

TERMS OF REFERENCE

Request for proposal: RENOVATION OF CLASSROOMS IN SCHOOLS IN BORNO STATE

Assignment:	THE PROPOSED RENOVATION OF CLASSROOMS IN SCHOOLS IN BORNO STATE.
Purpose	To identify and select experienced and technically qualified contractors for the renovation of classrooms in some selected school
Location:	In selected Locations Borno state (Bama, Damboa, Mafa, MMC)
Duration:	9 months (including 6 months defect liability period)
Estimate number of working days:	3months
Start date:	April 2022
End date:	July 2022
Reporting to:	UNICEF Supply Section

1. JUSTIFICATION/BACKGROUND

The protracted crisis in North East Nigeria since 2009 has exacerbated the weakness of basic social services delivery depriving children their right to education and protection amongst others. Armed conflicts or natural disasters pose a multitude of physical and psychosocial threats to children's well-being. A significant need in emergency settings is for rapid interventions on a large scale that support the well-being of children and youth, who typically comprise half or more of the affected population. The impact of the crisis on the education system has also been severe, leaving generations of children without opportunities to learn and even more vulnerable. Since the conflict erupted in 2009, hundreds of schools were damaged destroyed, and/or forced to close. As a result, an estimated 900,000 children have lost access to learning while 75% of children in camps do not attend schools.

More than 2.2 million children need urgent education services. In north-eastern states, many children do not attend schooling which includes foundational skills of literacy and numeracy, and nearly half of all children who do attend formal schooling and complete primary grades cannot read a complete sentence. The poor learning outcomes are a consequence of low levels of teacher quality, lack of textbooks and instructional materials, inadequate community spaces for self-expression and recreation, and a lack of protective classrooms. Overall, children who complete basic education do not currently acquire skills that would enable them to make transitions to different pathways nor earn a decent livelihood.

Currently in the North East, schools serve as safe spaces to protect children from different forms of abuse and danger. They may also keep the children from roaming the streets and getting involved in criminal or harmful activities including association with Non-State Armed Groups (NSAGs) through forced recruitment. At the same time, schools have been attacked by insurgents, with some having been used for military purposes, while classrooms have also suffered a lack of maintenance resulting from insufficient resource allocation to education activities. It will contribute to and improve a child-friendly learning environment. Given this, UNICEF will rehabilitate classrooms in the identified locations in Borno state (MMC, Mafa, Damboa, and Bama LGAs) to better meet the educational demands of the children in IDP and host communities across the focused LGAs in Borno. The rehabilitation works will support UNICEF to deliver its mandate of ensuring inclusive quality education, accelerate intervention to the humanitarian crisis and contribute to facilitating education system resilience.

2. OBJECTIVE AND SCOPE OF THE WORK

The overall objective of the contractual service is to improve education service delivery for the children affected by conflict through establishing conducive learning spaces (classrooms) aimed at providing inclusive, protective, quality, and equitable basic education in identified locations within a short period.

3. TARGETS

The project sites are located in selected Locations **Borno** (Bama, Damboa, Mafa, MMC) state. The assignment shall be implemented within three months after the signature of the contract and an additional A six (6) months defect and liability period will be considered following the substantial completion. The project is expected to start on 1st April 2022. The timely and qualitative completion of the renovation works is of utmost importance to UNICEF. The Project Implementation Plan or Gantt chart to be submitted by the bidders and accepted by UNICEF will be part of the agreement signed with the successful bidder. Penalties for delays will be strictly enforced

as per the General Terms and Conditions.

Successful contractors are to renovate or construct these blocks of classrooms in the benefitting schools in Borno states. Contractors with a good understanding of the working environment and terrain in these areas as mentioned shall be given priority. The selected contractors will be responsible to achieve the construction works as described in this ToR and annex 1 – 4.

4. COMMENCEMENT OF THE WORKS

Within 24hours after the Contract start date, the Contractor shall attend a Pre-Construction Meeting attended by the UNICEF Construction team and the contractor's Site Engineer and Project Manager to discuss all technical and non-technical matters for the project. At that meeting, the Contractor shall submit for approval a Mobilisation Program and the initial Works Construction Program. Mobilization to the site will occur after this pre-construction meeting.

5. EXPECTED DELIVERABLES

To construct/renovate blocks of classrooms in the benefitting schools in Borno states and handover to UNICEF within the agreed timeline and ensure that the construction project complies with construction standards, specifications, and design referenced in this term of reference and the attached works requirement documents referenced in Annex 1, 2,3, and 4.

Description of task and deliverables

This project is for the construction/renovation of the blocks of classrooms in the benefitting schools in Borno states. The successful contractors shall be responsible to provide all necessary equipment, materials, and skilled labor for the construction and renovation of the identified these blocks of classrooms in the benefitting schools in Borno states.

The major scope includes amongst others, mason works, reinforced concrete, aluminum roofing, painting, electrical, installation doors, windows and external works, etc – as per the attached Bill of Quantities, drawings, and Terms of Reference. The works shall fully conform with the documents referenced in Annex 1, 2, 3, and 4 below.

- i. Detailed drawings – Annex 1
- ii. Bills of Quantities - Annex 2
- iii. Material/Technical Specification – Annex 3
- iv. Approved UNICEF COVID 19 Construction Safety Guidelines (Annex 4)

The work will be in the following geographical locations as attached to this TOR.

a) BORNO STATE INTERVENTION: Bama, Damboa, MMC, and Mafa Local Government Areas.

S/N	STATE	LGA	Location Name	Blocks	Nos of Classroom	Contract Lot	Recommendations	Donor
1	Borno	Bama	Ex-Boarding Primary School	BLK C - 2	2.00	LOT 1	Moderate Dilapidation - Moderate Rehabilitation	TSSIP
				BLK D - 2	2.00		Mild Dilapidation - Light Rehabilitation	TSSIP
2	Borno	Damboa	Damboa Central Primary School	BLK E - 2	2.00	LOT 2	Moderate Dilapidation - Moderate Rehabilitation	TSSIP
				BLK L - 2	2.00		Moderate Dilapidation - Moderate Rehabilitation	TSSIP
3	Borno	Damboa	Kachallah Burari Primary School	BLK D - 2	2.00	LOT 3	Severe Dilapidation - Heavy Rehabilitation	TSSIP
4	Borno	Damboa	Kasugula Primary School	BLK D - 2	2.00		Mild Dilapidation - Light Rehabilitation	TSSIP
				BLK E - 2	2.00		Severe Dilapidation - Heavy Rehabilitation	TSSIP
5	Borno	Damboa	Shuwari Primary School	BLK B - 2	2.00		Moderate Dilapidation - Moderate Rehabilitation	TSSIP
				BLK G - 2	2.00		Moderate Dilapidation - Moderate Rehabilitation	TSSIP
6	Borno	M.M.C	Zajiri Primary School	BLK A - 2	2.00	LOT 4	Moderate Dilapidation - Moderate Rehabilitation	TSSIP
				BLK D - 2	2.00		Mild Dilapidation - Light Rehabilitation	TSSIP
7	Borno	M.M.C	Dalori Karekeri primary School	BLK A - 2	2.00	LOT 5	Mild Dilapidation - Light Rehabilitation	TSSIP
				BLK B & C - 4	4.00		New Block of 2-Classrooms	TSSIP
8	Borno	Mafa	Kaleri Primary School	BLK D - 2	2.00	LOT 6	Mild Dilapidation - Light Rehabilitation	TSSIP
				BLK E - 2	2.00		Mild Dilapidation - Light Rehabilitation	TSSIP
				BLK G - 2	2.00		Mild Dilapidation - Light Rehabilitation	TSSIP
9	Borno	Mafa	Malakyariri Primary School	BLK B - 2	2.00	LOT 7	Mild Dilapidation - Light Rehabilitation	TSSIP
				BLK C - 2	2.00		Mild Dilapidation - Light Rehabilitation	TSSIP
				BLK E - 2	2.00		Mild Dilapidation - Light Rehabilitation	TSSIP
10	Borno	Mafa	Sinimari Primary School	BLK E - 2	2.00	LOT 8	Mild Dilapidation - Light Rehabilitation	TSSIP
				BLK F - 2	2.00		Mild Dilapidation - Light Rehabilitation	TSSIP
				Total	44.00			

6. OFFICIAL TRAVEL INVOLVED: Yes- To UNICEF Project Sites as mentioned above. Contractor to bear all travel costs.

7. DESIRED QUALIFICATIONS, SPECIALIZED KNOWLEDGE, OR EXPERIENCE MINIMUM BIDDER REQUIREMENTS/ ADMINISTRATIVE DOCUMENTS

The requirements are included herein to detail UNICEF's needs. Bidders are invited to submit proposals in line with these requirements, detailing the technical advantages of their proposal along with a detailed BOQ for the required projects. All documents should be arranged in this order.

- i. Evidence of incorporation with the Corporate Affairs-Commission (CAC).
- ii. Article of memoranda and Association.
- iii. Evidence of registration with United Nations Global Marketplace (UNGM).
- iv. Bidders in grouping and/or joint ventures should provide a grouping letter duly notarized by the notary service.
- v. Copy of current/Valid Tax Clearance Certificate (2018, 2019 & 2020).
- vi. Copy of current National Pension Commission, PENCOM Compliance Certificate (expiring 31st December 2021).
- vii. Copy of current Industrial Training Fund Compliance Certificate (expiring 31st December 2021).
- viii. Copy of current National Social Insurance Trust Fund, NSITF Compliance Certificate (expiring 31st December 2021).
- ix. Copy of Bureau of Public Procurement BPP's Interim Registration Report- IRR (expiring 31st December 2021).
- x. List and Evidence of construction equipment.
- xi. Evidence of Three years duly audited account (2018, 2019& 2020) with turnovers matching those in the tax clearance certificate.
- xii. Proof of financial capability to carry out the project from a reputable bank
- xiii. Corporate organogram (of the Service Provider and the proposed team who will carry out the work).
- xiv. A sworn affidavit disclosing:
 - That the bidder is neither in receivership nor a subject of insolvency/bankruptcy/winding up proceedings.
 - That none of the bidder's Directors has ever been convicted in any country for any criminal offence relating to fraud or financial impropriety or criminal misrepresentation or falsification of facts relating to any matter.
 - That the bidder has never been blacklisted/debarred in any company
 - That all information presented in the bid is true and correct

CAPABILITY: Each bidder is expected to prove that it possesses the capacity to successfully execute its project of choice. Accordingly, the following (scoring) responsive criteria shall apply:

- xv. Evidence of contracts executed in the last 5 years like the bidder's project of choice. (Letters of award and completion certificates.)
- xvi. Attach a minimum of three references showing the name of the client, contact person, official email address, and phone number.
- xvii. **List of members of staff of the company with Curriculum vitae, Academic certificates, and professional registration certificates attached.** Each professional mentioned below must submit a photocopy of his/her current license certificate signed and sealed with a supporting letter stating that he/she will fully participate in the proposed project. Staff must include:
 - a) An Architect must be a full member of the Architects registration council of Nigeria. (ARCON)
 - b) A civil engineer who must be a full member of COREN
 - c) A builder who must be a full member of NIOB
 - d) A quantity surveyor who must be a full member of QSRBN

Potential bidders must visit the sites before submitting their bids. To arrange a site visit, please contact the Email and Mobile number below. Site visits will require prior arrangements; it is advised to request the visit 48 hours in advance of the intended date.

A Civil Engineer/Architect with at least 5 years of experience, competent mason, Iron Bender, and Electrical Technician. **The Contractor is responsible to carry out a security check on all staff to be employed for these works.** The contractor should employ competent personnel/professionals for the successful execution of the job.

All personnel working directly or indirectly on this construction must adhere to Child safeguarding policy and Protection from Sexual Exploitation and Abuse policies which states that;

- a) Personnel is Prohibited from engaging a child as a household servant: CF/EXD/2016-006 (Child Safeguarding Policy). Personnel is prohibited from economically exploiting children or engaging them in work that is likely to interfere with their education or otherwise negatively affect their development.
- b) Personnel is Prohibited from sexually exploiting a child, such as by procuring sexual favors from him/her or engaging in acts associated with child sexual abuse.
- c) Personnel is prohibited from deliberately exposing a child to sexual activity or material, for purposes related to the sexual gratification of an adult.

Child safeguarding policy and Protection from Sexual Exploitation and Abuse policies will be signed before commencing the contract and all staff must have a valid ID card before entering the premises.

7.1 Removal of Personnel

The Construction Company shall always maintain discipline at the site and 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.

7.2 Security

The Construction Company is responsible to carry out a security check on all staff to be employed for this Construction.

7.3 Standards of Conduct

- a) **General.** The Construction Company shall maintain satisfactory standards of employee competency, conduct, cleanliness, appearance, and integrity and shall be responsible for taking such disciplinary action concerning such employees as may be necessary. Each Construction Company's employee is expected to adhere to standards of conduct that reflect credit on themselves, their employer, and UNICEF. UNICEF Nigeria reserves the right to direct the Construction Company to remove an employee from the worksite for failure to comply with the standards of conduct. The Construction Company 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) **Quiet Work Hours:** Any work that can generate noise such as the use of mixing machine to mix concrete, banging and hitting of nails, ramming of the concrete, all works that can make the staff to lose concentration should be scheduled to be done outside office working hours i.e. from Mondays to Thursdays 8 am to 5 pm and on Fridays 8 am to 2 pm.
- d) **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 bidder (please refer to the General Conditions of the contract for further details on the contractual documents). Penalties for delays will be strictly enforced as per the General Conditions of the contract.
- e) **Disorderly conduct, use of abusive or offensive language, quarreling, 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.
- f) **Intoxicants and Narcotics.** The Construction Company 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.
- g) **Criminal Actions.** The law will be applied to the Construction Company's employees incurring 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.

7.4 Child Labour

UNICEF has zero-tolerance for child labour, and this should not be condoned by the contractor. All workers on site should be at least 18 years old.

8. TOOLS AND EQUIPMENT

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

Bidders shall own or have proven access to hire or lease Concrete Mixer, Poker Vibrator, safety equipment for all personnel, a first aid box, and all necessary hand tools and implements. The contractor shall arrange for transportation and security of all equipment and personnel as necessary for the proper completion of the contract.

9. PERFORMANCE INDICATORS FOR EVALUATION OF RESULTS

(i.e. timeline, the value of services rendered, etc.)

Activity to be completed	Performance Indicator	Payment
RECONSTRUCTION/RENOVATION OF CLASSROOMS IN SCHOOLS IN BORNO STATE.	Substructure -Resources mobilization, preliminaries, demolition, site clearance, and include substructure completion depending on renovation type required.	90% of contracted value upon substantial completion of all the finishings and defects correction as indicated thereof. In case of any delay in completion, a penalty shall be passed per contract terms.
	Materials supply	
	Excavation	
	Blinding	
	Reinforcement	
	Formworks	
	Blockworks	
	Backfilling	
	Concrete	
	Superstructure - Completion of the superstructure to roof cover installation.	
	Blockworks	
	Reinforcement	

Formworks	
Concrete	
Blockworks	
Roof Trusses	
Roof cover	
Finishing- Satisfactory Substantial completion (100%) as per BoQ and Drawings specifications for the entire project including correction of all defects. Completion certificate together with any necessary approvals must be fully approved for this payment to be done. The following shall be completed and in final form.	
Electrical	
Floor Finish	
Window and Doors	
Wall Finish	
Ceiling Finish	
Defect liability -Zero defects observed during the defect liability period (6 Months from work completion and certification.	Release 10% of contract value released upon final certification of the work and passage of the defect liability phase.
Contract Closure	100% of contract value released and contract closed

10. SUPERVISION AND MONITORING

The construction will be supervised by the construction consultant who will be allocated to the site by UNICEF and overall monitored by the UNICEF construction Engineer throughout the project. Internally, the entire operation of the construction works shall need to be superintended by a qualified Supervising Engineer assigned by the contractor also known as the Site Manager, who shall maintain close contact with the designated construction consultant on-site to coordinate the performance of the construction works with the needs of UNICEF. The Manager is responsible for:

- Manage the overall work schedule and work schedules of individual staff on site
- Reports on progress to UNICEF Construction Engineer/Consultant and site meetings.
- Document and report on the progress of works daily in the daily site diary record
- Document and report progress of works weekly
- Always Maintain on-site the following documentation: A visitor logbook; A site logbook (site dairy book of construction); An updated work program
- Monitor / manage corrective and preventive services on site
- Monitor/Inspect activities and personnel on-site
- Implement controls determined in the site management Plan
- Ensure adequate provision of all required equipment to the site and rightly used for the successful completion of the project
- Ensure Occupational Health & Environmental Safety of all the staff as well as the space around the site works
- Quality control of works, including testing, to ensure construction standards are achieved

11. UNICEF RECOURSE IN CASE OF UNSATISFACTORY PERFORMANCE

The deliverables and progress will be evaluated weekly by the Engineers, Education team, and Operations. The reported unsatisfactory work will lead to stop payment for the deliverables and will be blacklisted for further consideration in the contracting process.

12. REQUEST FOR PROPOSAL EVALUATION AND WEIGHTING CRITERIA

Bids shall be evaluated based on technical criteria as detailed in the table overleaf and financial offers. Evaluations shall be weighted as 70% technical + 30% financial = 100% total. The minimum technical score: 70% of 70 points = 49 points. Bids that score below 49 points shall not be considered.

TECHNICAL EVALUATION CRITERIA

1	OVERALL RESPONSE	Max. Points	Comment
1.1	Completeness of response, Neat and clean packaging of the proposal. General adherence to Terms of Reference and tender requirements and Overall concord between RFP requirements and proposal.	2	The tender package is coherent and well presented. All required documents/information as specified in the ToR are attached
1.2	Company is registered with CAC as construction company not later than 2015, Articles of memorandum Form C02, evidence of registration with UNGM,	7	<ul style="list-style-type: none"> - CAC Certificate with registration not later than 2016 – 2pts - Article of memorandum – 3pts - Evidence of registration with UNGM – 2pts

1.3	Financial capacity certified by an Audit Firm	6	Audited financial accounts for the past 3 years and Copy of Tax Clearance Certificate for 2018, 2019 & 2020 - 2 pts each for Audited Account and Tax Clearance for each year
2	IMPLEMENTATION METHODOLOGY		Comment
2.1	Implementation strategy, Quality Control, hygiene, Site Safety, security aspects, Plan for material Provision.	15	<ul style="list-style-type: none"> - Method statement -Understanding of the ToR- 5pts - Quality control plan - 5pts - HSE plan – 2.5pts - Detailed materials supply and distribution plan – 2.5pts
2.2	Detailed Work Plan (Gantt Chart)	5	Gantt Chart – clearly showing project completion within 3months
3	COMPANY AND KEY PERSONNEL		Comment
3.1	List of Key personnel. Team members proposed for the assignment demonstrate adequate experience in construction and on similar projects	2.5	Organogram of the required team with their specialties.
3.2	Curriculum Vitae of Key Personnel. Academic qualifications, Professional Membership Certificates.	2.5	Attach copies of CVs. Compliance with academic degrees.
4	CAPACITY OF THE VENDOR		Comment
4.1	List of Similar Projects/Samples of previous work. Company has previously conducted similar work in the last 5years	15	Letter of Award and Completion certificate of at least one project executed in 2017, 2018, 2019, 2020, and 2021 – 3point for Letter of Award and Completion certificate submitted for each project.
4.2	Reference Letters from Clients of the Previous projects. The Letter MUST have Clients' contact Information	5	Attach a minimum of two reference letters from previous clients showing the name of the client, contact person, official email address, and phone number – 2.5pts per verified Reference Check.
4.3	Familiarity with the location: Company has previously worked in the project geographical area (North-East states of Nigeria)	5	<ul style="list-style-type: none"> - Letter of Award and Completion certificate of at least 2 projects executed in the North-East states of Nigeria between 2019 and 2021 – 2.5pts for each of the Award letters and completion certificate per project.
4.4	List of Equipment (owned or rented) with Evidence of ownership or lease agreement duly signed in a court. Equipment such as Pickup truck (1), Concrete Mixer (2), Poker Vibrator (2)	5	<ul style="list-style-type: none"> - Evidence of ownership or lease agreement of 1 Pickup Van – 2pts - Evidence of ownership or lease agreement of 2 Concrete mixer – 2pts - Evidence of ownership or lease agreement of 2 Poker Vibrator – 1pts
	Total Technical Scores	70	
	Pass Score (70% of 70)	49	
	Financial Score	30	
	Total Scores (Technical + Financial)	100	

13. QUALITY CONTROL

The Construction Company 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 Construction Company shall be brought to the attention of UNICEF's representative on-site for disposition. All materials must conform to the specifications/standards listed in the drawings and BOQ. All materials shall be subjected to quality checks and certified okay by the assigned UNICEF construction Engineer before use. Any change in the specification must be extensively discussed with UNICEF's construction Engineer.

14. SITE VISIT

Bidders are advised to contact UNICEF Construction Engineer when planning to visit the project sites. It is advisable to visit the sites, and this should be done before completing their bids.

15. OTHER CLAUSES: PSEA Language

Consistent with the UN Secretary General's Bulletin related to "Special measures for protection from sexual exploitation and sexual abuse" (ST/SGB/2003/13), entities and individuals entering into cooperative agreements with an agency of the United Nations are obligated to "take preventative measures against sexual exploitation or abuse, to investigate allegations thereof, or to take corrective action when sexual exploitation or sexual abuse has occurred." Failure to do so "shall constitute grounds for termination of any cooperative arrangement with the United Nations." The Contractor is expected to have in place explicit policies related to the prevention of sexual exploitation and abuse of beneficiaries, including the commitment to the IASC 6 Core Standards (IASC/2002), and the investigation of such cases. Where the contractor does not have enough capacity for the investigation of such cases, it should request the support of UNICEF. Reasonable suspicion of sexual exploitation or abuse of beneficiaries may be reported by any individual to UNICEF if the complainant so prefers.

16. CONDITIONS

- The contractor will work on its computer(s) and use its office resources and materials in the execution of this assignment. **The contractor's fee shall be inclusive of all office administrative costs**
- The contractor's fee should be **inclusive of all travel costs** and Covid related expenses
- Please also see UNICEF's Standard Contractual Terms and Conditions attached.