

Annex B

ToR for Provision, Installation, and commissioning of solar powered water system for Znata pump station.

TERMS OF REFERENCE (TOR)

1.0 Summary

Type of Contract	Institutional Contract	
Title	Request for Quotation for Providing and installation of solar powered water system for Znata pump station.	
Purpose	<p>Libya is considered one of the most water-scarce countries in the world, with a renewable water amount of 108 m³ per person per year versus the internationally required minimum threshold of 1000 m³ per person per year. Water supply in Libya is facing among others huge challenges from the recurrent power outage which leads to complete shutdown or daily interruption in water supply.</p> <p>UNICEF - Libya plan to implement a pilot project for installation solar powered water system in Libya especially for remote areas in south and west of the country. However, for monitoring and evaluation purpose the General Company of Water and Wastewater proposed to install the system in Tripoli municipality. The solar powered water system shall comprise all essential components: solar array with steel frame, and electrical cabinet (disconnected switch, combined box, control unit, inverter, and cables). The work includes providing, installation, and commissioning of solar powered water system.</p> <p>The pilot project will provide the Water Authorities and UNICEF with needed information, budget requirements, challenges and other useful information for successful future projects. It will also guide on feasibility and appropriateness of such projects in the context of Libya situation. The table below indicates site data</p>	
	Project Name	Znata Pump station
	Location	Tripoli
	Coordination	32°52'03.4"N 13°13'46.6"E
	Well Diameter	250 mm
	Well depth	30m
	H	50 m
	Q	10 m ³ /hr

Duration	9 months: Estimated Two months for provision of supplies and installation; one month for commissioning; and six months Defect Liability Period (DLP)
Start Date	1 st January 2021
Reporting to	UNICEF's WASH Engineer
Budget Code	BMZ4&EUTF

2.0 Background/Justification

UNICEF - Libya plan to implement a pilot project for installation solar powered water system in Libya especially for remote areas in south region. However, for monitoring and evaluation purpose the General Company of Water and Wastewater proposed to install the system in Tripoli municipality.

The pilot project will provide the Water Authorities and UNICEF with needed information, budget requirements, challenges and other useful information for successful future projects. It will also guide on feasibility and appropriateness of such projects in the context of Libya situation. The table below indicates site data.

3.0 General

UNICEF Libya seeks to establish contracts with competent and technically qualified local vendor to Provide, install, Commission, and monitor solar powered water system for Znata pump station., as described in the documents attached (BoQ, Specification and SoW).

4.0 Subcontractors

It should be noted that subcontracting of works is discouraged for this Provision. If the bidders intend to subcontract one or more parts of this tender, this must be clearly stated by the bidder in its tender documents. Even if sub-contracting may be permitted, the bidder must intend to carry out the major part of the services itself. The total value of the sub-contracted part of the services must not exceed 30% of the Contract value and the subcontractor must not subcontract further.

4.1 Approval / Rejection

UNICEF reserves the right to review proposed subcontractors for a period of ten (10) calendar days before providing notice of approval or rejection of any or all subcontractors. UNICEF reserves the right to reject any or all subcontractors proposed if their participation in the project may cause damage to the interests of UNICEF. The vendor agrees to promptly replace any subcontractor rejected by UNICEF under this clause.

4.2 List

In the event the vendor will use subcontractors to execute portions of the works, the agreement, scope and extent of the works between the vendor and the subcontractor must be attached to the tender, including pricing.

5.0 Scope of Works to be provided

The following description of the scope of works intends to convey a general understanding of the work required. Please note that the items mentioned below are:

The hyper solar powered water system shall comprise all Essential components:

-Solar array with galvanise steel frame

- Electrical cabinet include:

- Submersible pumps inverter not less than 7.5hp
- disconnected switch
- combined box
- control unit
- cables not than 6mm
- MC4 connectors

- Civil works for frame foundation

- Provision of any other additional work required to operate the system successfully.

The work includes providing, installation, commissioning, of solar powered water system. More details in project scope of work are presented in project BoQ.

6.0 Personnel

6.1 Removal of Personnel

The Vendor shall maintain discipline at the site and at all times, take all reasonable precautions to prevent any unlawful, riotous or disorderly conduct by or amongst those employed at the site and for the preservation of peace and protection of persons and property.

6.2 Security

The Vendor is responsible to carry out a security check on all staff to be employed for these works.

7.0 Standards of Conduct

a) General.

The Vendor shall maintain satisfactory standards of employee competency, conduct, cleanliness, appearance and integrity and shall be responsible for taking such disciplinary action with respect to

employees as may be necessary. Each Vendor staff member is expected to adhere to standards of conduct that reflect credit on themselves, their employer and UNICEF. UNICEF reserves the right to direct the Vendor to remove an employee from the worksite for failure to comply with the standards of conduct. The Vendor shall immediately replace such an employee to maintain continuity of services at no additional cost to the UNICEF.

- b) **Neglect of duties shall not be condoned.** This includes sleeping while on duty, unreasonable delays or failures to carry out assigned tasks, conducting personal affairs during duty hours and refusing to render assistance or cooperate in upholding the integrity of the worksite security.
- c) **Timeline for the completion of the project.** The timely achievement of the project is of utmost importance for UNICEF. A contractual timeline will be part of the agreement signed with the successful bidders (please refer to the General conditions of contract for further details on the contractual documents). Penalties for delays will be strictly enforced as per the General conditions of contract.
- d) **Disorderly conduct, use of abusive or offensive language, quarrelling, intimidation by words, actions, or fighting shall not be condoned.** Also, not condoned is participation in disruptive activities which interfere with normal and efficient UNICEF operations.
- e) **Intoxicants and Narcotics.** The Vendor shall not allow its employees while on duty to possess, sell, consume, or be under the influence of intoxicants, drugs or substances which produce similar effects.
- f) **Criminal Actions.** The law will be applied to the Construction Company's employees incurring in criminal actions. Including but not limited to the following actions: falsification or unlawful concealment, removal, mutilation, or destruction of any official documents or records or concealment of material facts by willful omission from official documents or records; unauthorized use of UNICEF property, theft, vandalism, or immoral conduct; security violations; unethical or improper use of authority or credentials; and organizing or participating in gambling in any form.

8.0 Tools and Equipment

The vendor shall provide all necessary tools, instruments and equipment to execute the works. These must be available for the vendor's use during the execution of works.

9.0 Site Manager

The entire operation of the works shall be superintended by a qualified Site Manager, who shall maintain a close contact with the designated representative of UNICEF on site in order to coordinate the performance of the installation works with the needs of UNICEF. The Manager is responsible for:

- Manage the overall work schedule and work schedules of individual staff on site
- Report on progress to UNICEF's WASH Engineer.

- Document and report on progress of works on a daily basis in the daily site diary record
- Document and report progress of works on a monthly basis
- Monitor / manage corrective and preventive services on site
- Monitor/Inspect activities and personnel on site
- Implement controls determined in the site management Plan

10.0 Quality Control

The vendor shall institute an appropriate inspection system including control tables of duties to ensure the predetermined duties are carried out by the staff. Any shortcomings and/or substandard conditions noted in such inspections shall be promptly corrected and improved; any conditions beyond the responsibility of the Vendor shall be brought to the attention of UNICEF's representative on site for disposition.

UNICEF shall provide supervision team to supervise day to day works and to make sure works meet the requirements of the project in terms of QA/QC. UNICEF shall assign an external entity such as CIR in order to grantee independent QA.

11.0 Payment

11.1 Invoices

All invoices should attach a copy of the monthly progress of works report. The monthly reports shall bear the signatures of the vendor Company's site Manager, and the UNICEF Engineer on site. Invoices shall be submitted as articulated in article 24 of the general conditions of contract.

11.2 Detail of Payment Requests

Each application for payment, which shall be made no more frequently than monthly, unless otherwise provided herein, shall cover the agreed rates as per the proposer's submitted priced bill of quantities, and in accordance with the general conditions of contract.

11.3 Payments to Subcontractors

The Vendor shall make timely payment from the proceeds of the progress or final payment for which request is being made, to his subcontractors where applicable and all suppliers in accordance with the Construction Company's Contractual arrangements with them.

11.4 Payment

Payment shall be affected within 30 days of receipt of invoice.

13.0 Instructions to Bidders

13.1 Overview of the Bidding Process

The bidding procedure shall comprise of three (3) stages;

- i. Request for proposal (RFP)
- ii. Evaluation of the Offers technically and financially.
- iii. Award of Contracts

Proposals must be submitted in English. Proposals must be submitted by Email to

supply.libya@unicef.org

Potential bidders are recommended to visit the designated Projects sites prior submitting their proposals.

UNICEF will evaluate each proposer's submission and based on the technical capacities of each of the proposers, recommend the award of activity to the best value for money proposal based on the proposal obtaining the highest cumulative score (technical + financial).

13.2 Technical Proposal

The Bidder must provide sufficient information in the proposal to demonstrate compliance with the requirements set out in each section of this Request for Proposal (RFP). The proposal shall include the following documentation, as per Annex B:

- the Bidder's General Information (C.1.1), Financial Information for the last 3 years (Paragraph C.1.2); Experience and References (Paragraph C.1.3); Works in Hand (Paragraph C.1.4); the Company Assets (Paragraph C.1.5); and Details of Key Personnel (Paragraph C.1.6), together with relevant supporting documentation. In addition to Project Timeline and Company's Health and Safety Plan (HSE).

13.3 Financial Bid

The Financial Proposal must contain the following documentation, as per Annex I

- The duly filled in Fixed Itemized Price form (Bill of Quantities) including the list of any additional services that the bidder find relevant to the management of the project in order to achieve the objective of the service.

13.4 Evaluation of Bids

The weight of Technical and Financial score will be 70% and 30% respectively. Following closure of the RFP, technical proposals will be evaluated based on the technical criteria score on annex IV by the evaluation team composed of members from UNICEF - The evaluation will be restricted to the contents of the Technical and Financial Proposals and the reference checks.

All proposals shall comply in full of the following administrative requirements:

- Be a registered company in Libya and must possess the relevant and valid registration certificates
- The Bidder shall demonstrate financial status of the company for the recent (3) years.
- Have reasonable years of experience in the field of solar systems

- Have successfully carried out a prominent solar power project in the last three years and is able to provide a proof of implementation of such projects.
- The Bidder shall submit a copy of its current Professional Indemnity and Public Liability Insurance Certificates.
- The Bidder shall submit HSE plan for the company.
- The Bidder shall submit detailed, current Resumes of staff forming the proposed Project Team. The Resumes should clearly state the responsibility and sizes of projects undertaken by each person. The Resumes should demonstrate each person’s suitability and capability for the work for which they will be responsible.
- Prove of solar power works executed directly by the bidder in West region of Libya.
- The Bidder shall submit proposed organization charts for the provision of the Services showing the lines of responsibility and communication amongst the Consultant’s key personnel, between the Consultant and the Client, and between the Consultant and other consultants.
- The Bidder shall submit deployment schedule for the project. The deployment schedule shall be presented in bar chart form covering the whole period during which the Services are to be provided.
- The Bidder shall submit a Letter of Transmittal [maximum 2 (two) pages].

Proposals that don’t meet all the criteria above will be disqualified. Administrative compliant offers will be considered for technical evaluation.

- UNICEF will then evaluate the technical merits of each Technical Proposal using the rating system in **Table 1** below.
- A maximum of **70 points** will be assigned to the Technical Proposals. Technical Proposals receiving **49 points (70%)** or higher will be considered technically responsive. Non-technically compliant and non-responsive Proposals will not be given further consideration.
- UNICEF will evaluate the Financial Proposals of those RFPs the bids that pass the technical evaluation. The total number of points allocated for the Financial Proposal is **30 points**. The maximum number of points will be allocated to the Proposal with the lowest price. All other Price Proposals shall receive points in inverse proportion to the lowest price.
- The recommendation for the award of each lot will be based on the best value for money principle. The Proposal obtaining the highest cumulative score (Technical + Financial) will be recommended for the award.

Table 1: Evaluation criteria

No	CATEGORY	MAXIMUM POINTS
1	Experience as a vendor Delivering similar works, e.g. the solar power systems; Total Assigned Score	21
1.1	Number of years operating as solar power systems provider for similar works in Libya (Evidence of Company Registration) 1-3=2; 4-5=4; > 5=6	6

1.2	Experience Providing Similar Services to other International Organizations or governmental institutions, Number of Projects 1-2 =2; 3-5=4; > 5=6	6
1.3	Experience Providing Similar Services to UNICEF	2
1.4	Provision of Audit Financial Reports for the past 2 years (Bank Statement will NOT Consider as Audit)	2
1.5	Positive Reference checks for similar works done in the past three years, three references. 1=1; 2=3; 3=5	5
2	Proven experience in Libya; TotalAssignedScore	10
2.1	Providing a List of the Last Five Projects of similar Nature with Email and Telephone Information for The Clients 1=1; 2=2; 3=3; 4=4; 5=5	5
2.2	Experience of executing similar works in West Region	5
3	Health Safety Environment (HSE) Plan, Work Plan, Personnel, Equipment and Quality Control Measures to be used.	33
3.1	Vendor HSE plan showing the overall approach to be adopted in the execution of the works;	4
3.2	Detailed sequential programme of works from mobilization to substantial completion of the works to achieve the stated timeline for the completion of works;	8
3.4	Detailed list of personnel proposed for the execution of the works, including the CVs and profiles of the key technical project personnel that will be assigned to each of the proposed sites;	8
3.5	Detailed equipment list (owned or leased). The equipment proposed should be sufficient in scope to achieve the timely completion of the works, with consideration for concurrent operations where more than one site is proposed;	8
3.6	Detailed quality control plan to be used in the execution of the works, addressing handling of materials, workmanship and record keeping on site to track daily progress.	5
4	Overall response Total Assigned Signed Score	6
4.1	Overall concord between UNICEF requirements and proposal, including the bidder demonstration financial capability	3
4.2	Understanding of UNICEF requirements	3
Technical Evaluation Total Scores		70

14.0 Special Conditions:

14.1 General Conditions of Contract

The proposer shall accept all terms and conditions as outlined in the UNICEF general conditions of contract for construction works (part of Annexes), which be form part of the contract.

14.2 Programme of Works

Prior to the issuance of a contract, the proposer shall submit an updated and specific program of works for the Activities, which should reflect the durations provided in the original proposal. Should UNICEF, during the progress of works require further modifications to the program of work, the proposer shall review the said program. The proposer shall also whenever require by UNICEF, submit in writing of the proposer's arrangements for the execution of the works as the case may be.

The submission of such programs, or any modifications thereto, or the required by UNICEF, shall not relieve the proposer of any of his duties or obligations under the contract nor shall the incorporation of any modifications to the program of work either at commencement of the contract or during its course necessarily entitle the proposer to any additional payments in consequence thereof.

Awarded proposers shall provide progress updates to UNICEF everyone week and maintain a record of progress of works in site on a daily basis.

14.3 Mobilization to Site

The bidders shall indicate, as part of their technical proposal, the mobilization period or preparation lead-time required for each of the lots for which a proposal has been submitted. The mobilization time should include all activities required to be fulfilled for the works to effectively start on site.

14.4 Quality Control on Site

The bidders must provide an overview of their quality control policy, materials handling, records keeping, implementation and monitoring procedures and processes. This quality control plan will be carefully evaluated in the proposal and closely monitored during execution. UNICEF may request the successful bidder to submit an updated quality control plan before the commencement of works if deemed necessary.

14.5 Pricing of Works

The Financial Proposed and the unit prices therein are not subject to any adjustment or revision because of price or currency fluctuations, the actual costs incurred by the Vendor in the performance of its obligations hereunder or modifications to this Contract or the Contract Documents without a duly signed amendment in accordance with Article 64 of the general conditions of Contract.

The quantities given in the Bill of Quantities are provisional. Scope of Works based on unit prices in the BoQ will prevail shall a difference arise.

14.6 Validation of Offers

The bidder will be requested to validate their offers prior to award. Once the works have been awarded no increase in costs will be entertained by UNICEF as explained in the General conditions of contract.

14.7 Contract Award

Unless specifically mentioned in the RFP, each lot will be on one contract, based on the best value for money combination, and the assessed technical capacities of the lowest bidder (s). The scope of works can be amended at the time of award.

Annex I: Financial Bids

C.1 Bidder General Information

The following information is considered an integral part of this submission and must be provided for the Bid to be considered. The information should be provided according to the sample format.

C.1.1 Bidder's General Information	
Name and Title of Contact Person	_____
Address of Contact Person	_____
Telephone number of Contact Person	_____
Email of Contact Person	_____

C.1.2 Bidder's Financial Details

Registration Certificate: (Vendor to provide copy of Certificate of Incorporation, partnership or Joint venture and or Business Certificate issued by the Government of Libya)

Financial Statement: Vendor to provide certified copy of audited accounts for the last 3 years (2017, 2018 and 2019)

Financial Information in LYD	Previous three (3) Years			
	2017	2018	2019	Remarks
Total Assets				
Current Assets				
Total Liabilities				
Current Liabilities				
Profits before Taxes				

Profits after Taxes				
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Annual Turn-over Information (Last three years)		
Year	Turn-over	Remarks
2019		
2018		
2017		
Adequacy of Working Capital		
Source of credit line	Amount	Remarks
Total		

C.1.3 Experience and References

VENDOR'S PROJECT TRACK RECORD FOR THE LAST FIVE (5) YEARS.

- *Include only projects where the company was the main/prime vendor*
- *Provide proof e.g attach completion certificates and or copies of contract*
- *Include only projects concerning building construction and / or rehabilitation*
- *Include contact email and telephone number of the project owner*

Project Description	Contract Value (LYD)	Project Duration [From...To]	Name & Contact Details of Client's representative

TOTAL VALUE OF PROJECTS COMPLETED EACH YEAR, FOR THE LAST FIVE (3) YEARS.

- *Include only projects where the company was the main/prime vendor*
- *Provide proof e.g attach completion certificates*

Year	Countries of Operation	Total Value of Works
2019		
2018		
2017		
TOTAL CONTRACT VALUE FOR THE THREE YEARS (LYD)		

C.1.4 Works in Hand

VENDOR'S DETAILS OF CURRENT WORK IN PROGRESS.

- *Include only projects where the company was the main/prime vendor*
- *Provide proof e.g attach completion certificates and or copies of contract*
- *Include only projects concerning building construction and / or rehabilitation*
- *Include contact address and telephone number of the project owner*

Project Description	Contract Value LYD	Project Duration [From...]	Name & Contact Details of Client's representative

C.1.5 Company Assets

VENDOR'S LIST OF EQUIPMENT.

- List down all company equipment proposed for carrying out the works
- Provide copy of proof of acquisition (purchased or leased)
- The vendor should consider possibilities of multi-sites simultaneous construction

Equipment Description	Equipment Capacity	No. of Units	Acquisition (owned or Leased)

C.1.6 Details of Key Personnel

VENDOR'S KEY TECHNICAL PERSONNEL.

- List down all key company personnel (Names, Qualifications, designation/position, years of experience, etc), proposed for carrying out the works
- Provide copy of company's organization chart (organogram)
- The vendor should consider possibilities of multi-sites simultaneous construction
- Attach CVs for the Proposed Key Personnel

Names	Position	Qualifications	Years of experience in proposed position

Annex II: **Financial Proposal**

UNICEF will not be held responsible for any duties, taxes or other levies including Value Added Tax for which the Vendor may be liable in the course of the Contract. All duties, taxes, or other levies must be included in the fees as shown in the Financial Proposal.

C.3 Fixed Itemized Price

Bill of Quantities Attached as a separate Annex will be used for the completion of the financial proposal. Please note that the costs provided in the priced Bill of Quantities will include, though not be limited to;

- all costs and benefits related to labour
- Head office overhead charges
- Travel expenses to remote sites
- Time lost due to inclement weather
- Bonuses and all other incentive payments
- Contribution to training levy and all statutory contributions
- Contributions for annual and public holidays
- Fares and time allowances for traveling
- Safety and welfare facilities
- Workmen's compensation and third party liability insurance's, sick pay or insurance in respect thereof
- Obligations for redundancy payments
- Tool allowance
- Use, repair and up keeping of small tools
- Protective clothing and safety personnel protection

Reporting

The Vendor will report to the UNICEF WASH Engineer on site.

Time Frame:

Two (02) months for providing & installation, plus one (01) month commissioning, plus six (06) six months for the Defects Liability Period.

Location: Tripoli

Expected Deliverables Timeframes:

The indicative deliverables/tasks cover the scope of works expected to be delivered by the vendor. These are the deliverables, which will trigger payments as follows:

Payment No	Milestone No	Description of mile stone	Payment
01	Mile stone 01	Work progress obtained (100 % of the work is completed and proper handover is undertaken)	90% upon substantial completion of works and issuance of Certificate of Substantial Completion (DLP start as from this date)
02	Mile stone 02 (end of the defect liability period)	End of DLP and issuance of the Certificate of Final Completion	10% will be Pay to the vendor upon work progress obtained; and issuance of Final Completion Certificate.

Policy both parties should be aware of:

- No job may commence unless the Purchase Order is signed by both UNICEF and the Vendor.
- The vendor is not entitled to payment of overtime. All remuneration must be within the purchase order.
- The vendor will not have supervisory responsibilities or authority on UNICEF budget.
- All appropriate and formal approvals must be received by UNICEF before any materials are finally used on site.
- Payment for the job done will be made only after it is fully certified that the job is satisfactorily done.

General Conditions: Procedures and Logistics:

- The vendor is expected to be equipped with the appropriate tools of the trade.
- The Vendor must make arrangements for their own transportation to and from project sites.
- All completed products are the property of UNICEF and cannot be used or replicated without written consent.



**BoQ for Provision, Installation and
Commissioning of Solar Powered Water System for Znata
Pump Station.**

SN	DESCRIPTION	QTY	UNIT PRICE (USD)	TOTAL PRICE (USD)
1	<p>Providing and installing of solar powered water system for submersible water pump, The hyper solar powered water system shall comprise all Essential components:</p> <ul style="list-style-type: none"> -Solar array with galvanize steel frame - Electrical cabinet include: <ul style="list-style-type: none"> • Submersible pumps inverter not less than 7.5hp • disconnected switch • combined box • control unit • cables not than 6mm • MC4 connectors - Civil works for frame foundation -Provision of any other additional work required to operate the system successfully. <p>The work includes commissioning of solar powered water system .</p>	1		