**Date: 7th/06/2021**

**TERMS OF REFERENCE (TOR).**

**Number of task days: 60 working days**

**Project: Construction Of One Classroom In Rumbek Central, Jairic Village, Mayom Boma .**

**Background and justification.**

With the funding from PMU interlife for project number 29622021 Class Room construction in Rumbek. Pentecostal Church Development and Relief Agency (PCDRA) is implementing this project using the organizational constructor who will carry out the construction work entirely but PCDRA is Looking forward to work with suppliers to complete its procurement of the different materials required in the construction work.

The supplier will carry out the procurement of generals materials for the constructions work as according to the **Bill of Quantity (BOQ)**  including local materials and transportation cost involved. All materials supplied should meet standards in terms of quality, types, model/commercial specification, quantities among others as clearly specified in the tender.

**Scope of work (SOW).**

Under the guidance of the procurement committee and the constructor (technical personal) on site, the procurement and supply of the materials must be done in a satisfactory manner using the Guidelines for procurement and purchase of goods and services for development and humanitarian projects in **Annex 5.7 a and PCDRA procurement policy** in regards to principles, process, documentation, awards and others involved in the procurement, supply and management of the supplies and logistic. While determining the different suppliers.

All constructions work involving technical expertise such as the excavation of soil, at preliminary stage, 30% labour cost at all stages of construction (foundation, wall construction, roofing and others) shall be handled by the constructor under clear TORs duly signed, agreements for service and clear supervision of hired labor.

**Specific Objectives.**

To ensure that good business practice is observed when procuring goods and services to enhance an efficient use of resources and counteract corruption during the process of procurement.

**Roles of the supplier/client.**

Client will have to provide the materials and complete every details of work described in the contract/purchase order (PO) and other contractual documents such as the TOR, tender among others. All material supplies, tools and equipment required to the work in accordance with the specifications and terms of contract/purchase order (PO). The supplier will procure the general materials and transportation of all, determined when, where and how the order is to be delivered, responsible for insurance of the goods, When the materials arrive at the agreed destination, it is important to ensure that the goods are checked and correspond to the accompanying delivery notes, waybill and pro forma invoice. Any damage or defects will be noted and a complaint will be made to the supplier immediately for change of the defect materials/service.

However PCDRA shall exclude a supplier from participating in a procurement under the following circumstances:

1. If the tenderer is unable to pay its debts or if its business is subject to liquidation or bankruptcy, has entered into debt-reduction agreements with creditors, cancelled payments or is subject to similar circumstances as the result of similar rulings under national laws or regulations.
2. If the tenderer has not fulfilled its commitments with respect to payment of taxes and/or social security contributions in the country in which the supplier is established, or in the country where the supplier is supposed to perform services or deliver goods according to the contract.
3. The tenderer, or its agent, or other persons with the right to represent the tenderer, or in the leading position of the tenderer, has been convicted of for any crime relating to the profession or a serious professional misconduct, fraud, for corruption (according to PCDRA’s definition of corruption, see PCDRA and Donor’s anti-corruption policy), for active cooperation within a criminal organization, for money laundering or for any other criminal activity (such as child labour, breaching of basic social rights and working conditions based on international labour standards and financing of terrorism) that can be interpreted to contravene and/or being contradictory to the tender.

Tenderers shall certify in writing that the above grounds of exclusion do not exist, while submitting a tender.

PCDRA cannot award a contract to tenderers if during the purchasing process it is discovered, that:

1. The tenderer's impartiality can be questioned
2. The tenderer has provided false or misleading information requested by the PCDRA as a condition for being able to participate in the bidding and procurement process, or if the tenderer has failed to provide such information

**Payment schedules:**

All payments to suppliers will be done by Cheque or transfer within 15 days of delivery with complete documentation received, Duly approved and signed by the constructor and the procurement committee for payment to proceed.

In case of a supplier whose contract runs for more than one month provision for installment payment terms will be included in the contract/ purchase order during award by the procurement committee.

**Location and Duration:**

The project implementation station is in Jairic village, Mayom payam, Rumbek central county lakes state meaning all supplies delivery duty paid to the location. Local material mobilization will be done in Rumbek county so supplier must be able to supply both local materials for the work in Rumbek to sight and other materials form for construction works.

The procurement process involving the tender to award of purchase order/supply contract shall run for two (2) as according to the procurement plan then supplies shall be complete within 60 days of the project implementation involving all deliveries and other necessary documentations.