13 September 2022

INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

for individual consultants and individual consultants assigned by consulting firms/institutions

<table>
<thead>
<tr>
<th>Country:</th>
<th>Viet Nam</th>
</tr>
</thead>
<tbody>
<tr>
<td>Description of the assignment:</td>
<td>01 National Consultant to conduct a review on policies and recommendations to promote energy efficiency improvement in buildings</td>
</tr>
<tr>
<td>Period of assignment/services (if applicable):</td>
<td>September 2022 – December 2022</td>
</tr>
<tr>
<td>Duty Station:</td>
<td>Home-based and Hanoi</td>
</tr>
<tr>
<td>Tender reference:</td>
<td>T220805</td>
</tr>
</tbody>
</table>

1. Submissions should be sent by email to luu.thi.trang@undp.org no later than:
   23.59 hrs., 18 September 2022 (Hanoi time)

   With subject line:

   T220805 – 01 National Consultant to conduct a review on policies and recommendations to promote energy efficiency improvement in buildings

Submission received after that date or submission not in conformity with the requirements specified this document will not be considered.

Note:

- Any individual employed by a company or institution who would like to submit an offer in response to this Procurement Notice must do so in their individual capacity, even if they expect their employers to sign a contract with UNDP.

- Maximum size per email is 30 MB.

- Any request for clarification must be sent in writing, or by standard electronic communication to the address or e-mail indicated above. Procurement Unit – UNDP Viet Nam will respond in writing or by standard electronic mail and will send written copies of the response, including an explanation of the query without identifying the source of inquiry, to all consultants.
- After submitting proposal, bidder should send notification by email (without attachment) to: procurement.vn@undp.org informing that the bidder has submitted proposal. UNDP will not be responsible for the missing of proposal if the bidder does not send notification email to above address.

- Female consultants are encouraged to bid for this required service. Preference will be given to equally technically qualified female consultants.

2. Please find attached the relevant documents:

- **Term of References** .................................................................
  (Annex I)
- **Individual Contract & General Conditions** ...................................
  (Annex II)
- **Reimbursable Loan Agreement** (for a consultant assigned by a firm) ..........
  (Annex III)
- **Letter to UNDP Confirming Interest and Availability** ...........................
  (Annex IV)
- **Financial Proposal** .......................................................................
  (Annex V)

3. Interested individual consultants must submit the following documents/information (in English, PDF Format) to demonstrate their qualifications:

a. **Technical component:**

   - Signed Curriculum vitae
   - Signed Letter to UNDP Confirming Interest and Availability
   - 01 example of report in English to be submitted

b. **Financial proposal (with your signature):**

   - The financial proposal shall specify a total lump sum amount in **VND for national consultant and US dollar for International Consultant** including consultancy fees and all associated costs i.e. airfares, travel cost, meal, accommodation, tax, insurance etc. – see format of financial offer in Annex V.

   - Please note that the cost of preparing a proposal and of negotiating a contract, including any related travel, is not reimbursable as a direct cost of the assignment.

   - If quoted in other currency, prices shall be converted to the above currency at UN Exchange Rate at the submission deadline.
4. Evaluation

The technical component will be evaluated using the following criteria:

<table>
<thead>
<tr>
<th>Consultant(s)' experiences/qualification related to the services</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Post-graduate degree in law, economics/ civil engineering, construction, energy efficiency or related fields</td>
<td>200</td>
</tr>
<tr>
<td>2 At least 10 years of experience in the buildings/construction sector with extensive in energy efficiency, green buildings, and Viet Nam’s building/construction sector.</td>
<td>250</td>
</tr>
<tr>
<td>3 Experience in legal field with reviewing and drafting of laws, policies, and regulations.</td>
<td>300</td>
</tr>
<tr>
<td>4 Substantial experience providing similar service to the government and international organizations international organizations. Prior experience with MOC is an advantage</td>
<td>150</td>
</tr>
<tr>
<td>5 Fluency in Vietnamese and English with 1 example of report in English of similar assignment</td>
<td>100</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>1000</strong></td>
</tr>
</tbody>
</table>

A two-stage procedure is utilized in evaluating the submissions, with evaluation of the technical components being completed prior to any price proposals being opened and compared.

The price proposal will be opened only for submissions that passed the minimum technical score of 70% of the obtainable score of 1000 points in the evaluation of the technical component. The technical component is evaluated on the basis of its responsiveness to the Term of Reference (TOR). Maximum 1000 points will be given to the lowest offer and the other financial proposals will receive the points inversely proportional to their financial offers. i.e. $S_f = 1000 \times F_m / F$, in which $S_f$ is the financial score, $F_m$ is the lowest price and $F$ the price of the submission under consideration.

The weight of technical points is 70% and financial points is 30%.

Submission obtaining the highest weighted points (technical points + financial points) will be selected subject to positive reference checks on the consultant’s past performance.

5. Contract

“Lump-sum” Individual Contract will be applied for freelance consultant (Annex II)
“Lump-sum” RLA will be applied for consultant assigned by firm/institution/organization (Annex III)

Documents required before contract signing:

- International consultant whose work involves travel is required to complete the courses on BSAFE which is the new online security awareness training and submit certificate to UNDP before contract issuance.
- **Note:** In order to access the courses, please go to the following link: [https://training.dss.un.org](https://training.dss.un.org)
  The training course takes around 3-4 hours to complete.

- Full medical examination and Statement of Fitness to work for consultants from and above 65 years of age and involve travel. (This is not a requirement for RLA contracts).

- Release letter in case the selected consultant is government official.

6. **Payment**

UNDP shall effect payments to the consultant (by bank transfer to the consultant’s bank account provided in the vendor form upon acceptance by UNDP of the deliverables specified in the TOR).

Payments are based upon outputs, i.e. upon delivery of the products specified in the TOR.

If two currencies exist, UNDP exchange rate will be applied at the day UNDP instructs the bank to effect the payment.

7. **Your proposals are received on the basis that you fully understand and accept these terms and conditions.**
TERMS OF REFERENCE

INDIVIDUAL CONSULTANT

REF#: T220805

Title: 01 National Consultant to conduct a review on policies and recommendations to promote energy efficiency improvement in buildings

Duration: Estimated 40 days from September to December 2022

Duty Station: Home-based and Hanoi

Report: Programme Analyst on Climate Change Mitigation and Deputy Resident Representative, UNDP Viet Nam

1. BACKGROUND

According to the IEA Sustainable Development Scenario, energy efficiency represents more than 40 percent of the emissions abatement needed by 2040. This scenario can be within reach considering meeting the goals of the Paris Agreement will require buildings to improve their energy density by 30-50 percent per square meter. Changes required to meet such an ambitious improvement in energy efficiency will entail deep renovations to the global housing stock through the deployment of new policy tools, technologies, and business models.

Viet Nam is among the fastest growing economies in the world, with its economic growth characterized by high energy and carbon intensity. Emissions are projected to increase threefold by 2030 as compared to 2010. The Government of Viet Nam has therefore placed high importance on climate change mitigation alongside economic growth. The Government of Viet Nam ratified the Paris Agreement of the United Nations Framework on Climate Change and in its updated Nationally Determined Contribution (NDC) commitment at COP26, set a target to reduce greenhouse gas emissions 9 percent by 2030, or 27 percent with international support, compared to business-as-usual using a 2014 baseline.

To reach its net-zero carbon emissions target by 2050, Prime Minister Pham Minh Chinh pledged to reduce methane emissions, phase out coal-fuelled power generation by 2040 and beckoned developed nations to aid Viet Nam through the provision of human resources, preferential green finance, and technology. Thus far, the government’s domestic measures can be seen in the form of the Politburo’s Resolution 55 on “Orientations for the Viet Nam’s National Energy Development Strategy to 2030 and a vision to 2045”, the National Climate Change Strategy by 2050 with development of energy efficient and green buildings by 2030 being one among other priorities. The recent Decision No. 888 dated 25 July by the Government on tasks to implement the COP26 result, by which MOC is tasked to promulgate the Action Plan to develop low-carbon buildings and cities towards net zero emissions by
2050 and prepare a proposal on development and use of energy-saving and green building materials in the housing and commercial sectors.

In 2010, the Law on economical and efficient use of energy was promulgated with one chapter on energy efficiency in building, laying one of key foundations for related follow-up policies and actions.. The Viet Nam National Energy Efficiency Programme for 2019-2030 also set target for green buildings to be achieved by 2025 and 2030. Further, the updated National Green Growth Strategy for the 2021-2030 period, vision towards 2050, approved by the Prime Minister in October 2021, specified a key target until 2030 of the primary energy consumption per unit of GDP reduces by 1.0 – 1.5% annually on average for the 2021-2030 period as well as directed Ministry of Construction (MOC) to formulate and promulgate mechanisms/policies to develop urban areas of green growth; develop systems of green and smart urban technical infrastructure; formulate economic – technical standards and quotas in the development of green materials, green constructions and constructions that use efficient energy forms.

However, buildings remain among the largest energy consumers, accounting for 35-40 per cent of final energy consumption in Viet Nam. Rapid urbanization and expansion of the building sector threatens to increase this share of energy consumption as well as greenhouse gas emissions, which cause climate change.

The UNDP and the Ministry of Construction (MOC) is looking for a national consultant to conduct a review on policies to promote energy efficiency improvement in building sector including green building and low emission/net zero building to provide strategic recommendations for increasing green buildings/ energy efficiency in the building/construction sector in Viet Nam.

2. OBJECTIVE OF THE ASSIGNMENT

The objective of the assignment is to develop a report to submit to MOC and the Technical Working Group #4 on Energy Efficiency of the Viet Nam Energy Partnership Group (VEPG). The report will focus on identifying bottlenecks and policy recommendations on energy efficient and green buildings, labelling of construction material, standards and technical regulation, as well as 2) a review of legal provisions on energy efficiency review and review policies to promote energy efficient buildings and green buildings towards net zero emission; and 3) recommendations to further promote energy efficiency in buildings and construction sector in Viet Nam.

3. SCOPE OF WORK

Under the guidance of the Programme Analyst, and in coordination with MOC and Ministry of Industry and Trade (MOIT), the national consultant is expected to carry out the following tasks:

1. Prepare an inception report with detailed work-plan and approach in undertaking the assigning including the documents and cases to be reviewed and stakeholders to be consulted
2. Conduct research on identification of gaps and barriers preventing implementation (and enforcement) of Energy Efficiency policies that enable energy efficient and green buildings, and propose solution to directly address identify gaps and barriers.
3. Undertake review of legal provisions on energy efficiency in buildings and green building development and propose mechanisms and policies to promote energy efficient buildings and green buildings towards net zero emission. Such review will entail:
   a. Assess the status of energy efficient buildings, policies framework and implementation of policies on energy efficient buildings and green buildings
and best practices globally research on trends in the development of energy efficient buildings, green buildings, net-zero emission buildings for at least three countries in South-East Asia/North-East Asia

b. Assess Vietnam's legal regulations on energy efficient buildings, promotion of energy efficient buildings, green building development and low emission in building sector in aspects of strength, weakness, barriers, and obstacles in implementation.

c. Assess bottlenecks preventing effective enforcement of building codes and regulations which are also evidenced by assessment of at least three typical cases.

d. Propose recommendations for revised regulations on energy efficiency in building and construction field of the Law on energy saving and energy conservation in the aspects of additional or updated policies on EE, investment, green finance mechanisms to promote green and energy efficient buildings, net-zero buildings, etc.

e. Assess and propose policies and actions that support the enforcement and implementation of the building code and contribution to the implementation of the commitment towards net-zero emission by 2050.

4. Consultation Workshop(s)

With support by UNDP, MOC and MOIT engage in the organization and facilitation of a half-day interactive consultation workshop based on the draft report on solutions that tackle gaps/bottlenecks/barriers and legal review and discussion on how to encourage more effective regulations on energy efficiency in building and construction sector. The consultation workshop should engage relevant line ministries such as MOIT and MOC, DOIT, DOC, private sector, building developers, building owners, associations, academia, development partners and other key stakeholders and a half-day final workshop to present the findings.

4. DURATION OF ASSIGNMENT, DUTY STATION AND EXPECTED PLACES OF TRAVEL

Duration: Estimated 40 working days from September - November 2022.

Duty station: Hanoi and home-based.

In case of travel to other locality, eligible travel cost will be paid by UNDP based on UN-EU cost-norm.

5. DELIVERABLES AND IMPLEMENTATION TIMELINE

<table>
<thead>
<tr>
<th>#</th>
<th>Deliverables</th>
<th>Target Due Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>An inception report that details the work-plan and approach in implementation of the assignment</td>
<td>2 weeks upon the signing of the contract</td>
</tr>
<tr>
<td>2</td>
<td>A draft report outlining the bottlenecks and policy recommendations on energy efficient and green buildings and review of legal provisions on energy efficiency in buildings and green building development and linkage between energy efficiency, green building and low emission buildings including PowerPoint presentation</td>
<td>30 September 2022</td>
</tr>
</tbody>
</table>
3. A final report outlining the bottlenecks and policy recommendations on energy efficient and green buildings and review of legal provisions on energy efficiency in buildings and green building development and linkage between energy efficiency, green building and low emission buildings including key notes taken during the consultation and final workshop 30 November 2022

4. A 2-pager summary of key findings and recommendations 15 December 2022

All products will be in English and Vietnamese.

6. PROVISION OF MONITORING AND PROGRESS CONTROLS
The national consultant shall report primarily to the Programme Analyst on Climate Change Mitigation. Working with and under the guidance of UNDP and MOC, the selected consultant will have regular consultations and is required to regularly report to UNDP Vietnam on the progress of the work based on the agreed work-plan and milestones indicated in the inception note.

A monitoring and progress control shall be carried out in accordance with the project’s working regulations in which the national consultant shall consult the Programme Analyst in terms of technical profession and direction to solve arising issues during contract’s implementation and report’s content before submitting to the Deputy Resident Representative.

The deliverables shall be submitted to UNDP for review and approval.

7. ADMIN SUPPORT AND REFERENCE DOCUMENTS
Administrative support will be provided by UNDP and MOC. Copies of relevant documents and templates will be made available to the consultants upon commencement of the assignment. UNDP will also facilitate all logistical arrangements for meeting with core project partners as well as the consultation and final workshops.

8. QUALIFICATIONS AND WORK EXPERIENCE
- Post-graduate degree in law, economics/ civil engineering, construction, energy efficiency or related fields
- At least 10 years of experience in the buildings/construction sector with extensive in energy efficiency, green buildings, and Vietnam’s building/construction sector
- Experience in legal field with reviewing and drafting of laws, policies, and regulations.
- Substantial experience providing similar service to the government and international organizations. Prior experience with MOC is an advantage.
- Fluency in Vietnamese and English with 1 examples of report in English of similar assignment
9. PAYMENT TERM

The payment shall be made on a basis of completed deliverables approved by the Programme Analyst and instalments shall be made as follows:

a) First instalment of 20% of contract value shall be made upon submission and approval of Deliverable 1.

b) Second instalment of 40% of contract value shall be made upon submission and approval of Deliverable 2.

c) Final instalment of 40% of contract value shall be made upon submission and approval of deliverable 3 and 4 and all related products under the contract.

10. CONSULTANT PRESENCE REQUIRED ON DUTY STATION/UNDP PREMISES

☒ NONE  ☐ PARTIAL  ☐ INTERMITTENT  ☐ FULL-TIME

EVALUATION CRITERIA WITH ASSIGNED SCORES
(National Consultant)

<table>
<thead>
<tr>
<th>Consultant(s)’ experiences/qualification related to the services</th>
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ANNEX IV

OFFEROR’S LETTER TO UNDP

CONFIRMING INTEREST AND AVAILABILITY
FOR THE INDIVIDUAL CONTRACTOR (IC) ASSIGNMENT

Date ______________________

(Name of Resident Representative/Bureau Director)
United Nations Development Programme
(Specify complete office address)

Dear Sir/Madam:

I hereby declare that:

A) I have read, understood and hereby accept the Terms of Reference describing the duties and responsibilities of [indicate title of assignment] under the [state project title];

B) I have also read, understood and hereby accept UNDP’s General Conditions of Contract for the Services of the Individual Contractors;

C) I hereby propose my services and I confirm my interest in performing the assignment through the submission of my CV which I have duly signed and attached hereto as Annex I;

D) In compliance with the requirements of the Terms of Reference, I hereby confirm that I am available for the entire duration of the assignment, and I shall perform the services in the manner described in my proposed approach/methodology which I have attached hereto as Annex 3 [delete this item if the TOR does not require submission of this document];

E) I hereby propose to complete the services based on the following payment rate: [please check the box corresponding to the preferred option]:

☐ An all-inclusive daily fee of [state amount in words and in numbers indicating currency]

☐ A total lump sum of [state amount in words and in numbers, indicating exact currency], payable in the manner described in the Terms of Reference.

F) For your evaluation, the breakdown of the abovementioned all-inclusive amount is attached hereto as Annex V;

G) I recognize that the payment of the abovementioned amounts due to me shall be based on my delivery of outputs within the timeframe specified in the TOR, which shall be subject to UNDP’s review, acceptance and payment certification procedures;

H) This offer shall remain valid for a total period of __________ days [minimum of 90 days] after the submission deadline;
I) I confirm that I have no first degree relative (mother, father, son, daughter, spouse/partner, brother or sister) currently employed with any UN agency or office [disclose the name of the relative, the UN office employing the relative, and the relationship if, any such relationship exists];

J) If I am selected for this assignment, I shall [please check the appropriate box]:

- Sign an Individual Contract with UNDP;
- Request my employer [state name of company/organization/institution] to sign with UNDP a Reimbursable Loan Agreement (RLA), for and on my behalf. The contact person and details of my employer for this purpose are as follows:

K) I hereby confirm that [check all that applies]:

- At the time of this submission, I have no active Individual Contract or any form of engagement with any Business Unit of UNDP;
- I am currently engaged with UNDP and/or other entities for the following work:

<table>
<thead>
<tr>
<th>Assignment</th>
<th>Contract Type</th>
<th>UNDP Business Unit / Name of Institution/Company</th>
<th>Contract Duration</th>
<th>Contract Amount</th>
</tr>
</thead>
<tbody>
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</table>

- I am also anticipating conclusion of the following work from UNDP and/or other entities for which I have submitted a proposal:

<table>
<thead>
<tr>
<th>Assignment</th>
<th>Contract Type</th>
<th>Name of Institution/Company</th>
<th>Contract Duration</th>
<th>Contract Amount</th>
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L) I fully understand and recognize that UNDP is not bound to accept this proposal, and I also understand and accept that I shall bear all costs associated with its preparation and submission and that UNDP will in no case be responsible or liable for those costs, regardless of the conduct or outcome of the selection process.

M) If you are a former staff member of the United Nations recently separated, please add this section to your letter: I hereby confirm that I have complied with the minimum break in service required before I can be eligible for an Individual Contract.

N) I also fully understand that, if I am engaged as an Individual Contractor, I have no expectations nor entitlements whatsoever to be re-instated or re-employed as a staff member.
O) Are any of your relatives employed by UNDP, any other UN organization or any other public international organization?

YES   NO   If the answer is "yes", give the following information:

<table>
<thead>
<tr>
<th>Name</th>
<th>Relationship</th>
<th>Name of International Organization</th>
</tr>
</thead>
<tbody>
<tr>
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</tbody>
</table>

P) Do you have any objections to our making enquiries of your present employer?

YES   NO

Q) Are you now, or have you ever been a permanent civil servant in your government’s employ?

YES   NO If answer is "yes", WHEN?

R) REFERENCES: List three persons, not related to you, who are familiar with your character and qualifications.

<table>
<thead>
<tr>
<th>Full Name</th>
<th>Full Address</th>
<th>Business or Occupation</th>
</tr>
</thead>
<tbody>
<tr>
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</table>

S) Have you been arrested, indicted, or summoned into court as a defendant in a criminal proceeding, or convicted, fined or imprisoned for the violation of any law (excluding minor traffic violations)?

YES   NO If "yes", give full particulars of each case in an attached statement.

I certify that the statements made by me in answer to the foregoing questions are true, complete and correct to the best of my knowledge and belief. I understand that any misrepresentation or material omission made on a Personal History form or other document requested by the Organization may result in the termination of the service contract or special services agreement without notice.

DATE: ______________________  SIGNATURE: ______________________

NB. You will be requested to supply documentary evidence which support the statements you have made above. Do not, however, send any documentary evidence until you have been asked to do so and, in any event, do not submit the original texts of references or testimonials unless they have been obtained for the sole use of UNDP.

Annexes [please check all that applies]:

☐ CV shall include Education/Qualification, Processional Certification, Employment Records /Experience
☐ Breakdown of Costs Supporting the Final All-Inclusive Price as per Template
GUIDELINES FOR CV PREPARATION

WE REQUEST THAT YOU USE THE FOLLOWING CHECKLIST WHEN PREPARING
Your CV:
Limit the CV to 3 or 4 pages
NAME (First, Middle Initial, Family Name)
Address:
City, Region/State, Province, Postal Code
Country:
Telephone, Facsimile and other numbers
Internet Address:
Sex, Date of Birth, Nationality, Other Citizenship, Marital Status
Company associated with (if applicable, include company name, contact person and phone
number)

SUMMARY OF EXPERTISE
Field(s) of expertise (be as specific as possible)
Particular development competencies-thematic (e.g. Women in Development, NGOs,
Privatization, Sustainable Development) or technical (e.g. project design/evaluation)
Credentials/education/training, relevant to the expertise

LANGUAGES
Mother Tongue:
Indicate written and verbal proficiency of your English:

SUMMARY OF RELEVANT WORK EXPERIENCE
Provide an overview of work history in reverse chronological order. Provide dates, your
function/title, the area of work and the major accomplishments include honorarium/salary.
References (name and contact email address) must be provided for each assignment
undertaken by the consultant that UNDP may contact.

UN SYSTEM EXPERIENCE
If applicable, provide details of work done for the UN System including WB. Provide names
and email address of UN staff who were your main contacts. Include honorarium/salary.

UNIVERSITY DEGREES
List the degree(s) and major area of study. Indicate the date (in reverse chronological order)
and the name of the institution where the degree was obtained.

PUBLICATIONS
Provide total number of Publications and list the titles of 5 major publications (if any)

MISCELLANEOUS
Indicate the minimum and maximum time you would be available for consultancies and any
other factors, including impediments or restrictions that should be taken into account in
connection with your work with this assignment.
Annex V

FINANCIAL OFFER

Having examined the Solicitation Documents, I, the undersigned, offer to provide all the services in the TOR for the sum of …… (VND for National Consultant and USD for International Consultant).

This is a lump sum offer covering all associated costs for the required service (fee, meal, accommodation, travel, taxes etc).

<table>
<thead>
<tr>
<th>No.</th>
<th>Description</th>
<th>Quantity</th>
<th>Unit Rate</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Consultancy fee</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Out of pocket expenses</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.1</td>
<td>Travel</td>
<td></td>
<td></td>
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<tr>
<td>2.2</td>
<td>Per diem</td>
<td></td>
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<tr>
<td>2.3</td>
<td>Full medical examination and Statement of Fitness to work for consultants from and above 65 years of age and involve travel – (required before issuing contract). *</td>
<td></td>
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<tr>
<td>2.4</td>
<td>Others (pls. specify)…….</td>
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</tr>
<tr>
<td>2.5</td>
<td>VAT** if applicable for local firm <em>(in case your company signs the contract)</em></td>
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<td></td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td></td>
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</tbody>
</table>

* Individual Consultants/Contractors who are over 65 years of age with assignments that require travel and are required, **at their own cost**, to undergo a full medical examination including x-rays and obtaining medical clearance from **an UN-approved doctor** prior to taking up their assignment.

** Individual Consultants/Contractors who request their employer to sign a Reimbursable Loan Agreement (RLA) with UNDP for their behalves are reminded to add the Value Added Tax into the total lump sum of the Financial Offer if applicable.

I undertake, if my proposal is accepted, to commence and complete delivery of all services specified in the contract within the time frame stipulated.

I agree to abide by this proposal for a period of 120 days from the submission deadline of the proposals.

Dated this day /month of year

Signature

(The costs should only cover the requirements identified in the Terms of Reference (TOR) Travel expenses are not required if the consultant will be working from home).