
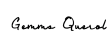




## Terms of References (TORs) for the:

**‘Rehabilitation of the 17 most vulnerable School WASH Facilities in Hebron and Tubas Governorates in West Bank, in The State of Palestine, with interventions varying between rehabilitation, expansion, and maintenance, including rehabilitation of Water points’**

### 1. GENERAL INFORMATION

Assignment:	Rehabilitation of WASH facilities and Water points for 17 Schools in Hebron and Tubas Governorates.
Location:	Hebron and Tubas Governates, West Bank
Reporting to:	WASH Officer under the overall supervision of the WASH Specialist and Chief of WASH
Assignment duration:	Estimated Contract Duration: - 6 months for rehabilitation. - 12 months for defect liability period.
Estimated starting date of the assignment:	April 1 <sup>st</sup> , 2023,
Budget Source:	Grant: SM210422
Solicitation Method:	Request for Proposals
TORs prepared:	WASH officer  Lara Kazmi  Date:
TORs recommended by:	Chief of WASH  Gemma Querol  Date:
TORs endorsed by:	Deputy Representative <span style="float: right;">Date:</span>  Laura Bill 
TORs approved by	Representative <span style="float: right;">Date:</span>  Lucia Elmi 

## 1.0 BACKGROUND

- 1.1. UNICEF State of Palestine (SoP) is supporting the Ministry of Education, in Improving access to WASH facilities and how this would reduce the transmission of diseases and improve the overall education environment. In addition to ensuring the provision of infection control & prevention measures as well as long-term hygiene and sanitation practices. Water and sanitation facilities infrastructure in public schools are in need for urgent maintenance due to its insufficient number and quality.
- 1.2. To that aim, UNICEF State of Palestine, to Rehabilitate 17 most vulnerable school WASH facilities and water points in two West Bank Governorates (Tubas and Hebron), with interventions varying between rehabilitation, expansion, and maintenance, including improvement of WASH facilities and overall service accessibility.
- 1.3. This construction Project is expected to benefit (4,500) Beneficiaries with safe access to water and sanitation.

## 2.0 SCOPE OF WORK

- 2.1 **Objective:** The objective of this Terms of Reference is to guide a bidding exercise to identify suitable contractors to execute the Works described below within the agreed quality, budget and timeline. The general aim of the Project is to improve access to safe water and sanitation at the targeted school (locations listed below).
- 2.2 **Nature of works and location:** This Project includes the rehabilitation 17 WASH facilities and water points in Tubas and Hebron Governorate, 12 within Hebron Governorate and 5 in Tubas Governorate. The selected contractor/s will provide all necessary resources and expertise required to perform the agreed-on service. The works will include but are not limited to demolition works, concrete works, internal works, carpentry, metal works, external works and in some schools, provision of sandwich panel handicapped toilets.
- 2.3 **Organization of project into phases:** N/A
- 2.4 The Project is set to take place at 2 different locations with long proximity from one another, therefore UNICEF SoP have placed all 17 locations under two lots/packages as shown in table 1 below.

**Table 1: List of schools and scope of work**

School Name	Location	# of Students	# of toilets	Scope of Work
Hebron Governorate				
Yatta School for Girls	Yatta	600	14 + 1 (Disability)	<ul style="list-style-type: none"><li>Upgrading toilet block unit at the ground floor (consists of 4+1 handicapped) (general rehabilitation include replace internal accessories, painting, electrical work and creating an external door in the wall on the side of playground (this need is not a priority depending on budget)</li><li>Upgrading toilet block unit at the first floor (consists of 10 toilet) the upgrading includes replacing pipes in the wastewater network in the faulty toilet block to prevent water leakage</li></ul>
Abu Ali Iyad Boys School	Yatta	358	8 + 1 (Disability)	<ul style="list-style-type: none"><li>Upgrading the existing unit + adding a handicapped toilet stall. Adding 2 new wash basins.</li><li>Rehabilitate the ramp and add the necessary accessories.</li></ul>
Qaesarya Mixed School	Yatta	F: 335 M: 152	F: 9 + 1 (Disability) M: 4	<ul style="list-style-type: none"><li>Upgrading the external WASH facility which is for both females and males. The upgrading</li></ul>

				mainly includes replacing the wastewater network to prevent leakage
Musbah Abu Hanak Boys school	Hebron	500	8 + 1 (Disability)	<ul style="list-style-type: none"> <li>Upgrading the existing unit (replacing the wastewater network, tiling works, new 2 wash basins, painting, electrical works, rehabilitation of external door, add ventilation fan (200 cfm).</li> <li>Remove urinals and add 3 new toilets</li> <li>Rehabilitate the ramp and add the necessary accessories.</li> <li>Construct new water point (10tap)</li> </ul>
Yaser Arafat elementary Boys school	Hebron/ Tafouh	80	6	<ul style="list-style-type: none"> <li>Upgrading toilet block unit with general rehabilitation include replace faulty accessories, fitting for water basins, replace the existing doors, painting works for the external door and walls, in addition to electrical works</li> <li>Change 3 squatting toilets to sitting.</li> <li>Construct new water point (5 tap)</li> <li>Upgrading teacher toilet which includes changing the squatting into a sitting toilet.</li> </ul>
Al-Shafei elementary Boys school	Hebron	510	10 + 1 (Disability)	<ul style="list-style-type: none"> <li>Upgrading toilet block unit with general rehabilitation include replace faulty accessories, fitting for water basins, painting works for the external door and walls.</li> <li>Rehabilitate the existing water point.</li> </ul>
Sarra secondary for Boys	South Hebron	300	10 + 1 (Disability)	<ul style="list-style-type: none"> <li>Upgrading the existing unit (replacing the wastewater network, tiling works, new wash basin, painting, electrical works, replace the existing seat (two sitting + 8 squatting).</li> <li>Remove urinals and add 3 new stalls.</li> <li>Add handicapped accessories to the existing toilet</li> <li>Rehabilitate the ramp along with installing all necessary accessories.</li> <li>Construct new water point (8 tap)</li> <li>Provide two water tanks</li> </ul>
Beit Al Rosh Secondary Boys school	South Hebron	211	8 + 1 (Disability)	<ul style="list-style-type: none"> <li>Upgrading the existing unit (replacing the wastewater network, tiling works, new wash basin, painting, electrical works and insulate/waterproof the structure.</li> <li>Rehabilitate external door for people with disabilities unit</li> <li>Construct new water point</li> </ul>
Seka Secondary mixed school	South Hebron	M: 130 F: 124	M: 4 F: 4	<ul style="list-style-type: none"> <li>Upgrading the existing 2 units (males and females) including: change the location of the door, electrical works, windows, wash basin, replace the squatting toilets into sitting for the girl's unit.</li> <li>Rehabilitate the entrance ramp and install handrails.</li> <li>Rehabilitate people with disabilities unit</li> </ul>

Dair Samit elementary school for Boys	South Hebron	520	11	<ul style="list-style-type: none"> <li>Upgrading the existing unit (replacing the wastewater network (internal and external), tiling works, new wash basin, painting and electrical works.</li> <li>Remove urinals and add 1 new toilet</li> </ul>
Ethna Secondary school for Girls	South Hebron	540	9	<ul style="list-style-type: none"> <li>Upgrading the existing unit including (replace 3 squatting toilets to sitting, rehabilitate doors, electrical works, replace all faulty accessories, drainage grills.</li> <li>Construct new water point (6 tap)</li> </ul>
AL-Aoda Elementary school for Boys	South Hebron	500	9	<ul style="list-style-type: none"> <li>Upgrading the existing unit (replacing the wastewater network (internal and external), tiling works, add new wash basins, replace all faulty accessories, painting, new doors and electrical works.</li> <li>Remove urinals and add 2 new toilets</li> <li>Provide two tanks</li> <li>Construct new water point.</li> </ul>
<b>Tubas Governorate</b>				
Kardala Elementary Mixed school	Tubas	M: 21 F: 21	2	<ul style="list-style-type: none"> <li>Supply sandwich panel toilet unit for people with disabilities.</li> <li>Construct new water point (4 tap) .</li> </ul>
Tayaseer Secondary Boys school	Tubas	230	9 + 1 (Disability)	<ul style="list-style-type: none"> <li>Upgrading the existing unit include tiling works, add new wash basins, replace all faulty accessories, painting, 4 new doors, rehabilitate the remaining doors, and electrical works.</li> <li>Remove urinals and add 2 new toilets.</li> <li>Construct new water point (8 tap)</li> </ul>
Al-Biruni elementary Boys school	Tubas	480	11 + 1 (Disability)	<ul style="list-style-type: none"> <li>Upgrading the existing unit, tiling works, add new wash basins, replace all faulty accessories, painting, new doors, electrical works.</li> <li>Replace all toilets to be 6 sitting and 6 squatting, windows and external door rehabilitation.</li> <li>Rehabilitate the entrance with a quantity of 10m2 external tiles</li> <li>Remove urinals and add 2 new toilets</li> </ul>
Tubas elementary Girls school	Tubas	160	5	<ul style="list-style-type: none"> <li>Supply sandwich panel toilet unit for people with disabilities.</li> <li>Upgrading the existing unit including (replace 2 squatting toilets to sitting and rehabilitate 3 wash basins, painting works for internal and external doors, Painting of internal and external walls in addition to painting works for water point.</li> <li>Rehabilitate the ramp and provide all necessary accessories.</li> </ul>

Al Haj Abu Khayzaran Boys School	Tubas	746	8 + 1 (Disability)	<ul style="list-style-type: none"> <li>Upgrading the existing unit include (replacing the wastewater network, tiling works, new doors and electrical works.</li> <li>Add 1 new squatting toilet.</li> <li>Add ventilation fan (200cfm) .</li> </ul>
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- 2.5 **General specifications:** The Works will be carried out in accordance with the Drawings, Bill of Quantities and Technical Specifications provided under Annex B and E: Technical Documents and in accordance with all construction standards applicable in The State of Palestine
- 2.6 **Site visit:** Potential Bidders must visit the sites they are interested in prior submitting their offers to get familiar with site conditions that may affect their Proposals. Potential Bidders are expected to make their own arrangements to visit the site and on their own expenses. UNICEF shall accept no excuse or claim whatever from the Selected Contractor for not knowing or being able to properly evaluate the site condition and assess the equipment, local material, local labor, etc. requirements for the Works to be carried out. Questions should be submitted in writing to UNICEF in accordance with instruction provided under the RFP.
- 2.7 **Greening and accessibility:** All construction and rehabilitation works implemented directly or indirectly by UNICEF shall be in line with the Organization's commitments towards Accessible Buildings and achieving Climate Neutrality by 2020, as per [PROCEDURE/DFAM/2020/001](#) on Eco-efficiency and Inclusive Access in UNICEF Premises and Operations, [CF/EXD/2017-004](#) on Accessibility in UNICEF's Programme-Relegated Construction, and Decision Memo: UNICEF Climate Neutral Strategy, 26 May 2015.
- 2.8 **Other Considerations:** In the case that the works are to be conducted while school are in session, portable toilets need to be provisioned and causing the least possible impact on classes and school activities.

### 3.0 EXPECTED DELIVERABLES AND TIMEFRAME

- 3.1 The timely completion of these construction Works is of utmost importance for UNICEF.
- 3.2 The Intended Substantial Completion Date should be no later than [**five (5)**] calendar months from the **Start Date**. Upon UNICEF's acceptance of Works at Substantial Completion, the Certificate of Substantial Completion will be issued.
- 3.3 The Defects Liability Period is 12 calendar months counted as from the date of the Certificate of Substantial Completion. Upon UNICEF's acceptance of Works at Final Completion, the Certificate of Final Completion will be issued, and the Contract will be closed upon issuing of final payment.
- 3.4 UNICEF will issue partial and final payments upon satisfactory completion of each Deliverable.
- 3.5 The selected contractor is expected to start the works upon Contract Signature.
- 3.6 All works should be approved by UNICEF, Engineering consultant and MoE Directorate Engineers before final handover of schools.
- 3.7 The Potential Bidder may propose additional, or alternative, Deliverables to suit their recommended sequencing of the Works and expected cash flow during execution of the Works. UNICEF will consider the Proposal as part of the technical evaluation.

**Table 2: Deliverables and Timeframe**

Deliverable #	Scope of deliverable	Suggested payment distribution	Timeframe
1	- Completion of 30% of the works	30%	End of 2 <sup>nd</sup> month
2	- Completion of 70% of works	40%	End of 4 <sup>th</sup> month
3	- Completion of 100 % of the works and after final inspection from UNICEF, MoE and the engineering consultant	30%	End of 6 <sup>th</sup> month

### 4.0 ELIGIBILITY AND QUALIFICATION

- 4.1 The Potential Bidder shall provide all the information and documentation requested in this section with its Proposal. Failure to submit the information below will disqualify the Potential Bidder.

- 4.2 Pre-bid Conference. The time and location of the bid conference will be confirmed in the invitation to tender. Attendance at the meeting is not mandatory although strongly recommended to receive further detail on the proposal submission process. Questions at the pre-bid meeting will be limited solely to the proposal submission process and the submission requirements. Questions of a technical nature will not be answered and should be submitted in writing. Any clarifications arising from this conference will be circulated to all bidders in writing by email.
- 4.3 **Pre-Bid Mandatory site visit:** potential proposers shall visit the sites they are interested in prior to submitting their offers to get familiar with site conditions that may affect their Proposals. Potential Proposers are expected to make their own arrangements to visit the site and on their own expenses. UNICEF shall accept no excuse or claim whatever from the Selected Contractor for not knowing or being able to properly evaluate the site condition and assess the equipment, local material, local labour, etc. requirements for the Works to be carried out. Questions should be submitted in writing to UNICEF in accordance with instruction provided under the RFP.
- 4.4 **Documents** to be submitted in the Technical Proposal:
- The Potential Bidder must be registered construction company in The State of Palestine and have no conflict of interest to the Project. Technical Proposals shall include copies of original documents defining the constitution or legal status of the company, place of registration, and principal place of business; written power of attorney of the signatory of the Contractor to commit the Contract.
  - A statement that the company (including all members of a joint venture and Sub-Contractor) is not associated, nor has been associated in the past, directly, or indirectly, with the Project Manager or any other entity that has prepared the design, specifications, and other documents for the Project or being proposed as the Project Manager for the Contract.
  - Professional indemnity insurance.
  - Copy of curriculum vitae (Maximum two (2) pages) of key personnel to be involved in the Project, such as Contract/Project Manager, Clerk of Works, Foreman. UNICEF may verbally interview the key personnel before the commencement of the Project.
  - Reports on the financial standing of the Potential Bidder, such as profit and loss statements and auditor's reports for the past three years.
  - Evidence of adequacy of working capital for the signed Contract (access to line(s) of credit and availability of other financial resources).
  - Proposed Project Implementation Plan of Works showing the proposed implementation methods, quality control strategy, schedule for all the activities in the Works.
- 4.5 The Potential Bidder must provide sufficient information in their Proposal to demonstrate compliance with the requirements defined by UNICEF. The forms listed below contains the eligibility and minimum qualifying criteria that UNICEF will use to evaluate Proposal for the award of Contract.
- 4.5.1 Information to be submitted in the Technical Proposal (ANNEX C):
- Technical Proposal Submission (Form 1)
  - Technical Proposal Letter (Form 2)
  - Potential Bidder General Information (Form 3)
  - Potential Bidder's Contact Details (Form 4)
  - List of Proposed Key Personnel (Form 5)
  - List of Machine and Equipment (Form 6)
  - Potential Bidder's Financial Information/ Adequacy of Working Capital (Form 7)
  - Works in Hand and their Financial Values (Form 8)
  - Litigations (Form 9)
  - Proposed Project Implementation plan of Works (Form 10)
- 4.5.2 Information to be submitted in the Financial Proposal (ANNEX D):
- Financial Proposal Letter (Form 11)
  - Summary of Financial Proposal (Form 12)
  - Completed Bill of Quantities (Form 13)
- 4.6 The Proposals prepared by potential contractors and all correspondence and documents relating to the Proposals exchanged by potential contractors and UNICEF shall be written in the English language.
- 4.7 Errors in the Proposals

- Bidders are expected to examine all instructions and documentation of the RFP. Failure to do so will be at Bidders' own risk. In case of errors in the extension price, the unit price shall govern.
- In the event of any discrepancy between the copies of the Proposals, the original shall govern. The original and each copy of the Technical and Financial Proposal shall be prepared in indelible ink and shall be signed by the authorized Contractor's representative.
- The Proposal shall contain no interlineations or overwriting except as necessary to correct errors made by the Bidders themselves. Any such correction shall be initialled by the person or persons signing the Proposal.

## 5.0 EVALUATION PROCESS AND METHOD

- 5.1 Following closure of the RFP, Technical Proposals will be evaluated by the evaluation team. The evaluation will be restricted to the contents of the Technical Proposals and the reference checks.
- 5.2 UNICEF will first evaluate the completeness and responsiveness of Proposals in relation to:
- The sealed double envelope system is followed (Technical Proposal and Financial Proposal are submitted in separate sealed envelopes each)
  - Submission of all documents requested in Section 5.2 and all information requested in Section 5.3.
  - The Technical Proposal letter is duly signed (Form 2)
- 5.3 Proposals that fail to comply with the above will be disqualified and will not be given further consideration.
- 5.4 UNICEF will then evaluate the technical merits of each Technical Proposal using the rating system in **Table 3** below.
- 5.5 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.
- 5.6 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.
- 5.7 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 3 Evaluation Criteria**

Technical Evaluation Criteria		Max. Points Obtainable (70)	
Pass and fail (mandatory criteria to proceed with the evaluation)			
A	Legal Status, Registration from Ministry of Commercial (The company shall have legal address in Palestinian Territories)	Pass/ Fail	
B	Certificate of Registration with Palestinian Contractors Union under the relevant classifications		
C	Certificate of Authority for Signatory or Power of Attorney.		
D	Tax Registration/Payment Certificate issued by the Palestinian Ministry of Finance evidencing that the Contractor is updated with its tax payment obligations		
E	Bid Security bond for the amount of USD 6000 Valid for 60 days.		
Capability (skills, expertise, and experience) of the Potential Bidder [and Key Personnel]			
A	A list of key personnel proposed for the execution of the Works, including the CVs, and TOR for the position.	4	20
B	Number of years as key personnel and building contractor for similar Works.	4	
C	A list of the Projects of similar nature competed in past three (3) years with reference.	4	
D	Number of years as a building Works contractor for related Works (proof required).	4	
E	Experience providing related services to other international organizations or commercial entities.	4	
F	The number and the corresponding value of related assignments undertaken in the country.	4	

Capacity (resources and availability) of the Potential Bidder [and Key Personnel]:			
A	Provision of Audited Financial Reports for the past three (3) years	3	15
B	Turnover of the past 3 years (this should be not less than twice the project's estimated value)	3	
C	A detailed list of equipment (owned or leased). The equipment proposed should be sufficient to achieve the timely completion of the Works, with consideration for concurrent operations where more than one site is proposed.	9	
Proposed Solution (Approach, Methodology, Schedule, Quality and time Control plan)			
A	Understanding of scope and objectives	7	35
B	Proposed Implementation Plan showing the overall approach to be adopted in the execution of the Works	5	
C	Detailed quality control plan to be used in the execution of the Works, addressing anticipated risks, handling of materials, workmanship and record keeping on site to track daily progress.	8	
D	Understanding of, and responsiveness to, UNICEF requirements, social and environmental responsibility	5	
E	Timeliness and quality of Beit Kahil Clinic mobilization and execution plan within the required deliverables.	10	
Total Technical Score			70
Minimum Technical required score			49

## 6.0 PROJECT MANAGEMENT

### 6.1 Project Management and Coordination

- UNICEF will oversee the Works and the administration of the Contract, including the certification of payments through an appointed Project Management, or any other competent person, entity or firm appointed by UNICEF and notified to the Selected Contractor, to act in replacement of the Project Manager.
- UNICEF will supervise and inspect the Works during its execution through its Project Manager, or its representative. The Project Manager, or its representative, will provide instructions and clarify technical queries during the execution of Works in consultation with UNICEF.
- UNICEF, through its Project Manager or its representative, will regularly check the progress of Works and notify the Selected Contractor of any defects that are found. Such checking shall not affect the Selected Contractor's responsibilities.
- If the Selected Contractor has not corrected a defect within the time agreed with UNICEF's Project Manager or its representative, the Selected Contractor will be liable for Liquidated Damages.
- Communications between parties shall be valid only when in writing. Notice shall be valid only when it is delivered.

### 6.2 Management Meetings

- Either UNICEF's Project Manager, its representative or the Selected Contractor may require the others to attend a management meeting. The business of a management meeting shall be to review the plans for remaining Works and to deal with matters raised under the procedure for "Delays and Extension of time" sets out under UNICEF Contract for Construction.
- UNICEF's Project Manager or its representative shall record the meetings and provide copies of the record to those attending the meeting and to UNICEF, including action points and responsible for each action point.

### 6.3 Payment Certificates

- The Bill of Quantities is used to calculate the Contract Price for each Deliverable. The Selected Contractor will be paid for each deliverable accepted by UNICEF and following the price to each Deliverable agreed in the Contract.
- UNICEF will certify acceptance of partial, substantial, and final Works through its Project Management, or its representative. No payments will be processed prior to a written certificate of its satisfactory acceptance. Payments will be issued within a period defined in the Contract and following UNICEF's procedures.



#### 6.4 Reporting requirements:

All reports shall be in English language. The selected Contractor(s) will be required to satisfy the following reporting requirements:

- Up-to-date construction site diary: The site diary shall record the project's worksite progress and all events that could affect the progress and quality of finished works. The site diary should be available for inspection at any time by UNICEF.
- Progress reports: Unless otherwise stated in the contract, by the last working day of each calendar month, the Contractor shall submit two copies of a draft monthly progress report.

The reports summarize all administrative and construction activities undertaken during the defined period. Each report shall contain at least the following information:

- Percentage progress of the Works compared with the approved program, together with a description and percentage estimate of the work programmed for the following month.
- List of Contractor's Equipment on Site together with its deployment during the month.
- List of all personnel employed on Site.
- Accident record, if any.
- Summary of all work carried out during the month in question together with a description of any difficulties or problems occurring therein.
- Description of the daily climatic conditions during the month.
- Situation with respect to payments, together with the dates on which the Payment Certificates were submitted by the Contractor.
- Description of any claim made by the Contractor during the month.
- Progress photographs, when available.
- State of progress of customs clearance and local transport operations.
- Inventory of materials stored on Site.
- Tests in progress or already carried out during the month and those planned for the next month.

Within two working days of receipt of the draft monthly reports UNICEF will return to the Contractor one copy marked for amendment together with any separate comments for correction or addition to the draft report. Within two working days of receipt of the Project manager or its representative comments the Contractor shall submit ten copies of the final monthly progress report which will include all the corrections, additions and amendments requested by the Project manager or its representative. Each monthly report shall be in a format approved by the Project manager or its representative.

- Final Report: The final report shall be submitted in English language within 30 days following Practical Completion Certificate. This report will summarize the physical and financial history of the contract, including an appraisal of the successful aspects of the assignment together with a critical review of those aspects which could be deemed problematic, and which should be reconsidered for future projects. The Contractor(s) will provide details of any items of special interest, new and successful examples of materials used, designs, and testing or construction methods. A summary of the Environmental actions undertaken shall also be included. Finally, the list of defects to be rectify during the Defects Liability Period and details of any pending payment of claim issues will be annexed. (Two (2) hard copies and in digital form).
- Defects Liability Report: This report will be completed by the end of the warranty period, and it will include the overall final physical and financial status of the Project, together with the initial and final progress schedules for the works. The report will include details of construction methods undertaken by the Contractor(s), as-built records showing the locations, details of the work carried out and schedule of defects, approved corrections undertaken. (Two (2) hard copies and in digital form).