

ANNEX II: TERMS OF REFERENCE

1. BACKGROUND INFORMATION	2
1.1. Partner country	2
1.2. Contracting Authority	2
1.3. Country background	2
1.4. Current situation in the sector	2
1.5. Related programmes and other donor activities	3
2. OBJECTIVE, PURPOSE & EXPECTED RESULTS	3
2.1. Overall objective	3
2.2. Purpose	3
2.3. Results to be achieved by the Contractor	3
3. ASSUMPTIONS & RISKS	4
3.1. Assumptions underlying the project	4
3.2. Risks	4
4. SCOPE OF THE WORK	4
4.1. General	4
4.2. Specific work	5
4.3. Project management	6
5. LOGISTICS AND TIMING	7
5.1. Location	7
5.2. Start date & Period of implementation of tasks	7
6. REQUIREMENTS	7
6.1. Staff	7
6.2. Office accommodation	8
6.3. Facilities to be provided by the Contractor	9
6.4. Equipment	9
7. REPORTS	9
7.1. Reporting requirements	9
7.2. Submission and approval of reports	9
8. MONITORING AND EVALUATION	9
8.1. Definition of indicators	9
8.2. Special requirements	9

1. BACKGROUND INFORMATION

1.1. Partner country

Republic of Moldova

1.2. Contracting Authority

Ministry of Internal Affairs, represented by Information Technology Service, Republic of Moldova

1.3. Country background

Republic of Moldova is a part in the Financing Agreement concluded with the European Commission as of December 2016 regarding to cross-border cooperation programs financed under Regulation (EU) No 232/2014 of the European Parliament and the Council establishing a European Neighbourhood Instrument including all subsequent modifications and additions. In this aspect, to assure the implementation of the infrastructure component works in accordance with national legislation, EU provision and regulations the Beneficiary should ensure the external expertise for site supervision services.

1.4. Current situation in the sector

To meet the challenges of illegal migration, organized crime, destroying and reducing the reaction time in emergency situations in the area cross - border, it is necessary to implement an integrated system of communication to enhance the capacities for cross - border exchange of information between the Romanian and Moldovan authorities. In addition, to increase operational capacity in both countries, the cross-border cooperation Center from Lipcani will serve as a node in the northern part of the countries.

Through the implementation of an integrated communications system, information can be processed and transmitted in order to provide a general overview of mutual interest issues.

It's also important to mention that the eligible area's economic development depends on the ability of rail freight as the main mode of transport for goods, and the two countries play an important role in development-of-the-areas-adjacent-to-the-Pan-European-transport-corridor.

The network modernization within COMINF project will improve the railway telecommunication services-between-the-two-countries-and-will-ensure-a-secure-environment-for-data-exchange.

Through this cooperation project it is aimed making available of common communication capabilities to enhance services and assistance offered by local authorities for public benefit of the citizen in the

- | | |
|------------------------------------|----------------------|
| 1.STI-Sciusev-Interconnection-Node | 13.IP-Criuleni |
| 2.SP-Ciocana | 14.IP-Orhei |
| 3.Beriozka | 15.IP-Rezina |
| 4.Step-Soci | 16.SPCSE-Soroca |
| 5.Olișcani | 17.Ivancea-Radiocom |
| 6.Ciripcău | 18.Trifești-Radiocom |
| 7.Pîrlîța | 19.Soroca-Radiocom |
| 8.Șalvirii-Vechi | 20.Drochia-Radiocom |
| 9.Gura-Căinarului | 21.Briceni-Rososani |
| 10.IP-Ocnita | 22.Lipcani-2 |
| 11.IP-Dondușeni | 23.SPF-Lipcani |
| 12.Dîngeni | 24.IP-Florești |

25.IP-Soldanesti
26.IP-Drochia
27.IP-Briceni

28.IP-Soroca
29.SCPDS-Chisinau
30.Ungheni

Telecommunications systems and data radio communication transfers are required for public services, emergency services and other operational services responding to carry out its basic service: fast, effective and-economical.

Rights protection services, network services require sound public policy communications and data transfer-appropriate-in-order-to-ensure-compliance-with-legislation.

The stated goal is to achieve the constitutional rights of citizens, security of life, health, personal and public property, including in cases of risk of occurrence of natural disasters, terrorist attacks, illegal traffic of people-and-other-threats.

Project implementation is crucial for the development of areas where action is undertaken, as it will increase information exchanges and will reduce the fiscal fraud, improve conditions for border crossing both for passenger and freight transport and be an obstacle to smuggling weapons, drugs, environmentally hazardous substances and illegal migration in the territory of region. It will equally improve the functioning of the cross-border points and enhance the security of the Moldova-Romania border.

1.5. Related programmes and other donor activities

Joint Operational Programme Romania- Republic of Moldova 2014-2020.

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:

Supervise the construction works and radio communication backbone system implementation and setting works, within the 30 location on northern part of the Republic of Moldova, to be realised in the frame of the project on behalf of the Beneficiary.

2.2. Purpose

The purposes of this contract is to gain the tracking of the construction in accordance with the provisions of the technical projects, the specifications of the technical regulations in force and the contract, participating in verification at decisive stages, performing the verifications provided in the technical regulations and signing the documents drawn up as a result of the verifications (minutes in the decisive phases, the minutes of the works that become hidden, etc.), tracking the execution of the works from a technical point of view throughout the execution of them, and admission to payment only of the executed works that are appropriate from the point of view quantitative and qualitative view.

2.3. Results to be achieved by the Contractor

- to supervise and inspect the performance of the works and to respect the contractual conditions.

- to coordinate the accomplishment of the works, the schedule of works, the fulfilment of the tasks according to the works plan, the origin and quality of the materials and equipment used, the qualification of the contracted personnel, any other attributions to ensure the compliance with the contractual conditions and the program for carrying out the works.
- to issue administrative orders and mandatory instructions for finding certain situations and facts, the arrangement of actions and the ordering of the execution activities of the works.

3. ASSUMPTIONS & RISKS

3.1. Assumptions underlying the project

- Good cooperation between project team and Contractor
- Climatic conditions conducive to the realization of construction works

3.2. Risks

- Legislative modifications that affect prices or public procurement procedures;
- Personal migration during the implementation period;
- Modification of legal provisions regarding investments, public procurements or other related legislation;
- Possible delay of public procurement service for design, manufacturing and installation of equipment;
- Costs modification for materials, raw materials (exchange rate depreciation).

4. SCOPE OF THE WORK

4.1. General

4.1.1. Description of the assignment

In order to ensure the good implementation of the project Communication infrastructure and improvement of the communication capacity of the Ministry of Internal Affairs the work for infrastructure component is carried out according to international requirements, it is necessary to provide Services for works site supervision for following:

- Perform daily monitoring and control of the conformity of the construction works, the materials used, the equipment delivered with the requirements from the project documentation, with the norms and regulations in the field of construction;
- To monitor the compliance of the methodological and technological indications, with the contractual obligations of the construction companies subcontracted by the beneficiary for realization of the works for each location;
- To control the volumes and costs of the performs works, that will be the subject of payments, according to the project documentation and the estimated costs;

- To carry out the checks provided for the technical regulations and to sign the documents drawn up as a result of the checks.
- To ensure the delivery to the Beneficiary of the documents of reception and of the technical book of the construction after the final reception.

4.1.2. Geographical area to be covered

Regions of the Republic of Moldova: Chisinau, Criuleni, Orhei, Rezina, Soldanesti, Floresti, Soroca, Drochia, Donduseni, Ocnita, Briceni, Ungheni.

4.1.3. Target groups

Supervision engages the same actors who are engaged in policy making and implementation. It, actually, provides the opportunity to also include actors who are key: potential and actual beneficiaries and intended target populations. All actors (especially experts, consultancy managers, contracting authority's representatives, programme managers, supervisors) are bound by the ethical principles of technical expertise.

The immediate beneficiaries are:

- Project beneficiaries
- Program Management Authority
- European Commission
- National Authority (Republic of Moldova, "Antena" office)
- Experts
- Audit and evaluation entities

4.2. Specific work

- a) exercise the main obligations and attributions of the technical expert/engineer in the activity of verifying the execution of the capital construction works in accordance with the Regulation regarding the verification of the execution of the construction works by the certified officials, approved by order no. 65 of 27.05.1996 of the Department of construction and spatial planning and the provisions of the Law on quality in construction, no. 721-XIII of 02.02.1996;
- b) to carry out the activity as a representative of the Beneficiary in the relations with the designer, builder, suppliers, service providers in carrying out the works contract;
- c) to act for the Beneficiary and in the interest of the Beneficiary both towards the Contractor, as well as with the Suppliers and Designers;
- d) to monitor and coordinate the construction works of the object;
- e) to participate together with the designer and the executor in the general drawing of the construction and in establishing the landmarks;
- f) to identify and solve the technical problems, issues regarding quality assurance and control, as well as monitoring the work of the general contractor;
- g) to verify and approve:
 - the technological projects regarding the execution of the construction works;
 - the technical procedures for executing the works;
 - execution verification programs;

- execution organization projects (site organization);
 - the execution graphics of the works related to the essential requirements;
 - the minutes regarding the hidden works.
- h) to exercise the control of the execution of the works according to the verification program;
 - i) to control the way in which the qualitative reception of the materials and of the construction elements (prefabricated, joinery, etc.) is carried out;
 - j) to verify the respect of the execution technologies, their correct application in order to ensure the qualitative level provided in the project documentation, in the contract and in the technical norms in force;
 - k) to prohibit the use of new technologies not technically ungrated, as well as of ungrated products;
 - l) to control the volumes and the cost of the works executed and presented by the construction-assembly organizations for payment according to the project documentation and the cost estimates;
 - m) to verify the quality of the construction elements that are realized in their own workshops;
 - n) to stop the execution of the construction works in case of serious quality defects or deviations from the provisions of the execution project;
 - o) to take measures to correct or restore the works, found to be inadequate;
 - p) to request the designer's approval for the liquidation of deficiencies that affect the essential requirements for the construction works or the deviations from the project;
 - q) to inform operatively the management of the construction organization about the liquidation of the deficiencies found and the measures taken to exclude their repetition;
 - r) to participate in the verification in determining phases;
 - s) to carry out the checks provided for in the technical regulations and to sign the documents drawn up as a result of the checks (minutes in determining phases, minutes of works that become hidden, etc.);
 - t) to draw up and keep up to date the record book of the verified construction works;
 - u) to take the documents from the builder and designer and complete the technical book of construction with all the documents provided by the legal regulations;
 - v) to ensure the secretariat of the reception and the preparation of the reception documents;
 - w) to follow the solution of the objections included in the annexes to the minutes of the reception at the completion of the works and the recommendations of the reception commission;
 - x) to ensure the delivery to the investor / user of the receipt documents and the technical book of the construction after the final reception is performed.

4.3. Project management

4.3.1. Responsible body

Project Management team of the Contracting Authority.

4.3.2. Management structure

The Project Steering Comity (PSC) is composed from members of the Beneficiaries Project Management teams. Project Manager appointed by Lead Beneficiary will ensure the leadership of PSC.

Project management and coordination during the whole project implementation will provide effective organization of project implementation, achieving of specific objectives, qualify reporting, as well as sustainability accomplishment after project implementation.

Any deliverable of the project must be approved by PSC, before being transmitted to the Contracting Authority, ensuring a Joint Project Implementation and a good coordination between the project management teams.

The project management will be done through: written agreements between partners, e-communication on-line, workshops (formal and informal), internal approvals during the project.

The Consultancy Team will report to the Lead Beneficiary trough the PSC component. The members of the PCS shall not be a direct recipients of the project support as well as those that manage the projects directly to ensure objectivity. The Project Manager of the LB and the Assistant Manager will provide technical guidance on consultancy and ensure independent of consultancy process, and that policy is followed. The legal expert, the project manager will manage the evaluation and provide logistical support. The Project coordinator will make the approving and reception of the deliverables after preventive verification by the Project manager.

4.3.3. Facilities to be provided by the Contracting Authority and/or other parties

Not supplementary offices should be rented, the necessary workspaces will be provided to the supervisors by the Contracting Authority. The Contractor, should take the all-logistical support, including meeting organization.

5. LOGISTICS AND TIMING

5.1. Location

Chisinau, Republic of Moldova, Project management tem office, ITD Headquarter office (42, Vasile Alecsandri str.)

5.2. Start date & Period of implementation of tasks

The intended start date is 01.06.2021 and the period of implementation of the contract will be 12 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.

The signing of contracts will be carried out before the start of works and the implementation period of the tasks will be correlated with the execution of the construction and including the final reception of works.

6. REQUIREMENTS

6.1. Staff

Note that civil servants and other staff of the public administration of the partner country, or of international/regional organisations based in the country, shall only be approved to work as experts if well justified. The justification should be submitted with the tender and shall include information on the added value the expert will bring as well as proof that the expert is seconded or on personal leave.

6.1.1. Key experts

Key expert/engineer has a crucial role in implementing the contract. These terms of reference contain the required key experts' profile. The tenderer shall submit CV and statements of exclusivity and availability for key experts.

Key expert /experts

Qualifications and skills

- Authorized for the works included in the tender - certificates valid at the time of submission of the tender in the following areas: "Civil construction ", "Electrical installations and external networks ", "Water supply and sewerage installations and networks ", "Telecommunication installations and networks ", "Gas and gas pipeline installations ".

General professional experience

- Minimum 5 years.

Specific professional experience

- Experience as a certified works supervisor at least 3 years;
- Has implemented at least 1 projects with similarly executed works and has minimum 2 letters of recommendation in the past five years.

All experts must be independent and free from conflicts of interest in the responsibilities they take on.

6.1.2. Non-key experts

CVs for non-key experts should not be submitted in the tender but the tenderer will have to demonstrate in their offer that they have access to experts with the required profiles.

The contractor must select and hire other experts as required according to the profiles identified in the organisation & methodology and these terms of reference. It must clearly indicate the experts' profile so that the applicable daily fee rate in the budget breakdown is clear. All experts must be independent and free from conflicts of interest in the responsibilities they take on.

The selection procedures used by the contractor to select these other experts must be transparent, and must be based on pre-defined criteria, including professional qualifications, language skills and work experience. The findings of the selection panel must be recorded. The selected experts must be subject to approval by the contracting authority before the start of their implementation of tasks.

6.1.3. Support staff & backstopping

Backstopping and support staff costs must be included in the fee rates.

6.2. Office accommodation

In the field, the contractor should assure the office accommodation of a reasonable standard and of approximately 10 square per expert metres for writing reports.

6.3. Facilities to be provided by the Contractor

The Contractor shall ensure that experts are adequately supported and equipped. In particular it must ensure that there is sufficient administrative, secretarial and interpreting provision to enable experts to concentrate on their primary responsibilities. It must also transfer funds as necessary to support their work under the contract and to ensure that its employees are paid regularly and in a timely fashion.

6.4. 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.

7. REPORTS

7.1. Reporting requirements

The Contractor will submit the following reports in Romania:

- Monthly progress reports to be produced in 5 days during the next month, the contractor will describe the realised services, the progress of the works and problems encountered during implementation of the works. Each Invoice will be accompanied by a minute of service delivery with a progress report
- Final report will be submitted at the finish of the works for each lot, based on the minutes of preliminary reception and final reception of the works, the contractor will describe what are the difficulties for final reception of the works and next steps for the beneficiary.

7.2. 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.

8. MONITORING AND EVALUATION

8.1. Definition of indicators

Specific performance measures chosen because they provide valid, useful, practical and comparable measures of progress towards achieving expected results. Can be quantitative: measures of quantity, including statistical statements; or qualitative: judgements and perception derived from subjective analysis.

8.2. Special requirements

Not applicable.