

ADOPTED»

Director of the Separated subdivision of Hungarian Interchurch Aid in Ukraine

Position

Janos Gerevych full name

"""

2024

TERMS OF REFERENCE №FCA22051_Kzll_ToR1

for construction and installation works:

"IMPLEMENTATION OF A COMPLEX OF WATERPROOFING WORKS IN THE BASEMENT OF THE KOZELETS LYCEUM 3:3 OF THE KOZELETS VILLAGE COUNCIL OF THE CHERNIHIV REGION"

Separated subdivision of Hungarian Intercl	nurch Aid in Ukraine:	
Program officer for infrastructure rehabilitation and development	All	Kateryna Burmina
/Position/	/Signature/	/ full name /
Approved by:		
Hungarian Interchurch Aid	1111	
Program Manager FCA 22051	2419	Fabiny Lórant
/Position/	/Signature/	/ full name /
Approved by:	,	
Department of Education, Culture, Family,	Youth and Sports of th	ne Kozelets village council
Head of the Department of Education,	0/11	
Culture, Family, Youth and Sports	April	Alla Trofimchenko
/Position/	/Signature/	/ full name /
Lyceum #3 director	the	Olena Tatarchuk
/Position/	/Signature/	/ full name /
Facility Manager of th Liceum #3	1/	Igor Sugonyako
/Position/	/Signature/	/ full name /

Kozelets village 2024



The construction and installation works are shown in Table 1.

Table 1

	8	Table 1				
Section number	Name of the section	Content				
		General information				
1	Name and location of the facility	Implementation of a complex of waterproofing works in the basement of the Kozelets Lyceum №3 of the Kozelets Village Council of Chernihiv region at the address: Chernihiv region, Kozelets district, Kozelets village, 32-A, Svyato-Preobrazhenska str.				
2	Purpose of the work	Restoration (additional strengthening) of underground structures waterproofing. Prevention of groundwater penetration into the building.				
3	Information about the investor (Payer)	Separated subdivision of Hungarian Interchurch Aid in Ukraine.				
4	Information about the Customer	Department of Education, Culture, Family, Youth and Sports of the Kozelets village council.				
5	Source of financing	Charitable funds.				
6	Information about the general contractor	To be determined by the results of the tender.				
7	Method of work performance	Contracting.				
8	Design stages	Set of design and survey works should be carried out for the most effective method of the basement rooms waterproofing investigation.				
9	Scope of work to be performed	In the hereby Terms of Reference(Tor) covering implementation of a complex of waterproofing works in the basement of the Kozelets Lyceum №3 of the Kozelets Village Council of Chernihiv region, which includes, but also: - Waterproofing of masonry joints made of FWB blocks; - Carrying out a set of measures for the basement rooms waterproofing of the lyceum building. Estimated scope of work and list of materials according to Annex 1 to the hereby ToR. Notes: - in the annexes are listed main types of works, all other additional works shall be reflected in the estimate documentation and taken into account when preparing the commercial offer. - bidder can propose any another technology for waterproofing works, but referring to the technical requirements specified in the hereby ToR. Causes of the flooding should be defined during the survey and Project of work execution. Approximately — it is penetration of rainwater and groundwater through basement walls made of FWB blocks				
10	Technical requirements for materials	Compliance with the requirements of the standards and regulations related to the performed works that are actual in Ukraine country.				
11	Grounds for the work	Letter from the Department of Education, Culture, Family, Youth and Sports of the Kozelets village council Ref. No. 01-08/321 dated on 29 rd of July 2024.				
12	Architecture planning requirements and	External and internal walls of the basement are constructed of FWB blocks.				



	characteristics of the facility under repair	The level of the basement floor referring to the ground level is "-1.40 m". Ground level is "0 m", ground floor "+1.0 m". There are present main distribution pipelines of water supply,				
13	Special construction conditions	Sewerage, heating and ventilation systems in the basement. Construction conditions - the building is in operation. Energy sources - water, electricity from the grid are at the Customer's expense. Contractor has to provide a backup power source on own expense: fuel and a generator in case of power outage - to be taken into account in the amount of 50% of the total electricity demand, and if the total usage time will exceed 50% of the total electricity demand, that has to be additionally agreed with the Payer about fuel consumption, working hours and time accounting method. The presence of the military – absent. Other complicating factors are preliminary absent. Necessity to include any additional factors shall be considered within Contractor's inspection of the facility and included in to the				
	Constru	commercial offer.				
14	Requirements for technical support of the contractor	1. The Contractor must be provided with its own equipment, materials, machinery, tools and devices for the works performing (to be provided list of tools and equipment planned to be used, marked when own or rented in free format report); 2. Mechanization tools and machines to be used in the construction must be certified, have technical inspection certificates and to be in good technical condition. (Provide a list of the mechanisms and machines planned to be used with a note if it is owned or rented in free format report); 3. The Contractor has to provide its own transport for the works performance, to deliver all the equipment that will be installed on the facility and to remove dismantled equipment.				
15	Requirements for the contractor	1. A business entity under the Ukraine country law (legal entity or individual entrepreneur) with minimum 2 year experience. 2. To be eligible to carry out corresponding business activity with the relevant NCEO code presence (National Classifier of Enterprises and Organizations). 3. Availability of licenses to carry out corresponding business activities, if it is subject for licensing (copy to be provided); 4. Availability of permits and declarations for the performance of high-risk works in accordance with the Resolution of the Cabinet of Ministers of Ukraine No. 1107 (copies to be provided): - Installation, dismantling and overhaul of buildings, structures, as well as restoration and strengthening of their hazardous parts. - Application of bitumen-based mastics - Equipment operating under pressure. 5. The Contractor is obliged to perform the work properly with minimal disturbance and inconvenience to the children, teachers, staff and visitors of the educational institution; to take into account working hours of the institution when planning works performing. 6. The Contractor is obliged to guarantee professional and technical competence of employees and workers. The Contractor shall provide qualified labor and equipment to perform the work in accordance with the specifications and hereby ToR.				



		7. Upon completion of the works and before signing the "Act of Completion of Major Construction Works", the Contractor shall provide the Payer (or his authorized representative) with the asbuilt drawings (in digital and paper forms) and a set of as-built documentation in accordance with State Building Standards A.3.1-5:2016. 8. The Contractor shall ensure daily presence of the construction manager at the site. 9. All works, materials and installations shall be protected from damage and theft. Protective measures shall be taken to prevent unauthorized access to the construction site and to the works and goods located there on at the expense of the Contractor. 10. Availability of reference letters for similar works with specification of contacts of organizations/customers (copy to be provided).
15.1	List of necessary documents to be provided by the contractor for qualification	1. Copy of a valid registration certificate / Extract from the Unified State Register. 2. Bank account statement with details and no debits report. 3. Copy of the valid tax payer certificate. 4. Certificate of criminal records absence (in director's history) (can be provided on playtender.com.ua) 5. Financial reports of the company for the previous reporting period (forms No. 1-MS, 2-MS) 6. Contact information - in free format report, with the necessary details: - Full name of the company; - Unified State Register number and Individual Tax Number; - Payment account number, name of the Bank and it's Bank Branch Location Code; - Contact e-mail address; - Name and surname of the head of the company or an authorized person to sign the agreements, and his/her contact information; - Legal and actual addresses of the company; - Contact information of the person responsible for negotiations. 7. Scanned copies of licenses or other permits for conducting business activities in accordance with the current legislations of Ukraine country, or a letter of explanation that this type of activity is not subject to licensing; 8. Documents confirming the Contractor's ability to carry out transportation and delivery of materials/equipment (vehicle ownership, lease agreement or service agreement). 9. Reference letter, according to Annex 4. 10. Copies of contracts, invoices, and delivery notes for similar works performed in the last 3 years. 11. A copy of the notarized power of attorney/order of authority of the director. 12. Estimated documentation - executed in compliance with the requirements specified in Annex #2 to the hereby ToR. 13. Schedule of the works performance - in the form given in Annex 3 to this ToR. ***All documents to be submitted as scanned copies. ***The complete package of the tender documents must be signed and sealed.
16	Occupational health and safety requirements	The Contractor shall be responsible for the organization of safety measures at the construction site during the entire duration of the



17	Supply of energy carriers	project. The Contractor shall be fully responsible for the safety of personnel, equipment and materials at the site throughout the duration of the project until the "Act of the Major Construction Works Completion" will be signed. All works, materials and installations should be protected from damage and theft. Protective measures shall be taken to prevent unauthorized access to the construction site and to the works and goods located thereon at the expense of the contractor. The works shall be performed in accordance with the applicable laws and regulations in Ukraine. Energy sources - water, electricity from the grid at the expense of the Customer. Contractor has to provide a backup power source on own expense: fuel and a generator in case of power outage - to be taken into account in the amount of 50% of the total electricity demand, and if the total usage time will exceed 50% of the total electricity demand, that has to be additionally agreed with the Payer about
		demand, that has to be additionally agreed with the Payer about fuel consumption, working hours and time accounting method.
18	Additional requirements for construction and demolition works	The Contractor guarantees the collection and storage of all types of waste (in accordance with the rules of handling) in preprepared places with subsequent removal for disposal. The Contractor guarantees timely submission of all commission accepted hidden works - fully signed acts for the closure of hidden works executed in accordance with State Building Standards A.3.1-5: 2016, in the absence of approval of the acts - the WORKS ARE NOT CONSIDERED AND ARE NOT SUBJECT TO CLOSURE AND PAYMENT. The Contractor guarantees timely adjustment of the estimate documentation and reflection in the final list of resources of materials, machines and mechanisms that will be actually used in the performance of work before the conclusion of the contract. All subsequent adjustments must be justified and made in a timely manner prior to the submission of the acts of completion. The price for construction and demolition works shall be agreed upon by the Design and Construction Manager after the Customer has reviewed the estimate documentation.
19	Cleaning and waste disposal	Obligatory cleaning of the construction site during and after the work with the removal of waste for disposal/remediation/burial and include in the estimated cost of waste disposal.
20	Requirements for dismantling works	No dismantling is provided
21	Requirements for reliability, warranty period of operation	5 years
22	Term of work performance	30 calendar days from the date of prepayment, in accordance with the schedule agreed with the Customer, drawn up in the form in accordance with Annex 3.
	Sup	ply of goods and materials
23	Completeness of goods and materials	Materials procurement and supply has to be implemented on the basis of developed by the Contractor and approved by the Customer and Payer estimate documentation. The Contractor will deliver all materials to the facility.
24	Agreeing on prices for the Contractor's goods and materials	Prices must be agreed on the estimate documentation development stage. When calculating the cost of goods and materials, the costs of procurement and warehousing activities must be taken into account.



25	Requirements for documentation of goods and materials	The completeness and composition of the operational documentation must comply with the State Standard of Ukraine country 2.610:2006. Documentation for goods and materials supply must be in Ukrainian language, in paper kind with the seal of the manufacturer: - quality certificates, quality passports; - certificates of conformity or Declaration of Conformity to the Technical Regulations provided for by Ukrainian legislations for this equipment; - passport for the component product with mandatory information, certification and disposal of the product, indicating the amount of precious metals, non-ferrous and ferrous metals in the product; - warranty card; - instructions for maintenance and operation of the equipment; - assembly and installation instructions; - dimensional drawings; - other documentation required for a particular type of goods and materials. If the equipment is manufactured in Ukraine and does not fall under the scope of technical regulations of Ukraine country, a quality certificate for the product must be provided.
26	Packaging requirements	Compliance with the requirements of the applicable Ukrainian standards for packaging that is acceptable for outdoor storage.
27	Ensuring storage conditions	Labeling requirements Compliance with the labeling standards in force in Ukraine.
28	Health, safety and environmental requirements	Compliance with the laws and regulations of Ukraine.
29	Other requirements	The Contractor is responsible for the goods and materials storage until the completion of the works.
	D	esign and survey works
30	Requirements for technical support of the contractor	- Technical support for the possibility of performing the work (to be provided in the form of free format report) Availability of technical software to perform the work (AutoCAD, AVK5 or similar software). Provide copies of licenses.
31	Requirements to the contractor's qualification	 Availability of reference letters, licenses and permits to perform works (provide a copy). Availability of certified employees in the part of engineering surveys and/or expert builder in the part of technical inspection of buildings and structures. (Provide copies of certificates).
32	Requirements for survey works Requirements for design documentation	The survey program have to include: 1. Evaluation of the technical condition of the flooded building foundation (by non-destructive methods of determining strength). 2. Definition of the causes of foundation walls soaking and water source. 3. Drawing up a description of defects and photo-video materials. 4. Drawing up a list of defects and recommendations for their elimination. 5. Development of technical solutions for repairing and strengthening the waterproofing of basement rooms. Based on the results of the surveys, submit:



33	Requirements for design documentation	 Report on the survey. A set of technical drawings. List of defects. Estimated documentation for repair works. Prior to the start of the survey, submit to the Customer and the Payer for approval a set of measures to be carried out within the framework of the tests. All project documentation must be developed in compliance with the requirements: State Building Standards A.2.2-3:2014 "COMPOSITION AND CONTENT OF PROJECT DOCUMENTATION FOR CONSTRUCTION" State Standard of Ukraine B A.2.4-4:2009 System of project documentation for construction. Basic requirements for design and working documentation. With Amendment No. 1 State Building Standards B.2.5-74:2013 Water supply. External networks and structures. Basic provisions of design. With Amendment No. 1 All project documentation shall be developed in Ukrainian. The project documentation shall be submitted to the customer in 4 paper copies and 1 copy in electronic form.
34	Requirements for preparation of estimate documentation	In accordance with the Annex 2 Requirements for preparation of estimate documentation.
35	The term of work performance	21 calendar days from the date of signing the Agreement

Annexes:

Annex 1.1 Template of estimated scope of works on "Execution of a complex of waterproofing works in the basement of the Kozelets Lyceum #3 of the Kozelets Village Council of the Chernihiv region at the address: Chernihiv region, Kozelets district, Kozelets village, 32-A Svyato-Preobrazhenska street"

Annex 1.2 Schematic view of the basement of Lyceum #3 in Kozelets, Kozelets district, Chernihiv region.

Annex 2 Requirements for preparation of estimate documentation.

Annex 3 Recommended form of the schedule.

Annex 4 Recommended form of the reference letter.

Annex 5 Letter from the Department of Education, Culture, Family, Youth and Sports of the Kozelets village council No. 01-08/321 dated on 29rd of July 2024.



Annex 1.1 To Terms of Reference (ToR) № FCA22051_Kzl1_ToR1

Template of estimated scope of works on "Execution of a complex of waterproofing works in the basement of the Kozelets Lyceum #3 of the Kozelets Village Council of the Chernihiv region at the address: Chernihiv region, Kozelets district, Kozelets village, 32-A Svyato-Preobrazhenska street"

Nº	Name of works and expenses	Unit	Quantity	Notes 6	
1	2	4	5		
	Section 1. Basement waterproofing.				
1	Expansion and grouting of joints between foundation blocks (FWB blocks)	m	225		
2	Arrangement of the waterproofing coating	m2	130		
3	Waterproofing of the external walls of the basement building (recommended to be done from the inside)	m2	225		

Recommended method of execution (waterproofing unit)



Розробив:

Program officer for infrastructure rehabilitation and development

/Position/

Погоджено 3:

Facility Manager of the Liceum #3

/Position/

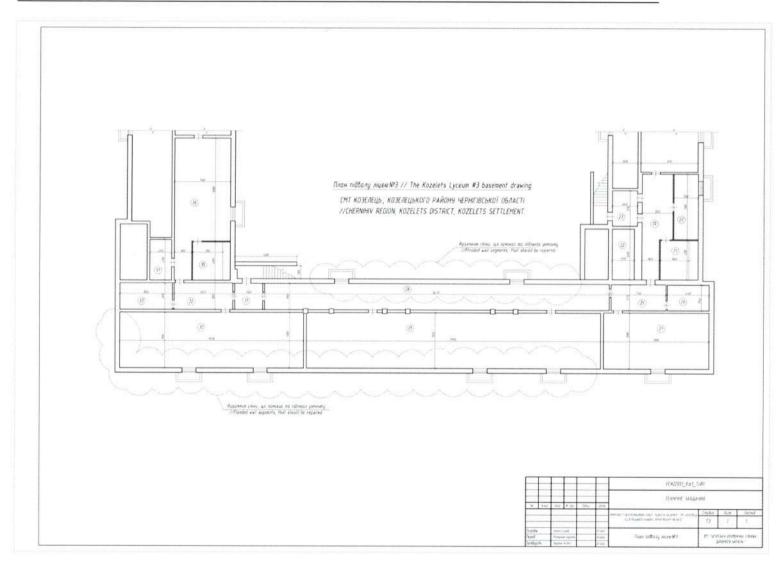
Kateryna Burmina

/ full name /

Igor Sugonyako Signature

full name /





Annex 1.2 To Terms of Reference (ToR) № FCA22051_Kzl1_ToR1

Schematic view of the basement of Lyceum #3 in Kozelets, Kozelets district, Chernihiv region.



Annex 2 To Terms of Reference (ToR) № FCA22051_Kzl1_ToR1

Requirements for preparation of estimate documentation

- 1. The Contract Price(as document) shall be calculated on the basis of the normative need for labor and material and technical resources required for the implementation of design solutions for the construction facility and current prices for them
- The Contractor's Contract Price shall consist of:
- Calculations of contract prices (in the form of Annex 30 to the Guidelines for determining the cost of construction);
- local cost estimates for construction, installation and commissioning works (in the form of Annexes 1 and 3 to the Guidelines for Determining the Cost of Construction);
- local cost estimates for the purchase of equipment (in the form of Annex 2 to the Guidelines for Determining the Cost of Construction);
- Resource statements in the form of Appendix 4 to the Guidelines for Determining the Cost of Construction.
- calculations of general production costs;
- if necessary: calculations of the costs of transportation of workers, business trips of workers, relocation of the Contractor and others (in any form), etc.
- calculations of funds to cover the administrative expenses of the Bidder (according to Annex 26 to the Guidelines for determining the cost of construction);
- calculations of profit (within the averages recommended by the Ministry of Regional Development in agreement with the Ministry of Economy) (according to Annex 25 to the Guidelines for determining the cost of construction).
- 3. The Contract Price and estimate documentation are formed on the basis of the cost of construction works, which includes: direct, general production and other costs of construction of the facility, profit, funds to cover administrative expenses of construction organizations, funds for additional costs and funds for payment of taxes, fees, mandatory payments.
- 4. The Contract Price shall be calculated taking into account the costs of:
- Compensation for costs associated with the disturbance of landscaping, calculated in accordance with the regulations of local governments;
- Temporary storage of soil for backfilling, permanent storage of displaced soil and disposal of construction waste (the Contractor shall independently decide on the landfills for temporary storage of soil removed from the work site (construction site). Compensation of expenses shall be made within the funds for such expenses provided for in the estimate documentation);
- other expenses related to the performance of works.
- 5. The Contractor's Contract Price shall also include a separate section to cover the costs associated with the purchase and delivery of equipment to the construction site.
- 6. The estimate documentation must take into account the reasonable costs of supervision of installation and/or supervision of commissioning of equipment and materials, if the technical specifications for the manufacture of equipment require supervision during its installation.
- 7. Wages as part of direct costs shall be calculated by the Contractor on the basis of standard labor costs for a certain amount of work and the cost per man-hour of the average standard category of these works for the unit of construction and installation workers and the average standard category of the unit of workers engaged in the management and maintenance of construction machinery and equipment.

The cost of a man-hour corresponding to the average standard category of work either by type of work or for the construction facility as a whole is determined on the basis of the average monthly salary per full-time employee that the Contractor plans to receive at the order facility, taking into account the average monthly working hours established by the central executive body for the formation and implementation of state policy in the field of labor, employment, labor migration, labor benefits, and labor migration.

The Employer recommends the level of salary for category 3.8 - 19,087.19 UAH per month.

- 8. The cost of materials shall be determined on the basis of the normative need and current prices for them, which shall not exceed the price level prevailing in the region during the period of preparation of the estimate documentation. The current prices of materials shall be determined taking into account the costs of their loading, unloading, transportation and procurement and storage costs.
- 9. The Contractor shall determine the cost of operation of construction machines and mechanisms as part of direct



costs based on the standard operating time of the machines required to perform the scope of work proposed and the cost of operation of the machines per unit of time of their use (machine hours) in current prices, taking into account the provisions of clauses 5.5 - 5.9 of the Guidelines for determining the cost of construction.

In case the Contractor engages leased machines and mechanisms, the cost of which exceeds the prices calculated taking into account the provisions of clauses 5.5 - 5.9 of the Guidelines for determining the cost of construction, the Contractor shall provide supporting documents - lease agreement, calculations, etc.

- 10. General production costs as part of the Contract Price shall be calculated based on the structure of these costs that has developed in the contractor's organization for the previous period, taking into account the provisions of the Methodological Recommendations on the formation of the cost of construction and installation works, approved by the order of the Ministry of Regional Development dated 31.12.2010 No. 573, and the list of general production costs given in Annex 10 of the Guidelines for determining the cost of construction.
- 11. The Contractor may also include in the price of the tender proposal the funds necessary to ensure the implementation of the construction in general, namely
- funds for construction works in winter or summer periods, calculated in accordance with clauses 5.21-5.27 of the Guidelines for Determining the Cost of Construction, and determined only for the scope of works planned for winter or summer periods in accordance with the Construction Management Project.
- funds to cover other costs are determined by reasonable calculations based on the provisions of the applicable legislation, project documentation, the Customer's initial data on the construction, conditions of construction works, location of the construction site in relation to the location of the construction company, etc. Such funds include funds for business trips of the construction company's employees to the construction site, etc.
- 12. When calculating travel expenses, the following shall be taken into account
- the level of daily expenses in the amount of no more than UAH 600 is recommended.
- travel expenses not exceeding UAH 400.
- the maximum limit of expenses for renting accommodation is recommended to be no more than UAH 600 per day.
- 13. If the Contractor plans to manufacture certain construction materials, products and kits on its own at secondary production facilities within its structure to perform construction works, the prices for such material resources shall be accepted according to the relevant calculations approved by the Contractor in accordance with the established procedure (at production cost). Profit and administrative expenses shall be taken into account in the Contract Price for the construction project as a whole and shall be calculated taking into account the labor costs of the structural unit of the Contractor that produces these material resources.

At the same time, the relevant prices for such material resources, together with profit and administrative expenses, shall not exceed the average prices of other producers for the same resources prevailing in the region, taking into account transportation costs for the delivery of these resources to the on-site warehouse.

- 14. Information on the Contract Price and estimate documentation shall be provided in electronic form in the format of an information data block (preferably in the format of the AVK-5 information complex or a similar software package that integrates with the AVK-5 program). The Contractor has the right to provide Contract Price calculations in the format of equivalent software, while guaranteeing the possibility of full integration of files (without loss of data) into the existing software of the Customer, and that such integration will not lead to additional costs. From a technical point of view, such electronic computations will be considered by the Customer as equivalent.
- 15. Those works for which the Contractor has not given quotations or prices shall not be paid by the Employer after their completion. They are considered to be included in the prices for other categories of work in the estimate documentation.
- 16. All taxes and duties to be paid by the Contractor, as well as other costs associated with the performance of the work in accordance with these Specifications, shall be included in the estimates and the Contract Price.
- 17. The Contract Price may be changed downward (without changing the quantity (volume) and quality of goods, works and services) in case of correction of arithmetic and methodological errors, negotiations.



Annex 3
To Terms of Reference (ToR) № FCA22051_Kzl1_ToR1

Recommended form of the schedule

Schedule of construction and installation works

(Calendar schedule)

Execution of a complex of waterproofing works in the basement of the Kozelets Lyceum #3 of the Kozelets Village Council of the Chernihiv region at the address: Chernihiv region, Kozelets district, Kozelets village.

No	Name	Unit	Quantity	Duration,			259					Cal	end	ar da	ivs					7
	of work			days	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	
1													1000							
2							31													
3																				
Not	es:																			_
but acce shal	struction v for the co eptance pr	works a rrect or ocedur e Emp	ay comple ahead of so rganization e, the Con loyer in w ivery.	chedule, n of the tractor								Co	ntr	acto	r:					
												Cor	npar	ıy nan	ne					
					D	ired	etor	(or	oth	er a	uth	oriz	zed	perso	on):					
					Si	tamı)			/Sig	natu	ıre/					ful	l nam	e	_



Annex 4
To Terms of Reference (ToR) № FCA22051_Kzl1_ToR1
Recommended form of the reference letter

SHOULD BE DRAWN UP ON THE LETTERHEAD OF THE CONTRACTOR'S COMPANY

Reference Letter

	_	Co	ompany name		
	_2024				
Nº	Name of the company - the Customer (Unified State Register Number)	Contact information of the Customer (person who can provide information about the Contractor)	A brief list of construction and installation works performed	The amount of the contract (if it is not a trade secret)	The period of implementation of the construction and installation works
2					
3					
Directo	or				
	any name	Stamp	/Signature/	Full n	ame



козелецька селищна рада управління освіти, культури, сім'ї, молоді та спорту

вул. Соборності, 27, сел.. Козелець, 17000, тел./факс (04646) 2-11-08, e-mail: kozelets_osvita@ukr.net, код ЄДРПОУ 41777072

29.07.2024 p. № 01-08/322

Керівнику відокремленого підрозділу Угорської Екуменічної Служби Допомоги в Україні Янош Геревич

Просимо Вас виконати комрлекс заходів щодо внутрішньої ізоляції стін укриття від протікань у Козелецькому ліцеї №3.

Начальник

Алла ТРОФИМЧЕНКО

Алла Трофимченко, 0637726351