

## **TERMS OF REFERENCE**

### **Request for proposal: THE LONG-TERM AGREEMENT FOR THE PROVISION OF CONSTRUCTION CONSULTANCY SERVICE CONTRACT.**

<b>Assignment:</b>	<b>THE LONG-TERM AGREEMENT FOR THE PROVISION OF A CONSTRUCTION CONSULTANCY SERVICE CONTRACT.</b>
<b>Purpose</b>	To identify and select experienced and technically qualified construction consulting firms to provide construction consultancy services to UNICEF Nigeria.
<b>Location:</b>	36 states of Nigeria and FCT.
<b>Total Contract Duration:</b>	24 months (with a possibility of 12 months extension)
<b>Start date:</b>	1 <sup>ST</sup> MARCH 2023
<b>End date:</b>	28 <sup>TH</sup> February 2025
<b>Reporting to:</b>	UNICEF Nigeria Construction Unit and Supply Section

#### **1. JUSTIFICATION/BACKGROUND**

United Nations Children's Fund (UNICEF) is a specialized agency of the United Nations with a mandate to advocate for the protection of children's rights, to help meet their basic needs and to expand their opportunities to reach their full potential. The construction and rehabilitation activities implemented by UNICEF have been increasing across Nigeria. Various activities are being implemented, with construction and rehabilitation as the main component. As such, there is an urgent need for construction consulting firms to carry out the preliminary site assessment, design, supervision, and technical evaluation. These tasks will be different per the requirements, natures and needs of the specific section requiring the service. Examples of construction projects to be constructed by UNICEF, not limited to, are Office building schools, Child-Friendly Spaces, Health Centers, Warehouses, Cold stores, Latrines, Boreholes, etc.

UNICEF is therefore seeking qualified and capable engineering and architectural consulting firms than can perform the works mentioned above.

#### **2. OBJECTIVE AND SCOPE OF THE WORK**

Construction is a crucial critical area that requires rigorous attention and follow-up by qualified personnel, especially in hard-to-reach areas; hence, UNICEF Maiduguri is to identify Construction Management Consultancy Firms that will contribute to and support the implementation of Construction activities. The aim of this assignment is to the provision of qualified professionals for the Preliminary Assessment of the site (condition, geophysical, and land survey), Design (architectural, structural, mechanical, electrical, Fire, LAN, and Bill of Quantities), Site Supervision (quality assurance), and project evaluation.

The selected consulting firms will provide various qualified professionals (Architects, Structural Engineer, Geotechnical Engineer, Mechanical Engineer, Electrical Engineer, Fire Safety Engineer, ICT Engineer, Quantity Surveyors, and Builder) for the Preliminary Assessment of the site (condition, geophysical, and land survey), Design (architectural, structural, mechanical, electrical, Fire, LAN, and Bill of Quantities), Site Supervision (quality assurance), and project evaluation. The successful consultant is expected to approach the mission proactively and submit deliverables on time and in good quality.

The scope of work under the assignment shall be to -

- a. To provide UNICEF with full architectural, engineering, and quantity surveying services in the provision of site condition survey, schedule of dilapidation, soil test, architectural and engineering design drawings, and Bill of Quantities. The services required will vary in size and volume. It will range from new projects to existing projects.

- b. To provide UNICEF with qualified technical professional Site Supervisors (as per the minimum requirement on the financial submission) for construction quality assurance supervisors. The site supervisors will be assigned and posted to the UNICEF office to support the implementation of construction activities. The respective construction professional assigned to UNICEF by the selected consulting firms are not UNICEF personnel and should not be considered as such. They shall fully be under the responsibility of the contracted c through the period of their assignment with UNICEF and under the supervision of the UNICEF Maiduguri supply and construction unit.
- c. To provide UNICEF with technically qualified professionals for the Technical Evaluation of completed buildings (structures).

### 3. TARGETS

The contract is expected to be implemented for 24 months with a possibility of a 12-month extension. The contract is scheduled to start on 1<sup>st</sup> March 2023. The timely and qualitative provision of the required professionals is of utmost importance to UNICEF. **LIQUIDATED DAMAGES PENALTIES FOR DELAYS WILL BE STRICTLY ENFORCED AS PER THE GENERAL TERMS AND CONDITIONS.**

### 4. COMMENCEMENT OF THE WORKS

Upon issuance of a Purchase Order linked to the Long-Term Agreement, the consulting firm is expected to provide the required professionals within 5 working days.

### 5. EXPECTED DELIVERABLES

For this Long-Term Agreement, successful consulting firms are expected to provide the following services as shown below.

DESIGN STAGE – NEW/EXISTING STRUCTURE PHASE 1	CONSTRUCTION STAGE – SITE SUPERVISION PHASE 2	POST CONSTRUCTION STAGE PHASE 4	ONE-OFF CONSTRUCTION SERVICES PHASE 4
Conduct a preliminary assessment of site(s) and prepare an Assessment report, Schedule of Dilapidation, Design drawings and Bill of Quantities.	Effective from the premobilization meeting, the designated qualified professional will be the Site Supervisor to ensure the quality assurance of the project till the completion and acceptance of the Works by UNICEF.	for Site Substantial/Final Completion Inspection, Preparation of evaluation reports, measurement of performance, and estimating/accounting for cost.	Conducting Structural Integrity Tests, Geophysical (soil) Investigation, Land (topographic) Surveying,

Upon issuance of Purchase Orders linked with the successful LTA consulting firm, the firm will liaise with the UNICEF Construction unit. It shall document an agreed project implementation plan for this project which describes various activities to be undertaken by the designated construction professional.

#### 5.1 DESIGN STAGE (NEW/EXISTING STRUCTURE) - Produce Site assessment Report, Schedule of Dilapidation, and Design Drawings for the DESIGN STAGE

Based on UNICEF needs, land and condition survey, the soil investigation, the Nigerian Building Laws and norms, and requirements as communicated by UNICEF and/or its engineers, the designated construction professional(s) shall prepare and submit for UNICEF's approval all the necessary technical documents as highlighted below:

- i. Prepare a preliminary Site Assessment Report including the following
  - a. Complete set of as-measured or As-built drawings
  - b. Inventories
  - c. Schedule of dilapidation and repairs
  - d. Condition survey
  - e. Recommendations
  - f. Soft copies of Pictures, GPS coordinates and videos
- ii. Master plan to fit into bounded on an A3 sheet (4 copies).
- iii. Production of Primary Digital Information (PDI), which includes digital softcopy of CAD (computer-aided design) drawings and or BIM (building information modelling) files by the Consultancy Firm saved in a Flash Drive.
- iv. Complete set of architectural drawings (scale to be discussed) signed and sealed by an ARCON registered Architect. The design drawings shall be issued with an ARCON Project Registration number to certify that a duly registered Architect has carried out the work. Drawings shall consist of; Site location plan, Site analysis, site plan, Landscape design, Floor(s) plan,

ceiling plan, roof plan, sections (minimum of 2 sections), Elevations (for all façade), Material/Finishing specifications schedule, Door and window schedules, Foundation layout, interior and Exterior 3Ds (not less than 2 views each), Details, Furniture layout/details (if needed), and Technical Specification document.

- v. Complete structural design drawings signed and sealed by a COREN registered Civil Engineer consisting of Foundation & floor General Arrangement, details of Reinforced Structural elements (foundation, columns, beams, and slabs), design calculation sheet and parameters, and any other required drawings.
- vi. Complete set of Electrical service drawings signed and sealed by a COREN registered Electrical Engineer consisting of; lighting point installation plans, power socket installation layout, Load distribution schematic diagram, power supply schematic diagram, lightening protection drawing, Telephone and internet installation drawings, Fire alarm system plan and any other required drawings.
- vii. Complete set of Mechanical service drawings signed and sealed by a COREN registered Mechanical Engineer consisting of Site drainage plan, Soil waste drainage plan, water supply plan, Heating ventilation, air conditioning layout, Fire Safety, and any other required drawings.
- viii. Technical specifications are submitted separately for each building type in a soft (word) copy and appropriately titled.

#### **Prepare Bill of Quantities (BoQ).**

- ix. A confidential cost estimate will be prepared and submitted to the UNICEF construction unit. Unit rates will be determined based on the conditions prevailing in the location in Nigeria. The accuracy of the Quantity Surveyor's quantities and confidential cost estimates will be used as one of the essential criteria for the bid evaluation and thus is critical for the success of the project. Sealed and signed hard and Soft copies of Priced and Unpriced Bill of quantities will be submitted in one single excel document and should be arranged and grouped correctly. A schedule of rates might be required.

## **5.2 CONSTRUCTION PHASE (SITE SUPERVISION AND QUALITY ASSURANCE)**

Quality control and assurance on sites enable qualitative construction work delivery, ensuring value for money and saving time. The designated qualified professional by the consulting firm must provide daily construction site supervision to all sites assigned to them. The Site Supervisors shall report directly to the UNICEF Construction unit and supply section under the following working Conditions.

Once assigned, the Site Supervisor can only be changed by the contracted Consulting firm with 48 hours prior notice and consent from the UNICEF construction unit. The Consulting firm shall replace an Expert at UNICEF's request within 48 hours of such request. The Site Supervisors are to carry out the following functions.

- i. The Site Supervisors will report daily to assigned site locations beyond the days/hours of work according to specific needs.
- ii. Day-to-day supervision of construction activities performed by contractors and other partners to assess their conformity of work with the expectations of the specifications in the drawings, Bill of Quantities, and the building laws.
- iii. Maintains the following documentation on site: A site logbook for instruction to the contractor, daily Requests for work approval, Accident and incident reports, Test certificates, and site Supervision tool.
- iv. Check daily measurements and prepare Daily records of activities completed for submission to UNICEF
- v. Prepares the minutes of the meeting for all project meetings
- vi. Prepares and submits to UNICEF weekly Progress Reports, including narrative and photographic reporting.
- vii. Fill out a daily activity sheet containing each completed spot, location, and realisation duration realisation.
- viii. Carry out any other tasks deemed necessary by the head of the construction Unit.
- ix. The breakdown in the number of days to carry out the various activities is only indicative. The actual deadlines will depend on emergencies and priorities because some activities could often evolve in parallel.

## **5.3 POST-CONSTRUCTION PHASE.**

Contract close-out is to be undertaken after fulfilment of the contractor's obligations and project delivery, i.e. warranty, liability for defects etc. The typical activities for close-out include assisting UNICEF in the following:

- i. Verification of physical completion.
- ii. Valuation of completed works and verification of claims
- iii. Preparation of interim and final valuation reports

## **5.4 ONE-OFF CONSTRUCTION SERVICES.**

### **5.4.1 Structural Integrity Test and Analysis**

Conduct detailed Non-destructive Structural Integrity tests for quality assurance on all structural elements to identify defects or dilapidation, and determine the strength of the existing structural elements vis-à-vis design strength and the serviceability of the building. Likewise, Conduct detailed Non-destructive Assessment and Evaluation of Mechanical and Electrical installations for quality assurance to identify defects and the serviceability of existing installations.

The Lead Structural Engineer must prepare and submit a comprehensive signed and sealed report on the structural integrity test, including Observations, test results, as-built drawings, and recommendations.

#### 5.4.2 Geophysical (soil) Investigation and Analysis

Conduct a detailed Geophysical Investigation of the assigned site. This includes field Dynamic Cone Penetrometer, compressive laboratory test, moisture content, Atterberg limits, Classification (sieve analysis), compaction, Triaxial test, and consolidation tests on the soil log encountered on site.

The Lead Geotechnical Engineer MUST prepare and submit a signed and sealed final report comprising the analysis of the acquired field and laboratory test results.

#### 5.4.3 Land and Topographic Survey.

Providing the locations and measurement of man-made and natural features using the principles of mathematics, geometry, and other sciences. The survey measurements are horizontal distances and angles, vertical distances and angles, and slope distances. Angles and distances are measured relative to either a horizontal or vertical plane. The Lead Land Surveyor MUST prepare and submit signed and sealed drawings and measurements

#### 5.4.4 Environmental Impact Assessment

Provide UNICEF with the environmental effects of the Scheme on people and the environment and minimize the adverse effects of a project within engineering and other constraints. The Lead Environmental Engineer MUST prepare and submit a signed and sealed final report

### 6. MINIMUM REQUIREMENT FOR THE CONSTRUCTION PROFESSIONALS:

**DESIGN PHASE (NEW/EXISTING STRUCTURES):** As part of the technical proposal submission, the consulting firm will submit Curriculum Vitae, Certificates, and professional licenses of a minimum of **Six (6) qualified, experienced, and competent professionals (at least one from each professional listed below)**. The Construction professionals **MUST be Architect, Civil Engineers, Mechanical Engineer, Electrical Engineer, Builders, and Quantity Surveyors with a minimum of a bachelor's degree and at least 3 years post professional regulatory body registration experience** that will be assigned and posted to the UNICEF office to support the implementation of construction activities. These construction professionals assigned to UNICEF by the selected consulting firms are not UNICEF personnel and should not be considered as such. They shall be under the responsibility of the contracted consulting firm through their assignment with UNICEF. Knowledge of the language of the site location is an added advantage.

**CONSTRUCTION PHASE (SITE SUPERVISORS):** As part of the technical proposal submission, the consulting firm will submit Curriculum Vitae, Certificates, and professional licenses of a minimum of **Four (4) qualified, experienced, and competent professionals (at least one from each professional listed below)**. The Site Supervisors **MUST be Architect, Civil Engineers, Builder, or Quantity Surveyor with a minimum of a bachelor's degree and at least 3 YEARS' POST PROFESSIONAL REGULATORY BODY REGISTRATION EXPERIENCE** that will be assigned and posted in UNICEF construction sites to support the implementation of construction activities. These Site Supervisors assigned to UNICEF by the selected consulting firms are not UNICEF personnel and should not be considered as such. They shall be under the responsibility of the contracted consulting firm through their assignment with UNICEF. Knowledge of the language of the site location is an added advantage.

**POST CONSTRUCTION PHASE:** As part of the technical proposal submission, the consulting firm will submit Curriculum Vitae, Certificates, and professional licenses of a minimum of **Four (4) qualified, experienced, and competent professionals (at least one from each professional listed below)**. The Site Supervisors **MUST either be Architects, Civil Engineers, Builders, or Quantity Surveyor with a minimum of a bachelor's degree and at least 3 YEARS' POST PROFESSIONAL REGULATORY BODY REGISTRATION EXPERIENCE** that will be assigned and posted in UNICEF construction sites to

support the implementation of construction activities. These Construction professionals assigned to UNICEF by the selected consulting firms are not UNICEF personnel and should not be considered as such. They shall be under the responsibility of the contracted consulting firm through their assignment with UNICEF. Knowledge of the language of the site location is an added advantage.

**ONE-OFF CONSTRUCTION SERVICES PHASE:** As part of the technical proposal submission, the consulting firm will submit Curriculum Vitae, Certificates, and professional licenses of a minimum of **three (3) qualified, experienced, and competent professionals (at least one from each professional listed below). The Construction Professionals MUST either be a Land Surveyor, Geotechnical Engineer, or Environmental Engineer with a minimum of a bachelor's degree and at least 5 YEARS' POST PROFESSIONAL REGULATORY BODY REGISTRATION EXPERIENCE** that will be assigned and posted in UNICEF construction sites to support the implementation of construction activities. These Construction professionals assigned to UNICEF by the selected consulting firms are not UNICEF personnel and should not be considered as such. They shall be under the responsibility of the contracted consulting firm through their assignment with UNICEF. Knowledge of the language of the site location is an added advantage.

The consulting firm **MUST** issue an engagement letter to all designated construction professionals. All personnel working directly or indirectly on UNICEF projects must adhere to Child safeguarding policy and Protection from Sexual Exploitation and Abuse policies, which will be understood and signed before commencing the contract.

## 7. PAYMENT FOR DESIGNATED CONSTRUCTION PROFESSIONALS

**DESIGN PHASE (NEW/EXISTING STRUCTURES):** The designated Design construction professional shall receive payment through the respective consulting firm based on the number of days worked upon the certification of satisfactory performance by the UNICEF Construction unit. Payment will be made only upon UNICEF's acceptance of the work performed as per the contractual deliverables.

**CONSTRUCTION PHASE (SITE SUPERVISORS):** The designated Site Supervisor shall receive payment through the respective consulting firm based on the number of days worked upon the certification of satisfactory performance by the UNICEF Construction unit. Payment will be made only upon UNICEF's acceptance of the work performed as per the contractual deliverables.

**POST CONSTRUCTION PHASE:** The designated Construction Professional shall receive payment through the respective consulting firm based on the number of days worked upon the certification of satisfactory performance by the UNICEF Construction unit. Payment will be made only upon UNICEF's acceptance of the work performed as per the contractual deliverables.

**ONE-OFF CONSTRUCTION SERVICES PHASE:** The designated Construction Professional shall receive payment through the respective consulting firm based on the number of days worked upon the certification of satisfactory performance by the UNICEF Construction unit. Payment will be made only upon UNICEF's acceptance of the work performed as per the contractual deliverables.

It is **COMPULSORY** for the consulting firm to pay the respective Construction Professional the Remuneration, transportation cost, and UNICEF's Daily Substance Allowance quoted in the financial submission. Similarly, **the consulting firm MUST provide MONTHLY evidence of payment (signed bank statement of the consulting firm) to the respective construction professional.**

## 8. CONSTRUCTION STANDARD

The following standards and specifications shall apply to the entire construction project

- i. National Building codes of Nigeria standards
- ii. British Standard codes
- iii. Approved codes by relevant Federal Government Professional Regulatory bodies such as (ARCON & COREN).

## 9. CONSULTING FIRM EXPERIENCE

The Firm should have previous relevant experience in similar construction projects and must be able to prove its competency in this area. The Consulting firm must be registered with the Architects Registration Council of Nigeria (ARCON) or the Council



for the Regulation of Engineering in Nigeria (COREN), and or Quantity Surveyors Registration Board of Nigeria (QSRBN). The consulting firm MUST have at least seven (7) years of experience in construction project Design, Supervision, and Project Management of Large building and infrastructure construction projects. The firm should have satisfactorily completed at least three works of similar nature for either NGOs or public or private sector works in the last three (3) financial years.

#### **10. TOOLS AND EQUIPMENT**

All required facilities for the proper development of the assignment shall be its responsibility. For example (the minimum requirements), the Consulting Firm should arrange the following services:

- i. Office with adequate facilities.
- ii. Equipment including telephone, computer and accessories, printer, and a photocopier.
- iii. Office stationeries are required during the project period.
- iv. Transportation, Security and Accommodation for the Consulting Firm staff.
- v. Adequate internet and e-mail facilities.

#### **11. QUALITY CONTROL**

Any shortcomings and substandard conditions noted by UNICEF Engineers shall be promptly corrected and improved; any conditions beyond the responsibility of the Consulting firm shall be brought to the attention of the UNICEF Construction unit. Any change in the specification must be extensively discussed with the UNICEF construction unit.

#### **12. REPORTING**

The Consulting firm or the designated construction professional(s) will report to UNICEF Construction Unit. The Firm will be expected to provide all documentation as requested to UNICEF.

#### **13. SAFETY AND INSURANCE POLICY**

The Consulting firm shall execute all work by recognized procedures and guidelines to minimise accidents, Protect lives and property, as well as the environment within which it operates. The Firm shall provide and after that maintain insurance against all risks in respect of its property and any equipment used for the execution of this project.

The Consulting firm will be SOLELY RESPONSIBLE for the compensation and liability insurance, or its equivalent, concerning its employees to cover claims for death, bodily injury or damage to property arising from the execution of projects under this Long-Term Agreement.

The Consulting firm shall also provide and after that maintain liability insurance in an adequate amount to cover third-party Claims for death or bodily injury, or loss of or property damage, arising from or about the provision of work under this contract or the operation of any vehicles, boats, aeroplanes, or other equipment owned or leased by employees (Construction Professionals) performing work or services on this contract.

#### **14. INDEMNIFICATION**

UNICEF shall not be held liable for any negligence of the consulting firm in discharging its responsibilities. UNICEF shall take steps to be indemnified should the negligence be considered significant. The consulting firm shall indemnify, hold, and save harmless and defend, at its own expense, UNICEF shall protect its officials, agents, servants, and employees, from and against all lawsuits, claims, demands and liability of any nature or kind, including their costs and expenses, arising out of the acts or omissions of the consulting firms or its employees, officers, agents, servants, and sub-contractors in the performance of this project.

This provision shall extend, inter alia, to claims and liability like workmen's compensation, product liability and liability arising out of the use of patented inventions or devices, copyrighted material or other intellectual property by the Contractor, and its employees (Construction Professionals). THE OBLIGATIONS UNDER THIS ARTICLE DO NOT LAPSE UPON TERMINATION OF THIS PROJECT AGREEMENT.

#### **15. WARRANTY**

The entire project shall be guaranteed for one year. Within this year, Consulting Firm shall be responsible for adjustments and others considered negligence on the part of the contractor. The consulting firm shall take steps to address such challenges at

no cost to UNICEF. The consultant firm shall be held more liable.

## 16. COPYRIGHT, PATENTS AND OTHER PROPRIETARY RIGHTS

UNICEF shall be entitled to all intellectual property and other proprietary rights, including but not limited to patents, copyrights, and trademarks concerning documents and other materials which directly relate to or are prepared or collected in consequence or during the execution of this contract. At UNICEF's request, the Consultant Firm shall take all necessary steps, execute all the required documents, and generally assist in securing such proprietary rights and transferring them to UNICEF in compliance with the requirements of the applicable law.

## 17. SOURCE OF INSTRUCTIONS

The Consultant Firm shall neither seek nor accept instructions from any authority external to UNICEF concerning the performance of its services under this Contract. The Consultant Firm shall refrain from any action which may adversely affect UNICEF or the United Nations and shall fulfil its commitments with the fullest regard to the interests of UNICEF.

## 18. CONFIDENTIAL NATURE OF DOCUMENTS

All maps, drawings, photographs, mosaics, plans, reports, recommendations, estimates, documents, and all other data compiled by or received by the Consultant Firm under this Contract shall be the property of UNICEF, shall be treated as confidential and shall be delivered only to the UN authorised officials on completion of work under this Contract.

The Consulting firm may not communicate at any time to any other person, Government, or authority external to UNICEF any information known to it because of its association with UNICEF which has not been made public except with the authorisation of the UNICEF; nor shall the Consultant at any time use such information to private advantage. These obligations do not lapse upon termination of this Contract with UNICEF.

## 19. 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 their proposal's technical advantages and 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. Evidence of registration with the Architects Registration Council of Nigeria (ARCON) or the Council for the Regulation of Engineering in Nigeria (COREN), and or Quantity Surveyors Registration Board of Nigeria (QSRBN).
- iii. Article of memoranda and Association.
- iv. Evidence of registration with the United Nations Global Marketplace (UNGM).
- v. Bidders in grouping and joint ventures should provide a grouping letter duly notarized by the notary service.
- vi. Copy of current/Valid Tax Clearance Certificate (2019, 2020 & 2021).
- vii. Copy of current National Pension Commission, PENCOM Compliance Certificate (expiring 31<sup>st</sup> December 2021).
- viii. Copy of current Industrial Training Fund Compliance Certificate (expiring 31<sup>st</sup> December 2021).
- ix. Copy of current National Social Insurance Trust Fund, NSITF Compliance Certificate (expiring 31<sup>st</sup> December 2021).
- x. Copy of Bureau of Public Procurement BPP's Interim Registration Report- IRR (expiring 31<sup>st</sup> December 2021).
- xi. Evidence of Three years of duly audited account (2019, 2020 & 2021) with turnovers matching those in the tax clearance certificate.
- xii. Corporate organogram (of the Management of the Consulting Firm and the Construction Professionals).
- xiii. 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 execute its project of choice successfully. Accordingly, the following (scoring) responsive criteria shall apply:**

- xiv. Evidence of contracts executed in the last 5 years, like the bidder's project of choice. (Letters of award and completion certificates.)

- xv. Attach a minimum of three references showing the client's name, contact person, official email address, and phone number.
- xvi. **List of members of staff of the company with Curriculum vitae, Academic certificates, and professional registration certificates attached as highlighted in item 6.0 of this ToR**

All personnel working directly or indirectly on this construction must adhere to the Child safeguarding policy and Protection from Sexual Exploitation and Abuse policies, which state 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 favours 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.

### **19.1 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.

### **19.2 Security**

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

### **19.3 Standards of Conduct**

- a) **General.** The Construction Company shall maintain satisfactory standards of employee competency, conduct, cleanliness, appearance, and integrity. It 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 the continuity of services at no additional cost to 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 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.
- 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 Construction Company shall not allow its employees to possess, sell, consume, or be under the influence of intoxicants, drugs, or substances that produce similar effects.
- f) **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.

### **19.4 Child Labour**



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

## 20. INSTRUCTION TO BIDDERS

Both Technical and Financial Bids MUST be submitted separately to [ngrsupply@unicef.org](mailto:ngrsupply@unicef.org) on or before the deadline as defined in the Request for Proposal document. **Technical Bid Submission** MUST contain all the documents highlighted in **items 19 and 22** of the Terms of Reference.

**FINANCIAL PROPOSAL** - No price information shall be contained in the technical proposal. The financial Offer should be stamped, signed and submitted in a separate email with the email's subject highlighted in the RFP. The contractor's Price proposal shall include all prices associated with the assignment, including remuneration for Personnel and travel expenses. All activities and items described in the Technical Proposal shall be assumed to be included in the price offered in the Financial Proposal. **The prospective bidders (Consulting Firms) MUST populate the Financial Sheet provided.**

## 21. UNICEF RECOURSE IN CASE OF UNSATISFACTORY PERFORMANCE

The deliverables and progress will be evaluated weekly by the UNICEF Construction unit. Any unsatisfactory work will lead to stop payment for the deliverables as defined in item 5 of this Terms of reference and will be blacklisted for further consideration in the contracting process.

## 22. 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. A technically qualified prospective bidder must have a minimum technical score of 49 points. Bids that score below 49 points shall not be considered.

### TECHNICAL EVALUATION CRITERIA

1	OVERALL RESPONSE	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	Evidence of Registration with CAC as a Consulting Firm by 2015, Articles of memorandum Form C02 and UNGM.	5	- CAC Certificate with registration not later than 2016 – <b>2pts</b> - Article of memorandum – <b>2pts</b> - Evidence of registration with UNGM – <b>1pts</b>
1.3	Evidence of Registration with the Architects Registration Council of Nigeria (ARCON) or the Council for the Regulation of Engineering in Nigeria (COREN), and or Quantity Surveyors Registration Board of Nigeria (QSRBN).	10	- Registration Certificates from either ARCON, COREN, OR QSRBN
1.4	Evidence of Financial capacity of the Consulting Firm	3	Audited financial accounts for the past 3 years and Copy of Tax Clearance Certificate for 2021, 2020 & 2021 - <b>1 pts each for Audited Account and Tax Clearance for each year</b>
2	IMPLEMENTATION METHODOLOGY		Comment
2.1	Implementation strategy and Quality Control/Assurance for all the Four phases	10	- Strategy & QC/QA for Design Phase (new & existing structures) – <b>1.5pts</b> - Strategy & Quality Control for Construction Phase (Site Supervisors) – <b>1.5pts</b> - Strategy & QC/QA for Post-Construction Phase – <b>1.5pts</b> - Strategy & Quality Control for ONE-OFF Construction Services Phase - <b>2.5pts</b>
3	COMPANY AND KEY PERSONNEL		Comment
3.1	Organogram of Key personnel. The team members (Management staff and Construction Professionals) proposed for the assignment demonstrate adequate experience in construction consulting.	5	The Organogram must have the names, designations, and specialities.

3.2	Curriculum Vitae of Key Personnel. Academic qualifications, Professional Membership Certificates with the required level of experience as highlighted in Item 6 of this ToR	20	<p>Attach copies of CVs, academic degrees, and professional licenses of all Construction professionals as listed in Item 6 of the ToR</p> <ol style="list-style-type: none"> <li><b>3 Architect</b> with a minimum of B. Sc, B. Tech or B. Arch in Architecture and 5 years post professional (ARCON) registration relevant experience – <b>1pts per completed profile of the Architect submitted.</b></li> <li><b>3 Civil Engineer</b> with a minimum of B. Sc, B. Tech or B. Eng. in Civil Engineering and 5 years post professional (COREN) registration relevant experience – <b>1pts per completed profile of the Civil Engineer submitted.</b></li> <li><b>3 Quantity Surveyor</b> with a minimum of B. Sc or B. Tech in Quantity Surveying and 5 years post professional (QSRBN) registration relevant experience – <b>1pts per completed profile of the Quantity Surveyor submitted.</b></li> <li><b>2 Builders</b> with a minimum of B. Sc or B. Tech in Building and 5 years post professional (CORBON) registration relevant experience – <b>1pts per completed profile of the Builders submitted.</b></li> <li><b>2 Electrical Engineer</b> with a minimum of B. Sc, B. Tech or B. Eng. in Electrical Engineering and 5 years post professional (COREN) registration relevant experience – <b>1pts per completed profile of the Electrical Engineer submitted.</b></li> <li><b>2 Mechanical Engineer</b> with a minimum B. Sc, B. Tech or B. Eng. in Mechanical Engineering and 5 years post professional (COREN) registration relevant experience – <b>1pts per completed profile of the Mechanical Engineer submitted.</b></li> <li><b>1 Fire Safety Engineer</b> with a minimum of B. Sc, B. Tech or B. Eng. in Mechanical Engineering and 5 years post professional (COREN) registration relevant experience – <b>1pts per completed profile of the Fire Safety Engineer submitted.</b></li> <li><b>1 ICT Engineer</b> with a minimum of B. Sc, B. Tech or B. Eng. in Electrical, Electronic or Telecommunication Engineering and 5 years post professional (COREN) registration relevant experience – <b>1pts per completed profile of the ICT Engineer submitted.</b></li> <li><b>1 Structural Engineer</b> with a minimum of M. Sc, M. Tech or M. Eng. in Structural Engineering and 10 years post professional (COREN) registration experience – <b>1pts per completed profile of the Structural Engineer submitted.</b></li> <li><b>1 Geotechnical Engineer</b> with a minimum of M. Sc, M. Tech or M. Eng. in Soil or Geotechnical Engineering 10 years post professional (COREN) registration experience – <b>1pts per completed profile of Geotechnical Engineer submitted.</b></li> <li><b>1 Land Surveyor</b> with a minimum of B. Sc or B. Tech Land Surveying 10 years' post-professional (SURCON) registration relevant experience – <b>1pts per completed profile of the Land Surveyor submitted</b></li> </ol>
4	<b>CAPACITY OF THE VENDOR</b>		<b>Comment</b>
4.1	List of Similar previous Construction Consulting works the company has previously conducted in the last 5years	10	Letter of Award and Completion certificate of at least five (5) previous projects executed between 2018 and 2022 – <b>2pts for Letter of Award and Completion certificate submitted for each project.</b>
4.2	Reference Letters from Clients of the Previous projects. The Letter MUST have the Clients' Contact Information	5	Attach a minimum of <b>two reference letters from previous clients</b> showing the client's name, contact person, official email address, and phone number – <b>2.5pts per verified Reference Check.</b>
	Total Technical Scores	70	
	Pass Score (70% of 70)	49	
	Financial Score	30	
	Total Scores (Technical + Financial)	100	

## 23. 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. Any individual may report reasonable suspicion of sexual exploitation or abuse of beneficiaries to UNICEF if the complainant so prefers.

#### **24. 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 local travel costs** and Covid-related expenses