

**Project name:** Housing for internally displaced persons (IDPs) and recovery of liberated cities in Ukraine - Dubno

**Country:** Ukraine

**Sector:** Social Infrastructure

**Funding sources:** EU

**Procurement:** Works including supply of material and construction

**Notice type:** Invitation to apply for submission of a proposal (prequalification)

**Issue date:** 4 August 2023

**Closing date:** 25 August 2023 at 23:59 Kyiv time

**Submission of tender documents to qualified tenderers:** Third 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 recovery 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
  - o Chernivtsi, planned investment EUR 10.5 million
  - o Dubno, planned investment EUR 5.3 million
  - o Kovel, planned investment EUR 4.8 million
  - o Lviv, planned investment EUR 19.5 million
  - o 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 Dubno 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 recovery 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-dubno@sweco.se](mailto:sm-se-ukr-prequal-dubno@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: 3.0 million euros
- 3) Works Experience
  - a. The average value of the best three (3) 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](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 five floors.

- 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.

This Project is aimed at building from scratch a residential building to provide housing for IDPs with satisfactory living conditions and social infrastructure nearby.

**Land plot:** the selected land plot (0.41 ha, adjacent to Chervoniya St.) is located in a residential area of communal property, with existing infrastructure (roads, transport, kindergarten, school, medical care). All permission documents for the land plot have been issued. Pre-project and project documentation is available.

**Connection to communications:** the building will be heated from the existing heat supply system. It is planned that the connection of the above-mentioned object to local engineering networks (water supply, drainage, electricity supply, heat supply, fire hydrant), as well as the construction of a bomb shelter (shelter) and the improvement of the area around the building/building area will be financed at the expense of local budget funds of the city of Dubno.

**Tenure of buildings:** Newly built social housing buildings that have been financed by an EU grant must remain in community ownership for at least 10 years after completion of construction. For at least the first five years, this building must be used only to provide housing for internally displaced persons. In the event that demand for IDP housing ceases at the end of the five-year period, the building must be used as an alternative for social housing purposes to accommodate other vulnerable populations.

**Allocation of social housing:** the expected minimum number of IDPs that can be accommodated in a residential building is about 333 people. This number may be higher and will depend on the final architectural decisions and placement approach.

Residential premises are provided free of charge to IDPs and their family members for temporary use for a period of up to one year with the possibility of extension for the next period in accordance with the above-mentioned Resolution No. 495 of the Cabinet of Ministers of Ukraine. When providing living quarters for IDPs in houses built under the program, it is necessary to apply all the requirements of Resolution No. 495 regarding children and gender priorities. Privatization of apartments in houses built under this program is prohibited.

## 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 the procurement process for a public sector project funded by the European Union must 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\*

|   | Year | Amount | Currency |
|---|------|--------|----------|
| 1 |      |        |          |
| 2 |      |        |          |
| 3 |      |        |          |
| 4 |      |        |          |
| 5 |      |        |          |

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 relevant five preceding years 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

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

Note:

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