



## TERMS OF REFERENCE FOR INDIVIDUAL CONSULTANT

<b>Post Title:</b>	RDA Technical oversight (engineer) Expert
<b>Duty Station:</b>	Severodonetsk
<b>Expected Places of Travel:</b>	Within Luhansk oblasts
<b>Supervisor's Title:</b>	Local Governance and Decentralisation Reform Component manager
<b>Starting Date of Assignment:</b>	01 July 2017
<b>Duration of Assignment:</b>	6 months
<b>Administrative Arrangement:</b>	Working space and computer will be provided by the Regional Development Agency.
<b>Selection Method:</b>	Competitive recruitment

### Background

In 2016, Regional Development Agencies (RDAs) were established in Donetsk and Luhansk oblasts. Existing political will on the regional level is a window of opportunity to introduce better, more effective practices of governance including the management of regional development and recovery funds. The RDAs will assist in the promotion of the oblasts, on cooperation inside the oblast and between regions, the attraction of investments and funds, the improvement of the investment climate as well as to channel and provide information and services. They will also engage in wider networking, partnerships with public and private sectors, and build a pool of in-house and external capacities with partners to accomplish the development tasks. The RDA is designed as an independent non-profit agency (ustanova) and is governed by a Supervisory Board that includes representatives of the Oblast Administration, as well as representatives of civil society and international partners. The procurement and other related operations require the highest possible level of integrity in the utilization of the resources, and very carefully designed business processes to ensure integrity.

Against this context, UNDP has provided technical assistance to the Regional Development Agencies in Donetsk and Luhansk oblasts to develop a comprehensive "Operational Principles and Policy Guidelines" for more transparency in their business processes, based in international best practices. The Guidelines are intended to set standards and provide practical support to the RDA officials directly involved in the operational activities. The Guidelines also are intended to help in understanding the business processes and to achieve uniformity of actions in the implementation of projects and all administrative and financial actions. Business Processes are being developed for the RDAs in the following areas of management: 1. Financial management and reporting; 2. Procurement and asset management; 3. Human Resource management; and 4. Office management and administration. Training manuals for these business processes are being developed and

training will be conducted to establish the capacity of permanent and short-term personnel of the RDAs of Donetsk and Luhansk oblasts.

## **1. Main Objectives of the Assignment**

The main objective of the assignment is to establish a fully functional department of investment and business promotion in the RDA, in accordance with the Operational Guidelines and business processes of the RDA; and to conduct the business processes of the RDA in the respective department for a short-term period sufficient to fully establish the department with functioning management processes, and identify any areas for improvement or further development for the respective department.

## **2. Description of Responsibilities / Scope of Work**

The Technical oversight (engineer) expert (hereinafter 'the expert') is responsible for the provision of quality advice in the field of infrastructure and civil engineering by monitoring compliance with the technical requirements of construction projects of the RDA, including aspects of engineering design, contracting, monitoring and supervision of works through the full project cycle of the works. The Expert will focus on the following areas/services, working in close cooperation with the rest of the RDA team:

- Support the RDA in the field of engineering for RDA implementation of infrastructure and civil works projects
- Develop Standard Technical oversight Procedures for the engineering aspects of project implementation for infrastructure and civil works projects implemented by the RDA
- Develop relationships of cooperation/exchange experience with entities with similar responsibilities in neighbouring oblasts and throughout Ukraine

### **Specific responsibilities:**

- a) Inspection of documentation of construction activities the Engineering Department of the RDA;
- b) Working with UNDP's technical experts (especially RDA Civil Engineering Expert) to develop Standard Technical oversight Procedures for all relevant technical and engineering aspects of the project implementation cycle for infrastructure and civil works projects, including engineering design, specification and creation of Bills of Quantity for tendering of the projects, requirements for engineering supervision, monitoring and quality control, including checklists and criteria to be evaluated;
- c) Computing quantities of acceptable of work for RDA projects;
- d) Working with the oblast, raion and hromada administrations, development perspective RDA infrastructure and civil works projects in the oblast;
- e) Working with the Director, RDA Civil Engineering Expert and Project Managers of RDA, formulate a strategy for infrastructure and civil works project implementation by the RDA, including objectives and targets for 2018 – 2020;
- f) Provide engineering technical oversight to the RDA for the implementation of infrastructure and civil works projects;
- g) Monitor operations and activities of the work unit, recommend improvements and modifications and prepare various reports on operations and activities, implement policies and procedures;
- h) Promote knowledge management within the team and a learning environment in the office through leadership and personal example;

- i) Perform routine to complex technical engineering inspections of public works and capital improvement projects;
- j) Inspect projects performed under contract for compliance with plans and specifications;
- k) Review and recommends progress payments; prepare change orders;
- l) Evaluate possible public improvements as needed, ensuring work performed adheres to the state standards, determining and noting major and minor defects, and evaluating appropriate actions in order to remedy defects as needed;
- m) Carry out other tasks related to the RDA's infrastructure and civil works projects in the field of Technical oversight as requested by the Director of RDA.

The contract will be implemented in Luhansk oblast government-controlled territories.

### 3.Deliverables

№	Deliverables	Deadlines
1	<ul style="list-style-type: none"> <li>• Launching meeting with the RDA and UNDP;</li> <li>• In coordination with the Executive Director and other personnel of the RDA, assessment of the current status of RDA operations with regard to infrastructure and civil works projects;</li> <li>• Analysis of the Operations Guidelines for the RDA and identification of key tasks relevant to the area of the TORs;</li> <li>• First report with description of all fulfilled tasks prepared and submitted.</li> </ul>	Within 1 month after the starting date of the assignment.
2	<ul style="list-style-type: none"> <li>• Organization of the work flows and training processes of the department related to engineering and technical oversight of infrastructure and civil works projects;</li> <li>• Development of Action Plan, including goals, targets, actions and timelines to improve work flows and training processes for technical oversight in infrastructure and civil works projects, in consultation with the Executive Director of the RDA, M&amp;E expert and UNDP;</li> <li>• Second report with description of all fulfilled tasks prepared and submitted.</li> </ul>	Within 2 months after the starting date of the assignment.
3	<ul style="list-style-type: none"> <li>• Participation in trainings provided by the UNDP service provider on RDAs and report on learning from the trainings;</li> <li>• Standard Technical Oversight Procedures for all relevant technical and engineering aspects of the project implementation cycle for infrastructure and civil works projects, including oversight training by utilizing State Building Codes of Ukraine in interpreting legal requirements and standards of methods, materials, and workmanship;</li> </ul>	Within 3 months after the starting date of the assignment.
4	<ul style="list-style-type: none"> <li>• Technical oversight of a pipeline of possible infrastructure and civil works projects in the oblast;</li> <li>• Brief information on events related to the department of Investment and Business Promotion.</li> </ul>	Within 4 months after the starting date of the assignment.

5	<ul style="list-style-type: none"> <li>• Report on exchange visits and learning from other RDAs;</li> <li>• Estimate the number, value and types of projects that the RDA can implement on an annual basis to generate a sustainable level of income for the institution;</li> </ul>	Within 5 months after the starting date of the assignment.
6	<ul style="list-style-type: none"> <li>• Strategy for infrastructure and civil works project implementation by the RDA, including objectives and targets for 2018 – 2020;</li> <li>• Final report with description of all fulfilled tasks prepared and submitted and recommendations on further activities.</li> </ul>	Within 6 months after the starting date of the assignment.

#### 4. Proposed payment schedule

RDA will pay the negotiated amount in six equal tranches according to the schedule of deliverables, above.

The payments will be paid upon the full completion and acceptance of contractual obligations whereupon the Executive Director of the RDA accepts the draft deliverables report and UNDP accepts the final deliverables report.

#### 5. Monitoring/Reporting Requirements

The Expert will report on a daily basis to the Executive Director of the RDA, and will work under the overall supervision of the UNDP Local Governance and Decentralization Reform Component manager.

The Consultant will submit deliverables reports as indicated in the table of deliverables, above. The final report at the end of the assignment should include the achievements, lessons learned, and recommendations for further actions.

#### 6. Experience and Qualifications Requirements

##### Qualifications

- Higher university Degree (minimum requirement - Master's degree) in Civil engineering or related field;
- Certificate of Technical oversight engineering expert;
- At least 5 years of proven experience in the field of infrastructure and civil works construction as Technical oversight engineering expert;
- At least 1 year of experience of working in or with international organizations as Technical oversight engineering expert;
- Experience in development of Action Plans, Standard Technical oversight Procedures and other TOR documents according to the requirements of international organisations;
- Fluent in Ukrainian and working knowledge of English language.

##### Competencies

- Ability to build good relations with partners, focus on impact of the project and positive respond to feedback;
- Good managerial, administrative, planning, analytical and written skills;
- Good communication skills;
- Initiative and ability to work independently as well as in a team;
- Excellent usage of computer and office software packages.

## Corporate Competencies

- Demonstrates integrity by modeling the UN's values and ethical standards;
- Displays cultural, gender, religion, race, nationality and age sensitivity and adaptability;
- Treats all people fairly without favoritism;
- Fulfills all obligations to gender sensitivity and zero tolerance for sexual harassment.

## 7. Documents to be Included when Submitting the Proposals

Applicants shall submit the following documents:

- Personal CV, including information about past experience in similar projects / assignments and contact details for referees.
- Financial proposal

## 8. Financial Proposal

### Lump sum contract

The financial proposal shall specify a total lump sum amount, and payment terms around specific and measurable (qualitative and quantitative) deliverables (i.e. whether payments fall in installments or upon completion of the entire contract). Payments are based upon delivery of the services specified in the TOR. In order to assist the requesting unit in the comparison of financial proposals, the financial proposal will include a breakdown of this lump sum amount.

### Travel

All envisaged travel costs must be included in the financial proposal. This includes all travel to join duty station/repatriation travel.

## 9. Evaluation criteria

- Educational background – 15 points max  
{10 pts – Master's degree; 15 pts – Post-graduate degree };
- Certificate of Technical oversight engineering expert – 20 points max  
{20pts – Lead Engineer Certificate; 15pts – 1<sup>st</sup> Category Engineer Certificate; 10pts – 2<sup>nd</sup> Category Engineer Certificate; 5pts – Basic Engineer Certificate}
- Proven experience in the field of infrastructure and civil works construction as Technical oversight engineering expert – 30 points max  
{30pts – 6 years and more; 20pts – from 4 to 6 years; 10pts – from 3 to 4 years};
- Proven experience of working with international organization as Technical oversight engineering expert – 20 points max  
{20pts – 4 years and more; 15pts – from 2 to 4 years; 10pts – from 1 to 2 years};
- Experience in development of Action Plans, Standard Technical oversight Procedures and other TOR documents according to the requirements of international organisations – 15 points max  
{15pts – 2 years and more; 10pts from 1 to 2 years}

Maximum available technical score - 100 points.

EVALUATION METHOD:

### Cumulative analysis

Contract award shall be made to the incumbent whose offer has been evaluated and determined as:

a) responsive/compliant/acceptable, and

b) having received the cumulative highest score out of a pre-determined set of weighted technical and financial criteria specific to the solicitation.

\* Technical Criteria weight: 70%

\* Financial Criteria weight: 30%

Only candidates obtaining a minimum 70% from the maximum available technical score would be considered for the Financial Evaluation.

The maximum number of points assigned to the financial proposal is allocated to the lowest price proposal and will equal to 30. All other price proposals will be evaluated and assigned points, as per below formula:

30 points [max points available for financial part] x [lowest of all evaluated offered prices among responsive offers] / [evaluated price].

The proposal obtaining the overall cumulatively highest score after adding the score of the technical proposal and the financial proposal will be considered as the most compliant offer and will be awarded a contract.

**Technical Evaluation Forms:**

Form 1. Experience of the candidate submitting the proposal (P11 form)

Form 2. Financial proposal

Prepared by \_\_\_\_\_

Approved by \_\_\_\_\_

Approved by \_\_\_\_\_