REQUEST FOR PROPOSAL (RFP)

All interested	DATE: September 28, 2015
	REFERENCE: RFP UKR/2015/097

Dear Sir / Madam:

We kindly request you to submit your Proposal for the **Development of Software of Electronic Asset Declaration System of Ukraine**

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

Proposals may be submitted on or before **23:59 (Kyiv time) Sunday, October 18, 2015** and via email to the address below:

<div align="center">

United Nations Development Programme
tenders.ua@undp.org
Procurement Unit

</div>

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

In the course of preparing your Proposal, it shall remain your responsibility to ensure that it reaches the address above on or before the deadline. Proposals that are received by UNDP after the deadline indicated above, for whatever reason, shall not be considered for evaluation. If you are submitting your Proposal by email, kindly ensure that they are signed and in the .pdf format, and free from any virus or corrupted files.

NB. The Offeror shall create 2 archive files **(*.zip format only!):** one should include *technical proposal*, another one should include *financial proposal* **and be encrypted with password**. Both files should be attached to the email letter.

During evaluation process only technically compliant companies will be officially asked by UNDP procurement unit via email to provide password to archive with financial proposal. Please do not include the password either to email letter or technical proposal and disclose before official request.

Messages should **not exceed 5 MB in size**. Offers larger than 5 MB should be split into several messages and each message subject should indicate "part x of y" besides the marking mentioned in the announcement and the solicitation documents. Messages larger than 5 Mb will not be delivered. *All electronic submissions are confirmed by an automatic reply*.

The Offeror shall mark the email letter/s:

Subject of the message should include: **"RFP UKR/2015/097"** and "Development of Software of Electronic Asset Declaration System of Ukraine"

Body of the message should include: **Name of the offeror**

Archive files should be marked as: **Technical proposal** and **Financial proposal**

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

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

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

No price variation due to escalation, inflation, fluctuation in exchange rates, or any other market factors shall be accepted by UNDP after it has received the Proposal. At the time of Award of Contract or Purchase Order, UNDP reserves the right to vary (increase or decrease) the quantity of services and/or goods, by up to a maximum twenty five per cent (25%) of the total offer, without any change in the unit price or other terms and conditions.

Any Contract or Purchase Order that will be issued as a result of this RFP shall be subject to the General Terms and Conditions attached hereto. The mere act of submission of a Proposal implies that the Service Provider accepts without question the General Terms and Conditions of UNDP, herein attached as Annex 3.

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

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

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

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

Thank you and we look forward to receiving your Proposal.

Sincerely yours,

Ms. Inita Paulovica
Deputy Resident Representative
UNDP Ukraine
28/09/2015

Description of Requirements

Project name:	ENHANCED PUBLIC SECTOR TRANSPARENCY AND INTEGRITY
Brief Description of the Required Services	Development of Software of Electronic Asset Declaration System of Ukraine
The overall objective	The aim of the assignment is to develop the software of electronic asset declaration system of Ukraine based on approved methodology (TOR attached in separate annex). Final beneficiary and recipient of deliverables under the assignment is UNDP. The UNDP will approve the deliverables upon consultations with the Ministry of Justice of Ukraine and the Quality Assurance Group.
Person to Supervise the Work/Performance of the Service Provider	UNDP Programme Manager
Frequency of Reporting	According to TOR attached
Progress Reporting Requirements	According to TOR attached
Location of work	**Ukraine**
Expected duration of work	Up to 30 December 2015 from the date of contract's signature - first phase From the end of first phase till 30 June 2016 – the second phase
Target start date	2 November 2015
Latest completion date	30 December 2015 – first phase, 30 June 2016 – second phase
Travels Expected	According to TOR attached
Special Security Requirements	n/a
Facilities to be Provided by UNDP (i.e., must be excluded from Price Proposal)	The Project will not provide any facilities, equipment, support personnel, support services or logistic
Implementation Schedule indicating breakdown and timing of activities/sub-activities	☒ Required ☐ Not Required
Names and curriculum vitae of individuals who will be involved in completing the services	☒ Required ☐ Not Required
Currency of Proposal	☒ United States Dollars (US$) – strongly advised to use as a risk mitigation measure against the impact of the local currency devaluation. UNDP shall arrange the payment in local currency based on the UN Operational Exchange Rate prevailing at the time of invoicing. For details please see: http://treasury.un.org ☐ Euro

	☒ UAH
Value Added Tax on Price Proposal	☒ must be inclusive of VAT and other applicable indirect taxes (VAT should be clearly indicated in separate line) ☐ must be exclusive of VAT and other applicable indirect taxes
Validity Period of Proposals *(Counting for the last day of submission of quotes)*	☐ 30 days ☐ 60 days ☒ 90 days ☐ 120 days In exceptional circumstances, UNDP may request the Proposer to extend the validity of the Proposal beyond what has been initially indicated in this RFP. The Proposal shall then confirm the extension in writing, without any modification whatsoever on the Proposal.
Partial Quotes	☒ Not permitted ☐ Permitted
A pre-proposal conference will be held on:	**Time: 15-00** **Date: October 5, 2015** **Address: 1, Klovsky Uzviz, Kyiv** **Contact person: Procurement Unit** **Telephone: +38 044 253 93 63** **E-mail: procurement.ua@undp.org**
Payment Terms[1]	The payment for Contractor's services will be arranged in 5 installments after the completion of respective tasks: 1. 25% of the total amount will be paid after achieving the Deliverable 1; 2. 25% of the total amount will be paid after the achievement of Deliverable 2 and submission of an Interim Report #1; 3. 10% of the total amount will be paid after the achievement of Deliverable 3 and submission of an Interim Report #2; 4. 30% of the total amount will be paid after the achievement of Deliverable 4 and submission of an Interim Report #3; 5. 10% of the total amount will be paid after the achievement of Deliverable 5 and submission of a Final Report. Payment terms: Not later than thirty (30) days as of meeting the following conditions: a) UNDP's written acceptance (i.e., not mere receipt) of the quality of the outputs based on conclusions of the Quality Assurance Group; b) Receipt of invoice from the Service Provider.

---

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

Person(s) to review/inspect/ approve outputs/completed services and authorize the disbursement of payment	UNDP Project Manager
Type of Contract to be Signed	☐ Purchase Order ☐ Institutional Contract ☒ Contract for Professional Services ☐ Long-Term Agreement ☐ Other Type of Contract
Criteria for Contract Award	☐ Lowest Price Quote among technically responsive offers ☒ Highest Combined Score (based on the 70% technical offer and 30% price weight distribution) ☒ Full acceptance of the UNDP Contract General Terms and Conditions (GTC). This is a mandatory criteria and cannot be deleted regardless of the nature of services required. Non acceptance of the GTC may be grounds for the rejection of the Proposal.
Criteria for the Assessment of Proposal	**Technical Proposal (70%)** ☒ Experience of the Organization 36% ☒ Proposed work plan, methodology and approach 36% ☒ Personnel and invited experts/consultants 28% **Financial Proposal (30%)** To be computed as a ratio of the Proposal's offer to the lowest price among the proposals received by UNDP.
UNDP will award the contract to:	☒ One and only one Service Provider ☐ One or more Service Providers, depending on the following factors :
Annexes to this RFP	☒ Form for Submission of Proposal (Annex 2) ☒ General Terms and Conditions / Special Conditions - Available through the Link: http://www.undp.org/content/undp/en/home/operations/procurement/how_we_buy/contract_terms/ ☒ Detailed TOR and Evaluation Criteria (Annex 3) ☒ Contract for professional services template (Annex 4)
Contact Person for Inquiries (Written inquiries only)[2]	*Procurement Unit* *UNDP Ukraine* *procurement.ua@undp.org* Any delay in UNDP's response shall be not used as a reason for extending the deadline for submission, unless UNDP determines that such an extension is necessary and communicates a new deadline to the Proposers.

---

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

Documents to be submitted in proposal	☒ Dully filled in and Signed Form for Submission of Proposal (Annex 2) ☒ Business Licenses (Copies of State/Tax registration documents) and other Certificates (if any) ☒ Copies of other licenses or certificates (if any); ☒ Financial statements (Copies of income/balance statements for last 2 years or Audited statements) ☒ *Letter of interest/letter of proposal, which briefly describes the methodology and/or approach to the performance of work (up to 2 pages);* ☒ *Description of the approach to the development of the software models. The following elements should be elaborated: (1) overall approach and methodology; (2) how well the proposed methodology ensures high load/load balancing/scaling of the software? (3) How well the proposed methodology ensures user-friendly and high-quality UI/web design? (4) quality assurance approach; (5) detailed work plan based on the deliverables of the assignment and stages of the organization of the working process;* ☒*Information on the company's successful experience in developing software of the similar level of complexity (project description, specific role/participation of the Contractor in preparation or implementation, the amount of attracted funding, appropriate links to the final products) – minimum 3 past projects.* ☒ *Examples of previous work (with descriptions) and at least two references from customers;* ☒ *CVs of the proposed members of the team **(at least of the Project Manager and 4 IT Specialists).***
Other Information Related to the RFP	**Administrative Requirements:** Submitted offers will be reviewed on "Pass" or "Fail" basis to determine compliance with the below formal criteria/ requirement/s: ✔ Offers must be submitted within the stipulated deadline ✔ Offers must meet required Offer Validity ✔ Offers have been signed by the proper authority ✔ Offers include requested company/organization documentation, including documentation regarding the company/organization's legal status and registration ✔ Offers must comply with general administrative requirements: a) Properly registered company/organization; b) At least 3 years of working experience. Other information is available on http://www.ua.undp.org/content/ukraine/en/home/operations/procurement/; For the information , please contact procurement.ua@undp.org

Annex 2

FORM FOR SUBMITTING SERVICE PROVIDER'S PROPOSAL[3]

(This Form must be submitted only using the Service Provider's Official Letterhead/Stationery[4])

[insert: *Location]*.
[insert: *Date]*

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

Dear Sir/Madam:

We, the undersigned, hereby offer to render the following services to UNDP in conformity with the requirements defined in the RFP UKR/2015/097 dated 9/28/2015, and all of its attachments, as well as the provisions of the UNDP General Contract Terms and Conditions :

A.   **Qualifications of the Service Provider**

BRIEF COMPANY PROFILE	
The Service Provider must describe and explain how and why they are the best entity that can deliver the requirements of UNDP by indicating the following :	
Full registration name	
Year of foundation	
Legal status	If Consortium, please provide written confirmation from each member
Legal address	
Actual address	
Bank information	
VAT payer status	
Contact person name	
Contact person email	
Contact person phone	
Company/Organization's core activities	

---

[3] *This serves as a guide to the Service Provider in preparing the Proposal.*
[4] *Official Letterhead/Stationery must indicate contact details – addresses, email, phone and fax numbers – for verification purposes*

Profile – describing the nature of business, field of expertise, licenses, certifications, accreditations (If any);	Please indicate here
Business Licenses – Registration Papers, Tax Payment Certification, etc	EDRPOU, ID tax number Copies of State registration and Tax registration should be attached
Latest Audited Financial Statement or Financial results (2013 -2014)	Copies of income statement and balance sheet to indicate Its financial stability, liquidity, credit standing, and market reputation
Track Record performed within the last 5 years	Please indicate here the List of clients for similar services as those required by UNDP, indicating description of contract scope, contract duration, contract value, contact references; Brief description of previous products developed by the company (list);
Certificates and Accreditation	Please indicate here applicable including Quality Certificates, Patent Registrations, Environmental Sustainability Certificates, etc.
Please provide contact details of at least 3 previous partners for reference	Please attach the signed reference letters *if any*.
Company is not in the UN Security Council 1267/1989 List, UN Procurement Division List or Other UN Ineligibility List.	Yes/No (Please choose)
Other relevant information	

B.   **Proposed Methodology for the Completion of Services**

> *The Service Provider must describe how it will address/deliver the demands of the RFP; providing a detailed description of the essential performance characteristics, reporting conditions and quality assurance mechanisms that will be put in place, while demonstrating that the proposed methodology, and expected deliverables, implementation schedule for each deliverable/output will be appropriate to the local conditions and context of the work.*
>
> *Must include:*
>
> 1. *Letter of interest/letter of proposal, which briefly describes the methodology and/or approach to the performance of work (up to 2 pages);*
> 2. *Description of the approach to the development of the software models. The following elements should be elaborated: (1) overall approach and methodology; (2) how well the proposed methodology ensures high load/load balancing/scaling of the software? (3) How well the proposed methodology ensures user-friendly and high-quality UI/web design? (4) quality assurance approach; (5) detailed work plan based on the deliverables of the assignment and stages of the organization of the working process;*
> 3. *Information on the company's successful experience in developing software of the similar level of complexity (project description, specific role/participation of the Contractor in development, preparation or implementation, the amount of attracted funding, appropriate links to the final products);*

> 4. *Examples of previous work (with descriptions, links) and at least two references from customers;*
> 5. *Reference letters (at least two).*

C. **Qualifications of Key Personnel**

> *If required by the RFP, the Service Provider must provide:*
>
> *a) Names and qualifications of the key personnel that will perform the services; description of roles of key personnel (who is Team Leader, who are supporting, etc.);*
>
> *b) CVs demonstrating qualifications;*
>
> *c) Written confirmation from each personnel that they are available for the entire duration of the contract.*
>
> *At least:*
>
> *1) Team Lead / Manager*
>
> *2) 4 IT Specialists*
>
> *3) Other personal if needed*

Parts D – E should be included to the financial proposal in password protected separate archive!!! Please do not provide the password until official request from Procurement Unit arrives.

D. **Cost Breakdown per Deliverable***

	Deliverables *[list them as referred to in the RFP]*	Percentage of Total Price (Weight for payment)	Price (Lump Sum, All Inclusive) incl. VAT
1	Deliverable 1		
2	Deliverable 2		
3	….		
	Total incl. VAT	100%	

This shall be the basis of the payment tranches

E.   **Cost Breakdown by Cost Component** *[This is only an Example but please stick to these categories]*:

The Financial Proposal should be submitted in a separate sealed archive and include the following categories of costs:

№	Activity/Costs	Unit	Number	Cost per unit	Amount excluding VAT	VAT	Amount including VAT
1	Personnel						
2	Lease of web-servers and web-services for the period of software development (if necessary)						
4	Administrative costs						
	Internet						
	Telephone						
	Stationery/Consumables						
5	*Other costs (if any - to define clearly activities/costs)*						
	…						
	…						
	…						

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

Annex 3

Terms of Reference

Project Title: ENHANCED PUBLIC SECTOR TRANSPARENCY AND INTEGRITY

Description of the assignment: Development of Software of Electronic Asset Declaration System of Ukraine

Country/place of implementation: Ukraine
Possible travels (if applicable): N\A
The term of the assignment/or end date (if applicable): 30 December 2015 – first phase, 30 June 2016 – second phase
Name and position of Project Manager: Yuliya Shcherbinina, Senior Programme Manager

I. PREAMBLE

The Parliament of Ukraine adopted a package of important anti-corruption legislation in October 2014. As a part of this package, two new agencies – National Anti-Corruption Bureau of Ukraine (NAB) and the National Agency for Corruption Prevention (NACP) - will be set up. The new Law on Prevention of Corruption (the Law) also envisages creation of an Electronic Asset Declaration System (E-declaration system) for the persons authorized to perform functions of the State or local self-government. The NACP will be in charge of managing electronic asset declaration system. Currently in Ukraine public officials submit their declarations on the paper. The process is decentralized, which means that each agency is in charge of collecting and storing declarations from their employees. Thus, there are no common standards and procedures governing collection, storage and publication of asset declarations. This process is also time-consuming and does not utilize modern technologies, such as web and mobile platforms, which in overall results in high costs and inefficient procedures. Given the complexity of asset verification procedures, paper declaration process does not allow for as effective tools as the electronic filing system.

Background

The Government of Ukraine (GoU) is pursuing multi-pronged e-governance reforms and establishing E-declaration system is one of them. The existing paper-based system is poorly functional, as it requires vast administrative capacity and money. Therefore the new e-declaration system aims:
1. To simplify submission process of asset declarations by enabling electronic submission
2. To provide online public access and search tools for all submitted asset declarations for
the general public
3. To create comprehensive electronic verification system for submitted asset
declarations.
The GoU committed to the citizens and international partners to employ the electronic system in the 2016 annual declaration cycle. This means that the new E-declaration system must be functional in January 2016. To meet this deadline, the procurement of the software development for E-declaration must begin as soon as possible. The new system has to be developed and undergo appropriate tests, e.g. stress, volume, load, acceptance, accessibility, compatibility, GUI and security tests, by the end of January 2016.

Although the final consumer of the project will be the NACP, the Ministry of Justice of Ukraine (MoJ) will be the primary beneficiary of the project at this stage. The E-declaration system should function in legal terms as a Unified State Register of Declarations of Persons Authorized to Perform Functions of the State or Local Self-Government.

The list of officials, who are required to submit asset declarations and hence are "declarants" in the E-declaration system, is defined in Article 3 of the Law (see Annex 1 to this TOR). There is no precise indication of the number of the declarants in Ukraine; however, estimates vary from 700,000 to 900,000.

The setting up of the NACP and development of the E-declaration system will be managed by the Working Group (WG) established according to the Decree #376 of the Cabinet of Ministers of Ukraine. If the WG is unable to make a decision on the system development, the decision will be made by the Deputy Minister of Justice in charge of establishing the E-declaration system at the given time. Any change in these terms of reference shall also be endorsed by the WG.

There are several governmental agencies that are main stakeholders in the e-declaration project. These agencies are: MoJ, NACP and NAB. The owner of the system will be the NACP, however the MoJ is in charge of elaboration of the E-declaration system until the NACP becomes functional. Once the E-declaration system is launched, it will be officially transferred to the NACP for future management.

The National Agency for Prevention of Corruption (NAPC) is a central executive body with a special status, which ensures the formation and implementation of the state anti-corruption policy. It is responsible for managing the e-declaration system,

storage and publication of data submitted through the system. The NACP is also in charge of controlling submission and verification of asset declarations. The NACP is authorized to conduct administrative investigations and bring to administrative liability for untimely submission of asset declarations and to refer suspicions of false asset disclosure, illicit enrichment or willful non-submission of the declaration to the law enforcement authorities. The NACP will also conduct lifestyle monitoring of public officials and control compliance with conflict of interests regulations.

The National Anti-Corruption Bureau was established by the Law adopted in October 2014 and is currently in the process of being set up. It will deal with criminal investigation of high-level corruption, i.e. corruption offences committed by high-level officials or bribery in significant amount. The NAB detectives will also investigate illicit enrichment. On 16 July 2015 the parliament passed an amendment authorizing the NAB to investigate knowingly false entry of data in the asset declaration or willful non-submission of the declaration by high-level officials. The NAB is an autonomous agency with high level of independence from the executive.

II. MAIN GOALS AND OBJECTIVES

The aim of the assignment is to develop the software of electronic asset declaration system of Ukraine based on approved methodology as explained in this TOR.

Final beneficiary and recipient of deliverables under the assignment is UNDP. The UNDP will approve the deliverables upon consultations with the Quality Assurance Group consisting of representatives of the UNDP, MoJ,, World Bank and other partners.

The project is designed to simplify the submission, access and verification of asset declarations of public officials. To achieve this the E-declaration system should be able to perform the following tasks:

● Simplify data entry by the declarant
● Provide secure authentication protocol to the E-declaration system
● Prevent errors by the declarant while entering data
● Cross-check information with other databases across the governmental departments
● Grant access to other public databases to the E-declaration system
● Ensure secure storage of entered data
● Provide online public access and search tools to public data contained in the declarations and ability to download
● Ensure open API for developers in order to securely access and download public asset declaration data in various formats
● Streamline asset declaration handling procedures in the NAPC staff and establish an effective business process for asset verification.

III. SCOPE OF WORK AND EXPECTED OUTCOMES

The selected Contractor shall perform the following activities:
• Development of software for electronic asset declaration system of Ukraine
• Preparation of appropriate system and project documentation for software of electronic asset declaration system of Ukraine, interactive guiding materials on the use of the system, video materials, Word format, in Ukrainian. Contractor shall prepare interactive guiding materials (in Ukrainian) on the use of the system, on hard copy and electronically available on the web page of the E-declaration system in Ukrainian. Supplier shall prepare video materials available on the E-declaration system's portal giving instructions for submission of statements to guide the submitters through the entire submission process that includes the following steps: Authentication, Filling-in of declaration form and form of significant change. These video materials shall be available in Ukrainian.

PROJECT IMPLEMENTATION SCHEDULE
The project shall be implemented in two phases. Launching of the verification module may be dependent on several variables, such as internal capacity of the newly created NACP, readiness of other governmental databases to connect with the E-declaration system via APIs, adoption of the declaration verification procedure by the NACP.
Phase 1 should be finalized by 30 December 2015 and include the following elements described below:
1. Authentication
2. Notifications
3. Submission and storage
4. Online publication and online public access

Phase 2 should be finalized by 30 June 2016 and include the following element:
1. Verification.

DELIVERABLES

The contractor will have to complete the following deliverables within specified timeline

Phase 1

Deliverable 1: the Core of the system (database, search engine, public API, scheduler).
Deliverable 2: declarant-facing components (forms, authentication subsystem, messaging subsystem), public web-site, automated workplace of NACP officials, private API.
Deliverable 3: system documentation, interactive guiding materials (videos, slides, instructions, etc.), front end of online help desk for declarants with backend for NACP operatorsThe contractor shall produce two types of documents
A) system documentation, i.e. the one that explains system architecture to the future developers. This document alone shall be enough for any developer in the future to freely navigate in the source codes and be able to upgrade the system;

B) user manual, i.e. the document that will be broken down by user categories (as explained in the ToR's user roles section) and enables effective operation of the system. This manual alone shall be enough for any untrained user to access and operate the system.

Phase 2 Deliverable 4: verification subsystem, integration with external registries.
Deliverable 5: interactive guiding materials on verification subsystem.

OBJECTS OF THE E-DECLARATION SYSTEM AND USER ROLES
Objects
The E-declaration system should include the following objects (elements):
Draft of the declaration
An electronic document with a draft of the declaration that the declarant saved to finalize later. It can be edited or deleted by the declarant. It should not be accessible for anyone except for the declarant until the declaration is finalized and the declarant performs action "Submit declaration". After submission the draft declaration's status is changed to "declaration".
Declaration
An electronic document with the finalized declaration is created after the declarant "submits declaration". No one can delete this document.
Information included by the declarant in the electronic document with the final declaration may not be edited by anyone.
The declarant has the right to submit corrected declaration in accordance with the law in the following cases:
1) correction made upon initiative of the declarant according to Article 45.4 of the Law;
2) if the NACP has detected incomplete or incorrect data and notified of this the declarant.
In such cases the declarant can create a draft copy of the existing final declaration, make necessary changes and submit final corrected declaration within time limits set by the Law.
All versions of the declaration are saved in the system and published on the web site on the declarant's page with indication of the time of corrections made.
The public part of the document (i.e. declaration without information mentioned in Article 47.1 of the Law) should be accessible for reading on the NACP's web-site for anyone, while information mentioned in Article 47.1 of the Law (information on registration number of the taxpayer's card or series and number of the national passport, place of residence, date of birth of natural persons mentioned in the declaration, location of objects indicated in the declaration) - should be accessible for the declarant and NACP officials who are authorized to work in the e-declaration system.
According to the Law (Art. 47.2), the declarations and "significant change in assets" notifications should be stored in the electronic system (and be available for public access) at all time when the relevant person performs functions of the state or local self-government and 5 years after the date when such person was dismissed (terminated performance of the said functions). The exception is the last declaration filed by any declarant - i.e. declaration filed the next year after the person terminated his functions - such declaration is stored indefinitely.
Draft of the Significant Changes Form
Electronic document with a draft of the form for notification about significant changes in the declarant's assets in accordance with Article 50.2 of the Law. The form for notification about significant changes in the declarant's assets should be submitted separately from the main declaration in cases provided for in the Law. The draft form may be edited or deleted by the declarant. It should not be accessible for reading to anyone except for the declarant, until the declarant finalizes the form and performs the action "Submit the form". After submission it becomes the Form for notification about significant changes in the declarant's assets.
Significant Changes Form

Electronic document with the form for notification about significant changes in the declarant's assets. It cannot be deleted or edited by anyone. All information included in the form, except for information that is mentioned in Article 47 of the Law, should be published on the NACP's web-site in the Unified State Register of Declarations of Persons Authorized to Perform Functions of the State or Local Self-Government and should be accessible for reading to anyone. Information restricted in access according to Article 47 of the Law should be accessible for reading only to the declarant and NACP officials who are authorized to work in the e-declaration system.

Verification results

A collection of electronic documents linked to the declaration with: replies from the external electronic public registers (information systems) with regard to assets, income and other objects of declaring that were mentioned by the declarant in his declaration; results of comparing these replies with the data provided by the declarant by algorithms of the verification module; results of other checks carried out by the NACP.

Account of the declarant

The declarant's account includes data obtained during authentication of the declarant: name, patronymic, last name; individual tax number or series and number of the national passport; e-mail address indicated by the declarant that is used for sending notifications and reminders; number of the declarant's mobile phone; other personal data of the declarant included in the declaration form.

The declarant's account should also be linked to the list of his declarations and their drafts, forms of notifications about significant changes in the declarant's assets and drafts of such forms.
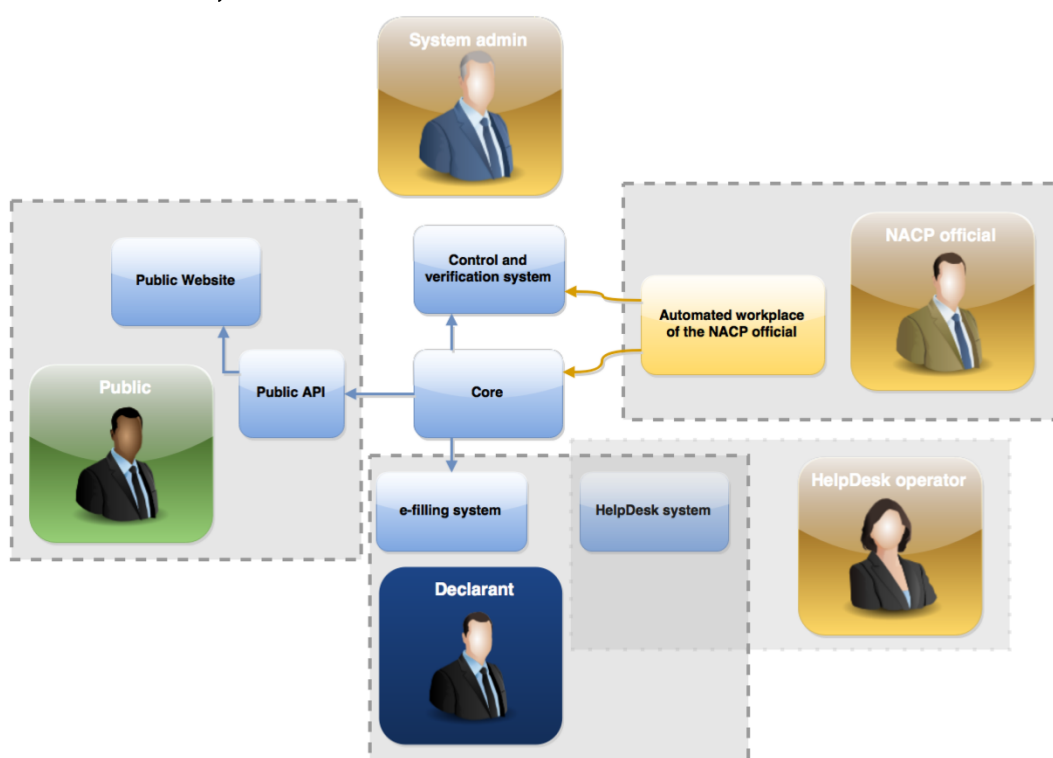
Account of the NACP official

Accounts of the NACP officials authorized to deal with the e-declaration system.

USER ROLES

No user in the system should have a permission to edit or delete objects that he does not own. For objects that user owns additional restrictions apply.

Chart 1. E-declaration system user roles

System administrator

Creates and manages accounts for NACP employees: NACP officials and Help Desk operators.

Help Desk operator

Helps declarants to solve possible problems with the E-declaration system and guides them through the process if needed. Help-desk operator should not have access to personal data stored in the declarations.

Declarant

Declarant is the person who should file the declarations and notifications about significant changes in his assets according to the law. Before the authentication declarant has a very limited access to the E-declaration system: a page where he can authenticate himself using one of the authentication methods defined below.

Declarant has full read-only access to his own declarations (including declarations for the past years) and forms of significant change in assets. Declarant is also able to manage (edit/delete) his draft declarations/notification forms before their submission.

The NACP officials

The NACP official is the person who is authorized by the NACP to have unlimited read-only access to all data in the declaration database (including data excluded from the publication on-line by the law). The NACP official also has access to automated workplace of the NACP official and to the module of control and verification. The NACP official is not allowed to edit or delete declarations or data therein. The NACP official can also change status of the declaration in cases strictly defined by legal acts to allow the declarant to correct declaration submitted by him. Change of the declaration status (single field) allows the declarant to create a draft of the copy of the given declaration and submit corrected declaration within the terms defined by the law.

NACP official should not have access to drafts of the declarations and draft forms of notifications about significant changes in assets of the declarant.

Public site visitor/API user

Anyone from the public should have the possibility to access data in the Unified State Register of Declarations of Persons Authorized to Perform Functions of the State or Local Self-Government, including all declarations or significant change in assets notification forms contained in the database. Such users have read-only access to all data in the Register except for information with restricted access as specified in the Law. Authorization in the system, payment of fees, CAPTCHA tests or any other similar restrictions should not be required.

E-DECLARATION SYSTEM AND ITS COMPONENTS

Overview

The Chart below shows key components of the system. Third party components (state registers, third party web-sites built on top of the Public API) are marked in red. The chart also shows the area of interaction of three main users: Declarants, NACP officials and Public Site visitor/Public API user.

All components are grouped into four sets of elements: Core, Public Website, E-filling system and automated workplace of the NACP official. Detailed description of each group and component is provided below.

Chart 2. E-declaration system overview
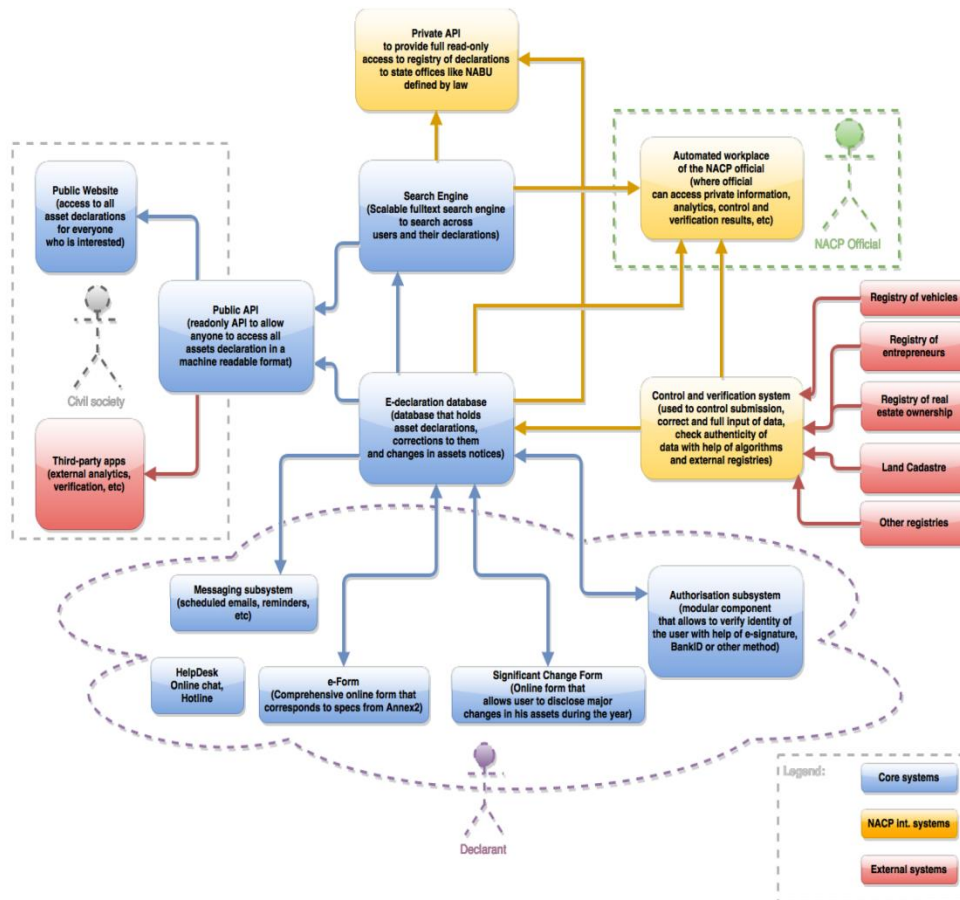
Core

The Core is in charge of storing declarations and their drafts, significant changes forms and their drafts, accounts of declarants and NACP officials, results of control and verification. Core is also providing efficient access to the massive of declarations/significant change forms, controls the level of access to this data according to permissions described above.

E-declaration database

Preferably a document-oriented database that allows replication, scales well horizontally and can effectively handle millions of documents. The nature of the data and flexible structure of the form does not fit standard SQL solutions well enough. This should be taken into account when designing the system.

Search Engine

Full-text search engine that has support of Cyrillic languages (stemming, stop words, etc.). Search engine can be a part of the database or a separate subsystem that indexes content of the database quite often or allows live updates of the index as new declarations enter the system. Some of DB tasks (like filtering, aggregation) can be assigned to search engine as well if needed. Search engine should be used both by the NACP officials and the external users of the public part of the system.

Scheduler

Internal scheduler that runs various tasks like full reindex of the database, bulk verification of declarations, mass notification of registered users about deadlines and problems with their declarations, etc.

Public Website

Provides handy access to the public information from declarations/significant change forms in a variety of formats and in different ways described below, including possibility to search and filter data.

Public API

Provides read-only access to Search Engine and E-declaration database to disclose public part of information from declarations/significant change forms in machine readable format. Third-party users of the API though might be a subject of gentle throttling (while website not) to reduce a load on the core subsystem. In any case the API should allow anyone to obtain full copy of public information through this API over time.

In addition to that, export of all public data to machine readable format (JSON or XML) should be performed daily (at the time when the system is the least overloaded). Results of the export can be broken down to smaller files and compressed using open compression formats (zip, gz, bzip2).

It is recommended for public API to have caching layer.

Website

Mobile friendly web site that allows to effectively search for and among declarations with a minimal number of hops.

15

1. Site should provide efficient full text search with autocomplete and typos corrections based on names of declarants. Site should not only allow search by declarant's name but also by any textual field (including but not limited to family member names, car models, company names/numbers, category of the public official, etc.).

2. Site should provide user an option to browse declarations by year, region, institution, category of official, etc. (or combination of any of the parameters).

3. Site should provide user an option to filter declaration by position category/risk level.

4. Site should have specially designed print version.

5. Site should enable exporting of public part of the declaration in such machine readable formats:

a. ODT or PDF;

b. ODS or CSV;

c. DOCx; and

d. XLSx.

6. Site should support all modern browsers (latest two versions of Chrome/Internet Explorer/FireFox/Safari) including mobile ones.

7. Usage of microformats is also recommended.

8. Site should be indexable by search engines and search engine friendly.

9. Site should have a simple CMS to manage hotline pages/FAQ's, static pages.

Results of a daily export mentioned above should be also published on website in a machine readable format and served as a static file.

E-declaration system

E-Form

Electronic form of the declaration is one of the key components of the system. The structure of the declaration e-form, its sections and fields are described in details in Annex 2.

Mandatory requirements to development of the e-Form are listed below:

1. The e-Form is to be used by the declarant to create and edit drafts of the declaration.

2. Taking into account the fact that the e-Form is big and complicated, the contractor should pay additional attention to making the interface of the form as user-friendly as possible. Contractor should consider using help from UI/UX-experts to accomplish this task in the best possible way.

3. The e-Form should be broken down in to sections and declarant should be allowed to navigate between sections with no restrictions, while collecting, entering and saving information about his assets and other objects.

4. For those parts of the form, where declarant is allowed to add several rows (or blocks of fields), the form should provide an option to clone a row (or block of fields) as many times as the declarant needs - e.g: in the section about real estate or vehicles, where a declarant and his family members may enter a number of objects to be declared.

5. The form should support auto-saving.

6. The form should have a detailed, illustrated help text, separated to sections as well.

7. The form should also have a comprehensive system of contextual help/hints.

8. When the first declaration is created, the system should pre-fill some of its fields using relevant data received from the authentication system (e.g. name, patronymic, last name, individual tax number). However, the declarant should still be allowed to make corrections to this data directly in the form.

9. When a new declaration is created, the system should pick the data from the last finalized declaration and populate the new one. However, the declarant should still be allowed to edit or supplement the data.

10. When the form is being filled in, the content of the form fields should be validated according to the field format - e.g: individual tax number, ID number, amounts, area values, cadastral numbers, etc.

11. If the field was not validated due to wrong value entry, the declarant should be given an error message with description of why the validation failed. The system should also provide an example of a correct value.

12. The form should take into account the existence of double names and surnames in Cyrillic tradition.

13. The form should use drop-down lists for those fields where a number of options is limited and is relatively small - e.g. regions, relation types, types of assets, etc. (see description in Annex 2).

14. The form should use drop-down lists with an option to perform contextual search for those fields where a number of options is limited but is large (e.g. cities of Ukraine).

15. In cases when third persons that are mentioned in the form (e.g. co-owners of real estate, companies, etc.) are family members of the declarant, the declarant should be able to select his family members from a dropdown list. Otherwise declarant should be able to enter full information about such third person.

16. The form should automatically verify that the declarant is not using Latin characters in those fields where only Ukrainian characters are allowed. E.g.: surname, name, patronymic of the declarant and his family members. This should prevent cases when the declarant is using similarly looking characters from the Latin alphabet in names to make it impossible to find them in databases.

17. In some sections of the e-Form the value of minimum wage is used to determine if the declarant should declare corresponding objects (for example, if the asset value is more than 50 amounts of the monthly minimum wages). Automatically

calculated value (in UAH) for such criteria should be used in the form. That value should be calculated as a result of multiplying the number of minimum wage amounts to the value of the minimum wage. Value of the minimum wage is entered and updated by the NACP officials in the system according to the Law on the State Budget of Ukraine for the relevant year.

18. The system should warn the declarant about any logical inconsistencies in his declaration on save. For example, if the place of actual residence does not match any of the real estate which the declarant owns or rents.

19. The system should automatically calculate fields like total income of the declarant or his family members, total sum of the values in monetary format (according to Annex 2).

20. After submitting of the declaration system should return a positive receipt of the transaction with the timestamp and transaction number. A copy of this receipt should be also sent to email address of the declarant

List of the optional requirements:

1. System should have a form builder instrument, which will allow administrator of the system to make changes in the form according to the changes in the Law.

2. The form should provide suggestions / autocomplete options for those fields where it is possible to collect sufficiently complete dictionary. For example: makers and models of cars/bikes/trucks, names, patronymic names, name of agencies, etc. This will allow reducing the noisiness of the data and simplify further use of the data (e.g. for verification or search).

3. All address fields (registration and residence address, address of immovable property locations) should have autocomplete which uses data from existing address registry (part of the registry of immovable property of the Ministry of Justice)

4. All fields that are used to enter information about the area (area of flat, land, etc.) should also have a widget that will allow declarant to quickly convert area values to common unit of measurement (sq. meters) and also calculate shares. E.g. if declarant owns ⅓ of the apartment of 100 sq. meters, widget should help him to convert that to 33.3 sq. meters.

5. All individual tax numbers should not only be validated against the standard format but also be parsed and checked for valid date of birth. Control sum of the individual tax number should also be validated.

6. All fields with cadastral numbers of real estate objects should not only be validated against the standard format but also use a valid number from the State Glossary of Administrative and Territorial Units.

Significant Changes e-Form

Electronic form of notification about significant changes in the declarant's assets should comply with the form in Annex 3. All relevant requirements to the declaration form are applicable to the form of notification about significant changes in the declarant's assets. Forms of notifications about significant changes in the declarant's assets should be created and processed in the system separately from the declarations.

Authentication subsystem

The declarant uses this system for the first registration in the system and for logging in the NACP's web site into the declarant's account for completing declarations and forms of significant changes in assets notifications.

The system should have a modular structure and support authentication with the help of:

1. valid electronic digital signature (EDS) of the natural person issued by an Accredited Centre for Key Certification of Ukraine;

2. an alternative authentication method provided in the legislation of Ukraine (e.g., BankID, MobileID, biometric ID) that allows declarant's identification through the pair Last name-Name-Patronymic/Individual tax number or Last name-Name-Patronymic/Series and number of the national passport.

The use of the external standard libraries for the EDS processing and/or alternative authentication tools should be allowed. The use of an external service for authentication should also be allowed, provided it was certified and complies with the above requirements.

Identification systems, before being duly certified, could be integrated in the test mode (provided that such systems will not be used in the functioning system before their certification is finalized).

The system should ensure correct identification of the user and access to his account in case the user changed his method of authentication (a scheduled replacement of an EDS, change of the accredited center for key certification, transfer from an alternative identification system to the EDS or vice versa) by using the pair of Last name-Name-Patronymic/Individual tax number or Last name-Name-Patronymic/Series and number of the national passport.

Messaging subsystem

The subsystem should be used for notifying by e-mail the registered declarants about certain events (changes in the authentication method, declaration submitted, etc.) and sending warnings (e.g. about approaching deadline for submission, non-submission of the declaration on time, detected inconsistencies in the declaration).

The key requirement for the system should the possibility to send out a large number (hundreds of thousands) of messages within short period of time (12-24 hours) with the minimum number of denials.

The use of external services for sending out such notifications should be allowed, provided that communication with them employs encryption.

Communication subsystem

Well-designed communication tools are necessary for the effective E-declaration system. The E-declaration system should have the following declarant support tools:

● Secure online instant messaging between the declarant and Helpdesk operator

● Hotline service, which will be integrated in to the CMS of the E-declaration system

● Possibility to send requests to the NACP, e.g. to ask for permission of making changes in finalized declaration in cases defined by the Law. Such requests may be processed by the NACP automatically if they meet criteria defined in the Law.

PROCEDURES

PHASE 1
Chart 3. E-declaration system business cycle
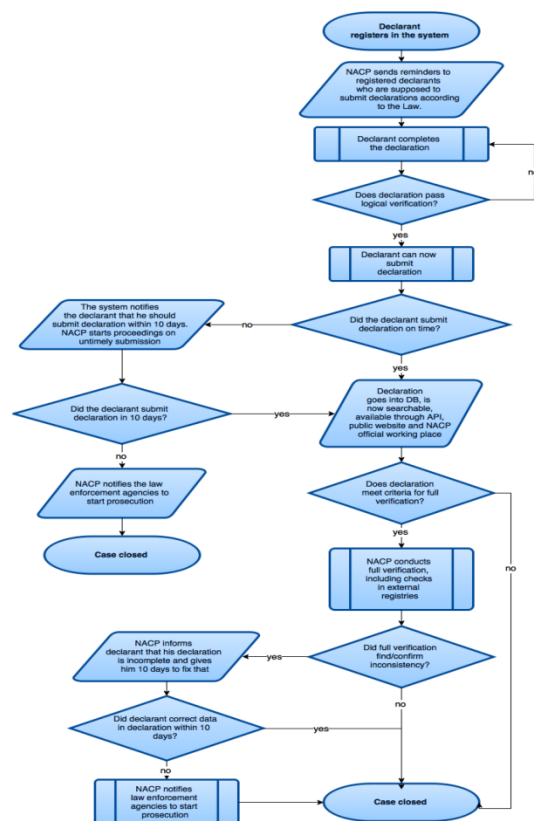
Authentication
The declarant authenticates in the system through the authentication component described in Section 6 above.
When logging into the system for the first time a personal account of the declarant is set up. It includes all information about the declarant received during his authentication (Last name-Name-Patronymic, individual tax number and/or series and number of the national passport and other data).
When registering in the system the declarant has to indicate his e-mail address (that is verified by sending a letter with a code/verification link) and mobile phone number. The declarant should be able to change these data (e-mail address is verified by sending an e-mail for each change of address). Information on the e-mail address will be used for sending out notifications and reminders about submission of declarations. Account holders without verified e-mail address will not be able to use the system for filling in the declaration.
For future logins in the system the declarant will also use the authentication system.
During each login the system creates for the declarant a short-term session with the link to Cookies, which allows declarant to stay authorized on the web site until the window or tab in the browser is closed. The declarant can interrupt the session, by logging out. The next login requires a new authentication.
All logins and sessions in the system should be logged and saved with the indication of date and time of the login and IP-address from which the login was carried out.

Notifications
See below description on notifications to be sent out to the declarants in case of non-submission on time of their declarations. In all cases when the system detects non-submission of the declaration on time, it should also notify the authorized personnel of the NACP who will then take action provided for in the law.
When discrepancy in the declaration was detected as a result of the full verification and confirmed by the NACP official, a notification will be sent to the declarant indicating discrepancies (incorrect or incomplete data) and inviting him to make corrections.
The e-declaration system shall send the notifications to declarants via email numbers. The system shall use the email address entered by the filer in his declaration. The system will send, as a minimum, the following notifications:
a) Upon first authentication in to the system;
b) After saving declaration;
c) 10 days before the submission deadline;
d) 7 days before submission deadline;

e) 3 days before submission deadline;
f) 48 and 24 hours before submission deadline;
g) Upon submission of the declaration;
h) Upon detection of any irregularity in the declaration.
The e-declaration system shall provide NACP tools to manage notification service by adding/removing notifications, editing text, delivery times and frequencies.

Work on the declaration
When filling in information in the declaration form the declarant should be able to save draft declaration and continue working on it.

Submitting the declaration
After finalizing completion of the declaration form the declarant should personally save it as a final version of the declaration. The system will conduct logical control of the declaration and not accept the save if an inconsistency is found. It will inform the declarant about the issue and prompt him to correct it.
After saving the declaration its further editing will be prohibited. After saving the declaration, the system shall apply a unique number of identification in the system. When saving the declaration the system should warn the declarant that it is an irreversible action by:
1. displaying the print-ready version of the whole declaration for the declarant to be certain that all data was entered correctly;
2. showing a special form where the declarant should put a flag that he confirms the accuracy of the information, that he is aware of the liability for submitting false information in the declaration and that he is ready to submit declaration.
For final submission of the declaration the declarant should again authenticate himself in the system by using the authentication method which he used to login into the system.

Control
Control and verification of submitted declarations is a crucial part of the E-declaration system. The entire system shall be designed in a way, which enables NACP staff to effectively check submitted declarations. Other public registries, such as registry of immovable property, land cadaster, register of legal entities, register of vehicles, fiscal service databases shall also be connected to the E-declaration system via APIs to enable cross data checking. E-declaration system shall give NACP staff tools to search and filter declaration database by any parameters (including personal data of declarants). According to the Law, control and full verification are different processes. Control is carried out with regard to all declarations and includes: 1. control of timely submission (see below); 2. control of valid and complete information (it should be embedded in the e-from, i.e. when the declarant fills in the declaration the system should check that data entered complies with the values allowed in the relevant field, that mandatory fields are not left blank, etc.); 3. logical and arithmetic control (should also be mainly embedded in the e-form).

Control of submission
The automatic control of timely submission of declarations should be conducted with regard to annual declarations of declarants who are employed in the relevant positions and post-employment declarations. Both types of declarations are to be submitted before 1 April of the year following the reporting year.
The electronic system should verify on 1 April if declarations of the relevant declarants have been filed. If not - a notice should be sent out to e-mail address of the declarant registered in the system with the warning and requirement to file declaration within 10 calendar days after receiving the notification. If not filed within the deadline, the system should notify the authorized official of the NACP who will take action provided for in the law.
For end-of-employment declarations: The NACP will be notified by the employers (Art. 49.2) that a declarant stopped performing functions of the state or local self-government - within 7 working days after such termination. Such notification will include the date when the declarant ceased his/her functions. The NACP will establish procedure for such notification. The declaration has to be filed not later than on the day of termination of functions. After receiving relevant notification the NACP official will "manually" change the status of the declarant. The system will then check if declaration was submitted. If not - a warning will be sent to the registered e-mail with the requirement to submit declaration within 10 calendar days after the notification. If not filed within the deadline, the system should notify the authorized official of the NACP, who will take action provided for in the law.
For declarations of candidates: Submission of declarations will be controlled on case-by-case basis when there is a signal from any source (media, complaints, etc.) that relevant person failed to file a declaration.
Control of accuracy
The e-declaration system should be able to control automatically that all mandatory fields have been filled in and that relevant values have been entered in the fields. No verification of the data authenticity is carried out at this stage.
Logical and arithmetic control
The logical control should verify answers to interlinked questions (declaration fields) to identify inconsistencies. For example, if none of the properties mentioned by the declarant in the Real Estate section of the declaration match the address of actual residence of the declarant this should be flagged as an inconsistency. Another example of an inconsistency: if income received is not matched by monetary assets in possession or deposits in the financial institutions.
The arithmetic control is performed by creating automatic sums of some values indicated in the declaration (e.g. sum of income amount).

Publishing
Once the final version of the declaration/notification about significant changes in assets is submitted by the declarant it appears on the public website of the NACP and also becomes available via search and public API (except for restricted access information mentioned in Article 47 of the Law) and Automated workplace of the NACP official.

PHASE 2
Verification
Verification and control subsystem
The verification and control subsystem should be used to automatically check that the data entered by the declarant is correct and complete ("full verification" of the declaration). The verification should use public registers of Ukraine that include relevant data.
The full verification of the declaration should be conducted in cases specified in the Law (see below). In particular the full verification may be triggered by the data indicated in the declaration - e.g. if the declarant states his status as the one that requires full verification (e.g. a high level official, judge, prosecutor) or states in any of the relevant fields that his family member refused to provide information required for the disclosure. The NACP officer can also change the declaration's status to the one requiring full verification.
The verification system should be able to send a combined query to the external registers (to request information on several declarations simultaneously, combining tasks from the queue, or on several entries in the declaration).
The verification system should be able to query from the external registers at the specified time period (e.g. at night) to alleviate the burden on the registers in the working time when used by other state authorities.
After receiving replies from each of the registers the system should automatically compare data indicated by the declarant with the replies from registers. The contractor should determine on his own the criteria for comparison. The simple criteria could be:
1. Comparing sums
2. Comparing area (space) of real estate
3. Comparing the number of objects in the declarant's or his family members' ownership with the number of objects in the external register's reply to the query
4. Comparing of addresses
5. Inexact comparing of the names, Last name-Name-Patronymic and other textual data using distance metrics like levenshtein, jaccard index or others.
The contractor should keep in mind that some registers are incomplete (e.g. the real estate register) and take this into account when developing criteria for comparison.
The contractor should also take into account the difference in the used data formats and normalize data received from the external registers. For instance: by aligning numbers to the general format, normalizing symbols register, deleting redundant blank spaces, replacing Latin symbols in Cyrillic fields.
Based on results of the automated verification in each of the registers the system should grade data inconsistencies. It could be category-based (e.g. "significant discrepancy", "minor discrepancy", "full discrepancy") or number-based grades (e.g. from 0 to 5). The grade scale should be common for all registers. The gradation should also take into account how accurate the reply was (e.g. in cases where inexact search or search by the Last name-Name-Patronymic was used).
In addition to verification through external registers the verification and control system should also carry out several types of control (logical and arithmetic control, control of timely submission). The list of such controls and their logic can change in time and be extended with the development of the system. The contractor therefore should propose a flexible, extendable solution that would allow the NACP's analysts to improve the system of control and verification during its exploitation. Such solution could be integration of the script-based programming language or rules-based language.

Integration with external registers
External registers are administered by different agencies, were developed (are being developed) by different contractors, use different technology stacks and architecture solutions. At the moment the external registers are not included in the system of electronic inter-agency interaction and often do not have an API. Therefore the integration with the registers will have to be carried out in close cooperation with administrators of such registers and may require additional modification from their developers.
Below is the list of declarant's data that may be used for identifying his assets/income in external registers:
1. Last name-Name-Patronymic (if changes were effected during reporting period the previous Last name-Name-Patronymic will be indicated as well)
2. Date of birth
3. Individual tax number or series and number of the national passport
4. Place of registration (Country, Zip code, Region, City/town/village, Street, Building number, Apartment number)
5. Place of actual residence (Country, Zip code, Region, City/town/village, Street, Building number, Apartment number)
6. Place of work (in free form)
7. Position (in free form)
8. Category of position (for civil servants and officials of local self-government)
List of fields that may be used for identifying assets/income of declarant's family members in external registers:

1. Last name-Name-Patronymic (if changes were effected during reporting period the previous Last name-Name-Patronymic will be indicated as well)
2. Type of connection to the declarant
3. Citizenship
4. Date of birth
5. Individual tax number or series and number of the national passport
For registers that allow replies at the certain date the module of integration with the register should include in the parameters of the query the final date of the period covered by the declaration.
Since each of the external registers uses a different set of fields, to identify entries about specific person or his assets the contractor should define and agree with the register administrator a list of fields combinations that can be used for searching within each register.
Information about results of verification should also include parameters of the query to the register (combination of fields) and the date when the reply was received.
Integration with specific registers and access to them, as well as security issues will be regulated by separate documents to be developed by the contractor. Integration with external registers will be implemented gradually and will be regulated by special bylaws.

Automated workplace of the NACP official
The task of this component is to provide the authorized NACP official with a convenient and quick tool to access for reading the whole set of information: declarations, notifications on significant changes in assets, replies of external registers and results of control and full verification.
The workplace should support broad possibilities to search throughout the whole dataset:
1. including exact and inexact search in the fields allowing to identify the declarant or his family members
2. full-text search in all fields
3. filtering of results by region, agency, year, position category, level of risk, results of automated verification or any combinations of the fields
4. sorting of search results by the level of risk and verification results.
The workplace should support forming of reports on the prior set criteria, e.g.:
1. List of registered declarants who missed deadline for submission of the declaration.
2. List of registered declarants who missed deadline for submission of the declaration and did not submit declaration after reminder.
In addition to viewing of the declarations, forms of notification about significant changes in the declarant's assets and control and verification results, the NACP officials should be able to change internal status of the declaration or the declarant, attach to the declaration or user's account text notes and documents for internal use. Such changes should be visible only for the NACP officials. The system should also keep record of the history of changes, tracking who from the officials and when made the change (changed the status, added a note, attached a document).
The history of the NACP officials browsing (accessing) of the declarations, documents and accounts should also be recorded including information about:
1. who from the officials
2. when
3. reviewed what object.
The system should also allow exporting of all information about the declarant, including notes and documents, for the transfer to law enforcement and other public authorities when required so by the law.

Private API
Provides read-only access to the registry of declarations to other state agencies such as the NABU as authorized by the law. Similar to Public API component in terms of architecture and implementation but also returns personal data. Access to this API should be restricted and secured.

Full verification
Full verification is conducted with regard to declarations that match any of the criteria for full verification specified in the Law (see below). It is conducted only with regard to final declarations submitted in the system.
Scheduler should put such declarations in the queue for full verification in each of the registers. The verification component of the system takes declarations from the queue and sends queries in all connected public registers, while saving correct answers from the registers by linking them to the declaration. If any of the queries to the registers returned a mistake (waiting period lapsed, register is off, mistake in the register's system), the relevant task for verification of the declaration is put again in the end of the queue.
If the automated verification detects an inconsistency it will notify the NACP official. Automated verification in the linked registers may be complemented by "manual" checks conducted by the NACP official.
Full verification may include also other checks, for example: comparing information in the declaration with the notifications of significant changes in assets filed by the declarant during preceding year; examining other databases or sources of information for conflicts of interests (e.g. checking the public procurement database to see if the declarant took part in the procurement

that involved legal entities or family members he indicated in the declaration). Verification subsystem should be flexible and allow addition of verification methods.

Full verification is to be carried out within 90 calendar days from the date of the declaration submission. The purpose of full verification is:

- To establish reliability of the declared data and accuracy of assessment of the declared assets;
- To check for conflict of interests;
- To check for signs of unlawful enrichment.

According to the Law the following types of declarations are subject to full verification:

1) declarations of high-level public officials (as defined in the Law);
2) declaration of officials in positions with high corruption risks (the list to be determined by the NACP);
3) declarations of any other declarants if logical and arithmetic control detected inconsistencies;
4) declarations of declarants whose family members refused to provide any information for inclusion in the declaration;
5) declarations of declarants with regard to whom the lifestyle monitoring conducted by the NACP has established an inconsistency between their level of life and declared property and income.

High-level officials under the law are "officials holding responsible and especially responsible positions" (Art. 50). They are determined in the Law (see Annex 1). The declaration form will include a field where the declarant will mark his status (position). If the status (position) matches any of the above the declaration will be subject to full verification.

High-risk position. The NACP will approve the list of positions which are considered to be of high corruption risk. The asset declaration form will include a field where the declarant will mark if his position belongs one of those included in the list.

Other grounds for full verification. The declaration form will include a field (in the section on the declarant's family members) where the declarant will mark if his/her family member refused to provide any information for filing in the declaration. Also other sections of the declaration will have fields where the declarant will be supposed to mark if any part of the information to be filed was not provided by the family member. In both cases the declaration will be flagged for full verification. The declaration form will include a warning for the declarant for him/her to be aware that the fact of refusal to provide information by a family member will automatically trigger a full verification.

The NACP can also refer the declaration for full verification if it finds inconsistencies during lifestyle monitoring of the declarants that the NACP conducts selectively.

EXPECTED DELIVERABLES:

• Preparation and delivery of a compiled (if applicable) and documented source code (including third instruments and libraries, where applicable).

• Preparation and delivery of system installation and configuration guidelines (to include at least how to compile a code and install application, what the hardware and software requirements are, platform description and configuration, application configuration, disaster recovery procedures) in Ukrainian.

• Preparation of documentation required for system to pass attestation in State Service of Special Communication and Information Protection of Ukraine.

• Provision of documentation which explains the process of system scaling.

• The System Architecture Document describing the models in UML language to include at least the following (with sufficient level of detail):

• Analysis Model, including:

o Requirements model and/or use case model;

o Domain Model, fully specifying the entities and the relations between them;

• Component Model, including narrative description of all components, the links between them and integration interfaces with other systems/external components;

• Logical Model, including:

o Class Diagrams

o Data Model

• Deployment Model, including narrative description of all nodes and the links between them. This model will also contain the precise specifications of equipment and operation environments for the operation of the system at normal parameters, as well as specifications for a minimal configuration;

• Dynamic Model to include:

o Diagrams and narrative description of the states and transitions of the key entities;

o Activity Diagrams and/or sequence for the key use cases.

Software licenses (where applicable).

• Preparation and delivery of project documentation for Complex System of Information Protection.

• Preparation and delivery of the documentation of APIs to be integrated with other informational systems, including code samples.

• Preparation of interactive guiding materials (in Ukrainian) on the use of the system, on hard copy and electronically available on the web page of the E-declaration system in Ukrainian.

• Preparation of video materials (in Ukrainian) available on the E-declaration system's portal giving instructions for submission of statements to guide the submitters through the entire submission process that includes the following steps:

O Authentication

O Filling in of declaration form and form of significant change.

GENERAL PROVISIONS
;
- The Contractor shall nominate a dedicated team leader, who will be responsible for contract implementation, coordination and communication with the Project, logistics, planning and performance monitoring, reporting and other relevant activities.
- The development of the E-declaration system should be carried out according to the Resolution of the Cabinet of Ministers of Ukraine #121 from 04.02.98 and relevant government standards.
- The development of the E-declaration system shall be guided by the modular principle using open ICT standards.
- The E-declaration system shall allow for further expansion and additions of new functions or improvements.
- The E-declaration system shall be simple and user-friendly, and its functionalities shall be ergonomic and shall have a logical concept.
- The language of the E-declaration system is Ukrainian.
- The iterative methodology or other methodologies from the Agile Software Development group based on iterations and increments shall be used to develop the E-declaration system.
- Use of Continuous Delivery approach is recommended.
- When possible, the E-declaration system shall be developed using off-the-shelf solutions allowing for further customization.
- E-declaration should only use external components (database, search engine, monitoring services, etc.), which are mature, stable, well maintained and well documented. Open source solutions are preferable. Same requirements apply to the Operation System.

ARCHITECTURE REQUIREMENTS:
The system architecture shall be split into layers to decouple user interface, business layer and data layer.

DEPLOYMENT REQUIREMENTS
System should be deployed to the platform, which conforms to requirements of State Service of Special Communication and Information Protection of Ukraine.

REQUIREMENTS TO THE CODEBASE
The source code of the E-declaration system shall be accompanied by comments, well-structured and with suggestive names for variables. Source code should follow consistent code conventions. Distributed Version Control System should be used.

TESTING AND QUALITY REQUIREMENTS
- Contractor shall develop the E-declaration system using the principles and guidelines of Web Content Accessibility Guidelines (WCAG 2.0). More specifically: Percipience; Operability; Intelligibility; Robustness.
- Contractor shall test the security of the E-declaration system according to OWASP Top 10 vulnerabilities 2013.

SECURITY & DATA INTEGRITY
- A Complex System of Information Protection will eventually be created and certified for the E-declaration project.
- The contractor will assist with preparation of the project documentation for Complex System of Information Protection (provide necessary documents and advise). Contractor should take into account that e-Declaration project is going to deal with information with limited access and plan and project Complex System of Information Protection with respect to that fact. The Contractor will not have to obtain certification of the Complex System of Information Protection under this contract.
- The E-declaration system shall guarantee data integrity, accountability and accessibility and prevent any altering, damages and unauthorized access to the system data.

- Access to the E-declaration system shall be realized by using the TLS or SSL protocol.

- The E-declaration system shall guarantee full data storage and integrity by using back-up mechanisms for database and the following mechanisms:

- The data entered into the system may not been edited, damaged or deleted without authorization;

- Any unauthorized attempt to edit data shall be logged with further possibility to be subjected to audit.

SYSTEM PERFORMANCE REQUIREMENTS
- The E-declaration system shall allow for the management of about 1,000,000 submissions per year. The E-declaration system shall support at least 5,000 concurrent sessions. System should scale well in both directions.

IV. REQUIREMENTS FOR MONITORING/REPORTING

The Contractor will report to the Programme Manager. The payment will be arranged in stages according to the proposed payment schedule below and upon acceptance of the deliverables based on quality control and recommendations of the Quality Assurance Group.

The Contractor shall comply with the system of monitoring, evaluation and quality control, implemented by the UNDP, and provide the necessary information, reports and statistics according to a preliminary determined schedule or as soon as possible (within a reasonable period of time).

In particular, the Contractor shall prepare and submit the following reports to UNDP:

- Interim reports to include a description of the conducted development works, developed models, stage of processes, the number of engaged personal, the timesheets for each team member etc.
    - Interim Report #1 – by December 30, 2015;
    - Interim Report #2 – by February 29, 2016;
    - Interim Report #3 – by May 30, 2016;
    - Final Report– by June 30, 2016.

- After the completion of all the work the Contractor shall submit to UNDP a Final Report to include a brief description of the work performed and results achieved.

Each Deliverable and report by the Contractor will be evaluated by the Quality Assurance Group (SG) consisting of representatives of the UNDP, MoJ, World Bank and other partners. Once Deliverables 1 and 2 (Interim report #1) are completed the SG will run necessary tests and also confirm that deliverables comply with requirements of this TOR. Upon completion of the final deliverable (Final report) the SG will conduct a quality assessment of the system to ensure that it complies with the TOR.

During performance of work the Contractor will communicate with the SG, provide access to necessary documentation and personnel upon its request, inform the SG on the progress in completing deliverables. The SG will guide the Contractor in development of the software, provide advise where possible.

V. EXPERIENCE AND QUALIFICATION REQUIREMENTS
- Officially registered organization (commercial or public);

- General organizational capacity (e.g., size of the firm / organization, the reputation of the organization and personnel, competence / relevant experience) and the duration of work in the market)

- Minimum 3 years of experience and minimum 3 past projects in developing relevant software (high-load systems, e-governance solutions, open data solutions (including APIs), solutions using digital signature/BankID or other authentication;

- Experience in integration with third party services and databases. Experience with governmental databases is an asset", not to limit the competition (minimum 3 projects);
- Experience in providing consulting services to the users on the utilization of the software and creating manuals, guidelines, video lessons (minimum 3 projects);

The Project Team should consist of a team lead and minimum of four IT specialists. The project team members shall be specialists in the following subjects:

- Frontend developer with experience in responsive web design, modern JS frameworks, REST protocol, frontend performance optimization, microformats.
- Backend developer with experience in open source search engines, document oriented databases, test driven development, API.
- UI/UX designer
- System architect
- QA engineer
- DevOps Engineer / DB Administrator
- Technical writer

- **Team Leader/Manager -**
1)   At least Bachelor's degree in IT, Economy, Business etc.;
2)   Minimum 3 years of experience of IT project management;
3)   Minimum 3 years of experience in developing high-load systems, e-governance solutions, open data solutions (including APIs), solutions using digital signature/BankID or other authentication systems
4)   Fluent Ukrainian/Russian and intermediate English.

At least 4 IT Specialists should be involved by the organization to implement the assignment:
IT Specialist –
1)   Bachelor in IT or related field (for at least 2 Specialists)/specialized training in IT/ proven extensive working experience (for other team members) (for 4 Specialists);
2)   Minimum 2 years of experience in developing high-load systems, e-governance solutions, open data solutions (including APIs), solutions using digital signature/BankID or other authentication systems
3)   Good interpersonal communication skills; fluent Ukrainian/Russian.

VI. EVALUATION CRITERIA

Evaluation and comparison of proposals

A two-stage procedure is utilized in evaluating the proposals, with evaluation of the technical proposal being completed prior to any price proposal being opened and compared. The price proposals will be opened only for submissions that passed the minimum technical score of 70% (or 490 points) of the obtainable score of 700 points in the evaluation of the technical proposals.

In the First Stage, the technical proposal is evaluated on the basis of its responsiveness to the Terms of Reference (TOR) and as per below Evaluation Criteria.

In the Second Stage, the price proposals of all offerors, who have attained minimum 70% score in the technical evaluation, will be reviewed.

Overall evaluation will be completed in accordance with cumulative analysis scheme, under which the technical and financial aspects will have pre-assigned weights on 70% and 30% of the overall score respectively. The lowest cost financial proposal (out of technically compliant) will be selected as a baseline and allocated the maximum number of points obtainable for financial part (i.e. 300). All other financial proposals will receive a number of points inversely proportional to their quoted price; e.g. 300 points x lowest price / quoted price.

The winning proposal will be the one with the highest number of points after the points obtained in both technical and financial evaluations, respectively, are added up. The contract will be devoted to the bidder that submitted the winning proposal.

Technical Evaluation Criteria

	Summary of Technical Proposal Evaluation Forms	Score Weight	Points Obtainable	Company / Organization			
1	Experience of the firm / organization submitting the proposal	36%	250				
2	Proposed work plan, methodology and approach	36%	250				
3	Personnel and invited experts/consultants	28%	200				
	Total Score	**100%**	**700**				
	Notes						

Technical evaluation forms are provided at the next pages. The maximal points obtainable as per each criterion indicate the relative importance or score weight in general evaluation process.

Technical Evaluation Forms:
Form 1. Experience of the company / organization submitting the proposal
Form 2. Proposed work plan, methodology and approach
Form 3. Personnel and invited experts/consultants

Technical Evaluation Criteria

Evaluation of the Technical Proposal Form 1		Maximum score	Company/Other organization		
			A	B	C
The experience of the company / organization submitting the proposal					
1.1	General organizational capacity (e.g., size of the firm / organization, the reputation of the organization and personnel, competence / relevant experience) and the duration of work in the market	70			
1.2.	Experience in developing relevant software, high-load systems, e-governance solutions, open data solutions (including APIs), solutions using digital signature/BankID or other authentication systems (minimum 3 years – 25 points, 4-6 years – 40 points, 7 years and more – 60 points)	60			
1.3	Experience of integration with third party services (including governmental databases) (minimum 3 similar projects – 25 points, 4-6 projects – 40 points, 7 or more projects – 60 points).	60			
1.4	Experience in the provision of consulting services to users of the software, composing manuals, making video lessons (minimum 3 similar projects - 25 points, 4-6 similar projects – 40 points; 7 or more similar projects - 60 points)	60			
	The total score on Form 1	**250**			

	Evaluation of the Technical Proposal Form 2	Maximum score	Company/Other organization		
			A	B	C
Proposed work plan, methodology and approach					
2.1	To what degree does the Proposer understand the task?	30			
2.2	Is the scope of task well defined and does it correspond to the TOR?	30			
2.3	Is the presentation clear and is the sequence of activities and the planning logical, realistic and promise efficient implementation to the project?	30			
2.4	How well does the proposed methodology ensure high load/load balancing/scaling of the future software?	50			
2.5	How well does the proposed methodology ensure user-friendly and high-quality UI/web design?	50			
2.6	How well is quality assurance of the work ensured?	30			
2.7	How well-developed, optimal and compliant with the terms of reference is the work plan with a list of key activities? - The plan is detailed with a breakdown by working days - up to 15 points; - The plan is realistic and meets the timing requirements of the Project – up to 7,5 points; - Key activities are developed in the optimal sequence – up to 7,5 points	30			
The total score on Form 2		**250**			

	Evaluation of the Technical Proposal Form 3	Maximum score	Company/Other organization		
			A	B	C
Personnel					
	Project Team Leader				
3.1	Experience in IT project management (3-4 years – 10 points, 5 years or more - 20 points)	20			
3.2	Experience in developing high-load systems, e-governance solutions, open data solutions (including APIs), solutions using digital signature/BankID or other authentication systems (3-4 years - 10 points, 5 years or more – 20 points)	20			
3.3	Higher education with the relevant degree (Bachelor degree – 5 points, Master's/Specialist degree in IT, Economy, Business etc. - 10 points)	10			
3.4	Proficiency in Ukrainian/Russian/English (fluent Ukrainian/Russian and intermediate English – 5 points, Fluent Ukrainian/Russian and upper-intermediate/fluent English – 10 points)	10			
	Interim score by criteria 3,1-3,4	**60**			
	IT Specialist #1				
3.5	Experience in developing high-load systems, e-governance solutions, open data solutions (including APIs), solutions using digital signature/BankID or other authentication systems (2-4 years - 10 points, 5 years or more - 15 points)	15			
3.6	Higher education with the relevant degree (Bachelor's degree or higher in IT or other related field - 10 points)	10			
3.7	Good interpersonal communication skills and fluency in Ukrainian/Russian (only Russian or Ukrainian – 5 points, all skills are present – 10 points)	10			
	Interim score by criteria 3,5-3,7	**35**			
	IT Specialist # 2				
3.8	Experience in developing high-load systems, e-governance solutions, open data solutions (including APIs), solutions using digital signature/BankID or other authentication systems (2-4 years - 10 points, 5 years or more - 15 points)	15			
3.9	Higher education with the relevant degree (Bachelor's degree or higher in IT or other related field - 10 points)	10			
3.10	Good interpersonal communication skills and fluency in Ukrainian/Russian (only Russian or Ukrainian – 5 points, all skills are present – 10 points)	10			
	Interim score by criteria 3,8-3,10	**35**			
	IT Specialist # 3				
3.11	Experience in developing high-load systems, e-governance solutions, open data solutions (including APIs), solutions using digital signature/BankID or other authentication systems (2-4 years - 10 points, 5 years or more - 15 points)	15			

3.12	Education (Bachelor's degree/specialized training in IT/ proven extensive working experience – 10 points)	10			
3.13	Good interpersonal communication skills and fluency in Ukrainian/Russian (only Russian or Ukrainian – 5 points, all skills are present – 10 points)	10			
	Interim score by criteria 3,11-3,13	**35**			
	IT Specialist #4				
3.1	Experience in developing high-load systems, e-governance solutions, open data solutions (including APIs), solutions using digital signature/BankID or other authentication systems (2-4 years - 10 points, 5 years or more - 15 points)	15			
3.15	Education (Bachelor's degree/specialized training in IT/ proven extensive working experience – 10 points)	10			
3.16	Good interpersonal communication skills and fluency in Ukrainian/Russian (only Russian or Ukrainian – 5 points, all skills are present – 10 points)	10			
	Interim score by criteria 3,14- 3,16	**35**			
	Total score on Form 3	**200**			

Annex 4

<center>Model Contract for Professional Consulting Services</center>

<center>between UNDP and a Company or other entity[5]</center>

Date _____

Dear Sir/Madam,

Ref.: _____/ _____/ _____ **[INSERT PROJECT NUMBER AND TITLEOR OTHER REFERENCE]**

The United Nations Development Programme (hereinafter referred to as "UNDP"), wishes to engage your [**company/organization/institution**], duly incorporated under the Laws of _____ **[INSERT NAME OF THE COUNTRY]** (hereinafter referred to as the "Contractor") in order to perform services in respect of _____ **[INSERT SUMMARY DESCRIPTION OF THE SERVICES]** (hereinafter referred to as the "Services"), in accordance with the following Contract:

1.Contract Documents

1.1   This Contract is subject to the UNDP General Conditions for Professional Services attached hereto as Annex I. The provisions of such Annex shall control the interpretation of this Contract and in no way shall be deemed to have been derogated by the contents of this letter and any other Annexes, unless otherwise expressly stated under section 4 of this letter, entitled "Special Conditions".

1.2   The Contractor and UNDP also agree to be bound by the provisions contained in the following documents, which shall take precedence over one another in case of conflict in the following order:

a)   this letter;

b) the Terms of Reference [ref. ......dated........], attached hereto as Annex II;

c) the Contractor's technical proposal [ref......, dated ....], as clarified by the agreed minutes of the negotiation meeting[6][dated........], both documents not attached hereto but known to and in the possession of both parties.

1.3   All the above shall form the Contract between the Contractor and UNDP, superseding the contents of any other negotiations and/or agreements, whether oral or in writing, pertaining to the subject of this Contract.

2.   Obligations of the Contractor

2.1   The Contractor shall perform and complete the Services described in Annex II with due diligence and efficiency and in accordance with the Contract.

2.2   The Contractor shall provide the services of the following key personnel:

NameSpecializationNationalityPeriod of service

....

---

[5]This model contract is intended for services (studies, consultancies by firms, etc) to be obtained from companies as well as from NGOs, Universities, etc. It is not to be used for procuring goods or works. Any substantial deviations to the text should be made in consultation with BOM.

[6] If there are updates to the technical proposal or correspondence exchanged in clarification of certain aspects, reference them too, provided that they are fully acceptable to UNDP. Otherwise, aspects which resolution is pending should be dealt with in this letter itself or in the Terms of Reference, as appropriate.

2.3   Any changes in the above key personnel shall require prior written approval of
_____ **[NAME and TITLE],** UNDP.

2.4   The Contractor shall also provide all technical and administrative support needed in order to ensure the timely and satisfactory performance of the Services.

2.5   The Contractor shall submit to UNDP the deliverables specified hereunder according to the following schedule:

[LIST DELIVERABLES]   **[INDICATE DELIVERY DATES]**

e.g.

Progress report   ../../....

Final report   ../../....

2.6   All reports shall be written in the English language, and shall describe in detail the services rendered under the Contract during the period of time covered in such report. All reports shall be transmitted by the Contractor by _____ **[MAIL, COURIER AND/OR FAX]** to the address specified in 9.1 below.

2.7   The Contractor represents and warrants the accuracy of any information or data provided to UNDP for the purpose of entering into this Contract, as well as the quality of the deliverables and reports foreseen under this Contract in accordance with the highest industry and professional standards.

OPTION 1 (FIXED PRICE)

3.   Price and Payment[7]

3.1   In full consideration for the complete and satisfactory performance of the Services under this Contract, UNDP shall pay the Contractor a fixed contract price of _____ **[INSERT CURRENCY & AMOUNT IN FIGURES AND WORDS]**.

3.2   The price of this Contract is not subject to any adjustment or revision because of price or currency fluctuations or the actual costs incurred by the Contractor in the performance of the Contract.

3.3   Payments effected by UNDP to the Contractor shall be deemed neither to relieve the Contractor of its obligations under this Contract nor as acceptance by UNDP of the Contractor's performance of the Services.

3.4   UNDP shall effect payments to the Contractor after acceptance by UNDP of the invoices submitted by the Contractor to the address specified in 9.1 below, upon achievement of the corresponding milestones and for the following amounts:

MILESTONE[8]   AMOUNT   TARGET DATE

Upon.....   ..../../....

Invoices shall indicate the milestones achieved and corresponding amount payable.

OPTION 2 (COST REIMBURSEMENT)

---

[7] This version of section 3 is to be used for fixed price contracts. Fixed price contracts should normally be used when it is possible to estimate with reasonable accuracy the costs of the activities which are the subject of the Contract.

[8] If an advance payment is granted, define the first milestone as "upon signature of the contract by both parties". Please note that advance payments should be granted only in exceptional cases, and that they must comply with UNDP policies and procedures.

3. Price and payment[9]

3.1 In full consideration for the complete and satisfactory performance of the Services under this Contract, UNDP shall pay the Contractor a price not to exceed _____ **[INSERT CURRENCY & AMOUNT IN FIGURES AND WORDS]**.

3.2 The amount contained in 3.1 above is the maximum total amount of reimbursable costs under this Contract. The Breakdown of Costs in Annex _____ **[INSERT ANNEX NUMBER]** contains the maximum amounts per cost category that are reimbursable under this Contract. The Contractor shall reflect in his invoices the amount of the actual reimbursable costs incurred in the performance of the Services.

3.3 The Contractor shall not do any work, provide any equipment, materials and supplies, or perform any other services which may result in any costs in excess of the amount under 3.1 or of any of the amounts specified in the Breakdown of Costs for each cost category without the prior written agreement of _____ **[NAME and TITLE]**, UNDP.

3.4 Payments effected by UNDP to the Contractor shall be deemed neither to relieve the Contractor of its obligations under this Contract nor as acceptance by UNDP of the Contractor's performance of the Services.

3.5 The Contractor shall submit invoices for the work done every _____ **[INSERT PERIOD OF TIME OR MILESTONES]**.

<div align="center">OR</div>

3.5. The Contractor shall submit an invoice for _____ **[INSERT AMOUNT AND CURRENCY OF THE ADVANCE PAYMENT IN FIGURES & WORDS]** upon signature of this Contract by both parties and invoices for the work done every _____ **[INSERT PERIOD OF TIME OR MILESTONES]**.[10]

3.6 Progress and final payments shall be effected by UNDP to the Contractor after acceptance of the invoices submitted by the Contractor to the address specified in 9.1 below, together with whatever supporting documentation of the actual costs incurred is required in the Breakdown of Costs or may be required by UNDP. Such payments shall be subject to any specific conditions for reimbursement contained in the Breakdown of Costs.

4. Special conditions[11]

4.1 The responsibility for the safety and security of the Contractor and its personnel and property, and of UNDP's property in the Contractor's custody, rests with the Contractor.

4.1.1. Security

The Contractor shall:

(a) put in place an appropriate security plan and maintain the security plan, taking into account the security situation in the country where the services are being provided;

(b) assume all risks and liabilities related to the Contractor's security, and the full implementation of the security plan.

---

[9] This version of section 3 is to be used for cost reimbursement contracts. Normally, cost reimbursement contracts should be used when it is not possible to estimate with reasonable accuracy the total costs of the activities which are the subject of the Contract.

[10] This clause should be used if an advance payment is granted. Please note that advance payments should be granted only in exceptional cases, and that they must comply with UNDP policies and procedures. Any advance which represents 30% or more of the proposed total contract value must be cleared by the Office of Finance and Administration prior to contract signature, with the exception of contracts below $50,000.

[11] Under this Section, you may propose special clauses in order to adapt the model contract to the specific situation. In this sample clause 4, several clauses of common use are given. If they are not required, they should be deleted. If there are no special conditions, please choose the alternative version of 4 in order to conform to clause 1.1.

4.1.2   UNDP reserves the right to verify whether such a plan is in place, and to suggest modifications to the plan when necessary. Failure to maintain and implement an appropriate security plan as required hereunder shall be deemed a breach of this contract. Notwithstanding the foregoing, the Contractor shall remain solely responsible for the security of its personnel and for UNDP's property in its custody as set forth in paragraph 4.1 above.

4.2   Audits and Investigations

Each invoice paid by UNDP shall be subject to a post-payment audit by auditors, whether internal or external, of UNDP or the authorized agents of the UNDP at any time during the term of the Contract and for a period of three (3) years following the expiration or prior termination of the Contract. The UNDP shall be entitled to a refund from the Contractor for any amounts shown by such audits to have been paid by the UNDP other than in accordance with the terms and conditions of the Contract. Should the audit determine that any funds paid by UNDP have not been used as per contract clauses, the company shall reimburse such funds forthwith. Where the company fails to reimburse such funds, UNDP reserves the right to seek recovery and/or to take any other action as it deems necessary.

4.2.1   The Contractor acknowledges and agrees that, at anytime, UNDP may conduct investigations relating to any aspect of the Contract, the obligations performed under the Contract, and the operations of the Contractor generally. The right of UNDP to conduct an investigation and the Contractor's obligation to comply with such an investigation shall not lapse upon expiration or prior termination of the Contract. The Contractor shall provide its full and timely cooperation with any such inspections, post-payment audits or investigations. Such cooperation shall include, but shall not be limited to, the Contractor's obligation to make available its personnel and any documentation for such purposes and to grant to UNDP access to the Contractor's premises. The Contractor shall require its agents, including, but not limited to, the Contractor's attorneys, accountants or other advisers, to reasonably cooperate with any inspections, post-payment audits or investigations carried out by UNDP hereunder.

4.3   Anti-terrorism

The Contractor agrees to undertake all reasonable efforts to ensure that none of the UNDP funds received under this Contract are used to provide support to individuals or entities associated with terrorism and that the recipients of any amounts provided by UNDP hereunder do not appear on the list maintained by the Security Council Committee established pursuant to resolution 1267 (1999). The list can be accessed via http://www.un.org/Docs/sc/committees/1267/1267ListEng.htm. This provision must be included in all sub-contracts or sub-agreements entered into under this Contract.

4.4   The advance payment to be made upon signature of the contract by both parties is contingent upon receipt and acceptance by UNDP of a bank guarantee for the full amount of the advance payment issued by a Bank and in a form acceptable to UNDP.[12]

4.5   The amounts of the payments referred to under section 3.6 above shall be subject to a deduction of _____ [INSERT PERCENTAGE THAT THE ADVANCE REPRESENTS OVER THE TOTAL PRICE OF THE CONTRACT] % (... percent) of the amount accepted for payment until the cumulative amount of the deductions so effected shall equal the amount of the advance payment.[13]

4.6   Owing to [.........................], Article(s) [.........] of the General Conditions in Annex I shall be amended to read/be deleted.[14]

---

[12]This clause must be used when an advance payment of $50,000 or more is granted to the Consultant and may be used for payments under $50,000 when appropriate. Please note that advance payments should be exceptional, whatever their amount and must comply with UNDP Financial Regulations and Rules.

[13] This clause must be used when an advance payment is granted (whatever the amount) in a cost reimbursement contract. A payment upon signature is considered an advance payment.

[14] This is a sample clause for the rare cases where there is a conflict with a provision of the General Conditions which does not involve privileges and immunities, arbitration or some other fundamental aspects of the UNDP legal status. All such changes to the General Conditions shall require consultation with OLPS/BOM.

5. Submission of invoices

5.1 An original invoice shall be submitted by mail by the Contractor for each payment under the Contract to the following address:

5.2 Invoices submitted by fax shall not be accepted by UNDP.

6. Time and manner of payment

6.1 Invoices shall be paid within thirty (30) days of the date of their acceptance by UNDP. UNDP shall make every effort to accept an invoice or so advise the Contractor of its non-acceptance within a reasonable time from receipt.

6.2 All payments shall be made by UNDP to the following Bank account of the Contractor:

[NAME OF THE BANK], [ACCOUNT NUMBER], [ADDRESS OF THE BANK]

7. Entry into force. Time limits.

7.1 The Contract shall enter into force upon its signature by both parties.

7.2 The Contractor shall commence the performance of the Services not later than _____ **[INSERT DATE]** and shall complete the Services within _____ **[INSERT NUMBER OF DAYS OR MONTHS]** of such commencement.

7.3 All time limits contained in this Contract shall be deemed to be of the essence in respect of the performance of the Services.

8. Modifications

8.1 Any modification to this Contract shall require an amendment in writing between both parties duly signed by the authorized representative of the Contractor and _____ **[NAME AND TITLE]** UNDP.

9. Notifications

For the purpose of notifications under the Contract, the addresses of UNDP and the Contractor are as follows:

For the UNDP:

_____ [INSERT CONTRACT REFERENCE & NUMBER]

For the Contractor:

[**INSERT NAME, ADDRESS AND TELEX, FAX AND CABLE NUMBERS]**

If the above terms and conditions meet with your agreement as they are typed in this letter and in the Contract Documents, please initial every page of this letter and its attachments and return to this office one original of this Contract, duly signed and dated.

Yours sincerely,

 [INSERT NAME AND TITLE]

For **[INSERT NAME OF THE COMPANY/ORGANIZATION]**