

## ANNEX II: TERMS OF REFERENCE

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## **1. BACKGROUND INFORMATION**

### **1.1. Partner country**

Republic of Moldova

### **1.2. Contracting Authority**

General Inspectorate for Emergency Situations from the Republic of Moldova

69, Gheorghe Asachi Street

Chisinau

Republic of Moldova

### **1.3. Country background**

The project addresses the Thematic Objective 7 of the JOP Romania - Republic of Moldova, aiming to contribute to the improvement of the ICT infrastructure in the eligible area of Iasi - Botosani - Vaslui - Republic of Moldova through the development of 5 ICT based tools for cross-border connections, information and integrated communication systems used in case of special situations and by supporting joint mechanism of strategic planning and intervention. In addition, the purpose of the project is to improve the electronic communications services for the population.

The project aims inter alia, the rehabilitation of the communication-training module within the Republican Training Center, Razeni branch, will ensure the increase of the operational capacities of IGSU and will increase the availability and efficiency of the radio-communication system as well as the quality of the communications used to control forces and means, including during joint cross-border emergency response operations. Within the renovated training module, the staff will be continuously trained in the sense of knowledge and efficient application of communication equipment, and the involvement of lecturers from Romania will allow the exchange of good practices and know-how in this field with the subsequent elaboration of common documents (agreements, procedures, training programs) in order to improve the communication between the similar structures of the two countries - Romania and the Republic of Moldova.

An electronic information panel will be installed, which will display warning messages issued by both the Early Warning System of Romania "RO-ALERT" and other systems operated by to GIES-MD. The information panel will be installed in Nemteni village, on the Chisinau-Leuseni (M1) route, at a distance of 7 km from the Leuseni-Albita border crossing point. The final beneficiary of the information and warning messages displayed on the panel will be the population moving from RM to RO and vice versa on the Chisinau-Leuseni (M1) route.

### **1.4. Current situation in the sector**

Within the framework of the Project "Improving the Mobile Emergency Service for Resuscitation and Extrication (SMURD)", funded by the European Union under Contract no.12140 MIS ETC 989 (POC RO-UA-MD 2007-2013), a Protocol on the realization of communications necessary for the air and terrestrial means in the coordination of the cross-border intervention in case of emergency situations/disasters/exceptional situations and for the provision of the emergency medical assistance was elaborated and signed by entities from Romania and Republic of Moldova. Thus, according to the above-mentioned Protocol, the basic radio-communications used during cross-border interventions are those offered by the TETRA systems implemented in both states, creating interfaces for this purpose, and joint Talk Groups. Respectively, the TETRA standard radio stations and consoles are used by the intervention teams participating in cross-border missions and dispatchers located in the eligible area. Thus, the

training of staff involved in cross-border interventions on the use of the TETRA standard terminals and dispatch systems will increase the effectiveness of interventions and, finally, the population safety in the eligible area of both states.

## **2. OBJECTIVE, PURPOSE & EXPECTED RESULTS**

### **2.1. Overall objective**

The overall objective of the project of which this contract will be a part is as follows:

The project addresses the Thematic Objective 7 of the JOP Romania - Republic of Moldova, aiming to contribute to the improvement of the ICT infrastructure in the eligible area of Iasi - Botosani - Vaslui - Republic of Moldova through the development of 5 ICT based tools for cross-border connections, informations and integrated communication systems used in case of special situations and by supporting joint mechanism of strategic planning and intervention. In addition, the purpose of the project is to improve the electronic communications services for the population.

### **2.2. Purpose**

The purposes of the project are as follows:

- purpose 1: Improving access for 3,2 million to public services through the development of the ICT communication capabilities and training of professionals of the General Inspectorate for Emergency Situations, Republic of Moldova, inhabitants, through the rehabilitation and endowment with specific equipments of the Razeni Training Center.
- purpose 2: Development of cross-border joint inter-operable multi-modal communications systems and devices (by installing an electronic information panel and purchasing 3 special ICT vehicles) to facilitate joint management of special situations and improve communication between public authorities and institutions in the benefit of the population in the eligible area.
- purpose 3: Promoting joint cross-border strategic planning and intervention activities aiming to support information and best practices exchange and drafting of a common plan of action for exceptional situations.

The purpose of this Contract is to organize and plan all procurement activities within the project according to PRAG 2016 rules.

Assignments

- to plan procurements of the project
- to initiate and launch procurement procedures
- to carry out and complete procurement procedures (preparation of the tender dossiers, according to the PRAG 2016 rules and templates; participate in the evaluation process tenderers; draft the evaluation reports, draft contracts, etc.)
- to monitor together with the project manager the execution of tasks

### **2.3. Results to be achieved by the Contractor**

- result 1: participate in the evaluation process of tenderers for infrastructure works, draft the evaluation documents (report, etc.), according to PRAG 2016 rules, draft the contract for infrastructure works with the winning tenderer.

- result 2: preparation of the tender dossier (information about the Contracting Authority, tender procedure and forms; templates to be provided by the tenderers; templates for the administrative, technical and financial evaluation, if applicable), according to the PRAG 2016 rules and templates for expenditure and verification. If the case, sending requests for offers, receiving offers.
- result 3: participate in the evaluation process of tenderers for expenditure and verification, draft the evaluation documents (report, etc.), according to PRAG 2016 rules, draft the contract for expenditure and verification with the winning tenderer.
- result 4: preparation of the tender dossier (information about the Contracting Authority and tender procedure; templates to be provided by the tenderers; templates for the administrative, technical and financial evaluation, if applicable), according to the PRAG 2016 rules and templates for set of promotional materials A. If the case, sending requests for offers, receiving offers.
- result 5: participate in the evaluation process of tenderers for set of promotional materials A, draft the evaluation documents (report, etc.), according to PRAG 2016 rules, draft the contract for set of promotional materials A with the winning tenderer.
- result 6: preparation of the tender dossier (information about the Contracting Authority and tender procedure; templates to be provided by the tenderers; templates for the administrative, technical and financial evaluation, if applicable), according to the PRAG 2016 rules and templates for set of promotional materials B. If the case, sending requests for offers, receiving offers.
- result 7: participate in the evaluation process of tenderers for set of promotional materials B, draft the evaluation documents (report, etc.), according to PRAG 2016 rules, draft the contract for set of promotional materials B with the winning tenderer.
- result 8: prepare documentations (contracts, etc.) needed for project activities, as requested by the project manager: documents, contract for site supervision.
- result 9: prepare documentations (contracts, etc.) needed for project activities, as requested by the project manager: documents, contract for office equipment.
- result 10: prepare documentations (contracts, etc.) needed for project activities, as requested by the project manager: documents, contract for translation services.
- result 11: prepare documentations (contracts, etc.) needed for project activities, as requested by the project manager: documents, contract for logistic services of the project.
- result 12: prepare documentations (contracts, etc.) needed for project activities, as requested by the project manager: documents, contract for training sessions.
- result 13: prepare documentations (contracts, etc.) needed for project activities, as requested by the project manager: documents, contract, etc. for project team meetings, wrap-up conference, workshops, press-conferences, if the case.

### **3. ASSUMPTIONS & RISKS**

#### **3.1. Assumptions underlying the project**

The factors outside the beneficiary's lead, (external conditions) that can influence the objectives of the project, regard the implication and seriousness of the suppliers and construction contractors, that are involved with these indicators, also, all the activities that took place before the realisation the objectives, and the implication of the management team, the interest shown can influence in a good or bad way the development of the project.

#### **3.2. Risks**

The following risks must be considered:

Possible delay of the rehabilitation works;

- Changing of legal provisions regarding investments, public procurements or other related legislation;
- Costs modification for materials, raw materials;
- Significant fluctuation of EURO currency reported to national currency.

Also, the risks that could affect the project's implementation schedule are the risks arising from the conduct of procurement procedures, like:

- Suppliers and construction contractors are not bidding, considering that they can't provide in a short time large amounts of highly specialized equipment, which require long manufacturing time and cannot be found existing stocks or the required amount of construction equipments and human resources;
- Suppliers and contractors that win the auction can't meet the delivery terms under contracts, by the end of the project implementation period.

During the sustainability period, the main risks come from increasing the cost of the infrastructure operation and of equipment maintenance and operation, such as fuel prices, inflation and other risks. In order to avoid the risk of suppliers not bidding, believing that they can't deliver in a short time such large quantities of specialized equipment, beneficiaries aim to allow procurement contracts which will provide a minimum number of products that can be delivered.

## **4. SCOPE OF THE WORK**

### **4.1. General**

#### **4.1.1. Description of the assignment**

The purpose of the contract is to provide necessary expertise to the Contracting Authority for the preparation of all tender documentations for implementing the project according to the Grant Contract signed between the Lead Beneficiary and the Management Authority.

All tender documentations must be in line with art. 9 Procurement rules from the Grant Contract.

The tenderers will draft the tender documentation, evaluation reports, contracts, etc. according to the templates and details related to each type of procurement procedure of PRAG 2016.

#### **4.1.2. Geographical area to be covered**

Republic of Moldova

### **4.2. Specific work**

The winning tenderer will be responsible for:

- Preparing of procurement files, depending on their value, according to PRAG 2016, for all procurement provided by IGSU according to the Grant Contract 1 HARD/3.1/95 signed on 27/10/2021.
- Participate in the selection process of bidders.
- Drafting the selection and award documentation (according to PRAG) for all procurement carried out.
- Providing answers to any questions / clarifications, if any.

- Drawing up contracts with selected economic agents / experts.
- Fulfilling other procedures, documents related to the acquisition process.

## 5. SELECTION CRITERIA

The following selection criteria will be applied to the tenderers. In the case of tenders submitted by a consortium, these selection criteria will be applied to the consortium as a whole. If not specified otherwise. The selection criteria will not be applied to natural persons and single-member companies when they are sub-contractors.

### 5.1. Selection criteria for legal persons:

- the average annual turnover of the tenderer must exceed the annualised maximum budget of the contract i.e., the maximum budget stated in the contract notice divided by the initial contract duration in years, where this exceeds 1 year (minimum annual turnover requested may not exceed 2 times the estimated annual contract value, except in duly justified cases motivated in the tender dossier); and
- Current ratio (current assets/current liabilities) in the last year for which accounts have been closed must be at least 1. In case of a consortium this criterion must be fulfilled by each member.
- has sufficient ongoing staff resources and expertise to be able to handle the proposed contract;
- at least 1 staff currently work for the tenderer in fields related to this contract.
- the tenderer has provided services under at least 2 contracts each with a budget of at least that of this contract in emergency situations, which were implemented at any moment during the following period: 3 years before the deadline.

### 5.2. Selection criteria for natural persons:

- Master's degree or equivalent university degree in a relevant field
- Excellent working knowledge of PRAG rules (versions 2016, 2020, 2021)
- Excellent working knowledge of procurement procedures and documentation according to PRAG rules
- Good understanding of national procedures rules regarding public procurement.
- Experience in the NGO field with a focus on civil society development or emergency programs is an advantage.
- is currently working/has worked during the past 3 years <as manager/coordinator/procurement specialist, etc.> within 3 projects. At least two projects should have applied PRAG rules.
- Fluency in written and spoken English and Romanian.
- Experience working in environments experiencing political transition.
- Working experience with Romanian beneficiaries.

- Strong written and oral communication skills, interpersonal skills, and team management skills.

This means that the project the tenderer refers to could have been started or completed at any time during the indicated period, but it does not necessarily have to be started and completed during that period, nor implemented during the entire period. Candidates/tenderers are allowed to refer either to projects completed within the reference period (although started earlier) or to projects not yet completed. In the first case the project will be considered in its whole if proper evidence of performance is provided (statement or certificate from the entity which awarded the contract, proof of final payment for services). In case of projects still on-going only the portion satisfactorily completed during the reference period although started earlier will be taken into consideration. This portion will have to be supported by documentary evidence (similarly to projects completed) also detailing its value. If a tenderer has implemented the project in a consortium, the percentage that the tenderer has successfully completed must be clear from the documentary evidence, together with a description of the nature of the services provided if the selection criteria relating to the pertinence of the experience have been used.

Previous experience which would have led to breach of contract and termination by a Contracting Authority shall not be used as reference. This is also applicable concerning the previous experience of experts required under a fee-based service contract.

An economic operator may, where appropriate and for a particular contract, rely on the capacities of other entities, regardless of the legal nature of the links which it has with them. It must in that case prove to the Contracting Authority that it will have at its disposal the resources necessary for performance of the contract, for example by producing a commitment on the part of those entities to place those resources at its disposal. Such entities, for instance the parent company of the economic operator, must respect the same rules of eligibility - notably that of nationality - and must fulfil the same relevant selection criteria as the economic operator. With regard to technical and professional criteria, an economic operator may only rely on the capacities of other entities where the latter will perform the works or services for which these capacities are required. With regard to economic and financial criteria, the entities upon whose capacity the tenderer relies, become jointly and severally liable for the performance of the contract.

## **6. PROJECT MANAGEMENT**

### **6.1.1. Responsible body**

Responsible for managing the contract / project is Vitalie Grabovski, Project Manager.

### **6.1.2. Management structure**

The Project Manager will be responsible for approving the deliverables and reports submitted by the tenderer.

### **6.1.3. Facilities to be provided by the Contracting Authority and/or other parties**

The Contracting Authority will provide all the necessary information to achieve the above-stated objectives.

## **7. LOGISTICS AND TIMING**

### **7.1. Location**

Chisinau, Republic of Moldova.

### **7.2. Start date & Period of implementation of tasks**

The intended start date is October 17<sup>th</sup>, 2022 and the period of implementation of the contract will be 15 months from this date. Please see Articles 19.1 and 19.2 of the Special Conditions for the actual start date and period of implementation.

## **8. REQUIREMENTS**

### **8.1. Equipment**

No equipment is to be purchased on behalf of the Contracting Authority / partner country as part of this service contract or transferred to the Contracting Authority / partner country at the end of this contract. Any equipment related to this contract which is to be acquired by the partner country must be purchased by means of a separate supply tender procedure.

## **9. REPORTS**

### **9.1. Reporting requirements**

The Contractor will submit the reports in Romanian in one original following the implementation of each task assigned/ results/ deliverable executed. The deadline for sending the reports is 30 days after the task is completed. The report shall contain a sufficiently detailed description of the different options.

### **9.2. Submission and approval of reports**

The report referred to above must be submitted to the Project Manager identified in the contract. The Project Manager is responsible for approving the reports.