle of services in the field of blockchain and today is one of the industry leaders and is conscious of the environmental issues associated with the emission of greenhouse gases into the atmosphere. Most of the company's data centers are located in locations that use environmentally friendly hydroelectric power, the production of which eliminates harmful emissions, and the company continues to work to improve this indicator.

The Committee for Forestry and Wildlife of the Ministry of Ecology, Geology and Natural Resources of the Republic of Kazakhstan (hereinafter referred to as the CCL) is a state body and department within the competence of the Ministry of Agriculture of the Republic of Kazakhstan, which performs 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 - MEGPR) is the central executive body of the Republic of Kazakhstan, aimed at creating conditions for the conservation, restoration and improvement of the quality of the environment, water and biological resources, state geological study of the subsoil, 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 Subsoil Use of the Environment and Water Resources of the Pavlodar region implements the state policy in the field of environmental protection, efficient, sustainable use of renewable natural resources, increasing forest cover and preserving the biological diversity of flora and fauna, improving the quality of the environment, as the basis for a prosperous, safe and comfortable the life of the population.

Zhasyl Damu JSC is an organization administered by the MEGPR and aimed at creating conditions for the conservation, restoration and improvement of the quality of the environment by reducing greenhouse gas emissions through the establishment and smooth functioning of the system of regulation and trading in greenhouse gas emissions in Kazakhstan.

Local population of the East Kazakhstan region.

*e) Features of the planned work and safety risks*

**Important!!!**

In connection with the COVID-19 pandemic, the Contractor must provide all necessary protective equipment for its employees and comply with all WHO standards and recommendations for performing work during the epidemic. The Service Provider is responsible for the proper and timely provision of its employees involved in this Terms of Reference,

all necessary personal protective equipment in accordance with current WHO recommendations (masks, gloves, sanitizers, passing a test for COVID-19 (if necessary), for the entire duration of the contract.

## **SCOPE OF WORK**

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

- 1.1. Carrying out preparatory work - identifying all owners and land users within whose boundaries unrecorded forests are located by requesting cadastral information with a copy attached;

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

Upon completion of the preparatory work, the Contractor undertakes to provide the customer with planning and cartographic material with plotted land plots: for reserve land, agricultural land and other categories of land, including land plots provided for ownership and land use.

- 1.2. In accordance with the rules for the development of a land management project, the development of land management projects in two copies on paper (primarily free land plots on state land reserve lands);
- 1.3. Carrying out work in the context of Zhelezinsky, Irtyshsky, Kachirsky, Lebyazhinsky, Shcherbakty and Maysky districts and accounting districts of Pavlodar region;
- 1.4. Entering the coordinates of land plots into the database of the State Land Cadastre, including (if necessary) eliminating the comments of the enterprise maintaining the land cadastre;
- 1.5. Coordination and approval of land management projects in the authorized bodies.
- 1.6. Provision of the methodology and work plan developed by the contractor within the framework of this service.

### **Terms of work:**

- 1) When providing land plots from state-owned lands for the development of a land management project for the formation of new land plots;
- 2) When carrying out land management work, materials and tools purchased should be used at their own expense.
- 3) Mobilization of specialists to the place of work, their accommodation are paid at the expense of the supplier.
- 4) The Contractor undertakes to carry out land management works on land plots of unaccounted forests in the Pavlodar region, in compliance with the requirements of the Land Code of the Republic of Kazakhstan dated June 20, 2003, No. 442-II.
- 5) The contractor must guarantee the quality of the work performed. Errors and shortcomings based on the results of land management and land cadastral work, identified in the design process, and passing approvals (approvals), are eliminated by the supplier within a pre-agreed timeframe and at the expense of the Contractor.
- 6) The price of the Agreement includes all expenses of the Contractor related to the fulfillment of the Contractual obligations (travel expenses, taxes, etc.), except for land management work to clarify the boundaries and areas (identification) of land plots in case of placement of unaccounted forest plots within the boundaries of registered land plots.
- 7) Additional work related to the coordination and approval of land management projects in the authorized bodies, necessary for the full implementation of the task, the Contractor undertakes to perform at its own expense, having agreed in writing with the authorized

representative of the customer, indicating the deadlines for completing the work.

8) At the end of the contract, UNDP receives all direct and related copyrights for materials prepared under this Terms of Reference. The use of materials prepared under this Terms of Reference in other works/contracts must be agreed with UNDP.

**EXPECTED RESULTS:**

Interim reports on the preparatory work are provided, according to the planned stages of work in the context of the regions of the East Kazakhstan region. Payment is made in tranches after the completion of each stage with the provision of an interim report.

No.	results	Period of execution*	Payouts **	Coordination and approval
1	<p>Result 1. Preparatory work was carried out in accordance with the requirements of the terms of reference</p> <p><b>Result form:</b> a report on the results of preparatory work, cartographic materials; land cadastral information on unrecorded forests by districts</p>	5 months after signing a contract	40%	Project manager, project expert
2	<p>Result2. Land management projects of land plots were developed in the context of Zhelezinsky, Irtyshsky, Kachirsky, Lebyazhinsky, Shcherbaktinsky and Maysky districts and accounting quarters of the Pavlodar region in accordance with the requirements of the terms of reference</p> <p><b>Result form:</b></p> <p>1) Interim progress report;</p> <p>2) Land management projects</p>	9 months after signing a contract	40%	Project manager, project expert
3	<p>Result 3. The coordinates of land plots were entered into the database of the State Land Cadastre in accordance with the legislation of the Republic of Kazakhstan and the requirements of the terms of reference</p> <p><b>Result form:</b> interim progress report, including confirmation from the State Land Cadastre</p>	11 months after signing a contract	10%	Project manager, project expert

4	<p>Result 4. Land management projects were 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><b>Result form:</b> Final progress report including documents confirming the official approval of land management projects by the authorized body</p>	12 months after signing a contract	10%	Project manager, project expert
---	--	------------------------------------	-----	---------------------------------

**Note:**

- Payment is made in tranches after the satisfactory completion of each item. "Expected Results" and "Scope of Work" of this Terms of Reference and authorization of the results by the project manager and the provision of a certificate of completion and an invoice.
- The Contractor's proposal must be submitted with an indication of the lump sum payment according to the tranches specified in the "Expected Results".

**ESSENTIAL CONDITIONS:****a) Responsibility and coordination:**

- The Contractor is responsible for timely and rational planning, execution of activities and achievement of expected results in accordance with this terms of reference;
- The Contractor is responsible for the reliability and legitimacy of the materials and information provided;
- The Contractor does not have the right to distribute, transfer data, materials, reports collected / prepared within the framework of this Terms of Reference to third parties without the permission of UNDP;
- When carrying out all types of work, the Contractor undertakes to ensure the complete safety of materials and reports on electronic and paper media. All materials and reports must be prepared and packaged in a way that ensures their safety during storage and transportation;
- In the course of work, the Contractor will independently hold, as necessary, working meetings on the stages of work;
- The work must be performed qualitatively and in a timely manner, in accordance with the requirements of the contract and this technical assignment. In case of poor quality of the Contractor's work (non-compliance with the terms of reference), UNDP reserves the right to make suggestions and comments for elimination within a certain time frame;
- UNDP reserves the right to amend the Terms of Reference (up to 25% content), but does not allow changes in the general essence of the assignment for services and the cost of services under the Agreement
- In carrying out all types of work that may be required in the performance of this assignment, the contractor must ensure the safe and legal production of the required results (reports, finished products, excluding the creation of counterfeit products).
- It is necessary to ensure compliance with the laws and regulations of the Republic of Kazakhstan on copyright (and related rights). It also requires compliance with the regulatory and legal norms of the Republic of Kazakhstan as part of the execution of this task.
- In the course of work, the Contractor is accountable to the UNDP project manager and experts in charge of this work. All actions related to the performance of this work must be coordinated with the specified Project employees without fail.

**b) Reporting requirements:**

- Reports must be submitted in accordance with the deadlines specified in section "Expected Results" of this Terms of Reference;
- Reports of work performed must be submitted in Russian in electronic and paper format in MS Word for Windows files, font: Times New Roman 12;
- Progress reports must be approved by the project manager and will be used as the basis for payment after the signing of the certificate of completion for each deliverable;
- The contractor transfers to UNDP all copyrights to the developed material. Upon completion of the work, UNDP will receive all direct and related copyrights for the use of products that will be manufactured under the ToR.

**DURATION OF WORK:** 12 (twelve) months from the date of signing the contract.

**PLACE OF WORK:** At the location of the supplier, with a visit (if necessary, if the supplier is not located in the Pavlodar region) to the city of Pavlodar (3 people (team leader, Land surveyor specialist, forestry specialist, for 3 working days), as well as to the territory of identified unrecorded forests of Pavlodar region, in the area of the villages of Zhelezinka, Irtyshsk, Kachiry, Zarya, Novoyamyshevo, Akka (2 people each (cartographer, land management specialist, 2 days for each district (6 districts in total), 12 days in total).

**REQUIRED SKILLS AND EXPERIENCE:**

The contractor may be a company/organization, including organizations registered in Kazakhstan, having the following combined experience and meeting the following requirements:

- 1) Have civil legal capacity to conclude contracts;
- 2) Be solvent, not subject to liquidation, its property should not be seized, its financial and economic activities should not be suspended in accordance with the law;
- 3) Have state licenses to perform work in the field of land management or engineering and geodetic surveys in accordance with the legislation of the Republic of Kazakhstan;
- 4) Have certificates of conformity ST RK ISO (recommended requirement);
- 5) Have experience in the field of land management and environmental design for at least 5 years;
- 6) Have experience in developing at least 5 (five) land management projects;
- 7) Have your own or rented electronic office equipment and programs for design work - "AUTOCAD", for cartographic work based on GIS technologies - "MapInfo Professional" or "ArcGIS".
- 8) To have at least 1 specialist in the field of land management, 1 specialist in the field of forestry and 1 specialist in the field of cartography with at least 3 years of work experience on staff or attracted on a contractual basis. The Minimum required qualifications for the expert group are in the table below.

Composition of the group	Minimum acceptable level of education and specialization	Experience/Special Skills
Supervisor groups, 1 person	Higher education in land registry area and land management	<ul style="list-style-type: none"> <li>• At least 5 years of experience in the field of land cadastre and land management</li> <li>• Knowledge of the state and Russian languages, knowledge of English is advantage</li> </ul>

Land surveyor specialist, 1 person	Higher education in land registry area and land management	<ul style="list-style-type: none"> <li>• At least 3 years of experience in land management</li> </ul>
Specialist in forestry, 1 person	Higher in forestry education	<ul style="list-style-type: none"> <li>• At least 3 years of experience in forest management</li> </ul>
Cartographer, 1 person	Higher education in the field of cartography, geodesy, land management	<ul style="list-style-type: none"> <li>• At least 3 years of work experience in the specialization;</li> <li>• Experience in GIS software (certificate)</li> </ul>

#### **RECOMMENDATIONS FOR SUBMITTING A PROPOSAL:**

- 1) Copies of the certificate of registration / re-registration and constituent documents (mandatory to submit the Charter of the organization);
- 2) Financial statements for the last two years (2020-2021), including the balance sheet; Profits and Losses Report;
- 3) Properly completed Application for participation in the competition, you must use the UNDP sample;
- 4) **Short description**(Company Profile), why the company considers itself the best fit for the assignment; and a methodology that communicates what approach will be taken and how the task will be carried out, as well as a detailed work plan. Work schedule (should include the composition of the team and the distribution of responsibilities, a brief description of the methods and procedures for performing work),
- 5) **financial offer**, indicating the full amount of the contract, including all indirect and direct costs (including VAT and / or other applicable taxes), as well as their breakdown according to the template.
- 6) Certificates confirming the absence of debts in tax authorities at the end of the last financial year;
- 7) Certificate of VAT registration, if the Contractor is a VAT payer. If the Contractor is not a VAT payer, it is necessary to provide a certificate certified by the head of the company;
- 8) Copies of state licenses to perform work in the field of land management or cartography required by the legislation of the Republic of Kazakhstan for the implementation of this terms of reference;
- 9) Copies of ST RK ISO certificates (if available);
- 10) List of previously developed land management projects, indicating the name of the Customer and deadlines for the last 5 years;
- 11) Copies of documents confirming the availability of own or rented (lease agreement for the entire period of the assignment) electronic office equipment and software for design work - "AUTOCAD", for performing cartographic work based on GIS technologies - "MapInfo Professional" or "ArcGIS";
- 12) Detailed resume and documents confirming the qualifications of experts (diplomas, certificates, and so on);
- 13) All other documents confirming the qualifications and experience in accordance with the requirements specified in the section "Required skills, work experience (requirements for the supplier)"

**Talgat Kerteshev**  
Project manager

DocuSigned by:  
*Talgat Kerteshev* 29-Jun-2022  
0355F7F192904A6...  
Signature Date:

**Assel Nurbekova**  
Software Analyst

DocuSigned by:  
*Assel Nurbekova* 30-Jun-2022  
0FD5303AB938497...  
Signature Date: