Project name: Housing for internally displaced persons (IDPs) and rehabilitation of liberated cities in Ukraine - Chernivtsi

Country: Ukraine
Sector: Housing
Funding sources: Nefco, EU
Procurement: Works including supply of material and construction
Notice type: Invitation to apply for submission of a proposal (prequalification)
Issue date: 31 July 2023
Closing date: 21 August 2023 at 23:59 Kyiv time
Submission of tender documents to qualified tenderers: Third-fourth quarter of 2023
Contract signing: Fourth quarter of 2023
Start of works: Fourth quarter of 2023

The municipalities of Chernivtsi, Dubno, Kovel, Lviv, Zhytomyr and Makariv are included in the programme "Housing for internally displaced persons (IDPs) and recovery of liberated cities in Ukraine".

Within the framework of the project "Housing for internally displaced persons (IDPs) and rehabilitation of liberated cities in Ukraine", contractors will be selected in 2023 for implementation of contracts with a total amount of about EUR 64 million in the following areas:

- Construction of fully equipped and furnished blocks of flats with useful area between 3,500 square metres and 10,110 square metres and with 3-5 floors in the municipalities of
  - Chernivtsi, planned investment EUR 10.5 million
  - Dubno, planned investment EUR 5.3 million
  - Kovel, planned investment EUR 4.8 million
  - Lviv, planned investment EUR 19.5 million
  - Zhytomyr, planned investment EUR 8.0 million

- Construction of two kindergartens and refurbishment of two buildings of local hospital (Polyclinic, Therapeutic block) and a Lyceum building in the municipality of Makariv, planned investment 15.8 MEUR

This invitation relates to contracts in Chernivtsi represented by the City Council (the Employer). The procurement follows Nefco’s “Procurement Policy and
Procedure”, January 2021. Contractors submitting an application to tender (the Application) before the closing date proving that they comply with all qualification criteria will be invited to tender. In the case that one contractor should win more than one contract within the programme “Housing for internally displaced persons (IDPs) and rehabilitation of liberated cities in Ukraine", the required average annual revenue and the average value of similar projects would be correspondingly increased based on the contract values.

Applications shall be submitted by e-mail to:

sm-se-ukr-prequal-chernivtsi@sweco.se

The Application as well as all correspondence and documents relating to the prequalification exchanged by the Applicant and the Employer, shall be in English or Ukrainian.

The qualification criteria are the following and information should be supplied in the forms in the corresponding appendices:

1) Eligibility
2) Average annual revenue
   a. The average annual revenue for the best three (3) years of the last five (5) years is not less than: 3.3 million euros
3) Works Experience
   a. The average value of the best three (3) successfully completed similar contracts during the last five (5) years is not less than: 1.2 million euros

Comments:

• For 2) above, values presented in UAH will be converted into euro using the official data of the NBU for the relevant year (average annual value), published on the website of the National Bank of Ukraine (https://bank.gov.ua/files/Exchange_r.xls)
• For 2) above, at least 51% of the required revenue must, in case of a joint venture or consortium agreement (JVCA), come from the lead partner
• For 3) above, values presented in UAH will be converted into euro using the official data of the NBU for the date of conclusion of the contract, published on the website of the National Bank of Ukraine (https://bank.gov.ua/ua/markets/exchangerates)
• For 3) above, at least two of the required three contracts must, in case of a JVCA, come from the lead partner
• For 3) above, "similar contracts" means construction of blocks of flats of at least three floors and minimum 3,500 m² – using the following construction technology: the technology of quickly construction using prefabricated construction materials.

• For 3) above, the applicant shall have been the main contractor or the project manager or equivalent for the contracts.

**Brief description of the project**

**Contract Form**
The contract will be a works contract based on design supplied in the tender documents. The contractor shall be responsible for the complete works including project management, quality assurance, supply of all material and components, groundworks, erection of the buildings, installations, fitting out (including furniture and other equipment), commissioning and warranty.

**The buildings**
The Project includes the construction of new multi-apartment buildings to provide accommodation for IDPs with satisfactory living conditions and available social infrastructure in the closest vicinity.

The main purpose of the Project is to contribute to social renovation and stabilization in Ukraine with a focus on inclusive persons.

The main objectives of the Project include the following

1. Extend the access of IDPs to social care in Chernivtsi city
2. Improve the wellbeing of IDPs in Chernivtsi city
3. Improve the energy efficiency in Chernivtsi city residential sector and to reduce CO2 emissions
4. Increase the employment level of the population in Chernivtsi city

The main target group are the IDPs, possible settlement for up to 615 persons receiving satisfactory living conditions at newly constructed buildings (warm indoor spaces, absence of draught and wetness), as well as staff providing local services.

The construction of new multi-apartment buildings with the technology of quickly construction using prefabricated construction materials, or analogues according to the design, to provide IDPs with housing within the framework of this Project, is provided on two land plots:

- Construction on Site 1 (Cadaster number: 7310136300:18:004:1090) of 4 multi-apartment buildings with up to 3 floors, usable area 4,300 m², **Contract No. 1/Lot No. 1**
- Construction on Site 2 (Cadaster number: 7310136300:18:004:0208) 3 multi-apartment buildings with up to 3 floors, useful area 3,200 m², **Contract No. 2/Lot No. 2**

Newly built residential buildings will be constructed with implementation of energy efficiency technologies in accordance with normative standard of Ukraine DBN V.2.6-3U2016 "Heat insulation of buildings". These requirements have been considered during evaluation of investment costs. During the construction of buildings and improvement of the territory, the requirements regarding the accessibility of the territory and the object for groups of the population with limited mobility will be observed in accordance with the legislation of Ukraine. The cost estimated by the consultants includes all necessary measures for the commissioning of the buildings, interior finishing works, furnishing the apartments with basic furniture and household appliances, etc.

**Land plot:** Land plots chosen (two adjacent sites: № 1 - 0,82 ha and № 2 - 1,28 ha at the address of Bohdan Lepky, adjacent to the streets Marmorozka and Storozhynetska) are located in a residential area which is communal property, with respective infrastructure available (roads, transport, kindergartens, school, medical services). All permits on land plots are completed.

**Connection to networks:** Heating of buildings will be provided through new module boiler houses mainly using biomass, financed by the municipality. It is planned that connection of the objects mentioned above to local utility lines (water, sewage, power, district heating, firefight hydrant) as well as construction of a bomb shelter and landscaping around the building will be financed from the budget of Chernivtsi city territorial community.

**Ownership:** The newly constructed buildings for social housing which have been financed at the expense of the EU grant should remain in municipal ownership for at least 10 years following the completion of construction. For at least first five years, these buildings should be used only for the purpose of providing housing to internally displaced people. In case the demand for housing for internally displaced people ceases after the five-year period, the buildings should be used alternatively for social housing purposes to host other vulnerable groups of people.

**Distribution of social housing:** The distribution of the social housing first to IDPs and then to other socially vulnerable groups (high priority groups) should be conducted in accordance with the Ukrainian legislation (Resolutions № 495 of the Cabinet of Ministers of Ukraine and legal provision on social housing in accordance with the Housing Code of Ukraine and Resolutions № 422 of the Cabinet of Ministers of Ukraine).

In order to ensure equal distribution of social housing, the Municipality in cooperation with Nefco will develop rules for allocation of housing for vulnerable groups of people in the buildings constructed under the Action fully funded by the
EU. These rules are to be developed in line with legislation of Ukraine and will be approved by the EU during the period of implementation of the Project.

Total number of IDPs who can be accommodated in residential buildings, is up to 615 people (the final number depends on the final architectural solutions and project scale). Apartments will be provided to IDPs and members of their families free of charge for the period of one year with the possibility to extend this period for the next period according to Ukrainian legislation.

Privatization of apartments in houses built within this Programme is forbidden.
Information to the applicants

Late applications
1. The Employer reserves the right to accept applications received after the deadline for submission of applications.

Responsiveness
2. The Employer’s determination of an Applicant’s responsiveness is to be based on the contents of the Application itself.
3. A substantially responsive Application is one that meets the requirements of this invitation without material deviation, reservation, or omission.
   a. “Deviation” is a departure from the requirements specified in this invitation
   b. “Reservation” is the setting of limiting conditions or withholding from complete acceptance of the requirements specified in this invitation
   c. “Omission” is the failure to submit part or all of the information or documentation required in this invitation
4. A material deviation, reservation, or omission is one that is in any substantial way inconsistent with this invitation.
5. If an Application is not substantially responsive to the requirements of this invitation, it shall be rejected by the Employer.
6. Provided that an Application is substantially responsive, the Employer may waive any quantifiable nonconformity in the Application that does not constitute a material deviation, reservation or omission.
7. Provided that an Application is substantially responsive, the Employer may request the Applicant to submit any necessary missing information or documentation, within a reasonable period of time, to rectify nonmaterial nonconformities in the Application. Failure of the Applicant to comply with the request may result in the rejection of its Application.

Evaluation
8. The Employer shall use the qualification criteria and methodologies indicated in this invitation. No other evaluation criteria or methodologies shall be applied.
9. Only the qualifications of the Applicant shall be considered. In particular, the qualifications of a parent or other affiliated company that is not party to the Applicant or the JVCA shall not be considered.
Acceptance or rejection

10. The Employer reserves the right to accept or reject any Application, and to annul the prequalification process and reject all Applications at any time, without incurring any liability to the Applicants.

Prequalification

11. All Applicants whose Application meet or exceed the specified qualification requirements will be prequalified by the Employer.

Notifications

12. The Employer shall notify all Applicants in writing of the names of those Applicants who have been prequalified. In addition, those Applicants who have been disqualified will be informed separately.
Appendix 1
Application to Tender

Note for Applicants: The Applicant must prepare the Application to Tender on stationery with its letterhead clearly showing the Applicants complete name and address. All text within square brackets [ ] is for guidance in preparing this form and shall be deleted by the Applicant from the final document.

We, the undersigned, declare that:

(i) We, including any subcontractors or suppliers and subsuppliers for any part of the Contract have no conflict of interest in accordance with the following:

This Policy requires that a firm participating in a procurement process under a NEFCO-financed public sector project shall not have a conflict of interest. Any firm found to have a conflict of interest shall be ineligible for award of contract. In this respect, a tenderer may submit only one tender or participate as a joint venture partner or consortium member in only one tender for each contract. For the purpose of this Article, a subcontractor is not deemed to be participating in a tender. A firm shall also be considered to have a conflict of interest in a procurement process if such firm (including its personnel) has a close business, family or other relationship with the client or a professional staff of the client (or of the project implementing agency, or of a recipient of a part of the NEFCO Funds) who: (i) are directly or indirectly involved in the preparation of the tender documents or specifications of the contract, and/or the tender evaluation process of such contract; or (ii) would be involved in the implementation or supervision of such contract, unless the conflict stemming from such relationship has been resolved in a manner acceptable to NEFCO throughout the procurement process and execution of the contract.

(ii) Our firm/The individual, its affiliates or subsidiaries, including any subcontractors or suppliers and subsuppliers for any part of the Contract, have not been declared ineligible and are not under investigation by NEFCO, another international financial institution, under the Employer’s country laws or official regulations or by an act of compliance with a decision of the European Union and/or United Nations Security Council

Date:

Signature:

[Name and position]

for and on behalf of:

[Name of the firm/individual or joint venture or consortium]
Appendix 2
Average Annual Turnover

Annual turnover data*

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Currency</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Average Annual Turnover (three best of the last five years):

Notes:

* The Applicant shall provide copies of complete financial statements (balance sheets, including all related notes, and income statements) for the years required above complying with the following conditions:

a. Must reflect the financial situation of the Applicant or partner to a JVCA, but not consolidated statements
b. Historic financial statements must correspond to accounting periods already completed and audited (no statements for partial periods shall be accepted)
c. Historic financial statements shall be checked in compliance with the national legislation of the Applicant’s country and shall be evidenced by the documents issued by the relative authorities of the Applicant’s country
# Appendix 3

## Works Experience

<table>
<thead>
<tr>
<th>Similar Contract No. [insert specific number] of [total number of the required contracts]</th>
<th>Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contract Identification</td>
<td></td>
</tr>
<tr>
<td>Signing date</td>
<td></td>
</tr>
<tr>
<td>Completion date</td>
<td></td>
</tr>
<tr>
<td>Role in Contract (for example, main contractor or project manager or equivalent)</td>
<td></td>
</tr>
<tr>
<td>Total Contract amount</td>
<td>currency</td>
</tr>
<tr>
<td>If a partner in a JVCA, specify participation in total contract amount</td>
<td></td>
</tr>
<tr>
<td>Employer’s name:</td>
<td></td>
</tr>
<tr>
<td>Employer’s contact person Address:</td>
<td></td>
</tr>
<tr>
<td>Contact telephone:</td>
<td></td>
</tr>
<tr>
<td>E-mail address:</td>
<td></td>
</tr>
<tr>
<td>Contact person:</td>
<td></td>
</tr>
<tr>
<td>Description of the similarity</td>
<td></td>
</tr>
<tr>
<td>Physical size [indicate the approximate volumes of the performed works.]</td>
<td></td>
</tr>
<tr>
<td>Complexity [specify the project-defined object complexity category]</td>
<td></td>
</tr>
<tr>
<td>Technologies [description of important parts, main applied work technologies.]</td>
<td></td>
</tr>
</tbody>
</table>

**Note:**

The Employer reserves the right to request confirmation of the successful completion of the contract from the Tender Participants.