



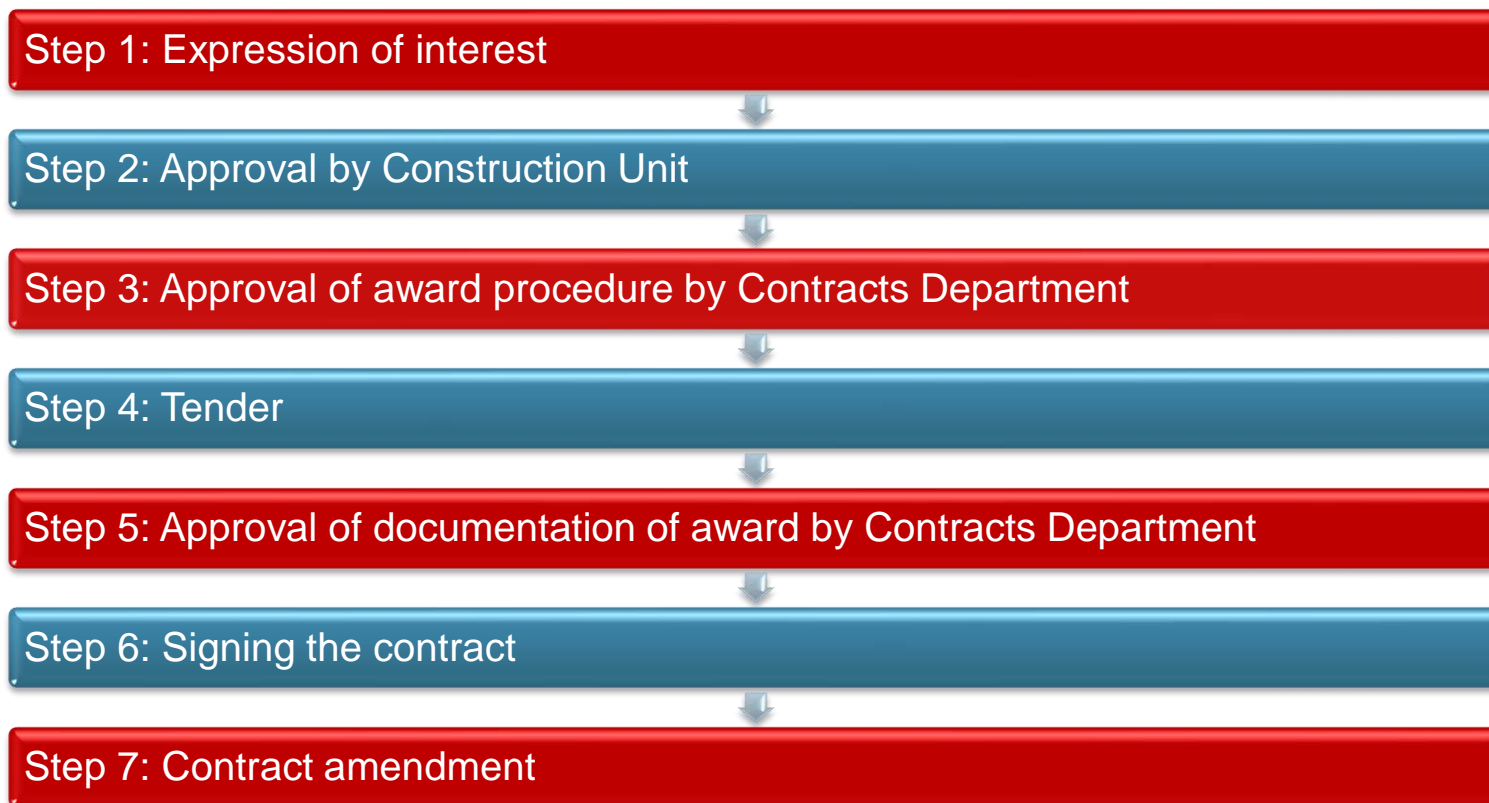
Process „Construction contracts”

(Excerpt of “Training:
Construction contracts”
by Kateryna Zwarg)



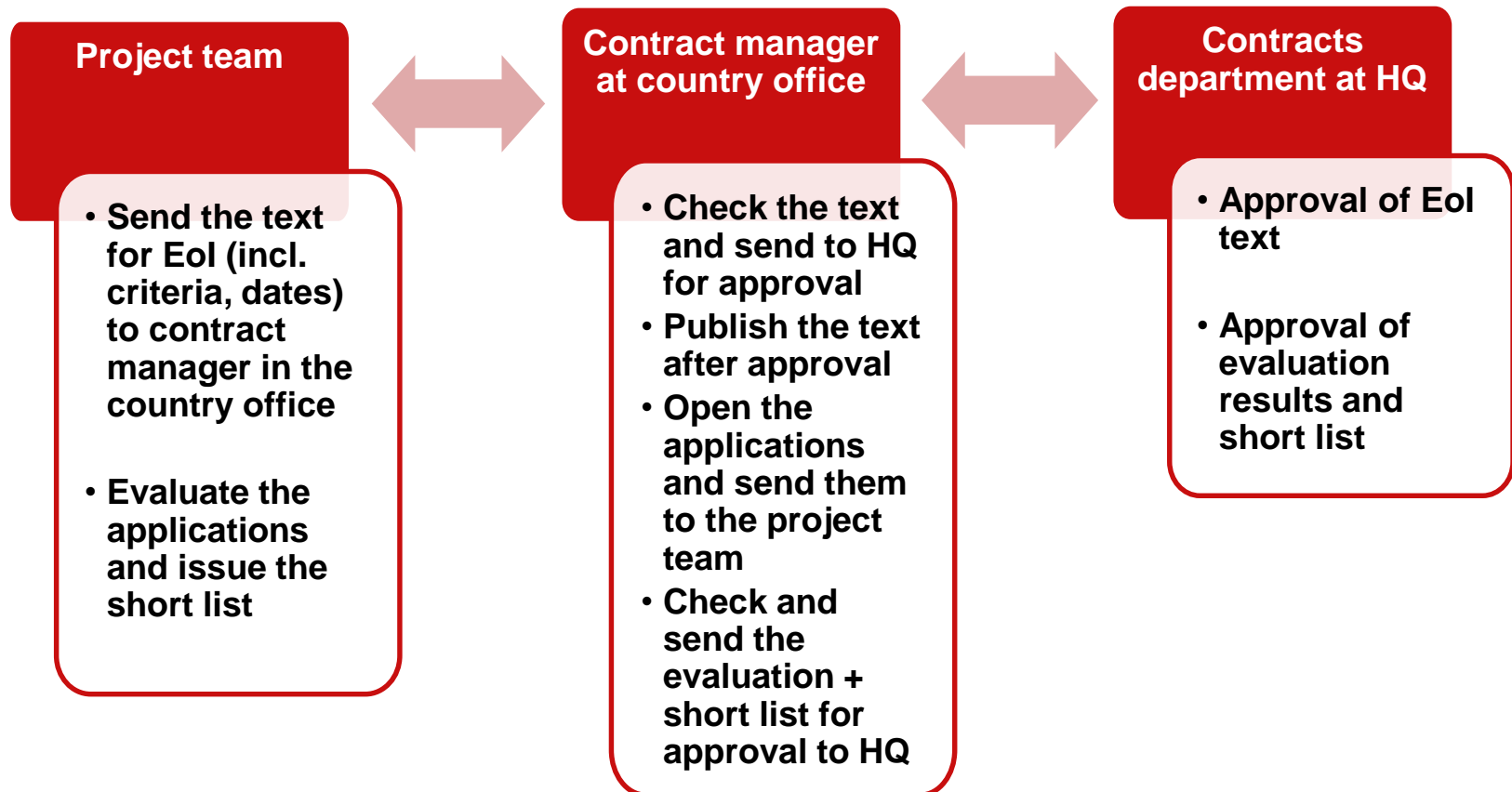


Overview: Process „Construction contracts” (Architects without Step 5)





Step 1: Expression of interest (Eol)





Step 1: Expression of interest (Eoi)

- Keep it short and simple for companies (A12 could be used, but not a must), no discriminating criteria
- Set criteria as high as needed but as low as possible to get enough replies (possible/not recommended to limit the number to e.g. 5 - 8, but define the exact criteria)
- Choose realistic deadline for submission (at least 10 calendar days)
- Choose appropriate media (TV, radio, newspaper, website, facebook...)
- Prepare evaluation scheme for internal use only



Step 1: Expression of interest (Eoi)

- Is not a must, but needed if not enough knowledge about the market/contractors or if they require transparency
- Project team could alternatively select the companies on their own
- The recommendation from E240 and Compliance team to use the Eoi in order to minimize the manipulations risks
- Eoi could be conducted also in the neighboring countries (if domestic market too small/not competent etc.)
- It is allowed to make the known companies aware of started Eoi, but no (!) additional information
- If after evaluation e.g. 20 companies are qualified, all of them should be invited to tender



Step 1: Expression of interest (Eoi)

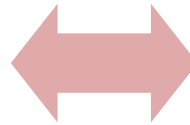
- Could be done for several tenders (so called Longlist), but gives more possibilities for manipulation and is less transparent (how exactly will the companies be chosen for each tender?)



Step 2: Approval by Construction Unit

Project team

- Send the filled release approved + all relevant technical documents (priced BoQs, drawings, specifications, shortlist etc.) to contact person in Construction Unit G230 at HQ
- Keep the received approval for tender files



Construction Unit at HQ

- Approval (Release approval for construction measures) also called NOC (non-objection-certificate)



Step 2: Approval by Construction Unit

Approval needed if construction related costs (architects + construction) are over 100,000€

in the whole project (also relevant for the procurement of goods and financing contract e.g. Cash for work)

Release approval for construction measures giz

Project number: 16.4009-9-004.00
Construction measure: Vocational Training Center Malawi

Review of new construction measure Review of next phase / sub-project

Basic framework / preliminary planning Readiness for invitation to tender
Readiness for award of contract Final acceptance of work

Basic information about the construction measure for the programme "Support to Strengthening Resilience in North East Nigeria"

Project name	Vocational Training Center Malawi	
Project number (PIN) / Serial No.	PN 16.4009-9-004.00	1-100-M.S.V
Partner country	Nigeria	
Commissioned by	BMZ / EU	
Financed	Co-financed	
Local executing agency/implementing partner	BMZ / EU	
Estimated total commission value of the programme/project	Naira State	
Term of programme / Term of project	11/8/2021	11/8/2021
Officer responsible for the commission	Felix Sarsazin	
Work order / Service package	10.609.300 - EUR	
Budget for construction services	08.2017-04.2018	
Execution period of construction measure	Contracting architect and construction companies	
Financed mode of implementation (e.g. Financing Agreement, Local Sizable, full financing of project activities - complete finance, contracting architect and construction companies, etc.)		

Documents submitted

Brief description of project	See attached documents
New construction	<input checked="" type="checkbox"/> 2 block VIP toilet (Wrestle, make), 20.000 overhead water tank
Re-construction	<input checked="" type="checkbox"/> 1 block general store
Renovation	<input checked="" type="checkbox"/> 1 block carpentry workshop, 1 block electrical workshop, 1 block cabinet workshop, gate house
Construction specifications (e.g. task dimensions, material use, design, energy efficiency, environmental compatibility, sustainability)	<input checked="" type="checkbox"/> British Standard, National Building Code Nigeria
Construction according to national codes	<input checked="" type="checkbox"/> Guidelines for Inclusion, GIZ
Guidance regarding accessibility (if applicable to the construction) is included	<input checked="" type="checkbox"/>
Drawings	
Technical certificates (e.g. certificates etc.)	
Contracts / agreements / Memorandum of Understanding (MOU)	attached
Cost estimate	attached
Cost of material	
Labour costs	
Other costs	
German contribution	
Third party contribution	
General time schedule for overall project and construction measure	attached
Scope of responsibility / personnel planning (especially important for start-up, national recruitment)	
Photos	Attaching - ooo explanatory report

Status: 01/16/2018 Printed by: OE G230 Page 1

Release approval for construction measures giz

Project number: 16.4009-9-004.00
Construction measure: Vocational Training Center Malawi

Implementation of construction

Single-handedly Contractor, Project sponsor / Project partner	contractor
Progress reports	
Planning	
Construction supervision	

Approval and handing over

Protocol for approval	<input type="checkbox"/>
Protocol for handing over	<input type="checkbox"/>

Confirmation of Information

Felix Sarsazin, Abuja, 18.12.2017
(Officer responsible for the commission, place, date) (Signature of Officer)

Please return the completed and signed form with attachments to OE G230

Acknowledgement (by the UNW G230 "Construction in the International Cooperation")

Recommendations and agreements for further action / information and instructions

Please check BQ entirely in terms of consistency and consider attached comments
Please check coherence of BQ and check drawings
- Existing Report of Ambassadors etc.: Existing roof tiles should not be replaced by ordinary aluminum roofing sheets
- Regarding all brick buildings, it does not seem suitable to replace the existing roof tiles by ordinary aluminum sheeting. Please avoid to drastically change the overall appearance of the buildings and destroy existing architectural quality. It is recommended to maintain the roof tile character in combination with bricks.
- Please take into account comments indicated on the attached sheets

Approval to proceed with project work

The unit G230 "Construction in the International Cooperation" hereby grants its approval to proceed with further project planning and preparation for the construction measure

..... Vocational Training Center Malawi

under the responsibility of BMZ / EU (Officer responsible for the commission), OE

E. Sarsazin
(Place, date) (Signature, G230)

Status: 01/16/2018 Printed by: OE G230 Page 2



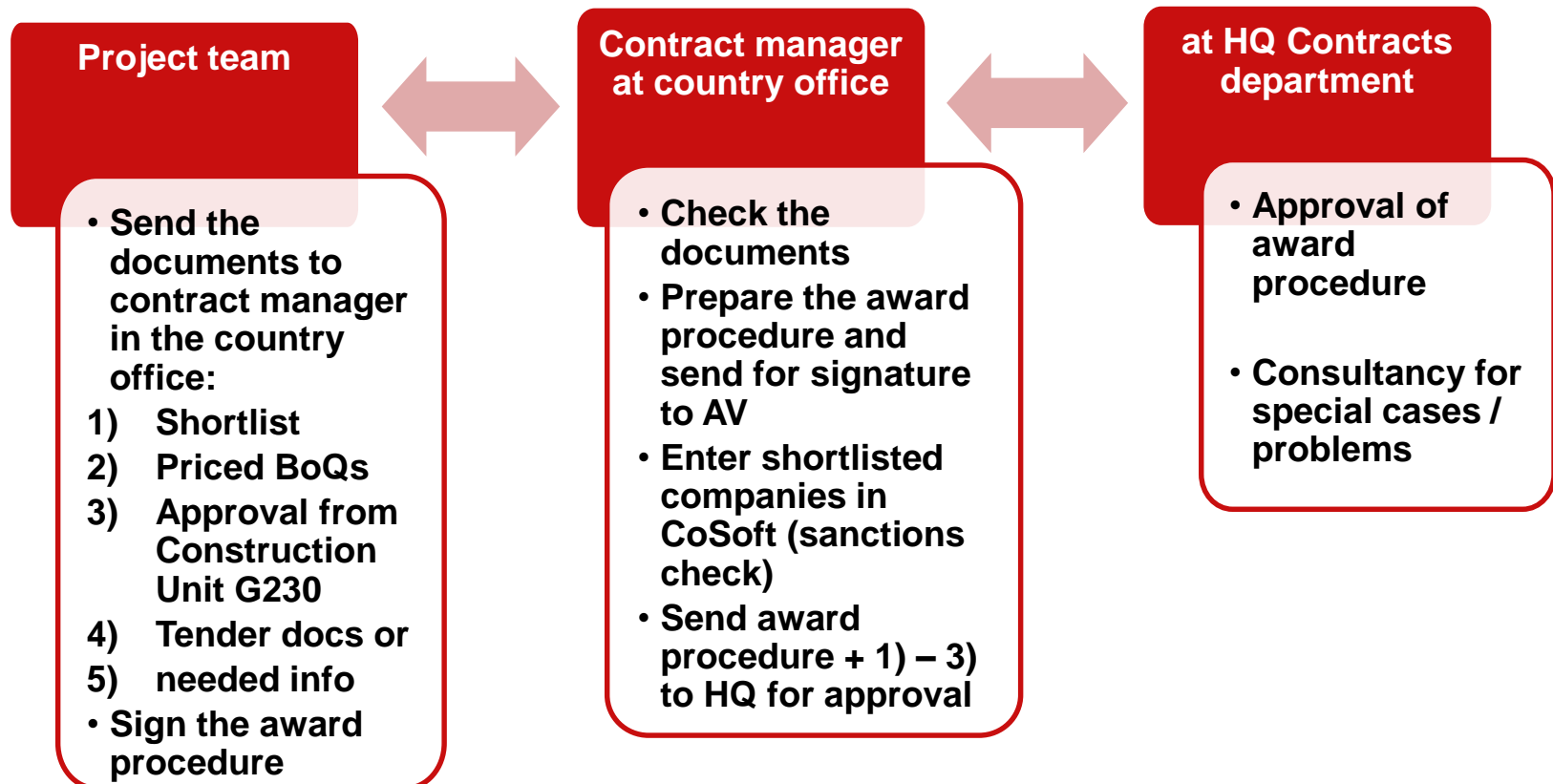
Step 2: Approval by Construction Unit

Why do we need it?

- Construction measures abroad using German public funds are sovereign tasks and need a permission of the German Federal Ministry of Environment and Construction (BMUB)
- GIZ has a special authorization by BMUB for independent construction measures abroad
- G230 holds due to the construction-specific know-how the mandatory and supervisory function in GIZ (Construction in International Cooperation, also called Construction Unit)



Step 3: Approval of award procedure by Contracts Department





Step 3: Approval of award procedure by Contracts Department

Einkauf und Verträge		giz
29. Jan. 2018 K. Zwarg		
Award procedure for local Construction Contract exceeding € 50.000,- A14		
Project number:	16.4049.9-004.00	Cosoft number: 83279853
Project name:	Support to Strengthening Resilience in North-East Nigeria	
Country:	Nigeria	
Construction works:	VTC Malan	
Lot 1:	1. Rehabilitation of gate and gate/security house. 2. Rehabilitation of carpentry and joinery workshop. 3. Demolition and construction of new general store. 4. Rehabilitation of electrical workshop. 5. Rehabilitation of Cabinet Maker's workshop. 6. Construction of new prototype modern VIP toilet (male/female). 7. Proposed construction of prototype 20'000 liters overhead tank and steel stand reticulation.	
Budget in local currency:	48'688'926.95 ✓	in € 134'381.92 ✓
Cost calculation in local currency:	44'282'960.88 ✓	in € 122'165.39 ✓
Proposal for type of procedure: (Explanations on page 2)		
1. Open procedure	<input type="checkbox"/>	
2. Restricted procedure with publication	<input type="checkbox"/>	
3. Restricted procedure	<input type="checkbox"/>	
4. Negotiated procedure (direct award with tender)	<input checked="" type="checkbox"/>	
5. Discretionary award (direct award)	<input type="checkbox"/>	
Reason for selected type of procedure as attachment:	<input type="checkbox"/>	
Deadline for submission of quotations:	30 calendar days ✓	
Shortlist		
Number of companies:	10 ✓	
Attachment: Shortlist Template with Justification	x	
Technical tender documents prepared by Dune Engineering Ltd, Abuja		
Further Annexes required:		
- Cost calculation as Bill of Quantity (BoQ)	x	
- Release approval for construction measures	x	
Signature project: (DRCC = AV, officer in charge)	Date: 29.1.2018	
Name in block letters: SARA BAW	Signature: [Signature]	
Approved by Procurement and Contracting Division	Date: 30. Jan. 2018	
Name in block letters: ZWARG	Signature: [Signature]	
The contract formats provided by OuR have to be used, exceptions has to be approved by Procurement and Contracting Division beforehand.		
January 2017		
A14 Award procedure for local construction contract		

**Approval needed if
design/construction costs are
over 50,000€
for one tender**



Step 3: Approval of award procedure by Contracts Department

Types of award procedures

- Open procedure: everyone can submit an offer, **no negotiations possible**
- Restricted procedure: restricted list of bidders, either identified by an Expression of interest or by the project, **no negotiations possible**
- Negotiated procedure (direct award with tender): restricted list of bidders, either identified by an Expression of interest or by the project, **negotiations possible**
- Direct award, **negotiations possible**



Step 3: Approval of award procedure by Contracts Department

Annex to award procedure – A13 Short list

SHORTLIST



Project number: 16.1800.8-001.00

Project: Strengthening Ukrainian Social Infrastructure for inclusion of IDPs

Country: Ukraine

CoSoft No.: 8324 979 1

Construction works: ADMIN CENTER OF SOC AID - KRYVYY ZILH

Company/ Bidder	Working experience 3 references comparable to the provided services	Economic capacity Contractor's turnover during the last 3 years comparable to the provided services	Personnel Quantity of workers, employed during 3 last years	Other address, contact details
1. Bogart Bud, LLC	1) Repair works of shower rooms at Nikopol Grain Company at 22 Elektrometalurhiv 2) Repair of office rooms and residential premises at DTEK PRMZ 3) Repair of study rooms and other residential premises at DTEK PRMZ	2014 – 6 922 200,00 UAH 2015 – 4 277 900,00 UAH 2016 – 6 974 600,00 UAH	18 persons - full time	49033, Dnipro, 122 Heroyiv Stalingrada Str Director Hordiyevych Bohdan Viktorovych 063 797 93 37, bogartstroi@meta.ua Construction License: АД 030903, as of Feb 24, 2012 State registration on Jul 04, 2008
2. Komplekt, Association	1) Reconstruction of the boarding house Sokil and Lisovyi (SE CB Pivdenne); 2) Reconstruction of a summer camp Zoryanyi (SE CB Pivdenne); 3) Reconstruction of communal educational objects in Dnipro (2015-2016, Dnipropetrovsk/Donetsk regions)	2014 – 14 654 600,00 UAH 2015 – 18 624 800,00 UAH 2016 – 10 436 900,00 UAH	20 full time employees + 59 persons under agreement	49000, Dnipro, 18-5 Plekhanova Str Director Kulikova Olha Yuriyivna (0676328776), Chief Engineer Keburiya Yefrem Ludukovych (067 637 03 07); 095 783 89 14 Contact phone (056)371-57-80 ass-kompl@ukr.net Construction License: reg.no. 2013023869 as of Dec 22, 2015 State registration on Jul 30, 1993

Mailing list: bogartstroi@meta.ua; ass-kompl@ukr.net

Date and signature of GIZ - personnel responsible for the shortlist:

07.03.16

Stand: September, 2017

Page 1

In case no Eol done:

Ideal are 5-8 companies with good references, sufficient turnover and enough personnel



Step 3: Approval of award procedure by Contracts Department

Annex to award procedure – priced Bill of Quantities (BoQ)

Pos./ No.	Position in the text. Description of the work. (All materials can be changed on similar)	Позиція у тексті. Опис роботи. (Всі матеріали можуть бути замінені на аналогічні)	quantity	unit	unit price, UAH	total amount, UAH
Field for mini football 44x27 / Поле для міні футболу 44x27						
1	Field for mini football with artificial grass carpet	Поле для мініфутболу з покриттям штучною травою	Total net			1.665.560,00
1,1	Excavation of soil	Вийняття ґрунту	520,00	m³	200,00	104.000,00
1,2	Compaction of soil and forming of slopes	Трамбування основи з формуванням ухилів	1188,00	m²	50,00	59.400,00
1,3	Installation of water-permeable membrane (geotextile Typar SF 40 or similar). 1-st layer	Укладання водопропінної мембрани (геотекстилю Турар SF 40 або аналогічного). 1-й шар	1377,00	m²	90,00	123.930,00
1,4	Installation of drainage pipes, diameter 110 mm. with turning by geotextile Typar SF 40 or similar	Прокладання дренажних труб діаметром 110 мм з обертанням геотекстилем Турар SF 40 або аналогічним	135,00	m	130,00	17.550,00
1,5	Laying of sewer pipes, diameter 160 mm. Connection of drainage pipes to the sewer pipe. Connection of drainage pipe to the existing storm-water drainage.	Прокладання каналізаційних труб діаметром 160 мм. Приєднання дренажних труб до каналізаційної. Підключення каналізаційної труби до існуючої ливневої каналізації.	40,00	m	205,00	8.200,00
1,11	Insert Brand and Type of artificial grass for Pos. 1.11:	Вставити марку та тип штучного покриття для позиції 1.11:				
1,11	Insert type and quantity of Infill for Pos. 1.11:	Вставити тип та кількість заповнення для позиції 1.11:				
2	Fencing	Огорожа	Total net			356.166,00
2,1	Installation fencing poles (type Pole Duos L5.0(2,03+2,03) 60x80x2,0 Zn with canopy Г-обр. L1.0 60x80x2.0 ППЛ RAL6005) with concreting	Встановлення стовпів забору (типу Стовб Дуос L5.0(2,03+2,03) 60x80x2,0 Zn з Навісом Г-обр. L1.0 60x80x2.0 ППЛ RAL6005) з бетонуванням	24,00	pcs/шт	2411,00	57.864,00
4,4	Installation of gates for mini football with cabling to a racks of fence with inox steel wire, with diameter 6 mm.	Встановлення воріт для мініфутболу із кріпленням до стійок огорожі за допомогою нержавіючих тросів, діаметром 6мм	2	pcs/шт	3710,00	7.420,00
1	Field for mini football with artificial grass carpet	Поле для мініфутболу з покриттям штучною травою	Total net			1.665.560,00
2	Fencing	Огорожа	Total net			356.166,00
3	Lighting	Освітлення	Total net			202.760,00
4	Landscaping	Опорядження	Total net			273.477,80
	The total cost of all works, without VAT, in UAH	Загальна вартість усіх робіт, без ПДВ грн.				2.497.963,80
	VAT 20%	20% НДС				499.592,76
	The total cost of all works, inc. VAT, in UAH	Загальна вартість усіх робіт, з ПДВ грн.				2.997.556,56

- No alternative prices,
- cost calculation for each position according to the market situation,
- with VAT if project not exempted,
- add summary if several BoQs and check the total sum



Step 3: Approval of award procedure by Contracts Department

Annex to award procedure – Justification

Justification for Award Procedure



Program: Improving the health care delivery system for IDP's, refugees and host communities in the Kurdistan Region of Iraq.

Project No.: 2016.1851.1-002.02

Process No.:

Construction: LOT 2, Duhok New Emergency Department Building
Earthwork, structural frame, building envelope. Kurdistan, Iraq

The tender using 'negotiated procedure' is requested for the following reasons:

- Due to the complexity of the works to be tendered only qualified companies – both technically and financially – are able to execute the work to the required quality and time. To ensure this demand a pre-qualification process has been completed and as a result only companies noted on the shortlist are deemed qualified to apply.
- Even if a company covering the expectations and need described above is selected and the BoQ offer is in accordance to our standards, technical clearance on details will be essential – automatically, this issue necessitates further clarifications / negotiations that may impact the offered prices and services.
- Taking this in consideration, the tender procedure has been selected to avoid such negative impact before the award takes place.

Paul Jakulis
DV LP002

**Do once for all
construction
tenders in this
project**



Step 3: Approval of award procedure by Contracts Department

12b

Assessment Grid for Technical Evaluation

Architects

Assessment criteria	Weighting in %	Points max.10	Assess- ment
1. Appropriateness of suggested concept and work plan (Description of the work concept) Proposed work concept for implementing the measures with explanation of the planning, work and coordination steps and naming of the persons probably involved; Technical backstopping (max. 2-4 pages)	35		
2. Project Team Informative curricula vitae of the staff or project partners and evidence of experience of comparable scopes of tasks Architect Engineer Technical backstopping Composition of the team	50		
3. Availability and local presence	15		
Total technical points	100		

The same procedure for
design works if costs are

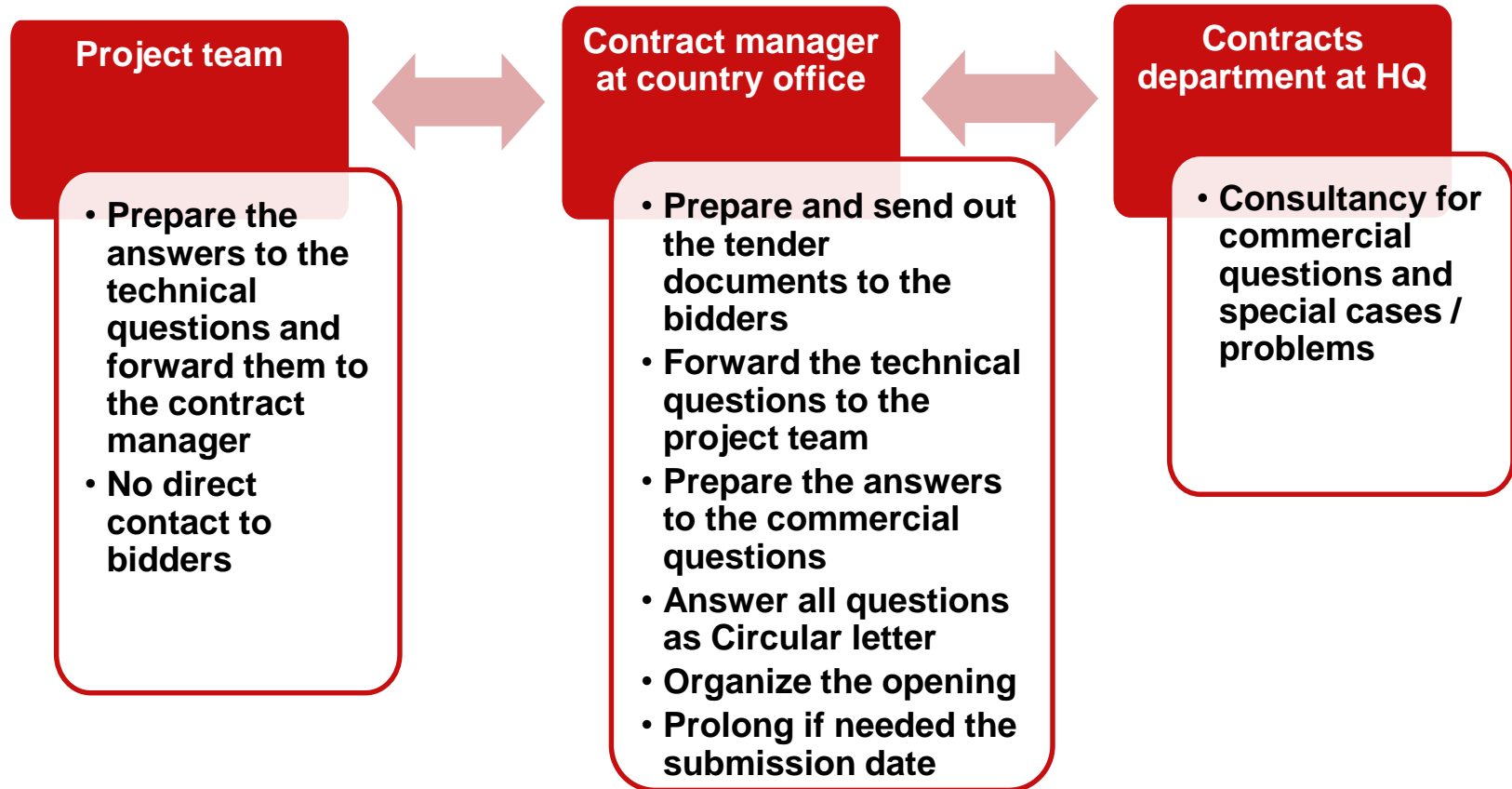
over 50.000€

for one tender

BUT:
Technical evaluation
scheme is needed (A12b or
A12a if no EoI done before)



Step 4: Tender





Step 4: Tender

- From neutral e-mail to all bidders as BCC or as single e-mails (because of junk problem), till 5 – 10 MB or file-transfer or pick-up at reception
- Invitation to tender (A1 form) to use, if needed ask for CD/USB with offer
- Annexes consisting of BoQ, technical documents (drawings, specifications, descriptions etc.) and commercial (A2/A3 Contract draft with annexes, A4 Tender conditions, A5 Letter of tender)
- All documents as PDF-files, exception long BoQ could be sent as Excel with locked cells, just unit prices are open
- Print out in contract folder (A29 Construction contract folder), electronic copy in DMS



Step 4: Tender

A1 Invitation to tender

giz

A1

Contractors name

Your reference: Telephone:
Our reference: Fax:

Project No.:
GIZ Ref. No.:
Submission/Opening Date:
DD: (day)
MM: (date)
JJ: (time)

Invitation to Tender for Contractors
(Construction Works)

1. Subject:
(Insert name of project)

Date: Sir or Madam,
The Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH, Dag-Hammarskjöld-Weg 1-5, D - 65760 Eschborn, Federal Republic of Germany, hereinafter referred to as "The Employer", intends to

(Insert brief description of construction works)

The execution of the Works will be performed within the frame of the Technical Cooperation between the Federal Republic of Germany and the
(Recipient's country).

A1 Invitation to Tender for Contractors.docx

Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH
Registered office
Eschborn, Germany
Dag-Hammarskjöld-Weg 1-5
65760 Eschborn, Germany
T +49 6301 20-1000
F +49 6301 20-1010
E info@giz.de
www.giz.de

Registered at
Amtsgericht Eschborn
Eschborn, Germany
Registration No. HRG 74194
Commercial Register (HRG 74194)
Dag-Hammarskjöld-Weg 1-5
65760 Eschborn, Germany
Registration No. HRG 12284
HRG No. 12 12284/14
Tax No. 12 12284/14
Tax No. 12 12284/14

Chairman of the Supervisory Board
Dr. Friedrich Mitzel, Chair Secretary

Managing Director
Sven Stamer, Chairman
Dr. Christoph Beier, Chair/Member
Dr. Ingrid Isenhardt, Chair
Gerrit von Knoritz

Chairman of the Board of Directors
Sven Stamer, Chairman and CEO
Chairman of the Board of Directors
Dr. Ingrid Isenhardt, Chair
Sven Stamer, Chair/Member
Dr. Ingrid Isenhardt, Chair

Important:

- Make clear what documents need to be submitted (point 5)
- Add site visits if necessary (e.g. for renovation works)
- For short term tenders with few bidders please control if all of them confirmed that they will submit (e.g. 3 days after start)



Step 4: Tender

Annex to tender - A2 or A3 Contract

Construction Contract on Measurement Basis

The

Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH
 Dag Hammarskjöld-Weg 1 - 5
 D-65760 Eschborn
 Federal Republic of Germany

hereinafter referred to as the
 "Employer"

and

hereinafter referred to as the
 "Contractor"

hereby enter into the following Contract
 for the Project

Country

For correspondence (Please quote all correspondence and invoices)
 Contract No. (Cosoft No.)
 Project Processing No.
 Date

A2 Construction Contract on Measurement Basis.docx

giz Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH

A2

Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH
 Registered office:
 Bonn am Markt, Germany
 Harenberg-Platz 10-11
 D-53111 Bonn, Germany
 T +49 228 18 10-0
 F +49 228 18 10 10 00
 E giz@giz.de
 www.giz.de

Registered at:
 Amtsgericht Bonn
 HRB 16766
 Registering office: HRB 16766
 Commercial Register
 Federal Tax Authority
 Registration no. HRB 16766
 VAT no. DE 256 130513
 Tax no. DE 256 130513

Director of the Supervisory Board:
 Dr. Rüdiger Ehrenfeld, Bonn, Germany

Management Board:
 Prof. Dr. Rüdiger Ehrenfeld
 Dr. Christof Hees
 Dr. Hans-Joachim Freund
 Gerd-Jürgen Korte

Commercial AG: Provision on their
 Bank notes: 100 000 000
 Annual fee: 10 000 000
 N° of shares: 100000000
 N° of shares held: 100 000 000

A2 Construction Contract on Measurement Basis.docx

Construction Contract on Lump sum Basis

giz Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH

hs

The

Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH
 Dag Hammarskjöld-Weg 1 - 5
 D-65760 Eschborn
 Federal Republic of Germany

hereinafter referred to as the
 "Employer"

and

hereinafter referred to as the
 "Contractor"

hereby enter into the following Contract
 for the Project

Country

For correspondence (Please quote all correspondence and invoices)
 Contract No. (Cosoft No.)
 Project Processing No.
 Date

A3 Construction Contract Works on Lump sum Basis.docx

A2 as standard.

A3 if BoQ has 10-20 positions and no amendment needed.

A23 contract for architects



Step 4: Tender

Annex to tender - A4 Tender conditions



TENDER CONDITIONS FOR CONTRACTORS

1. GENERAL

1.1 The Tender must comply with the following conditions and instructions. Failure to do so is liable to result in the rejection of the Tender.

1.2 "Tenderer" means any person or persons, partnership, firm or company being prequalified and submitting fully priced Bill of Quantities in accordance with the Tender.

1.3 All recipients of the Tender Documents shall, whether they submit a Tender or not, treat the details of these documents as confidential.

2. TENDER DOCUMENTS

2.1 The Tender ~~must be submitted~~ on the forms provided in the Tender Documents duly completed in ink or in print. The Bill of Quantities must be fully priced, itemised, checked arithmetically, and the grand total must ~~be accompanied~~ with the sum entered in the Letter of Tender. Tender and Contract Documents must be kept intact.

The Tender Documents and accompanying documents shall be signed by the Tenderer or his legally authorized representative and be returned to the address according to the "Invitation to Tender for Contractors".

2.2 The Tender ~~must be accompanied by~~:

(a) Letter of Tender, together with the Bill of Quantities, fully priced and summarized. Any missing document may result in the rejection of the Tender.

2.3 Prices ~~must be quoted~~ for all items in the Bill of Quantities, where applicable, or a clear indication must be given that the values of the Works described under items left unpriced are allowed for elsewhere.

3. EXAMINATION OF SITE

3.1 Tenderers shall visit the site of the Works only by prior approval of the Employer and obtain for themselves all information that may be necessary for completing their Tenders and for entering into a contract with the Employer. Tenderers shall acquaint themselves with the requirements of the contract, e.g., characteristics of the site and its surroundings, hydrological and climatic conditions.

In particular, Tenderers shall acquaint themselves with the conditions of

- **Modifications of BoQ**
- **Unit prices without VAT**
- **Ambiguities**
- **Prohibited agreements**
- **Joint venture declaration**
- **Opening**



Step 4: Tender

Annex to tender – A5 Letter of tender

A 5

Letter of Tender
Contractors name or Name and Address

Project No. : [redacted]
Contract No. : [redacted]
Project Title : [redacted]
Contractor : [redacted]

To: DEUTSCHE GESELLSCHAFT FÜR INTERNATIONALE ZUSAMMENARBEIT (GIZ) GMBH
Dog-Hammersjödd-Weg 1 - 8
D - 65760 Eschborn
Federal Republic of Germany

or: [redacted]
(Name and address of GIZ Office or)

Dear Sir or Madam,

1. Having examined the Conditions of Contract, Drawings, Specifications, Bill of Materials, any circular letters and all other documents received with the Invitation to Tender for the execution of the Works in connection with the above named Project, we, the undersigned offer to execute and complete such Works and remedy any faults and defects therein in conformity with the conditions spelled out in the attached documents for the sum of [redacted] (Currency) (in words [redacted])

plus such other sums as may be ascertained in accordance with the said conditions.

2. We acknowledge that the format of the Construction Contract forms part of our Tender.

3. We undertake, if our Tender is accepted, to commence the Works within the time required in the contract conditions, and to complete the whole of the Works comprised in the contract within the time stated in the Contract Conditions.

4. We agree to abide by this Tender for the period of [redacted] calendar-days from the submission/opening date stated in the Invitation to Tender and it shall remain binding upon us and may be accepted at any time before the expiration of that period.

A5 Letter of Tender.doc

- Please add the tender details and days in clause 4, should correspond to clause 6 in A1 Invitation.
- Should be signed by bidders



Step 4: Tender

Annexes to tender – A6-A8 Bank guarantees

A 6

Advance Payment Guarantee

Employer/Beneficiary: Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH, Dag-Hammarskjöld-Weg 1-5, D-65760 Eschborn, Germany

Contractor:

Contract Date:

Contract No.:

Project No.:

Scope of works:

Advance payment pursuant to the contract: (Currency)

We hereby undertake vis-à-vis the Employer to guarantee independently repayment of the advance payment stipulated above, including any incidental claims, up to the amount of (Currency) (in words:

Explicitly waiving all objections and defences, we undertake to render said payment upon receipt of the Beneficiary's first written demand, provided that the latter states that the Contractor has failed to observe all or part of his contractual obligations.

This guarantee shall become effective with the first advance payment made by the Employer and shall expire when the advance payment has been repaid in full.

The Employer shall return this guarantee to us as soon as its validity expires.

This guarantee shall be governed by the law of the Federal Republic of Germany. The place of jurisdiction for all disputes arising from this guarantee shall be Frankfurt/Main, Germany.

.....
(Signature of the guarantor)

A6 Advance Payment Guarantee.doc

A 7

Defects Liability Guarantee

Employer/Beneficiary: Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH, Dag-Hammarskjöld-Weg 1-5, D-65760 Eschborn, Germany

Contractor:

Contract Date:

Contract No.:

Project No.:

Scope of works:

Contract price: (Currency)

We hereby undertake to grant the Employer an independent guarantee for the warranty claims to which he is entitled vis-à-vis the Contractor pursuant to the afore-mentioned contract, including any incidental claims, up to the amount of (Currency) (in words:

Explicitly waiving all objections and defences, we undertake to render said payment upon receipt of the Beneficiary's first written demand, provided that the latter states that the Consultant* has failed to observe all or part of his contractual obligations.

This guarantee shall become effective upon the date of issue of the Taking-Over Certificate and shall expire upon the end of the Defects Liability Period.

The Employer shall return this guarantee to us as soon as its validity expires.

This guarantee shall be governed by the law of the Federal Republic of Germany. The place of jurisdiction for all disputes arising from this guarantee shall be Frankfurt/Main, Germany.

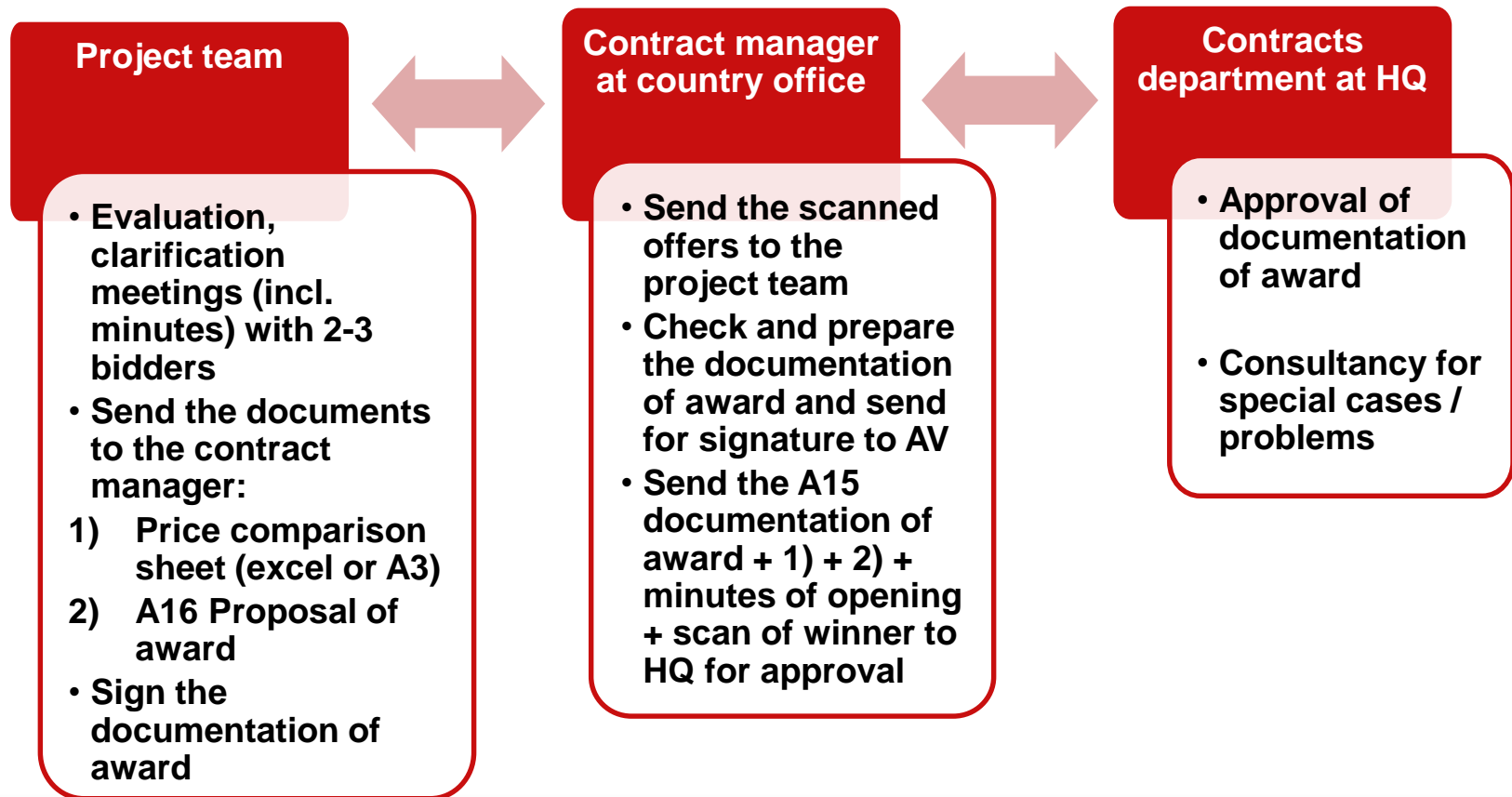
.....
(Signature of the guarantor)

A7 Defects Liability Guaranteee.DOC

- Are required only if bidder needs pre-payment or does not want to have retentions from his invoices
- At the tender stage the letter of intent is enough from the bank, the official bank guarantee needed when signing the contract



Step 5: Approval of documentation of award by Contracts Department





Step 5: Approval of documentation of award by Contracts Department

A15 Documentation of award

Einkauf und Verträge
11. Dez. 2017
K. Zwarg

giz

Documentation of award for local Construction Contract exceeding € 50,000,- A15

Project number: 15.1600.9-001.00 Cosoft number: 83264322
Project name: Strengthening Ukrainian Social Infrastructure for Inclusion of IDPs
Country: Ukraine
Construction works: Refurbishment of a KOGa 43 in Kamyaniske (DNP-124)
Budget in local currency: 23 033 302,60 UAH in € 723 637,85
Cost calculation in local currency: 20 938 448,00 UAH in € 548 210,49
20.12.17 142.73 in submittal procedure, complete list in proposal sheet

No.	Description	Date	Attachments mandatory
1.	Approval of Shortlist and award procedure by:	18.08.2017 ✓	
	Name:	Zwarg/Dietroder/Zebe	
2.	Number of companies, which have been invited to submit offers:	10 ✓	
3.	Distribution of bidding documents on	22.08.2017	
4.	Opening protocol	12.09.2017 ✓	Signed minutes of tender opening <input checked="" type="checkbox"/>
	Number of received offers:	4	
5.	Technical and Financial Evaluation / Proposal of Award		- Price comparison list <input checked="" type="checkbox"/> - Proposal of award <input checked="" type="checkbox"/> - Scan of quotation of proposed bidder <input checked="" type="checkbox"/>
6.	Miscellaneous	Cost Calculation has been stamped during Evaluation (see: Positions 1, 2, 10 and 8, 2000) were checked. The Contract list in award Cost Calculation is 2,73%.	

We propose to award the following contractor: **Business Stroy Company LLC** ✓
Contract amount in (local currency): 21 519 128,40 UAH ✓ in € 670 064,35 ✓

Signature project: (ORCC = AV, officer in charge) Date: 11.12.2017
Name in block letters: B. SCHWABER Signature:

Approved by Procurement and Contracting Division Date: 11.12.2017
Name in block letters: ZWARG/DIETRODER/ Signature:

Together with this approval of award it is affirmed that the contract can be signed locally by the GIZ Office (delegation of signature)

(This documentation of award has to be submitted to the GIZ Office in charge together with the finalized contract document)
Form should fit on one page!

83264322_A15 Documentation of award

- The tender details should correspond to award procedure (changed should be documented in A16 Proposal of award)
- All 4 annexes are required for approval
- Not needed for architects' contracts



Step 5: Approval of documentation of award by Contracts Department

Annex to documentation of award – A18 Minutes of tender opening

GIZ Office: 41, Velyka Vasylkivska str 2 Kyiv

Minutes of Tender Opening

A18 **giz**

Project Data: Project No: 18.1800-B-001.00 Opening Date: 12.09.2017
 CoSult No: 8328422 Location: GIZ, Country Office, Kyiv
 Project name: Rebruchennia of a KIGa 43 in Kamjanske [2014-124] Date: 12.09.2017
 Construction works: Opening of opening procedure: 13:20

No.	Invited Contractor	Tender	Letter of	Letter of Tender	Tender	Total Amount, VAT included	
		Delivered	Tender dated	signed	Complete	UUA	EUR
		YES / NO	advisory	YES / NO	YES / NO		
1	CO Energyservice LLC	NO	-	-	-		
2	Dinara LLC	NO	-	-	-		
3	Sana LLC	NO	-	-	-		
4	DSB (DripaService) LLC	YES	11.09.2017	YES	YES	25,559,636.00	839,672.67
5	Chilprospet EC *	YES	11.09.2017	YES	YES	40,725,952.56	1,387,909.09
6	Olina LLC	NO	-	-	-		
7	Europevchi Tekhnolohi i Budivnytvi TR LLC	NO	-	-	-		
8	Air Trade LLC	YES	no date	YES	YES	21,489,079.24	705,948.73
9	Aviga LLC	NO	-	-	-		
10	Biznes Srovy Company (PSC) LLC	YES	18.09.2017	YES	YES	21,932,415.84	720,513.93

COMMISSION
 Chairman: *[Signature]*
 Deputy Country Director: *[Signature]*
 Members:
 Alyona Alekseyevna: Head of CBP *[Signature]*
 Anna Tishchenko: CM *[Signature]*
 Tatyana Lushchenko: Recorder *[Signature]*

Remarks: *TELUN(<http://ec.europe.eu>) 30,91 UAH

A18 Minutes of tender Opening

- Opening to be organized by contract manager, but done with 2 neutral persons (no project members) prompt after the deadline
- Check also the seals and dates on envelopes
- Fill in hand-written
- Offers should be kept under lock before and after



Step 5: Approval of documentation of award by Contracts Department

Annex to documentation of award – Price comparison sheet

Project: Irum
Loc: Roof, facade, windows external doors



Міністерство соціальної політики України
Міністерство громадських зв'язків з територіями

Реконструкція корпусу №5 психоневрологічного інтернату по ул. Лесня, 1 в селі Осноп, Ізюмського району, Харківської області

Scope of work	Сфера роботи	Quantity, units	Unit price, UAH	Total price, UAH
Foundation	Фундаменти			
1_1114 Earth work in foundation excavation	Земельні роботи: викопувати розробку: розкопати фундамент, замістити його	750	U\$ 80,00	60.000,00
1_1120 Concrete bases for foundation	Бетонні основи під фундамент	18	U\$ 1.900,00	34.200,00
1_1129 Concrete foundation including rafters	Бетонний фундамент (включаючи стропила)	100	U\$ 4.900,00	490.000,00
1_1144 Reinforcement	Забезпечення арматурою	650	U\$ 30,00	19.500,00
1_1150 Reinforcement of reinforcement	Забезпечення арматурою (в) забирки	340	U\$ 47,50,00	16.150,00
1_1159 Reinforcement of reinforcement	Забезпечення арматурою (в) підлоги	100	U\$ 540,00	54.000,00
1_1160 Foundation	Фундаменти			1.196.400,00
Installation of walls	Встановлення стін			
1_2010 Installation of concrete columns	Встановлення бетонних колон	20	U\$ 2.000,00	40.000,00
1_2020 Installation of concrete masonry walling	Встановлення бетонної цегляної стіни	200	U\$ 3.700,00	740.000,00
1_2030 Installation of concrete masonry walling on top of the wall	Встановлення бетонної цегляної стіни над стеною	28	U\$ 4.814,29	134.799,99
1_2040 Installation of masonry	Встановлення стін			2.184.000,00
Installation of roof	Встановлення даху			
1_3010 Installation of metal roof structure, including rafters and purlins	Встановлення металевих стропил і крокв	22	U\$ 47.000,00	1.034.000,00
1_3020 Installation of roof frame (including masonry) sheet in 100-500, 0,7 mm	Встановлення каркасу даху (включаючи цегляні листи в 100-500, 0,7 мм)	440	U\$ 442,00	194.480,00
1_3030 Thermal insulation of roof by "sand" (including masonry) sheet in 100-500, 0,7 mm	Термоізоляція даху "пісок" (включаючи цегляні листи в 100-500, 0,7 мм)	110	U\$ 4.847,00	533.170,00
1_3040 Installation of roof frame (including masonry) sheet in 100-500, 0,7 mm	Встановлення каркасу даху (включаючи цегляні листи в 100-500, 0,7 мм)	440	U\$ 233,00	102.520,00
1_3050 Installation of roof frame (including masonry) sheet in 100-500, 0,7 mm	Встановлення каркасу даху (включаючи цегляні листи в 100-500, 0,7 мм)	87	U\$ 338,00	29.406,00
1_3060 Installation of concrete masonry walling	Встановлення бетонної цегляної стіни	20	U\$ 210,00	4.200,00
1_3070 Installation of concrete masonry walling	Встановлення бетонної цегляної стіни	88	U\$ 888,00	78.144,00
1_3080 Installation of concrete masonry walling	Встановлення бетонної цегляної стіни	3	U\$ 1.500,00	4.500,00
1_3090 Installation of roof	Встановлення даху			2.186.280,00


Details			Bidding List			Direct Service List		
Unit price	Total price	%	Unit price	Total price	%	Unit price	Total price	%
1.000,00	119.250,00	1.00%	2.57,00	155.415,00	100%	550,00	211.540,00	49%
1.000,00	33.800,00	1.0%	2.318,00	24.088,00	100%	1.462,00	24.872,00	64%
1.000,00	400.000,00	10%	6.308,00	1.048.000,00	100%	4.838,00	3.048.000,00	100%
1.000,00	48.150,00	1.0%	32,00	21.100,00	31%	1.482,00	97.500,00	100%
1.000,00	70.000,00	4%	170,00	79.800,00	100%	281,00	90.300,00	100%
1.000,00	14.000,00	1%	150,00	22.050,00	49%	305,00	55.550,00	100%
	381.400,00	7.1%		1.444.010,00	100%		1.887.410,00	100%
1.000,00	29.070,00	1.0%	2.270,00	27.400,00	100%	2.020,00	76.700,00	100%
1.000,00	77.900,00	2%	2.000,00	60.600,00	100%	2.710,00	75.240,00	100%
1.000,00	101.200,00	2%	7.180,00	179.800,00	100%	4.834,00	148.879,00	100%
	328.197,00	6.3%		343.190,00	1.0%		408.400,00	1.0%
	25.000,00	0.05%	42.47,00	976.075,00	49%	40.000,00	1.174.200,00	100%
	800,00	0.00%	4.98,00	287.800,00	64%	800,00	418.600,00	100%
	1.000,00	0.00%	4.428,00	483.000,00	63%	4.800,00	428.000,00	100%
	800,00	0.00%	3.47,00	188.900,00	100%	420,00	227.000,00	100%
	440,00	0.00%	4.80,00	18.800,00	100%	4.800,00	188.800,00	100%
	300,00	0.00%	2.81,00	6.040,00	100%	452,00	12.090,00	100%
	180,00	0.00%	3.88,00	38.020,00	100%	700,00	70.880,00	100%
	1.000,00	0.00%	5.41,00	1.053,00	100%	24.000,00	72.000,00	100%
	1.187.230,00	100%		1.858.684,00	100%		2.486.018,00	100%

- For all bidders and all positions, % deviation to cost calculation
- In Excel



Step 5: Approval of documentation of award by Contracts Department

Annex to documentation of award – A16 Proposal of award



Tender No: 82258459 Award recommendation KHA-021/LOT3

Evaluation of offers Structural engineering / Recommendations transfer order

Project: PN16.1920.8 - 001.00
 Object: Reconstruction of building No.5 of internet in Oskil, KHA-021/L0T3
 Address: 1 Likov Street, Oskil/Kharkiv's region

Evaluation method

1. On the services was declared:

- Open procedure
- Restricted procedure with publication
- Restricted procedam
- Negotiated procedure (direct award with tender)
- Direct award

2. Tender documentation was sent to 10 shortlisted companies

Two companies Buzhehik, LLC and CO Kyivgradsovciv, LLC withdraw from tender participation 8 companies has vested site:

1. Alii ABT, PE
2. Umrshchub, LLC
3. Dobrobus, LLC
4. Bogart Blvd, LLC
5. Kosa, LLC
6. Spetsvolnolochalays, LLC
7. Dniprosovschub, LLC
8. Demphs, PE

Four companies participated in the tender:

1. Bogart Blvd, LLC
2. Demphs, PE
3. Dniprosovschub, LLC
4. Dobrobus, LLC

Results and ranking by price after tender opening on the 22. June 2017, Prices in UAH and including VAT

1	Demphs, PE	Kharkiv	9 275 913,60
2	Dobrobus, LLC	Kharkiv	19 807 660,28
3	Dniprosovschub, LLC	Dnipro	13 539 245,80
4	Bogart Blvd, LLC	Dnipro	12 400 982,40

The 3 best ranked companies were invited for clarification meeting and for further price comparison:

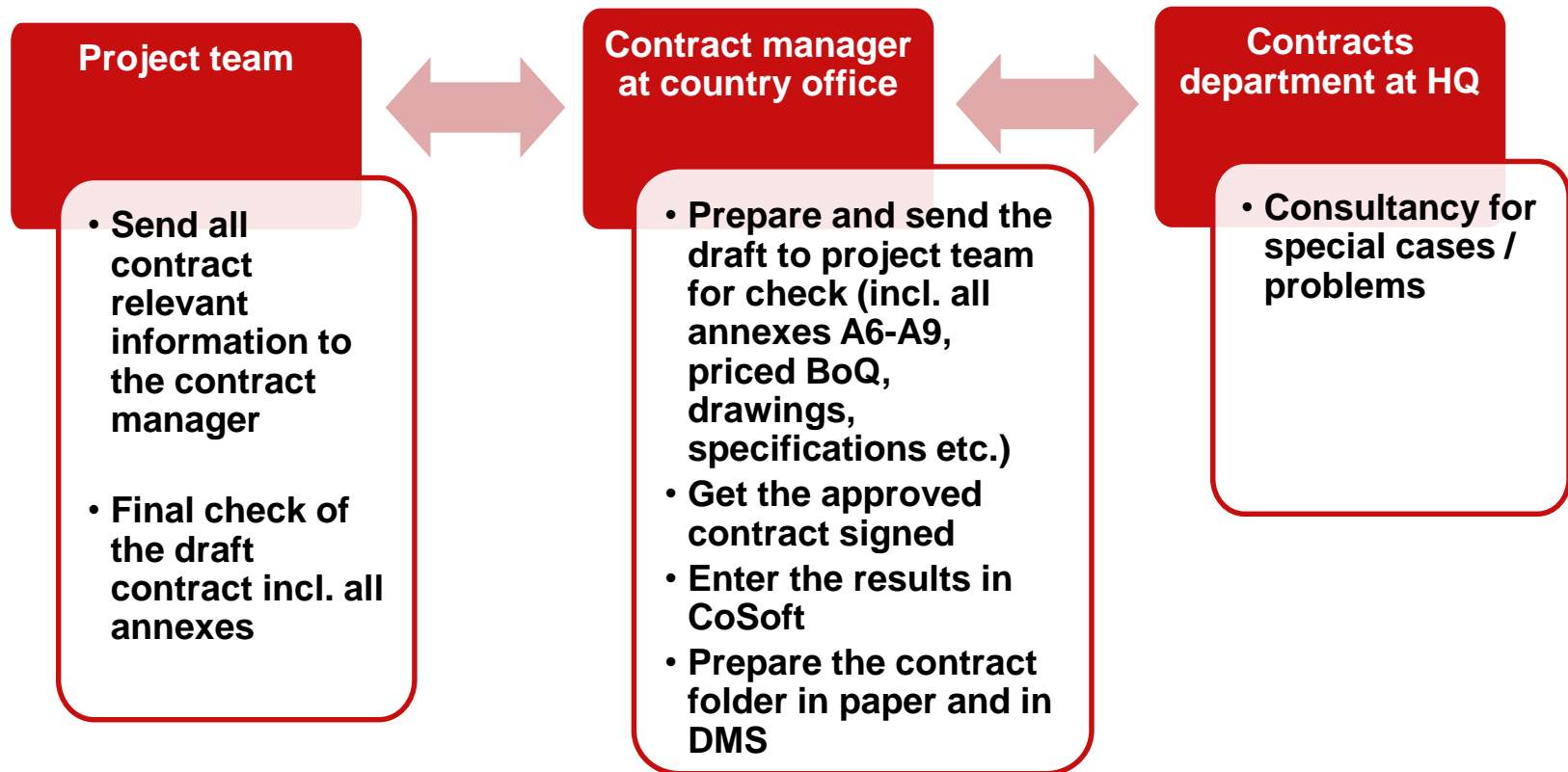
1. Bogart Blvd, LLC
2. Demphs, PE
3. Dniprosovschub, LLC

- The format is not obligatory to use, architects could add their logo, but all questions should be answered
- Normally the cheapest bidder gets an award (100% price, not 70 technical and 30% like in consulting), technical evaluation is “yes / no”.
- If bidders are excluded exact reasons should be specified

Handwritten signature



Step 6: Signing the contract





Step 6: Signing the contract

A28 Construction contract folder

A28 giz Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH

Construction Contracts Folder Content

THIS

Box Files: 1 2 3 4 5 6

1 Further Documents
Work Order MOU Other Basic Documents

2 Tendering / Submission

2.1 Preparation
Shortlist Award Procedure Cost Calculation / BoQ Technical Approval (A.doc)

2.2 Tendering
Invitation to tender Invitation send / feedback of company Circular letters

2.3 Submission
Other Minutes of bid opening Technical evaluation Financial evaluation Bidder meeting Technical Approval (A.doc) Proposal Document of Award Tender Result Letter

3 Contracting

3.1 Company Detail
3.2 Main Contract
3.3 Site Handover
3.4 Amendments 1st 2nd 3rd 4th 5th
3.5 Taking Over - & Handing Over Certificate (incl. M&A approval)
3.6 Defect Liability Period

4 Invoices
1-I 2-I 3-I 4-I 5-I 6-I 7-I 8-I 9-I 10-I
FI RI

5 Drawings
Main contract Update (amendments)

6 Time Schedule
Main contract Update (amendments)

7 Site Diary

8 Report (M&A doc.) progress / final report proof of consv. expense

9 Handover of Project
10 Overview (overall project status)

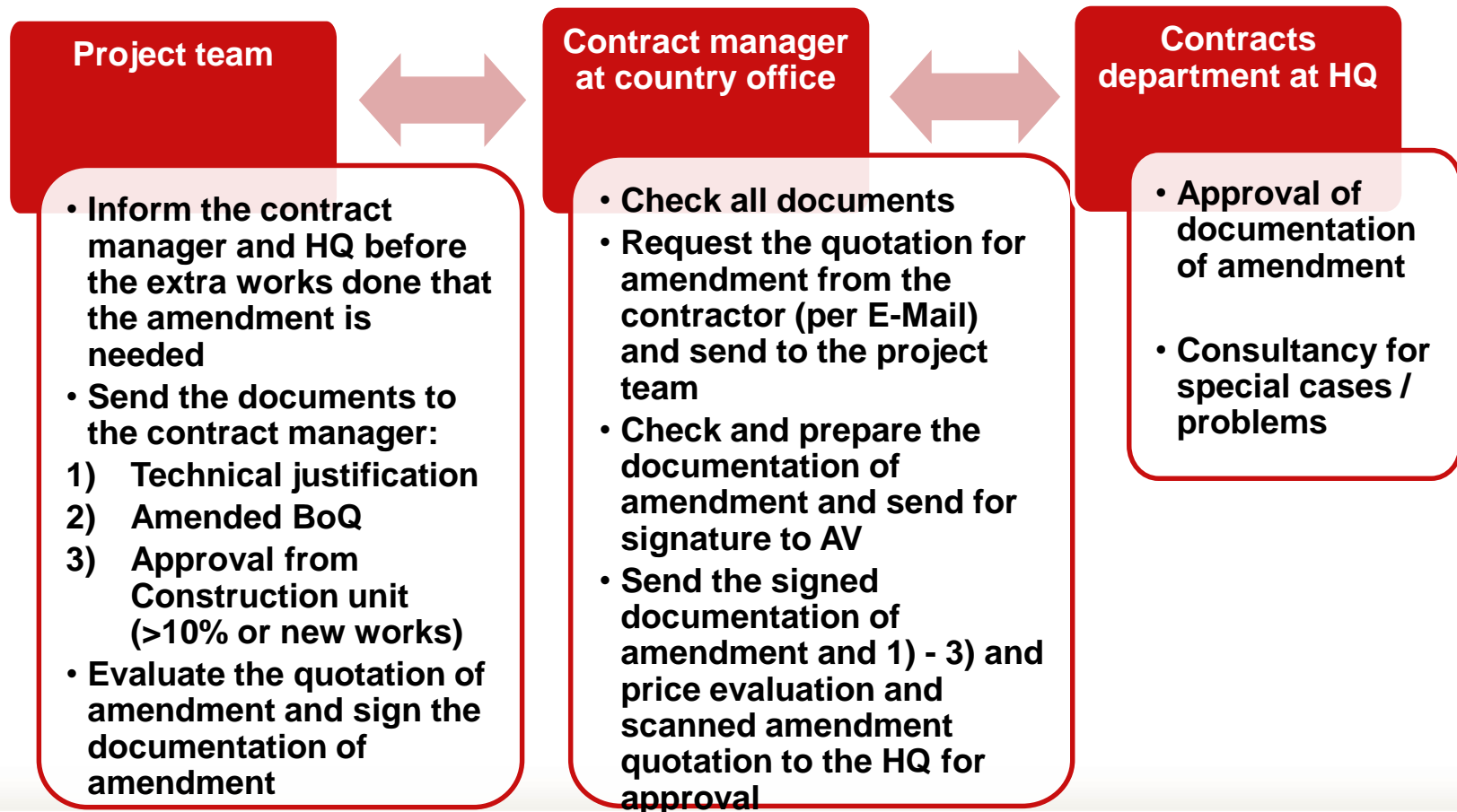
Further
Box Files: 1 2 3 4 5 6

A28 Construction contract Folder.docx page 1 of 1

- Not obligatory, the recommendation
- Not all documents exists in each project



Step 7: Approval of Contract Amendment





Step 7: Approval of Contract Amendment

A17 Documentation of amendment

Einkauf und Verträge
05. April 2018
K. Zwarg

giz

Documentation of 1st amendment for local Construction Contract exceeding € 50.000,- A17

DIRECT AWARD

Project number: 18.1851.1-002.000? Cosoft number: 83260375
Project name: Improving the health care delivery System for IDPs, refugees and local communities in the Kurdistan Region of Iraq
Country: Iraq

Construction works: 2. Abadi Teaching Hospital, Dohok, New Emergency Department
Building, earthwork, structural frame, building envelope, Kurdistan, Iraq

Budget in local currency: \$ 3.839.064,88 In € 3.280.031,30
Approved contract amount in local currency: \$ 2.359.504,82 In € 1.877.169,95
Including all approved amendments

No.	Description	Date	Attachments mandatory
1.	Approval of initial award and if applicable amendments by:	15.01.2018	- Scan of Documentation of award and if applicable of amendments <input checked="" type="checkbox"/>
	Name: Zwarg, Ahle, Siep, Gohardt		- Technical justification <input checked="" type="checkbox"/>
2.	Technical and financial explanation <small>e.g. why new quantities or new construction works are needed, do the prices correspond to original contract or if new to market prices</small>		- Financial evaluation <input checked="" type="checkbox"/>
			- Scan of quotation for amendment <input checked="" type="checkbox"/>
			- Amendment approved by Construction unit <input checked="" type="checkbox"/>
3.	Miscellaneous		

We propose to amend the contract with: **Tovl Company**

1st Amendment amount in local currency: \$ 129.296,80 In € 104.286,43
Total contract amount in local currency: \$ 2.488.801,42 In € 2.007.482,03

Signature project (ORCC = AV, officer in charge) Date: 05.04.2018
Name in block letters: *Aut. Thiel* Signature: *[Signature]*

Approved by Procurement and Contracting Division Date: 05. April 2018
Name in block letters: *ZWARG* Signature: *[Signature]*

Together with the approval of award it is affirmed that the contract can be signed locally by the GIZ Office (delegation of signature)

(This documentation of award has to be submitted to the GIZ Office in charge together with the finalized contract document)
Form should fit on one page!

Needed if:

- single amendment over 50,000€
- sum of two or more amendments over 50,000€
- contract + amendment over 50,000€

Important:

- All 5 annexes are required for approval
- Also needed for architects' contracts



The following principles apply to all procurement by GIZ:

- Economic efficiency and suitability
- Competition
- Equal treatment of tenderers
- Transparency
- Social and environmental compatibility





Time schedule

Activity	weeks
Enter into a contract with an architect	3-4
Planning and preparing BoQ	6-8
Step 1: Expression of interest for construction	2-3
Step 2: Approval by Construction Unit	1-2
Step 3: Approval of award procedure by Contracts Department	1
Step 4: Tender	2-6
Evaluation and negotiations (if needed)	1-4
Step 5: Approval of documentation of award by Contracts Department	1
Step 6: Signing the contract	1-2
	Total 18-33
Step 7: Contract amendment	2-4