



PRIMĂRIA
SECTORULUI 6

I hereby approve,
Mayor
Ciprian Ciucă



TERMS OF REFERENCE
for purchasing the advisory services covering project
management, works' supervision and site supervision
for the investment objective
"Building a Hospital Facility with Connected
Functions and Organizing the Execution of Works in
Bucharest Municipality Sector 6"

GENERAL DIRECTORATE FOR
LOCAL DEVELOPMENT,
DIGITALIZATION, EU-FUNDED
PROJECTS

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compliance with Regulation (EU)
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CPV Codes:
71310000-4 Consultative engineering and construction services
79411000-8 General management consultancy services (Rev.2)



Beneficiary: Bucharest Municipality Sector 6

Bucharest Municipality Sector 6 holds
a certified quality management
system, in compliance with the ISO
37001:2017 standard, certified by
CERTIND certification body.

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CM	Contract management
CEB (or the "Bank")	Council of Europe Development Bank
BIM	Building Information Modeling
EC	European Commission
DBEM Contract	Design, Build, Equipment and Maintenance Contract
Contract for Works	Contract covering design, technical assistance and execution of works
Contractor	The person appointed contractor in the Contractual Agreement and its legal successors
EIR	Exchange Information Requirements
PM	Project Management
PASSA	Project Advisory Support Service Agreement
Provider	The Bidder or the Provider of Services covering Project Management and Works' Supervision Advisory described and falling under the herein Terms of Reference
Project	Building the Hospital located at the address: 101E Bulevardul Timișoara, Sector 6, Bucharest
FS	Feasibility Study
Supervisor	The economic operator or the team of the Beneficiary appointed by the Beneficiary in compliance with Art. 6 of Law no. 10/1995 on quality in constructions, republished, subsequently amended and supplemented. The Supervisor has the technical, financial and contractual prerogatives stipulated in the Contractual Terms. The Supervisor is designated in the Contractual Agreement or notified to the Contractor in compliance with Clause 5 (Supervisor and the Supervisor's Proxy) of HG no. 1 of 10.01.2018 approving the general and specific conditions for certain categories of procurement contracts covering investment objectives financed from public funds. The Supervisor has in their team licensed site supervisors, in compliance with the provisions of the Law and any other persons required to fill-in the role.
EU	European Union
PIU	Project Implementation Unit
LIPV	Licensed Independent Project Verifiers

1. Introduction

This section of the Tender Documentation includes the set of requirements which serve as a basis for each Bidder to draft their Bid (Technical Proposal and Financial Proposal) for delivering the advisory services which fall under the scope of the Contract resulting from this procedure.

Within this procedure, BUCHAREST MUNICIPALITY SECTOR 6 acts as the Contracting Authority, respectively the Beneficiary, within the Contract.

For the purposes of this section of the Tender Documentation, any activity described in a certain Chapter of the Terms of Reference and not specifically mentioned in another chapter is to be construed as specified in the chapters where the Bidder considers such activity should be mentioned, in order to secure meeting the objective of the Contract.

The Terms of Reference define:

- The context of the project and of the services covering supervision and project management of the construction works for the PROJECT **“Building a Hospital Facility with Connected Functions and Organizing the Execution of Works in Bucharest Municipality Sector 6.”**
- The objectives of the project and of the contract for services covering construction works supervision, as well as the expected outcomes;
- The Supervisor's liability and the risks for which they are held accountable;
- The minimal/non-comprehensive list of activities to be deployed by the Supervisor in order to meet the objectives and secure the outcomes, including the deadlines of completion of any such activities;
- The requirements concerning the Supervisor's staff;
- The reporting requirements under the contract for services of construction works supervision. In the aforementioned definitions, the phrase “supervision services” is to be read as services of supervision delivered in compliance with Law no. 10/1995 on quality in constructions, republished, subsequently amended and supplemented, Art. 6 and Art. 22², as well as advisory services in the management of construction works contract(s) for building the investment objective and of procurement contracts covering medical equipment and devices, IT systems and furniture for the PROJECT **“Building a Hospital Facility with Connected Functions and Organizing the Execution of Works in Bucharest Municipality Sector 6.”**

No alternative or partial bids shall be allowed.

2. Context for this Public Procurement of Services

2.1. Information on the Contracting Authority

Contracting Authority: Bucharest Sector 6 Municipality
Address: 147-149 Calea Plevnei, Sector 6, Bucharest
Phone/Fax: 0376204325/0376204362

2.2. Information on the Context which Led to the Procurement of Services

The main objective of the Project is creating a hospital infrastructure that could secure the enhancement of quality and efficiency of the medical services for the citizens who need medical interventions, secondary and tertiary healthcare or high-end technology and expertise in Bucharest Municipality Sector 6.

The hospital facilities in Bucharest are not homogeneously distributed, Sector 6 is one of the areas that are as covered by medical services as the other sectors (e.g., Sector 1 or Sector 2), which leads to a significant impact on medical care for diagnosis and treatment, in this area.

It is obvious that there is a pressing need for:

- enhancing the primary medical assistance and community assistance levels in the sector;
- decreasing the acute care capability of tertiary hospitals located in other sectors, enabling them to focus only on complex cases, while outpatient care, one-day care and long-term medical care must be developed in order to absorb non-acute cases;
- improving the infrastructure of hospital facilities, by approaching modern medical technologies, both substantively and formally;
- promoting provision of cross-functional medical services;
- fitting the hospitals with state-of-the-art medical equipment and technologies.

So, an imbalance can be noticed in Sector 6, with the absence of hospital facility infrastructure designated for the local residents in the area. According to analysis made by the experts who drafted the feasibility study, Sector 6 of Bucharest Municipality does not benefit from the actual potential of the public healthcare system in its designated area. The most afflicted area in terms of poor healthcare infrastructure is the Eastern part of Sector 6, with the neighborhoods of Militari, Drumul Taberei not having accessible connections with the hospitals in Bucharest Municipality. Just like in other regions, the hospital facility infrastructure is obsolete and incompatible with the nowadays modern models and systems for hospital operations.

Therefore, this is the reason behind the proposal to develop, on Sector 6 premises, a medium-sized hospital facility, which is to include both one-day hospitalization unit, outpatient care unit, surgery with corresponding continuous hospitalization unit and an obstetrics ward, with a mother-and-child-care specific designated area.

The location of the future hospital is at the crossroads between the neighborhoods "Militari" and "Drumul Taberei", on a plot with the surface of 33,328.351 square meters. The total built-up area of the hospital reaches 30,416.19 sq.m. The footprint of the building (land projection) is 5,875.30 sq.m. The total net area of the building is 15,397.93 sq.m. (The technical spaces, major circulation areas and the surface used for future expansion in the basement are not included), while the total built volume reaches 127,735.40 cubic meters.

The services falling under the herein procurement process for the services covering supervision and project management of the construction works for the project **"Building a Hospital Facility with Connected Functions and Organizing the Execution of Works in Bucharest Municipality Sector 6"** shall be delivered by skilled and licensed staff, in compliance with the legal provisions in force. So, in compliance with the provisions of Art. 6(3) of Law no. 10/1995, subsequently amended and supplemented: "in the case of constructions financed from public funds, including those financed under external agreements or loans, or similar, where technical advisory or assistance mandatorily lies with the investor or the beneficiary, the specialized advisory economic operator, respectively the Provider, becomes involved factor under the

terms of para (1) for the stages stipulated in the technical advisory or assistance contract, and they are held accountable - under the law - jointly with the designers and the entities executing the works - for those particular stages."

The herein terms of reference set the terms for the delivery of the Advisory Services covering Project Management, Supervision of construction works and Site Supervision.

2.3. Other Initiatives/Projects/Programs Associated with this Procurement of Services

In order to complete the investment objective regarding the construction of a new hospital facility, the Local Council of Bucharest Municipality Sector 6 approved the updating of the Feasibility Study, by means of Local Council Resolution (LCR) 291/24.11.2022. Also, the technical-economic indicators of the investment objective have been updated by means of LCR (TN: *Local Council Resolution*) no. 266/28.11.2024.

2.4. Stakeholders involved/interested in the completion of the Project

In order to successfully complete the public procurement process the stakeholders who shall be involved in the activity - the list is not limitative; it can be supplemented throughout the deployment of the activities- have been identified:

- The staff of the Contracting Authority liable for running the public procurement process, both during the deployment of the tender procedure, and timeframe for implementing and managing the public procurement contract.
- At institutional level, it is highly important that at least the following stakeholders are considered for involvement in the successful completion of the process covering procurement and implementation of the Project:
 - Romanian Ministry of Health;
 - Romanian Ministry of Investment and European Projects;
 - CEB- Council of Europe Development Bank;
 - Romanian governmental agencies involved in the deployment of works, such as State Inspectorate for Constructions (ISC), the entities that issue approvals and permits etc.
- At the same time, a decisive position in deploying the tender procedure is held by ANAP (*Romanian National Agency for Public Procurement*), who holds a role for monitoring the tender procedure and exercising *ex-ante* control thereon.

2.5. Description of the Requested Services

2.5.1. Description of the Current Status at the Contracting Authority

Given the complex nature of the Project, as well as the lack of similar projects at the level of Sector 6 public administration, corroborated with the fact that the Contracting Authority does not hold enough specialized human resources required to support the implementation of the contracts relevant for the completion of the investment objective (contracts for services covering design, execution of works, provision of medical

equipment and amenities, maintenance) and the coordination of the execution of works aimed at implementing, in the best conditions, the Project **"Building a Hospital located at: 101E Bulevardul Timisoara, in Sector 6, Bucharest."**

Furthermore, the Contracting Authority runs a solid number of projects and - subsequently - procurement procedures required for the implementation of said projects, therefore the resources available at the level of Sector 6 local public authority are currently limited.

Running the tender procedures under the herein project and the implementation thereof shall involve organizing certain complex procurement procedures and using certain complex contract typologies.

In this context, in order to complete the Project within a deadline as short as possible, at the highest quality parameters possible, the Contracting Authority needs to acquire a Provider including a cross-functional team, with extensive expertise in the field, in order to plan and coordinate the Contractor's construction activities and the setting up of the equipment by the economic bidder, for the purpose of securing correct execution of works and compliance with the final indicators of the investment objective. The services that shall contribute to meeting the following specific objectives:

- Enabling the execution of high-quality works, for each category of works, in compliance with the enforceable law, technical regulations and standards;
- Enabling an appropriate assessment of the quantities of works and correct calculation of the cost of works, in compliance with the Works Contract(s) or, as applicable, in compliance with the market conditions. At all times, the Supervisor must be capable of providing a forecast of the cash flow and an estimation of the cost upon completion of works;
- Monitoring and assessing the mobilization of the Contractor, supply with raw materials and compliant materials and the pace of the execution of works; at all times, the Supervisor must be capable of providing a realistic timeline for the completion of works and records and supporting documents for any potential delay in the execution of works;
- Securing the Contractor's compliance with the contractual terms and conditions;
- Securing the Beneficiary's compliance with their duties as Investor, in compliance with the law concerning quality in constructions;
- Enabling correlation of the execution of works with the objectives of other adjacent contracts for rendering the investment operational, namely delivery and commissioning/testing of medical equipment and devices, IT systems, medical and non-medical furniture, energy auditing services, expert's opinions, etc.

The herein contract is implemented in compliance with the provisions of Chapter III, Section 1 - Investors' Obligations and Liabilities, Art.22, letter d) of Law no. 10/1995¹: investors have the obligation to „secure verifying the correct execution of construction works by means of specialized site supervisors or specialized advisory economic operators throughout the entire duration of said works". The implementation of the Contract for the services covering project management and supervision for the PROJECT **"Building a Hospital Facility with Connected Functions and Organizing the Execution of Works in Bucharest Municipality Sector 6"** in compliance with the provisions of these Terms of Reference must lead at least to meeting the following measurable final outcomes:

¹Law no.10/1995 on quality in constructions, republished, subsequently amended and supplemented

- (a) Observance of all deadlines stipulated in the Works Contract(s) in relation with the documents issued by the Supervisor (Payment Certificates, Resolutions, Administrative Orders, etc.);
- (b) The quality, accuracy and compliance of the design observes the requirements, standards and regulations enforceable on the project.
- (c) The works certified by the Supervisor are not afflicted by non-compliances found during the verifications and checks performed by the Beneficiary or by other authorized entities;
- (d) Any alteration whatsoever on the technical solutions is appropriately documented;
- (e) Any claim whatsoever of the Contractor(s) is rejected if the contractual terms are not fulfilled and/or if any such claim is not appropriately justified by supporting documents;
- (f) The entries in the Contractor's/Contractors' Construction Site Log are countersigned by the Supervisor and reflect -at all times- the actual status of the site;
- (g) Any alteration whatsoever on the Reference Timeline is appropriately documented, the causes of any delay whatsoever are identified and the impact of each cause is quantified;
- (h) Notifications of the Beneficiary's claims, as well as the Contractor's/Contractors' claims shall be issued in compliance with the provisions of the Works Contract and shall be appropriately documented;
- (i) The quality requirements for the execution of the investment objective are met;

The activity of the Supervisor's entity through the designated experts shall be carried out under the contract, in observance of the following general principles:

- **Independence** - the Supervisor's experts operate for the Contracting Authority and in its interest both in relation with the Entity Executing the Works, and with the Suppliers, Designers, various service providers etc.

The Supervisor **shall not accept any favor whatsoever that would derail them from making any legal and fair decision**, not in the best interests of the Contracting Authority.

- **Professionalism** - the Supervisor's experts must have their professional background confirmed by specialized studies and practice enabling trust in carrying out the activity for which they were authorized;

- **Loyalty** - to the investment's requirements in terms of quality, cost and duration of execution. Loyalty is expressed through their commitment to act in an operative and professional manner, on behalf and to protect the interests of the investment;

- **Legal Compliance** - the Supervisor's experts have the obligation to be aware of and to comply with all legal provisions, all regulations, prescriptions, regulatory acts, specific technical instructions and rules in force, that are enforceable to the investment objective.

Enforced law

1. Law no.10/1995 on quality in constructions, republished, subsequently amended and supplemented;
2. Law no. 50/29.07.1991 on authorizing the execution of construction works, subsequently amended and supplemented;

3. Romanian Government Resolution no. 273/1994 approving the Regulations for the acceptance of works covering constructions and relevant systems thereof, subsequently amended and supplemented;
4. Romanian Government Resolution no.766/1997 approving certain regulations on quality in constructions;
5. Romanian Government Resolution no. 363/14.04.2010 approving the cost standards for investment objectives financed from public funds, up-to-date;
6. Emergency Ordinance no. 195/2005 on environmental protection;
7. Law no. 319/2006 on occupational health and security, alongside with the rules on labor protection, up-to-date;
8. Labor Code;
9. Romanian Government Resolution no. 300/02.03.2006 on the minimal requirements on health and security for temporary or mobile construction sites;
10. MDRT (TN Romanian Ministry of Regional Development and Tourism) Order no. 1496/2011 approving the Procedure for authorizing Site Supervisors, amended and supplemented by order no.277/2012;
11. National standards and regulations in the field;
12. Guidelines for applying the "ETICS" thermal-insulation systems;
13. Romanian Government Resolution 907/2016 on the stages for drafting and the framework contents of the technical-economic documentations for investment objectives/projects financed from public funds;
14. Law no. 98/2016 on Public Procurement;
15. Romanian Government Resolution no. 395/2016 approving the Implementation Rules for the Provisions on Awarding a Public Procurement Contract/ Framework Agreement within Law no. 98/2016 on Public Procurement;
16. Romanian Government Resolution (HG) 343/2017 on acceptance of works;
17. Law no. 204/18.09.2020 amending and supplementing Law no. 10/1995 on quality in constructions;
18. HG no. 1/10.01.2018 approving the general and specific conditions for various categories of procurement contracts for investment objectives financed from public funds.
19. RESOLUTION no. 300 of 02.03.2006 (*up-to-date*) on the minimal requirements in terms of occupational health and security for temporary or mobile construction sites.

The aforementioned laws are to be read as the relevant laws, subsequently amended and supplemented, up-to-date. This listing is not limitative.

2.5.2. General Objective to which Completion of Services Contributes

The purpose of Bucharest Sector 6 Hospital is to provide a safe environment integrating patient-centered healthcare services. Sector 6 Municipality welcomes innovation, teamwork, integrity and excellency in all that they do. Sector 6 Hospital will be a specialized healthcare facility- university hospital and an innovative leader in all types of medical care, through the quality of the clinical healthcare, efficient management and compassion for patients and families.

The hospital will provide high-end medical and surgical services, in the following wards and units:

- General Surgery;
- Obstetrics- Gynecology;

- Neonatology;
- Cardiology;
- Internal Medicine;
- Neurology;
- Anesthesia and Intensive Care Unit;
- Operating Theater;
- Emergency Admissions Unit;
- Outpatient and One-Day Care Excellence Center;
- Medical Oncology Unit;
- Clinical Support Services:
 - Pharmacy;
 - Radiology
 - Laboratory for medical tests.

The general objective of the services is to contribute to achieving the objectives of the works contract and of the project, in its entirety, in terms of timeline, cost and quality, thus:

Timeline:	The services covering supervision of construction works, provision of medical equipment and devices, IT systems and furniture, in order to complete the investment objective "Building a Hospital Facility with Connected Functions and Organizing the Execution of Works" must lead to the implementation of the objective within the deadlines stipulated in the Works Contracts, by complying with all the deadlines for the activities that lie with the Provider, by monitoring all works/purchases and by preventing, minimizing or, as applicable, promptly solving any situation that could cause delays in the implementation and execution of works.
Quality	The services covering supervision of construction works, provision of medical equipment and devices, IT systems and furniture, in order to complete the investment objective "Building a Hospital Facility with Connected Functions and Organizing the Execution of Works" must lead to the execution and completion of the works/provisions at least at the expected quality level, both in terms of construction parameters, and in terms of functional parameters, with the Provider verifying and approving all the resources involved in the execution of works (materials, equipment, workforce, technologies) and all the actually-executed works in compliance with the contractual terms and conditions.
Cost	The services covering supervision of construction works, provision of medical equipment and devices, IT systems and furniture, in order to complete the investment objective "Building a Hospital Facility with Connected Functions and Organizing the Execution of Works" must lead to the implementation of the objective within the limits of the allocated budget, both by properly checking the execution of works and the necessity or appropriateness of any alterations on the technical solutions, and by properly managing the works contract, including the costs, so that the risk of claims submitted by the Contractor may be mitigated to a minimal level.

2.5.3. General Objective to which Completion of Services Contributes

Bucharest Municipality Sector 6 (the Contracting Authority) is considering contracting services covering expertise in project management and supervision.

The completion of the Contract for delivering **Advisory Services covering Project Management, Works' and Site Supervision** involves making available to the Contracting Authority the experts and resources required for enabling the management of the completion of the investment objective in terms of quality, timeline and costs assigned in the works contract.

The Supervisor shall be held accountable for the aspects stipulated in the Works Contract drafted in compliance with Romanian Government Resolution (HG) no. 1/2018 of 10.01.2018 approving the general and specific conditions for various categories of procurement contracts for investment objectives financed from public funds.

The Provider shall act in the capacity of "Beneficiary's Proxy" - Proxy of the Beneficiary of the investment objective and they shall deliver the requested services as per the guidelines and instruction of the Contracting Authority and in compliance with the scope of the services described in the herein Terms of Reference. The layout of the construction contract the Provider shall be managing is the one stipulated under HG no.1/2018 of 10.01.2018 approving the general and specific conditions for various categories of procurement contracts for investment objectives financed from public funds, in ANNEX 2 General and Specific Conditions and the Contractual Agreement for the Contracts covering Execution of Works.

The Provider of advisory services covering project management and works' supervision shall have the following activities:

- providing technical expertise to Bucharest Municipality Sector 6 concerning the detailed review of the design, of equipment, devices, systems and materials in compliance with international standards - checks throughout the implementation timeline and adjustments, as applicable;
- construction planning services (coordination with the Contractor on the timeline, the equipment orders submitted by the Contractor, as well as by any other equipment and fittings providers under the investment objective);
- site supervision services;
- preparing the Project Management Plan (PMP) Handbook, in order to steer the implementation and the oversight of its implementation, to enable the general project checks;
- monitoring the key-deliverables, control systems, IT and security systems, requests for amending the support contracts and the implementation of maintenance;
- monitoring the development of the project and the implementation of the design and execution of works contract, the contract covering providing, installing and commissioning the medical equipment and the specific fittings, the submission by Contractors of all guarantees, operations-related handbooks, spare parts and materials and other items required under the contract, carrying out the final inspection;
- enabling the execution of high-quality works, for each category of works, in compliance with the enforceable law, technical regulations and standards;
- enabling an appropriate assessment of the quantities of works and correct calculation of the cost of works, in compliance with the Works Contract(s) or, as

applicable, in compliance with the market conditions. At all times, the Provider must be capable of producing a forecast of the cash flow and an estimation of the cost upon completion of works;

- monitoring and assessing the mobilization of the Contractor, the supply with raw materials and compliant materials and the pace of the execution of works; at all times, the Provider must be capable of providing a realistic timeline for the completion of works and records and supporting documents for any potential delay in the execution of works;
- securing the compliance of the Beneficiary and General Contractor, of other suppliers of materials and equipment with the contractual terms and conditions;
- securing the Beneficiary's compliance with their duties as Investor, in compliance with the law concerning quality in constructions;
- enabling correlation of the execution of works with the objectives of other adjacent contracts for rendering the investment operational, namely delivery and commissioning/testing of medical equipment and devices, IT systems, medical and non-medical furniture, energy auditing services, expert's opinions, etc.
- securing compliance with the safety requirements stipulated in the contractual documents regarding the construction and conveying recommendations for including a wider safety program in the contractual documents regarding the construction and reporting the flaws at the Contracting Authority.
- monitoring the progress of the project and of the Contractor, as well as the suppliers of medical equipment and fittings, monitoring the Contractors for providing all guarantees, user/operations handbooks, spare parts and materials and other items as per the contract's requirements; performs the final inspection;
- providing the Beneficiary with support in liaising with the Romanian Ministry of Health and/or with other relevant authorities, in order to secure all permits/approvals and to prepare/authorize/accredit the hospital to be built under the Project;
- administrative support for the Project: organizing regular meetings with contractors, drafting the minutes of the meetings, setting and maintaining an archiving system, supporting Sector 6 in fulfilling their responsibilities towards contractors;
- drafting a general timeline and remitting it to the Beneficiary, within 30 days from the approval of the Contractor's Execution Schedule. The timeline must include all additional activities required for the commissioning of the investment objective.

3. Requested Services: Activities to be Completed

This chapter includes the list of major activities the Consultant must complete under the Contract – basically, the main activities the Consultant needs to complete. The Contracting Authority intends to run the tender procedure for the contract covering design and execution of works and, subsequently, for the contract covering supply of medical equipment and fittings for the hospital.

The tender for the construction works is to be held by open tender for awarding the contract covering construction works, in the layout stipulated under ANNEX 2 General and Specific Conditions and the Contractual Agreement for the Contracts covering Execution of Works to HG no. 1/2018 of 10.01.2018 approving the general and specific conditions for various categories of procurement contracts relevant for the investment

objectives financed from public funds. The construction of the new hospital facility shall be aligned with the approved Feasibility Study (FS) and with the supporting documents drafted for the purpose of completing the investment objective.
The main services to be delivered under the contract include:

3.1. Project Management Advisory Services

3.2. Supervision Services

3.3. Site Supervision Services;

3.1. Project Management Advisory Services

The Project Management Advisory Services include:

3.1.1. Project Planning:

The Provider shall draft an extensive Project Management Plan (PMP) Handbook. This handbook shall include all information and guidelines necessary for the successful implementation of the project. It shall highlight the communication plan, cost management, the plan for deliverables' acceptance, the quality management plan, risk management plan, the roles, responsibilities, procedures and processes that shall lead to the project's success. The handbook shall document the assumptions and decisions related to communication, management process, execution and general project checks. It shall serve as reference guideline for the project team and for the stakeholders, throughout the project's lifecycle.

The final end of PMP is to clearly define the roles, responsibilities, procedures and processes that shall lead to the Project being managed in such a manner that it is completed:

- In due time;
- Within the budget limits; and
- In the best quality conditions and guaranteeing the safety of those working at the Project, as well as of the end users.

The Provider's experts shall analyze the project's documents and shall prepare the first draft of the Implementation Plan.

This first PMP draft shall be remitted to all relevant actors within the Contracting Authority. Subsequently to the feedback they provide, if necessary, the PMP shall be revised depending on the received observations and accepted both by the Contracting Authority and the Provider.

The Project Manager, together with the project implementation plan, draft the Final Project Management Plan.

The Project Management Plan (PMP) shall include:

- Stages of completion
- Description of activities
- Person in charge of the activity
- Involved resources/activity (from the Beneficiary and the Provider)
- Deadlines for each activity
- Reporting timeframes
- Working procedures, assessment tools, reporting, check
- Quality-related conditions in the implementation of the project

As part of the PMP, the Provider shall conceive a Project Responsibilities Matrix in order to define and exemplify the main responsibilities of the various parties involved in the

Project. It shall also provide the basis for creating specific procedures and the relevant formulae for this Project. PMP shall include, *inter alia*, the following procedures and plans:

- Management and verification of the Detailed Project.
- Cost analysis and cost management
- Procurement management
- Contract management
- Planning management
- Cost management
- Communication management
- Document control management
- Meetings and reporting
- Risk management
- Quality management
- Change management
- Damage claims' management
- Construction management
- Healthcare, safety and environment (HSE) management
- Management for commissioning and acceptance

The relevant PMP shall be submitted for final verification/approval purposes.

The Project Management Plan (PMP) is to be maintained in electronic format and shall be amended whenever necessary, with this meaning various versions of the document.

The Project Manager conveys the Project Management Plan (including new versions) to all parties involved in completing the investment objective (beneficiary, contractor, suppliers, service providers etc.).

Deliverables:

Project Management Plan (PMP);

Responsibilities' Matrix;

Working Procedures etc.

3.1.2. Project Coordination and Monitoring

Project management includes activities to be carried out by the Provider, to the support of the Beneficiary, in order to complete the project's investment objectives, in compliance with the Financing Agreement and with the approved technical-economic indicators, such as - without limitation to - the following:

- a. keeping track of the services delivered under the contract, which make the subject matter of the procedure and of the works executed under the works contracts that make the subject matter of the supervision in relation with the provisions of the contracts for the completion of the objective;
- b. supporting the Beneficiary to determine the eligibility of the expenses made under the Works Contract(s), the contracts covering medical equipment, IT systems and furniture or under the herein service contract and for the accurate reporting of said expenses, including in the reimbursement/payment requests for the quotas financed from repayable and/or non-repayable funds, as applicable;
- c. making certain estimations on the completion deadlines of the works/constituents thereof, considering the progress recorded at a certain given time;

- d. compiling a (document-supported) monthly comparison of the actual progress against the planned progress, for each and every task, obligation or activity of the Contractor, as applicable;
- e. making certain estimations on the cash flow and on the cost of works upon completion, considering the actual status and the financial status at a certain given time, as well as forecasts of the works' progress and the completion deadlines, as applicable;
- f. setting, together with the Beneficiary, the layouts for the Payment Certificates and for the Final Payment Certificate, as well as the type of supporting documents and conveyance thereof to the Contractor, as applicable;
- g. assisting the financier's proxies in the process of certifying the payments by making available the information and/or the documents required by them during the site inspections and/or upon request therefrom, as applicable;
- h. supporting the Beneficiary to draft reports and other documents, in compliance with the provisions of the financing agreement(s), as applicable;
- i. informing the Beneficiary on any deviation or any alteration whatsoever, required in relation to the provisions of the Financing Contract(s), identifying the causes thereof and forwarding solutions therefor;
- j. supporting the Beneficiary by enabling the management throughout the maintenance/protection period of the preliminary works executed by the Contractor who shall execute the preliminary works, as applicable;
- k. preparing ad-hoc reports regarding the execution of works and/or the deployment of supervision services;
- l. performing risk-management-related activities, including identifying, assessing/re-assessing on a quarterly basis the risks associated to the project;
- m. supporting the Beneficiary to interpret and implement the terms and conditions of the works contracts and of the contracts covering supply of medical equipment and devices, IT systems, furniture.
- n. supporting the Beneficiary with implementing certain resolutions/instructions/circular letters issued by financiers and, as applicable, with compliance to the provisions thereof during the deployment of the contractual activities, as applicable;
- o. assisting the Beneficiary on assignments for verifying, auditing, checking purposes organized by the authorities with jurisdiction in the management and control of public funds, in general, and of European funds, as applicable;
- p. assisting the Beneficiary in preparing answers to the observations of the aforementioned authorities and, as applicable, in implementing the recommendations thereof, as applicable;
- q. attending meetings organized by the Beneficiary or third parties, involving specific aspects related to the implementation of the project;
- r. supporting the Beneficiary for securing coordination of the Contracts for Works, for medical equipment provisions and installation, for IT systems and furniture under the project, including verifying the correlation of the execution schedules (as applicable);
- s. drafting a general timeline and remitting it to the Beneficiary, within 30 days from the approval of the Contractor's Execution Schedule. The timeline must include all additional activities required for the commissioning of the investment objective;
- t. compliance with all obligations and accountability as per the provisions of Law no. 10/1995, MDRT Order no. 1496/2011 approving the Procedure for authorizing site supervisors or any other regulatory act enforceable for the object of the contract,

as well as in compliance with the terms of the Conditions of Works Contracts, drafted pursuant to Annex no. 2 to HG no. 1/2018.

For the successful deployment of all activities in order to complete the objective, the Provider shall perform specific project management activities regarding the delivery and commissioning/testing of medical equipment, IT equipment/systems, furniture or other goods and products that need to be integrated, based on the information provided by the Beneficiary, namely by - without limitation to - the following:

- integrating the execution charts covering the contracts concluded with suppliers/providers of goods, products or services and creating, tracking and maintaining an integrated execution and implementation chart;
- enabling and liaising with all the parties involved in completing the objective in order to successfully implement all contracts covering works/supply/delivery.

At the same time, the Provider shall enable the supervision of the implementation of contracts for supply/delivery to be concluded by the Contracting Authority for purchasing medical equipment and devices and IT equipment /systems, furniture, so that the delivery and commissioning/testing thereof may be carried out in compliance with the provisions of said contracts for supply/delivery.

The mobilization of the Consultant's staff shall be proportional to the mobilization of the Contractor.

Deliverables:

Deliverables: Management meeting minutes; Updated Gantt Chart; Risk Management Plan - updated; Cashflow; Protocols; Payment-related documents; Notifications; Opinions etc.;

3.2. Supervision Services

The Supervisor shall carry out their activity in compliance with the provisions of Art. 6(3) and (4) and Chapter III, Section 1² - Consultants' Obligations and Responsibilities, Art. 22², letter d) of Law no. 10/1995 and is held liable for meeting the following main obligations related to quality in constructions, obligations to be supplemented with the general and specific provisions of the contracts:

- notifying the Beneficiary on any non-compliances and inconsistencies whatsoever found in projects and in execution;
- enabling the appropriate quality level as per the requirements by means of an own, certified quality assurance system;
- completing the acceptance of the projects as per the design brief and the quality requirements;
- attending all the main execution stages, through certified specialists;
- drafting daily reports towards the investor during the execution timeframe;
- drafting quarterly reports towards the investor during the warranty timeframe (at the date when the herein procedure is launched, the Contracting Authority is also running the open tender procedure for awarding the contracting covering design and execution for the objective „BUILDING A HOSPITAL FACILITY WITH CONNECTED FUNCTIONS AND ORGANIZING THE EXECUTION OF WORKS AT THE ADDRESS 101E BULEVARDUL TIMISOARA, SECTOR 6, BUCHAREST”. Therefore, in drafting the Bid for the provision of the requested services, the Bidders shall consider drafting the quarterly reports for a warranty timeframe of no more than 120 months);

- jointly observing the contractual deadlines for design and execution, with the designers and/or entities executing the works.

The main obligation of the Consultant/Supervisor consists of enabling the execution of works in compliance with the enforceable standards in the area of building hospital facilities, in terms of quantity and quality; they are held entirely liable for defaulting on this obligation.

Throughout each stage of service delivery or whenever non-compliances are notified, the Consultant/Supervisor is liable for ordering all the measures required to assure the quality of the execution of works, ordering - if need be - temporary disruption - either partial or total - of the execution until the resolution and remedy of any such non-compliances. All these measures shall be reported with no delay whatsoever to the Contracting Authority.

Any technological alteration, alternate technology, materials, machinery or staff - other than those declared by the providers, manufacturers of contractor - shall be subject to checks performed by the Consultant/Supervisor, who agrees and is held liable for usage thereof.

Also, the Supervisor shall be held jointly liable with the site supervisor, in compliance with the prerogatives they have, for assuring the appropriate quality level as per the fundamental requirements of the construction works for which they are hired by contract.

The Supervisor has the technical, financial and contractual prerogatives stipulated in the Contractual Terms and Conditions of HG no.1/2018 of 10.01.2018 approving the general and specific conditions for various categories of procurement contracts for investment objectives financed from public funds, in ANNEX 2 General and Specific Conditions and the Contractual Agreement for the Contracts covering Execution of Works.

In order to complete the investment objective, the Supervisor shall become an involved factor for the stages stipulated under the advisory contract. The Supervisor shall be held liable for meeting the fundamental requirements for various stages in compliance with Law no. 10/1995. They are jointly held accountable for the relevant responsibilities for said stages, with designers and the entities executing the works.

The Supervisor - while retaining final liability - may appoint one or several proxies, from their team, to fulfill any of the responsibilities and jurisdiction the Supervisor holds and may revoke at any time any such appointment or may replace the relevant proxy throughout the deployment of the contract.

The Supervisor is liable for concluding professional civil liability insurance with brokers certified by the Romanian Financial Supervisory Authority (ASF) throughout the implementation of the advisory/supervision contract, whereas the technically-professionally certified or authorized specialists stipulated under Art. 6 of Law no.10/1995 are liable for concluding professional civil liability insurance that are valid throughout the exercise of their right of practice by actually deploying the specific activities for which they were authorized/certified.

The Consultant/Supervisor is held liable for providing services throughout the entire timeframe for the completion of the investment objective, e.g.:

- the timeframe for the preparation of the execution of works;

- throughout the execution of works;
- throughout delivery, installation and commissioning of the equipment and fittings that are hospital-specific;
- throughout the acceptance of the works;
- throughout the timeframe for guaranteeing the works.

The supervision services include the completion of the following categories of activities:

3.2.1 Activities that are preliminary to the execution of works

The Provider's preliminary activities before the execution of works include all the activities required for meeting the conditions for the commencement of works, such as - without limitation to - the following:

- Checking compliance with the legal conditions related to the building permit;
- Checking the existence of all approvals, permits, as well as compliance with the legal provisions regarding the technical documentation;
- Checking compliance with the legal conditions related to environmental protection; Submitting for approval purposes, before the Beneficiary, the Contractor's guarantees: performance bond, advance guarantee, retention guarantee (as applicable);
- Assisting the Contracting Authority in verifying and approving the guarantees and insurances submitted by the successful bidder;
- Checking the contractor's insurance policies and making sure that they are concluded in compliance with the provisions of the contract, that they are and remain in force and that they cover the entire timeframe stipulated in the execution contract;
- Checking the preparation and review of the Decisive Stages Schedule when the changes brought to the technical execution design require this, and enabling remittance thereof to all involved parties;
- Checking the project, terms of reference, technologies and procedures stipulated for the completion of constructions;
- Checking the existence of all written pieces and drawings, correlation thereof, compliance with the regulations on projects' checking by the licensed verifiers;
- Checking the existence in the project of the provisions regarding the decisive stages, as well as the quality control schedule;
- Facilitating communication between the Contractor, the designated sub-contractors/sub-providers and the utilities' owners (water, sewerage, telecommunications, electricity, natural gas), as well as communication with any other company, institution or authority involved in the completion of the project;
- Acknowledging the provisions of the works contract(s) and of all annexes thereof, as well as the characteristics of the construction site and reporting to the Beneficiary any issue whatsoever that may impact the works or any inconsistencies found between the contracts and the conditions on the field;
- Checking all approvals, permits and authorizations regarding falling within the validity deadlines and regarding the compliance of the technical design with the provisions thereof;
- Verifying and making recommendations to the Beneficiary in relation to the compliance and authenticity of all certificates, insurance policies, guarantees, indemnities etc. for whose securing the Contractor(s) is/are held liable,

- incompliance with the Contractual Terms and Conditions stipulated in the design and execution of works contract;
- Setting up an effective communication mechanism between the Beneficiary, Provider and Contractor(s)/Provider(s);
 - Making sure that the contractor has drafted action plans to implement the legal provisions on environmental protection;
 - Verifying and approving the Environment Management Plan proposed by the Contractor;
 - Verifying and approving the Quality Assurance Plan proposed by the Contractor, including any other documents related thereto and approving thereof after it is deemed appropriate;
 - Checking and approving the Execution Schedule submitted by the Contractor in compliance with the provisions of the works contract(s), as well as the forecasts on the cash flow in relation to the execution schedule;
 - Reviewing and approving the risk registry and the risk management plan submitted by the Contractors/Suppliers/Providers involved in the stages for the completion of the objective;
 - Reviewing and approving the waste management plan remitted by the Contractor.
 - Reviewing and approving the OHS plan remitted by the Contractor;
 - Verifying and approving the raw material sources, the materials and equipment proposed by the Contractor;
 - Verifying and approving the Contractor's site organization;
 - Verifying the accuracy of the coordinates for all the topometric markers set by the designer and the request before the contractor to perform an independent verification;
 - Contributing, alongside with the designer and the contractor at the general outline of the works and setting the benchmarks;
 - Attending the handover of the location of the works to the Contractor; The Handover of the location shall be performed by the Beneficiary, the Contracting Authority and the Consultant/Supervisor to the Contractor;
 - Facilitating any communication whatsoever between the Contractor and the utilities suppliers (water, sewerage, phones, electricity, gas, Land Registry -CF-Etc.) interfering with the working path area;
 - Verifying and assuring compliance of the machinery and equipment to be used for the execution of works with the provisions of the terms of reference, namely with the required agreements and homologations thereof certifying that these may be used for the declared purpose and signing a protocol to this purpose which also includes the actual verification manner;
 - Verifying the skilled staff that works with the machinery and the equipment;
 - Verifying the correspondence between the execution technology and the machinery declared in terms of the capabilities covering production, execution, finishing and protection etc.;
 - Setting and communicating to all interested parties the documents required for submitting the Works' Status for settlement purposes;
 - Verifying the advance payment request(s) submitted by the Contractor and confirming the compliance with the conditions required to make the relevant payments;
 - Issuing the Administrative Orders for the Commencement of Works, mentioning, as applicable, the section of works covered by the relevant order.

3.2.2 Supervision Services for the Design Process and the Verification of the Technical Project

The Provider supports the Beneficiary with technical expertise on reviewing the detailed design, the equipment, the devices and materials, in compliance with national and international standards and performs verifications throughout the implementation of the project and proposes adjustments, as applicable.

The Provider shall deliver the technical services required to manage, coordinate and verify, on behalf of the Beneficiary, the technical projects (DTAC - *Technical Documentation for Acquiring Demolition Permit/License*, PTE - *Technical Execution Project*, DTOE - *Technical Documentation for Organizing Execution*) that are to be drafted by the Company of the Design and Execution of Works Contractor which the Beneficiary shall contract for completing the investment objective. To this purpose, the Provider is to make sure that the project, working sketches, technical documentation and technical specifications are prepared in due time, meet and comply with the latest international and local standards and answer all the requirements of the local regulatory bodies, that they meet the requirements stipulated in the agreement concluded between the Contracting Authority and the Design and Execution of Works Contractor.

During this stage the following actions are to be carried out:

- Checking the project, terms of reference, technologies and procedures stipulated for the completion of constructions;
- Checking the existence of all written pieces and drawings, correlation thereof, compliance with the regulations on projects' checking by the licensed verifiers;
- Checking the existence in the project of the provisions regarding the decisive stages, as well as the quality control schedule;

The Provider either approves or rejects - also producing reasons therefor - the design documentation drafted by the Contractor.

The Provider performs the technical and financial assessment of any new technical solutions proposed by the Contractor, by comparison with the technical offer or the technical solution chosen in the Feasibility Study.

The Provider may, as applicable, make recommendations regarding the selection of systems, equipment, devices and materials, the alternatives meant to enhance the quality of the materials and the performance of equipment, the availability of the workforce and materials and the feasibility of the construction.

In order to complete the supervision activities covering the design process and the verification of the technical documentation, the Provider shall draft the following categories of documents:

1. Project Management Plan highlighting the technical services required for the management of detailed designs drafted by the Contractor's team. This plan should include details on the scope of the work, a chart for the design management activities, a resource-allocation plan, as well as any other documents or tools required for the effective management and supervision of the design process.
2. Design Coordination Report. This report shall focus on the efforts made in order to coordinate, including the organized meetings, communication and collaboration with the Contractor's team and the other stakeholders. At the same time, it shall document the aspects or conflicts identified throughout the coordination process and shall propose solutions or recommendations for remedying them.
3. Design Review Report. This report shall assess the quality, accuracy and compliance of the design with the requirements, standards and regulations enforceable

on the project. It shall document the flaws, inconsistencies or the areas of the design in need of improvements, identified throughout the review process and shall provide recommendations for design changes and enhancements, as applicable.

This may include recommendations regarding the selection of systems, equipment, devices and materials, the alternatives meant to mitigate costs, the availability of the workforce and materials and the feasibility of the construction.

4. Compliance check list or compliance check report. The compliance check list shall highlight all the enforceable - local and international - standards, regulations and requirements that need to be observed. This shall serve as a tool for the systematic review and verification of each requirement. The check list shall include sections covering each aspect covering design, work sketches, tender documentation and specifications; thus, it enables an extensive assessment of compliance.

The compliance check report shall summarize the findings of the compliance review. This shall document the extent in which each requirement was met or if there are inconsistencies or areas requiring improvements. The report shall provide proof of compliance, such as references to the specific sections of the design documents, working sketches, tender documentation and specifications meeting each requirement. It may also include recommendations for additional changes or actions required in order to secure full compliance.

Deliverables:

Detailed Design Management Plan

Design Coordination Report

Design Review Report

Compliance Check Report etc.

3.2.3. Construction Planning Services

The Provider, together with the Contractor, shall make the construction planning so that the project may meet the project's objectives in terms of quality, timeline and costs.

The Construction Coordination Plan shall include updates in strategies, processes and charts for effective planning and coordination of all activities related to construction. It shall include updated details on the manner in which the Contractor's activities shall be organized and managed, in order to enable the progress without issues and to avoid conflicts with other ongoing constructions.

This shall include planning the construction as follows:

- Contributes to drafting the Contractor's Execution Schedule and verifies the final version before approval.
- Requests the updating of the Contractor's Execution Schedule as per the works' progress and the status of resources made available for the execution of works.
- Long lead procurement: identifying the items subject to long lead procurement (cars, equipment, fittings etc.) that may be purchased in the initial stage of construction or that may be purchased separately in order to better fit into the chart.
- Fast-tracking options may be considered in situations where the project procurements (as applicable) are to be made stage by stage, at the same time while the detailed design process is ongoing. In this case, relevant separate batches regarding the construction are to be released.

The Provider shall verify and approve the planning of the construction.

The Provider shall approve the Contractor's planning of construction activities, as well as the installation of equipment by various suppliers, at the same time with other

ongoing construction activities, in order to avoid conflicts and enable an orderly execution of works.

The Provider shall coordinate the required contractor interface with the Beneficiary's employees, in order to clarify aspects such as securing approvals, connection to utilities' networks, information on users, final acceptance of works, etc.

Deliverables:

Construction Coordination Plan

3.2.4. Works' Execution Supervision Activities

The works' execution supervision activities shall be secured in compliance with clause no. 17 of HG no.1/2018 and are carried out as of the date of commencement of works stipulated in the commencement order(s) and until the date of acceptance upon completion of works, included.

The non-comprehensive list of activities deployed by the Provider in this stage is presented below:

- (a) The supervision of works against the Reference Schedule (of the approved Execution Schedule), includes -without limitation to - the following actions:
- (b)
 - 1. Issuing Administrative Orders to the Contractor;
 - 2. Issuing the Commencement Administrative Order;
 - 3. Verifying, either accepting or rejecting the Contractor's Execution Schedule, including the physical existence of the resources required for the completion of the conveyed schedule;
 - 4. Monitoring the mobilization of the Contractor(s), the supply with raw materials and materials, the delivery of equipment and the execution of works, against the Reference Schedule;
 - 5. Issuing instructions to the Contractor regarding the mobilization of resources and the execution of works, or, as applicable, regarding the presentation of revised execution schedules;
 - 6. Informing the Beneficiary regarding the actual or potential delays, the reasons therefor, the measures initiated by the Provider and making recommendations on the measures that need to be adopted by the Beneficiary, as applicable.
- (c) The supervision of works in order to secure their quality, includes -without limitation to - the following actions:
 - 1. Verifying the execution of works in compliance with the provisions of the technical project and the execution details approved by the Beneficiary;
 - 2. Verifying the pace of the execution of works;
 - 3. Verifying compliance with the Quality Assurance Plan approved in the preliminary stage to the execution of works, including: checking compliance with the procedures and technologies for the execution of works, checking compliance of the equipment and systems mobilized by the Contractor, checking the staff mobilized by the Contractor;
 - 4. Verifying and approving the sub-contractors proposed by the Contractor who were not included in their initial bid and in the Works Contract;

5. Checking quality compliance of the Equipment and Materials and the methods used for execution thereof;
6. Checking the quality of the supplied raw materials, materials and equipment by verifying the quality-related documents and the technical agreements accompanying the relevant commodities and products and/or conducting tests *in situ* or in the lab, as well as tagging non-compliant products.
7. Assisting the Beneficiary with drafting the terms of reference for the procurement of equipment and amenities, as well as with other further services required for the commissioning of the investment objective;
8. Rejecting the Equipment, Materials or Works which turn out to be non-compliant with the provisions of the Contract;
9. Inspecting, on a daily basis, the executed works, and, as applicable, if non-compliances are found, either ordering the demolition and the proper remedying thereof, or, if such course of action is not possible, drafting technical solutions (together with their own experts, designers, verifiers and Beneficiary) that have no impact whatsoever on the resilience and stability of the structure, the optimal operation of all systems or the proper operation of the hospital facility.
10. Ceasing the execution of works whenever it is found that non-compliant materials, raw materials, equipment, technologies, etc. are being used;
11. Recording the identified non-compliances, monitoring the remedying thereof and declining the payment of the works impacted by non-compliances;
12. Making sure of the accuracy of data and details in the Construction Site Log; Verifying/reviewing and countersigning on a daily basis the Construction Site Log;
13. Attending the performance of tests and the verification of works in the decisive stages;
14. Attending the inspections and the acceptances, in compliance with the works' quality control schedules and signing the protocols in the capacity of observer;
15. Verifying the documents received from the Contractor as part of the Building Log Book, in compliance with the provisions of the works contract and, as applicable, allowing them/ requesting supplementations/ requesting amendments (whenever the documents do not mirror the status of the executed works);
16. Verifying and approving the manuals for the exploitation and maintenance of the systems/equipment proposed by the Contractor, as well as the training schedule for the Beneficiary's staff in charge with exploiting and/or maintaining them and approval thereof;
17. Verifying and approving the Contractor's approval on the completion tests, attending the tests, rejecting/allowing them;
18. Inspecting the works, verifying compliance with the conditions to organize the acceptance upon completion of works and to draft the Report upon Completion of works within 10 days from the date the Contractor's notice on the completion of the works is received; said report is to be remitted to the Beneficiary and to the Contractor, it shall provide details on the output of the inspection and shall forward a recommendation to either allow/delay or reject acceptance;

19. Supporting the Beneficiary regarding the organization of the Acceptance upon Completion of Works;
20. Assisting the Beneficiary throughout the procedure of Acceptance upon Completion of Works and Final Acceptance;
21. Attending the acceptance upon completion of works, drafting the Acceptance-upon-Completion-of-Works Protocol and signing it in the capacity of observer.

(d) Quantity Surveying and cost controlling by means of the following actions, without limitation to:

1. Measuring the executed works (quantity of actual executed works) as per the List of Quantities, including the Description of prices and tracking the executed works that were accepted in terms of quality and measured, while indicating the date of the measurement and the location of each work;
2. Verifying and certifying the Works' Status received from the Contractor, including all supporting documents, against the records of the Provider of the executed works and in compliance with the specific terms and conditions of the Works' Contract, by means of specialized staff (site supervisors that are authorized per specialties);
3. Issuing Payment Certificates in compliance with the provisions of the Contract;
4. Issuing Payment Certificates, in compliance with the Works' Contract's provisions, within 30 days from the receipt of the Works' Status;

(e) Analyzing the Claims of the Contractor and of the Beneficiary;

(f) Issuing Decisions in compliance with the provisions of the Contract;

(g) Issuing Amendments in compliance with the provisions of the Contract;

(h) Monitoring the validity of the insurance policies and of the guarantees produced by the Contractor and accepted in the timeframe preceding the execution of works and, as applicable, training the Contractor regarding the expansion of the validity period and/or the coverage and/or the value thereof.

(i) Checking compliance with the provisions of the Environment Management Plan and, as applicable, training the Contractor regarding remedying any potential flaws;

(j) Drafting quarterly reports towards the Investor/Beneficiary during the warranty timeframe (at the date when the herein procedure is launched, the Contracting Authority is also running the open tender procedure for awarding the contracting covering design and execution for the objective „BUILDING A HOSPITAL FACILITY WITH CONNECTED FUNCTIONS AND ORGANIZING THE EXECUTION OF WORKS AT THE ADDRESS 101E BULEVARDUL TIMISOARA, SECTOR 6, BUCHAREST”. Therefore, in drafting the Bid for the provision of the requested services, the Bidders shall consider drafting the quarterly reports for a warranty timeframe of no more than 120 months);

(k) Other specific activities related to the supervision of the execution of works, including issuing various instructions to the Contractor whenever situations for which the Works Contract stipulated any such instructions occur.

(l) Completing the other Supervisor's tasks stipulated in the Works Contract.

The Consultant/Supervisor shall assist the Contracting Authority with any other situation that is not stipulated in the herein terms of reference, but that may occur in relation to the implementation of the execution of works.

3.3. Site supervision services

Under this activity, the site supervision services are to be delivered. Site supervision shall mean monitoring the construction works in compliance with the current Romanian laws in force (Law no. 10/1995 regarding Quality in Constructions and Order 1496/13.05.2011 on the Procedure for Authorizing Site Supervisors, subsequently amended and supplemented), as well as reporting the status of the execution of works. The site supervision authority shall be carried out by the site supervisor with thorough knowledge, from technical and scientific point of view, of the approved documentation in execution. Oversight and control of the correctness of the interventions of any nature throughout the execution of works is to be carried out in agreement with the specificity of the works - focusing on monitoring the strict enforcement of the written records in the site's communications, inspection and control log and those in the building site order log.

The site supervision shall permanently enable the best collaboration between the Beneficiary and the design specialists and execution staff. It shall permanently verify the quality of the materials used for execution, in compliance with the provisions of the approved project. All the materials shall be submitted for approval purposes before the Beneficiary's proxy, namely the site supervisor. Site supervision shall attend and monitor the preparation of the construction site log, the building log book and its handover to the Beneficiary upon acceptance of works.

The site supervisor shall have the following tasks:

- Technical assistance for monitoring the quality of the execution works in compliance with the rules and regulations in force;
- Completing the monitoring of the construction works in compliance with the Romanian legal provisions in force (Law no. 10/1995 regarding Quality in Constructions and Order 1496/13.05.2011 on the Procedure for Authorizing site supervisors, subsequently amended and supplemented);
- Completing the oversight and control of the correctness of the interventions of any nature throughout the execution of works, in agreement with the specificity of the works;
- Representing the Investor's interest and strategy on the construction site, considering the quality level, costs, completion deadline and alignment of the on-site works with those described in the technical documentation/contract;
- Monitoring the completion of works in compliance with the provisions of the contract, project and technical regulations in force;
- Attending, together with the Designer and the Contractor, the handover-takeover of the location;
- Verifying the existence of all legal documents stipulated in Law no.10/1995 for taking over the location;
- Attending, together with the Designer and the Contractor, all the decisive stages and control checkpoints of the project;
- Verifying that the Contractor is implementing the quality management system in compliance with the quality plan, as they stated in their bid;
- Verifying the Contractor's authorized personnel (in charge with the execution of works and also the specialists), in compliance with the current laws in force;

- Verifying the existence of the legal certificates of the Contractor's quality management system;
- Verifying the works' status for alignment with the technical solutions stipulated in the project and approval/acknowledgement thereof;
- Monitoring the execution of works throughout the deployment of the contract and providing guidance to the Contractor for correcting any default on the purpose of the contract;
- Monitoring the following information: proposed work schedule, list of materials and equipment to be supplied under the relevant contract, all these in compliance with the technical specifications presented Contractor in the technical project/contract/bid;
- Tracking the deployment of works from technological point of view, throughout the deployment of the Contract;
- Verifying compliance with the law of the materials in use, their quality and their certification;
- Verifying the quality of the materials used for execution, in compliance with the provisions of the approved project;
- Monitoring the strict implementation of the written documents from the site registry for communication, inspection and control and from the building site order registry;
- Certifying the monthly production of the Contractor, for this purpose verifying the actual status and the accuracy of the data included in the list of activities/works' status presented on a monthly basis; verifying the additional order forms, the waiver forms etc.;
- Reporting to the Investor any default from the contractual terms and conditions in terms of compliance with quality, activities' chart and the purpose of the works; presenting the solutions that must be taken, as applicable;
- Submitting proposals/solutions to the Investor for any different orders required for the optimal activation of the execution or for any item that was omitted or overlooked, or for any other change proposal in relation to the initial purpose of the project/contract;
- Submitting technical solutions to the Investor at the proposed requirements (contractor, designer);
- Contributing and monitoring the drafting of the construction site log, the building log book and the handover thereof to the Purchaser, upon acceptance of works;
- Verifying the submission of the technical log and of the maintenance handbook by the Contractor and the compliance of these documents with the executed works;
- Conducting the verifications stipulated in the legal provisions in force;
- Assuring the correctness of the documents issued as a result of the site inspections;
- Signing/approving the documents prepared as a result of verifications;
- Attending verifications in the decisive stages of constructions;
- Being held liable before the Investor for all the documents signed/certified during the execution of the contract;
- Monitoring the Contract's compliance with the measures ordered by the Investor;
- Monitoring the establishment/decommissioning of the works organized on the construction site;
- Attending the acceptance of the executed works;
- Monitoring the remedying of the issued found by the acceptance commission, until they are solved;
- Reporting on the status of the works' execution;
- Attending the meetings for the project.

At the same time, in compliance with the provisions of the Order of the Minister of Regional Development and Tourism no. 1496/2011 approving the Procedure for Authorizing the Site Supervisors, in exercising the verification of the correct completion of the execution of construction works, during the timeframe for preparing the investment, site supervisors have the following obligations and responsibilities:

- checking the existence of the building permit, as well as compliance with the legal conditions in relation to falling within the validity deadline;
- checking the alignment of the provisions of the building permit, urban planning certificate, approvals, agreements and of the project;
- studying the project, terms of reference, technologies and procedures stipulated for the completion of the constructions;
- checking the existence of all written pieces and drawings covering the project, including the existence of the studies required by means of the urban planning certificate or the approvals and checking the alignment of the provisions thereof;
- checking the existence of the technical expertise in case of intervention works on the constructions;
- checking the compliance with the regulations concerning the verification of projects by licensed project verifiers and acknowledging any such regulations by the certified technical expert, as applicable;
- checking whether the building's importance category is mentioned in the project;
- checking the existence of the decisive stages scheduled in the project;
- checking the existence of the project or of special monitoring procedures for the constructions' behavior in exploitation, should this be established;
- taking over the location and the level benchmarks and handing them over to the execution entity, unencumbered;
- contributing, together with the designer and the execution entity, at the general outline of the works and setting the benchmarks;
- handing over to the execution entity the land reserved for the organization of the construction site;
- checking the existence of the "Quality Plan" and of the technical procedures/instructions for the relevant work;
- checking the existence of the announcement advertising the commencement of works at the issuer of the permit and at ISC (*Romanian State Inspectorate for Constructions*);
- checking the existence of the investment identification panel, whether it is compliant with the legal provisions in force and whether it is placed in a visible location.

Deliverables: Construction site log, building log book, site communication registry, minutes, site instructions etc.

3.4. Project Monitoring and Management

3.4.1. Project Monitoring - Submitted Deliverables

The Provider shall monitor the Design and Execution of Works Contractor's activities, as well as the activities of the suppliers of medical equipment and devices, IT systems and furniture, the submission deadlines and the processing of execution sketches, of samples and other separate deliverables submitted by contractors. Also, the Provider shall make sure that all guarantees, operations handbook, spare parts and materials and other

elements requested by contract are supplied to the Contractor and they shall carry on the final inspection.

Should the submitted deliverables not be received in due time, the Provider shall analyze the reasons therefor and shall take the measures they deem appropriate to eliminate lags and delays in the processing thereof. The Provider shall notify the Beneficiary of the project concerning any delays whatsoever of the Contractor and/or of the suppliers in terms of processing the deliverables.

The Provider shall secure monitoring of the key deliverables, control systems, information and security systems, implementing the request for amending the assistance and maintenance contract after the time when the investment objective becomes operational.

Throughout the monitoring of the execution of works, the supervisor shall draft the following categories of documents:

A. Documents resulting from the activity of verifying the key deliverables:

1. List for review of the deliverables submitted by the Design and Execution of Works Contractor. This list shall secure traceability and shall document the status of each submitted deliverable, including the date of submission, date of review, comments or observations made throughout the review process and the final status of the deliverable (approved, rejected or subject to further actions). The list shall provide a simple overview on the submission process, assuring that all deliverables are appropriately reviewed, in due time and that any issues or delays are promptly addressed.

2. List for review of the deliverables submitted by the medical equipment and fittings suppliers. This list shall secure traceability and shall document the status of each submitted deliverable, including the date of submission, date of review, comments or observations made throughout the review process and the final status of the deliverable (approved, rejected or subject to further actions). The list shall provide a simple overview on the submission process, assuring that all deliverables are appropriately reviewed, in due time and that any issues or delays are promptly addressed.

3.4.2. Project Monitoring - Project Control Systems

The Provider shall make available the required software, the computer terminals, the required systems or shall upgrade the required information systems so that the Project Control System may operate in this project.

The Provider shall conceive, implement, use - throughout the validity of the agreement - all the sub-systems of the PCS -Project Control System, so that they meet the project's needs.

The Provider shall use the latest information systems to execute PCS software and generate digitalized reports.

The reports, documents and data to be provided shall represent an accurate assessment of the project status and of the remaining workload; these shall provide a reasonable basis for identifying variations and issues and for management decision making; and they shall be prepared in due time, recorded and remitted to the Beneficiary.

At the same time, the Provider shall enable appropriate and continuous updating and safe-keeping of data against loss or deterioration, due to any reasons whatsoever.

3.4.3. The Recommendations of the Material and Equipment Sub-contractors and Suppliers

Whenever a separate contract requires advance approval of sub-contractors and of the materials and installation of equipment from the proposed suppliers, the Provider shall

analyze the proposals received from the separate contractor, the qualifications and financial capability to complete the work of the potential sub-contractor or supplier (as applicable) and shall make recommendations to the Beneficiary concerning the appropriate course of action, for the approval request.

3.4.4. Amendments brought to the Construction Contract

The Provider shall provide assistance to the Contracting Authority in terms of managing the amendments falling under the construction contract and the governing laws (Art. 221-222 of Law no. 98/2016 subsequently amended and supplemented), including - without limitation to - the following services:

- a. Assessing the need and the documentation for the relevant proposed amendment, including the documentation for the entity (e.g., Beneficiary, Consultant, Contractor) who requested the proposed amendment.
- b. Analyzing the entire technical documentation related to the relevant amendment.
- c. Monitoring the preparation and verification of various documents related to the relevant amendment, including:
 - Scope of works, cost implications and duration of the relevant proposed amendment.
 - Proposal request forwarded to the Contractor, drafted by the Provider-Engineer.
 - Order of the site supervisor and financial reserve, drafted by the Provider-Engineer.
 - Variation notifications and the relevant documentation, drafted by the Supervisor-Engineer and the relevant issued Orders.
 - Preparation of the cost estimate and the timeline analysis relevant for the variation order.
 - Analysis of the Contractor's proposals, of its cost and duration.
 - Negotiations, if necessary, with the Contractor, in order to mutually agree on the cost and duration proposal.
- d. For any amendment whatsoever for which cost and duration have not been mutually agreed upon before the beginning of the execution of the relevant change, the Provider must make sure that appropriate records are kept (workforce, equipment, materials etc.) and must observe the development of the work, in order to make sure that a reasonable and fair cost and duration can be mutually agreed upon.
- e. Making sure that the order is prepared for all amendments in the contractual documents, regardless of the cost and duration implications.
- f. Processing all the required documents related to amendments, in the construction contracts.

3.4.5. Occupational Health and Safety Program

The Provider shall analyze the occupational health and safety requirements stipulated in the construction contractual documentation and shall make recommendations to have included in the construction contractual documentation a more extensive safety program. Throughout construction, the Provider shall monitor compliance with the safety contractual program of all separate contractors and shall report the flaws found to the Contracting Authority. The Contracting Authority shall not construe the provision of any such services as a waiver of contractors/sub-contractors in terms of their safety-related responsibilities.

The Provider shall draft a Safety Compliance Report. This report shall include the following constituents:

- Reviewing the Construction Contractual Documentation: this shall encompass a thorough examination of the construction contractual documentation, in order to identify all the requirements or provisions related to OHS stipulated in the contract. The review shall provide assurance of the fact that all the required safety measures, regulations and standards are appropriately stipulated and included in the documentation.
- Assessing the implementation of the Occupational Health and Safety Program: based on the review of the construction contractual documents, the report shall assess the appropriateness and comprehensiveness level of the existing OHS Program. It shall identify the inconsistencies and flaws of the current OHS Program and shall provide recommendations to include additional safety measures, in order to enhance the general OHS Program.
- Identifying and reporting the flaws: the report shall highlight the flaws or non-compliances found in the construction contractual documentation, as far as the safety requirements are concerned. It shall clearly document these flaws and shall report them to the Contracting Authority. The report shall include detailed explanations of the identified aspects, their potential impact on safety, as well as recommendations for corrective actions or changes to be brought to the contractual documents.

The safety OHS compliance report shall serve as a pivotal tool in securing the compliance with the safety requirements enforceable to construction projects. It shall make available an extensive assessment of the existing safety program; it shall identify the areas that could be enhanced and shall highlight the flaws or non-compliances in the contractual documents. By reporting any such flaws to the Contracting Authority, the timely implementation of corrective actions shall be facilitated, as well as the timely inclusion of an extensive safety program, which shall improve, eventually, the safety measures enforceable to construction projects.

Deliverables:

OHS Compliance Report.

3.4.6. Other Services

The Provider shall make available other services by means of which they shall assist the Beneficiary in the management of the construction process and in making the investment objective operational. These services shall include (but shall not be limited to):

- a. Analyzing and processing payment requests.
- b. Final inspection and acceptance of the work.
- c. Reporting on the Contractor's performance.
- d. Monitoring the preparation of the technical documentations compliant with execution („as-built”) by the Contractor on the site and the submission of the final PTE (*Technical Execution Project*), as built, by the Contractor, in compliance with the contractual requirements.
- e. Monitoring that all guarantees, operations handbook, spare parts and materials and other elements requested by contract are supplied by the Contractor.
- f. Assisting the Beneficiary in terms of coordination with the Ministry of Health and/or other relevant authorities, in order to secure all permits and the

preparation/authorization/accreditation of the newly-built Hospital, in order to start operations.

- g. Monitoring the Contractor's performance in terms of maintenance, as per the contractual requirements.

The Provider shall draft:

1. Report on contract management and coordination of authorizations.

This report shall include the following constituents:

- a. Contract management: This section shall highlight the activities carried out in order to draft, sign and make the relevant payments under the contract. It shall provide details on the process of drafting and completing the contract, that shall enable that all terms and conditions are included and mutually agreed upon by all signatories. The report shall also provide an overview on the contract signing process and the payments already made or pending, under the contract.
- b. Coordination of authorizations: This section shall focus on the efforts made to secure coordination with the Ministry of Health and/or other relevant authorities, in order to secure all the permits and for the preparation/authorization/accreditation of the hospital. It shall document the communications and the coordination activities already made, including meetings, correspondence.

2. Project Monitoring and Closing Report. The Project Monitoring and Closing Report shall provide an extensive overview on the development of the project and on the status of the deliverables under the Design and Execution of Works Contract, the contracts covering medical equipment and fittings. It shall include information such as the current status of the intermediary milestones of the project, the completion percentages, and any defaults or delays against the planned implementation chart.

Furthermore, the report shall secure traceability of the delivery of all guarantees, user's handbooks, spare parts and materials and any other item required by contract. It shall document the delivery date, any inconsistency or issue found, as well as the resolution or the measure taken for solving thereof.

Moreover, the report provides a summary of the outcomes of the final inspection and it shall include all the observations or flaws identified throughout the inspection process. It shall highlight all the outstanding items or corrective actions required to secure full compliance with the contractual requirements.

The Project Monitoring and Closing Report shall serve as comprehensive proof of the project's development and of meeting the contractual obligations. It shall provide a valuable perspective on the project's general performance, it shall highlight that may raise concerns and shall facilitate the closing process, by assuring that all the items in the required documentation are duly delivered and recorded.

3.5. Administrative Assistance throughout the Project

The Provider shall make available all the administrative staff (for secretarial and implementation activities) and all the equipment, stationery items, office support fittings, etc. required for the delivery of services under the herein agreement, for the execution of the project.

The administrative assistance services include the following categories of activities:

1. Organizing meetings and drafting minutes: organizing and planning regular meetings with contractors, coordination of logistics-related items, such as location, equipment and snacks, as well as preparing and sharing in advance the agendas. During the meetings, detailed minutes shall be drafted, to include the discussions, decisions and the major action items. The Provider shall keep the minutes of the meetings presided over by their employees, shall transcribe the minutes, highlighting the actions derived thereof and shall share them with all the relevant stakeholders in due time.

2. Verifying, organizing and archiving the documentation. The Provider is liable for setting up and maintaining an archiving system enabling the effective organization and storage of documents, correspondence and other relevant materials within the project. The archiving system shall be conceived to be accessible and user-friendly for searches, enabling swift extraction of information, whenever necessary. The archiving system shall be subject to regular maintenance and organization operations, to secure its effectiveness on the entire project duration.

The Provider shall verify the contents and existence of all papers and/or documents, writings, data and records to be handed over by the Beneficiary and/or Contractor in relation with the contract covering the execution of works, the supply contracts for the investment objective, so that they are complete and accurate; subsequently, they shall be archived and organized chronologically, systematically and accurately, grouped by files, numbered and named accordingly, both in print, as well as in electronic format (pdf, as well as editable format, as applicable), accompanied by *an opis*, so that the process to identify them is appropriate.

Throughout the duration of the contract, the Provider shall enable the digital conversion of the hard-copy documents and shall make digital copies of all original printed documents, while indexing/validating the documents in order to enable swift search and with minimal efforts in e-format. At the same time, the Provider shall complete the conversion of the printed correspondence into electronic format (image processing, optical character recognition and handwriting). All documents shall be stored in an external data center; Beneficiary's access thereto is done by Internet connection and VPN throughout the contract duration. Subsequently to the completion of the contract or upon explicit Beneficiary's request, the Provider shall hand over to the Beneficiary in electronic format (e.g., HDD, DVD, SSD, USB drive, memory card etc.) all the documents stored in the external data center.

3. Assistance regarding the Beneficiary's responsibilities: This constituent shall involve providing assistance and support to the Beneficiary, so that they may meet their obligations before the contractors. This may include tasks such as reviewing and monitoring the Contractor's deliverables, enabling traceability of contract compliance, drafting reports and presentations, coordination of communication between the Beneficiary and the contractors, and securing the swift resolution of any issues or concerns whatsoever related to the contractor.

The administrative assistance services have the purpose of streamlining the administrative processes, to enhance communication and coordination, facilitating documentation and archiving of all project deliverables.

The Provider shall remit to the Beneficiary a Special Report on the outcomes of its verification and assessment. All costs of these activities shall be included by the Provider in the Financial Proposal.

3.6. Contract Management within the Project

The Provider shall provide assistance to the Contracting Authority in terms of managing all contracts and agreements, including - without limitation to - the following:

- creating and keeping the files under the contract.
- analyzing the construction contract covering design and execution of works for signing/updating purposes, as applicable.
- analyzing the contract covering supply of medical equipment and fittings, for signing/updating purposes, as applicable.
- analyzing all other contracts and agreements, as applicable,
- analyzing and processing payment requests from the Consultants and the Contractor.

3.7. Parties' Tasks and Responsibilities

The Consultant shall be held fully accountable for:

- a. providing planning of the resources in relation with the estimated timeline for the development of the contract and presented in this document;
- b. fulfilling their obligations, observing the best practices in the field, complying with the relevant legal and contractual provisions, and fully understanding the complex nature of successfully deploying the Contract, so as to secure the completion of the objectives set in the requested quality parameters;
- c. ensuring a certain degree of flexibility in the delivery of the services, depending on the objective needs of the Contracting Authority, at any time during the deployment of the contract;
- d. providing the services in compliance with the requirements described in the Terms of Reference;
- e. presenting the outcomes in the format(s) observing the requirements of the Contracting Authority, collaborating with the Contracting Authority staff assigned for the services deployed in compliance with the Contract, including with the provider of legal advisory services appointed by the Contracting Authority and with the Observer of the Council of Europe Development Bank (monitoring the progress of the activities under the Contract, coordinating the activities under the Contract, feedback).

The Contracting Authority is accountable for:

- a. making available for the Consultant all the information at hand, in order to secure the expected outcomes, such as: input data, reporting, specific situations;
- b. designating the team involved and held accountable for liaising with and providing support to the Consultant;
- c. enabling all the resources in their care in order to secure the successful deployment of this Consultancy Services Contract covering Project Management and Supervision of Works.

Service Delivery Start & End Dates - Duration of the Consultancy Services

The estimated duration of the Service Contract -48 months, as of the date when the Service Delivery Commencement Order is issued (within no more than 5 working days from the date when both parties sign the service contract, provided the performance bond is established).

Under this contract, service delivery includes the completion of all activities, throughout the warranty period, until the signing of the final works' acceptance protocol.

4. Assumptions and Risks

Assumptions and Risks - Advisory and Management

While preparing the Bid, the Bidders must consider at least the risks and assumptions described hereinafter. To this purpose, when preparing the Bid, the Bidder shall take into consideration the required resources (in terms of time, finances and any other nature) for the implementation of the proposed risk mitigation strategies. The Bidder shall forward - within the technical proposal - a proposal of risk management plan, to be agreed with the Beneficiary and that shall make for the basis of risk management throughout the duration of the contract. The risks identified by the Contracting Authority are not limitative, the Bidder can and must identify any other risks that they deem as likely to occur throughout the deployment of the activities stipulated in the herein terms of reference and, in general, throughout the implementation of the project.

The risks that may be identified upon drafting the Terms of Reference and risks that may occur throughout the deployment of the contract are the following:

No.	Identified, Described and Argued Risk Factor	Risk Mitigation Measures
1	Erroneous phasing of activities	Logical and chronological planning of the activities comprised in the action plan where error margins have been considered for the most important stages of the project
2	Modifications of administrative procedures	Securing enough resources, since the planning phase of the project, in order to adjust to the new requirements, aligning the procedures with the new legal framework, adjusting the documents targeted by these differences, so that the new legal provisions are implemented.
3	Price-related risk	The prices considered while estimating the value of the investment may have variations that lead to a difference of actual costs that is lower or higher than the ones considered.
4	Timeline-related risk. Non-compliance with the schedule for the execution of works may lead to going beyond the contractual deadlines.	The project manager within the Project Implementation Team shall be held accountable for risk monitoring and management, so that the activities under the project are adjusted as soon as changes occur. In order to avoid delays in the completion of works, the completion timeline thereof shall be carefully monitored.

5	Lack of bids in the procurement procedures, difficulties in carrying out the public procurement activities	Compliance with the current public procurement laws in force, securing a transparent and fair procurement under the procurement procedure
6	Delivery of non-compliant deliverables/provisions/execution in terms of quality and/or quantity	Thorough management of project implementation, technical and financial assistance in the implementation of procurement contracts, clearly setting the responsibilities and obligations of suppliers under the procurement contract and the annexes thereto, regularly checking the suppliers' activity
7	Non-committing to certain tasks and responsibilities within the project team	Setting the responsibilities of the team members right since the beginning of project implementation, appointing certain experienced persons in the project team, holding regular meetings with the project team members
8	Deficient collaboration of the Beneficiary with the Financier, as applicable	Ensuring open communication based on the mutual interest to implement the Project, drafting clear and complete documentations, which do not require clarifications, additions, reviews, so that any potential delays in approval can be avoided

Assumptions and Risks - Oversight and Site Supervisions

When preparing the Bid, Bidders must consider at least the assumptions and risks described hereinafter as examples and they must also estimate the potential effects thereof.

To this purpose, when preparing the Bid, the Bidder shall take into consideration the required resources (in terms of time, finances and any other nature) for the implementation of the proposed risk mitigation strategies.

The assumptions considered upon initiating this procurement procedure are:

- a. the requested services are explicitly described in the Terms of Reference and are falling under the specific laws, accessible to all stakeholders;
- b. no changes of the institutional and legal framework majorly impacting the successful implementation and deployment of the Contract are foreseen;
- c. all information, data and documentations relevant and available for delivering/providing the services in relation to the investment objective shall be made available to the Contractor, to the extent they are available to the Contracting Authority;
- d. solid cooperation between the involved parties: Contracting Authority, Contractor, relevant authorities and any other relevant involved factors.

While preparing the Bid, the Bidders must consider at least the risks described hereinafter.

The risks that are more likely to occur throughout the deployment of the Contract, as identified by the Contracting Authority in the stage covering the preparation of the tender dossier, may consist of:

- i. emergence of potential predicaments in collaboration and communication between various stakeholders, namely: Contractor, relevant authorities, Contracting Authority, other contractors of the Contracting Authority;
- ii. existence of design errors/omissions in the documents made available by the Contracting Authority, not identified before the time when this procedure was initiated;
- iii. default on the deadline set for the completion of the services under the Contract resulting from this procedure;
- iv. emergence of specific requests from the relevant authorities regarding the location of the investment objective/project, including the situation when the parameters for certain characteristics/activities set by the relevant authorities are stricter than the parameters proposed by the Contractor;
- v. adding new activities/requests for information, depending on the progress of the activities;
- vi. data and information conveyed by the Contracting Authority are not enough or are not complete in order to meet the requirements under these Terms of Reference;
- vii. exceeding the duration for completion of activities undertaken in the Technical Proposal.

For the risks included under this chapter, the Contracting Authority shall not accept subsequent request to reassess the terms and conditions of the Financial and/or Technical Proposal, namely contract amendments, if the Contractor's Bid did not include the required diligences, namely measures to eliminate the source of risk or mitigating the impact thereof.

5. Location for Deploying the Activities

5.1. Location for Deploying the Activities

The sessions and meetings held throughout the deployment of the consultancy contract covering project management and supervision of works, for the purpose of the activities falling under this Contract, will be hosted at the headquarters of Provider, at the headquarters the Contracting Authority or at the Site Location in Bucharest, Romania. In order to secure a participatory process, regular meetings are needed, with the Contracting Authority, Contractor, their design consultant and any other essential stakeholder. The Provider must propose - in the Methodology- a planning of the meetings, providing details on the frequency, duration and participants required for these meetings, including field activities on the site.

Meetings throughout the implementation of the assignment:

- Initial meeting at the headquarters of the Contracting Authority;
- Introductory meetings with the Contracting Authority at the beginning of the contract;
- Working meetings with the stakeholders regarding the key deliverables;
- All the meetings required to ensure a participatory process, especially throughout the preparation of the Detailed Design by the Contractor;
- Additional meetings that can be requested for presentations at the Romanian Ministry of Health and/or at any other interested stakeholders.

6. Resources Required for the Completion of the Contract

6.1. Human Resources

The Provider shall make available the appropriate staff (in terms of expertise and time allocation) in order to effectively complete the activities required within the scope of the contracted services and to achieve the specific and general objectives of the contract in terms of project duration, costs and quality.

In order to successfully implement the contract, the Provider shall organize and provide the Contracting Authority with a team of experts, who, given their tasks and background, shall carry on the execution of all the activities to be completed under the contract.

The Provider undertakes to observe - both themselves and the proposed human resources - the privacy of the information received from the Beneficiary throughout the deployment of the contract and also of the outcomes resulting from the execution of the contract.

The Provider undertakes to observe - both themselves and the proposed human resources - the confidentiality nature of all information received from the Beneficiary throughout the implementation of the contract and on the outputs generated subsequently to the execution of the contract.

The Provider acknowledges the following:

- The civil servants and other public administration employees of the beneficiary country cannot be recruited as experts, except for the situation when prior written approval of the Contracting Authority has been secured, as applicable. The reasoning shall be submitted for the tender purposes and shall include information on the added value the expert shall produce, as well as proof that said expert is available to work for the Provider throughout the duration of the contract for services.
- In the case when throughout the implementation of the contract, the Contracting Authority deems that the Provider's experts cannot meet the required quality level in preparing the written outcomes, such as the deliverables, the Provider shall make available, with no additional costs to the Contracting Authority whatsoever, immediate additional support so that said outcomes are achieved at the appropriate standards.
- Should the Contracting Authority request replacing an expert, the Provider shall take the required measures to propose a replacement solution, as soon as possible, to the Contracting Authority.

The Provider may supplement the number of resources assigned to the activities throughout the deployment of the project, however, without asking for changing the contract value. The Provider is at liberty to propose whatever team they deem appropriate to deliver the services requested in the herein documentation, in addition to the "key" positions presented hereinafter.

In order to deliver the advisory services covering project management, supervision of works and site supervision, the Provider must prove that they can supply a team of technical experts consisting of **at least 11 key experts** for the following areas of competence:

No.	Expert Category	Proposed Role	No.
1	Key Expert	Project Manager - Team Leader	1

2	Key Expert	Senior Designer	1
3	Key Expert	Civil Engineer	1
4	Key Expert	Systems' Control Engineer	1
5	Key Expert	Processes' Expert	1
6	Key Expert	Medical Gas Systems Engineer	1
7	Key Expert	Medical Equipment Expert	1
8	Key Expert	Contracts' Manager	1
9	Key Expert	Lawyer	1
10	Key Expert	Quantity Surveyor	1
11	Key Expert	Architect	1

The minimally-requested human resources for the completion of the activities making the object of the contract to be awarded are presented below, having the following roles/positions in the project team and the following expertise:

6.1.1. Requirements for the Key Experts

Role	PROJECT MANAGER
Category	Key Expert
Educational and/or Professional Qualification	<p>The Project Manager shall meet the following requirements:</p> <ul style="list-style-type: none"> a. graduate of Higher Education -Bachelor's degree/similar, proven by bachelor's degree or equivalent; b. project management skills proven by specialized Project Management Certification acknowledged nationally or internationally.
Professional Experience	<p>General expertise: at least 10 years of general professional experience</p> <p>Specific professional expertise: contributing to at least one project/contract where they completed the same type of activities with the ones they are going to complete under the future contract.</p> <p><i>The phrase "similar activities/ the same type of activities" is to be read as the same categories of activities/responsibilities with the ones they are to complete under the herein contract for the proposed role.</i></p> <p><i>The phrase "similar project or contract" is to be read as Contract for Services covering Supervision and/or Works' Supervision (site supervision) for contracts falling under Romanian Government Decision (HG) 1/2018 or FIDIC focused on construction/rehabilitation/retrofit/expansion or intervention for/consolidation of civil buildings falling under importance category or higher, in compliance with Romanian Government Decision (HG) 766/1997 where the expert completed comparable activities to the ones stipulated in the herein contract.</i></p>

	<p><i>NOTE: - the phrase "hospital facilities" to be read as general hospitals, emergency hospitals, county-level hospitals, municipality-level hospitals, town-level hospitals, teaching hospitals, hospitals encompassing a complex structure of specialties, fitted with appropriate medical equipment, specialized staff, emergency-admission unit, medical clinic, health center, medical recovery center, medical laboratories, etc.</i></p>
Responsibilities under the Contract	<p>Enabling the management of the entire consultancy contract;</p> <p>Planning, coordinating and managing the contract;</p> <p>Organizing and coordinating the activity of all experts under the contract;</p> <p>Drafting the procedures in compliance with the project methodology and tracking the implementation thereof;</p> <p>Enabling planning the activities and resources under the contract;</p> <p>Enabling monitoring, assessing and controlling of the contract in compliance with the contractual provisions (HG 1/2018);</p> <p>Managing and overseeing the manner to deliver the activities under the contract, in terms of administrative/logistics, communications and operational point of view, in order to meet the set goals;</p> <p>Overseeing the working procedures, enabling organizing, coordinating, controlling the activities of the project team and managing compliance with the deadlines for supply/delivery/execution;</p> <p>Verifying and enabling compliance of all contract deliverables from the point of view of the provisions of the contractual documents and of legal, enforceable provisions related to the contents of the documents prepared by the Provider;</p> <p>Controlling the manner of completing the stages of the project and activities, in compliance with the Gantt Chart;</p> <p>Enabling coordination of the financial resources of the project, monitoring permanent compliance with the cost limits within the contract budget;</p> <p>Coordinating and verifying the activity of the Contractor and of the commodities and services suppliers; verifying compliance with the technical specifications stipulated in the technical documentation, in the contract and in the enforceable technical regulations;</p> <p>Identifying any potential issues emerging throughout the deployment of the project and taking corrective measures, whenever they find that such issues emerge, subsequently to consulting with the partners and the Contracting Authority;</p> <p>Summoning and chairing the analysis meetings with the project team;</p>

	<p>Controlling the activity and assessing the performance of the project team members;</p> <p>Monitoring and drafting, as applicable, the documents required under the project management methodology and the contract;</p> <p>Identifying any potential issues related to the progress of activities deployed under the contract and proposing solutions;</p> <p>Running the checks stipulated in the regulations and signing the documents prepared as a result of such checks (minutes, reports etc.);</p> <p>Enabling correspondence/communications within the project with the Contracting Authority;</p> <p>Representing the project team in relation with the Contracting Authority, the public institutions, the financing authority and other natural and legal persons;</p> <p>Communicating with the Contracting Authority in relation with the aspects concerning the general management;</p> <p>Securing assistance during visits for monitoring, assessment and control from the relevant bodies having jurisdiction therefor;</p> <p>Enabling compliance with the quality and performance criteria required by the project and the contractual terms and conditions; performing any other tasks that may occur throughout the implementation of the project;</p> <p>Enabling the completion of reporting under the contract;</p> <p>Overseeing the management and archiving of the documents related to the project;</p> <p>Compiling the project's dossier, including all the documents generated under the project;</p> <p>Enabling the implementation of the Equal Opportunities and Non-Discrimination Principle, as well as the Environmental Protection Principle, throughout the deployment of all activities under the contract.</p>
Further Requirements	<p>"Availability Affidavit" for the timeframe covering the activities undertaken in the herein contract, signed in original copy by the expert proposed for the completion of the contract (annex to the terms of reference), in the event that the expert is not an employee of the Bidder. If the proposed expert is an employee of the Bidder, supporting documents proving the employee/collaborator status etc. shall be submitted.</p>

Role	SENIOR DESIGNER
Category	Key Expert
Educational Professional Qualification and/or	<p>The Senior Designer shall meet the following requirements:</p> <p>a. graduate of Higher Education with bachelor's degree/similar/equivalent in the areas: civil engineering/architecture;</p>

	b. advanced knowledge of software design and simulation such as AutoCAD or BIM (Building Information Modeling) proven by nationally/internationally acknowledged/recognized professional certification.
Professional Experience	<p>General expertise: at least 10 years of general professional experience</p> <p>Specific professional expertise: contributing to at least one project/contract where they completed the same type of activities with the ones they are going to complete under the future contract.</p> <p><i>The phrase "similar project or contract" is to be read as either a design contract, or a design and execution contract where the expert performed activities that are comparable to the ones they are going to carry out under the contract. Said contract must be included in the activities under certain projects/contracts covering supervision/design/ design and execution of works.</i></p> <p><i>The Project/Contract must have been focused on construction/rehabilitation/retrofit/expansion or intervention for hospital facilities falling under B importance category, in compliance with Romanian Government Decision (HG) 766/1997.</i></p> <p><i>NOTE: - the phrase "hospital facilities" is to be read as general hospitals, emergency hospitals, county-level hospitals, municipality-level hospitals, town-level hospitals, teaching hospitals, hospitals encompassing a complex structure of specialties, fitted with appropriate medical equipment, specialized staff, emergency-admission unit, medical clinic, health center, medical recovery center, medical laboratories, etc.</i></p>
Responsibilities under the Contract	<p>Ensuring the coordination of the activities covering design supervision (drafting the technical documentations) for the investment objective;</p> <p>Drafting the Design Management Plan;</p> <p>Monitoring the Contractor's team of design experts for the completion of the integrated technical documentations for the investment objective;</p> <p>Coordinating the internal team of design specialists involved in the supervision activities;</p> <p>Verifying the timeline of the design works, together with the Contractor's proxy;</p> <p>Running the preliminary check of the projects drafted by designers;</p> <p>Coordinating the technical commission for project approval, in order to have the technical documentations for the construction of the investment objective</p>

	<p>approved;</p> <p>Preparing and analyzing with the team of specialists the projects submitted for approval purposes, in terms of compliance with the laws, rules and regulations in force;</p> <p>Performing the coordination of the completed projects with all the specialties within the investment objective, enabling the resolution of any potential inconsistencies;</p> <p>Coordinating the activity covering monitoring of the design and execution services with the help of designated software applications (e.g., AutoCAD, BIM etc.);</p> <p>Assessing the quality, accuracy and compliance of design with the local and international standards, regulations and requirements, enforceable to the project;</p> <p>Coordinating the drafting and conveying the Verification Lists/Verification Reports of the compliance of technical documentations by specialties;</p> <p>Verifying the quantities of the designed works and the accuracy of drafting the lists of quantities and individual and total values for the investment objective;</p> <p>Identifying and implementing technical solutions in order to optimize the entire designed investment project, in compliance with the law in the field;</p> <p>Coordinating and verifying the activity of technical assistance onsite, for the completion of the construction in compliance with the drafted and approved technical documentation;</p> <p>Approving -during the works' execution timeframe - the technical solutions for completions or optimization purposes, concerning the designed technical solutions;</p> <p>Verifying the drafting of the final technical "as built" design, after the completion of the works, in compliance with the law in force;</p> <p>Drafting the Design Review Report;</p> <p>Enabling archiving and safekeeping of the technical documents, so that they are available for subsequent maintenance and inspections;</p> <p>Preparing activity reports on the deployed activities etc.</p> <p>Summoning and chairing the analysis meetings with expert designers' team;</p> <p>Controlling the activity and assessing the performance of the experts' team members under the supervision contract;</p> <p>Identifying any potential issues related to the progress of activities deployed under the contract and proposing solutions;</p> <p>Running the checks stipulated in the regulations and signing the documents prepared as a result of such checks (minutes, reports etc.);</p> <p>Enabling correspondence/communications within the</p>
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	<p>project with the Contracting Authority;</p> <p>Representing the team of expert designers involved in supervision in relation with the Contracting Authority, the public institutions, the financing authority and other natural and legal persons;</p> <p>Communicating with the Contracting Authority regarding the aspects concerning the supervision of design services;</p> <p>Securing assistance during visits for monitoring, assessment and control from the relevant bodies having jurisdiction therefor;</p> <p>Enabling compliance with the quality and performance criteria required by the project and the contractual terms and conditions; performing any other tasks that may occur throughout the implementation of the project;</p> <p>Enabling the management and archiving of the documents related to design and technical assistance under the project;</p> <p>Contributing to the activities related to the beginning, conclusion, coordination and control of the project, while reporting on the progress of the activities for which they are held accountable;</p> <p>Enabling the implementation of the Equal Opportunities and Non-Discrimination Principle, as well as the Environmental Protection Principle, throughout the deployment of all activities under the contract.</p>
Further Requirements	<p>"Availability Affidavit" for the timeframe covering the activities undertaken in the herein contract, signed by the expert proposed for the completion of the contract (annex to the terms of reference), in the event that the expert is not an employee of the Bidder. If the proposed expert is an employee of the Bidder, supporting documents proving the employee/collaborator status etc. shall be submitted.</p>

Role	CIVIL ENGINEER
Category	Key Expert
Educational Professional Qualification and/or	<p>The Expert shall meet the following requirements:</p> <p>a. graduate of Higher Education with bachelor's degree/similar/equivalent in the areas: civil engineering/industrial buildings;</p>
Professional Experience	<p>General expertise: at least 10 years of general professional experience</p> <p>Specific professional expertise: contributing to at least one project/contract where they completed the same type of activities with the ones they are going to complete under the future contract.</p>

	<p><i>The phrase "similar activities/ same type of activities" is to be read as the same category of activities/responsibilities with the ones they are going to have under the herein contract for the proposed role, delivered under projects/ contracts covering supervision/design/ design and execution of works, of similar or higher nature and complexity, namely contracts which included civil engineering works (new buildings/ consolidation/rehabilitation/retrofit/ expansion) falling at least under B category of importance.</i></p>
Responsibilities under the Contract	<p>Ensuring the coordination of the activities covering supervision of works for the investment objective; Monitoring the planning and coordination of works; Drafting the Construction Coordination Plan for the investment objective; Collaborating with the non-key experts /engineers' team to set a plan for resource (materials, equipment, staff) monitoring and control, necessary for the deployment of construction supervision activities; Verifying and approving the Contractor's Execution Schedule; Assessing the construction project in order to make sure that it meets the functional and safety requirements specific to a hospital; Monitoring compliance of the execution of works with the technical project and the supporting documentation; Verifying the integration and implementation of the BIM project in the execution of the investment objective; Enabling the correct integration of all existing specialties in the execution of the investment objective: of civil works with the electric, plumbing, ventilation, medical gas systems and the hospital-specific medical equipment etc.; Monitoring the mobilization of the Contractor, the supply with raw materials and materials, the delivery of equipment and the execution of works, against the Execution Schedule; Supervising the organization and coordination of the work teams involved in various construction stages, including teams covering civil engineering, systems, medical equipment and other specialties; Verifying the execution of works in compliance with the provisions of the technical project and the execution details approved by the Beneficiary; Verifying compliance with the medical-construction-specific regulations, including requirements related to</p>

	<p>hygiene, fire safety and accessibility for disabled persons;</p> <p>Verifying compliance of the hospital construction with the anti-earthquake and structural safety standards;</p> <p>Verifying compliance with the approved Quality Assurance Plan;</p> <p>Verifying compliance with the environmental protection regulations and recommending measures to mitigate environmental impact during the execution of works;</p> <p>Checking quality compliance of the Equipment and Materials and the methods used for execution thereof;</p> <p>Verifying the quality of the supplied raw materials, materials and equipment by checking the quality-related documents and technical agreements accompanying the relevant commodities and products;</p> <p>Enabling verification of the quality of materials used for execution purposes: usage of the approved construction materials, as well as verifying the quality of works, such as the structural frame, foundations, walls, ceilings and other essential elements;</p> <p>Verifying that all the executed works comply with the current construction-related laws in force and with the safety standards for medical spaces;</p> <p>Managing Site Health and Safety in compliance with the current laws in force;</p> <p>Issuing instructions to the Contractor regarding the mobilization of resources and the execution of works, or, as applicable, regarding the presentation of revised execution schedules;</p> <p>Verifying and approving the sub-contractors proposed by the Contractor;</p> <p>Verifying the quantities and cost control in the execution of the investment objective;</p> <p>Verifying and certifying the works' statuses received from the Contractor;</p> <p>Attending the performance of tests and the verification of works in the decisive stages;</p> <p>Attending the inspections and the acceptances, in compliance with the works' quality control schedules and signing the protocols in the capacity of observer;</p> <p>Monitoring the energy performance of the hospital in compliance with the nZEB+ requirements and verifying the supporting documents;</p> <p>Enabling the organization of testing and acceptances (upon completion of works, the final acceptance);</p> <p>Assisting the Beneficiary throughout the procedure of Acceptance upon Completion of Works and Final Acceptance;</p> <p>Verifying the documents received from the Contractor as part of the Building Log Book, in compliance with the provisions stipulated in the works contract;</p>
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	<p>Analyzing the Claims of the Contractor, Beneficiary under the contract covering design and execution of works and issuing decisions/amendments in compliance with the contractual provisions;</p> <p>Identifying the issues emerging during the works and collaborating with the other teams in order to find swift and effective solutions;</p> <p>Reporting the issues and incidents emerging during execution, the implemented solutions and the achieved outcomes, in order to inform the management and the beneficiaries ;</p> <p>Monitoring the validity of the insurance policies and the guarantees submitted by the Contractor and approved;</p> <p>Verifying and approving the guidelines on handling and maintenance of the systems/equipment proposed by the Contractor;</p> <p>Verifying and approving the training schedule of the hospital staff in charge of handling and/or maintaining thereof;</p> <p>Compiling regular reports on works' progress, expenditure and other important details, that they present to the Beneficiary and the management team;</p> <p>Drafting and archiving the technical documents and progress reports, the safety plans and the inspection reports;</p> <p>Keeping a detailed record of all aspects related to the relevant work, including technical specifications, compliance-related documentation - that are required for the completion and approval of the hospital;</p> <p>Drafting quarterly reports towards the Investor/Beneficiary during the warranty timeframe;</p> <p>Completing the other Supervisor's tasks stipulated in the Works Contract;</p> <p>Contributing to the activities related to the beginning, conclusion, coordination and control of the project, while reporting on the progress of the activities for which they are held accountable;</p> <p>Enabling the implementation of the Equal Opportunities and Non-Discrimination Principle, as well as the Environmental Protection Principle, throughout the deployment of all activities under the contract.</p>
Further Requirements	<p>"Availability Affidavit" for the timeframe covering the activities undertaken in the herein contract, signed by the expert proposed for the completion of the contract (annex to the terms of reference), in the event that the expert is not an employee of the Bidder. If the proposed expert is an employee of the Bidder, supporting documents proving the employee/collaborator status etc. shall be submitted.</p>

Role	SYSTEMS' CONTROL ENGINEER
Category	Key Expert
Educational Professional Qualification and/or	<p>The Expert shall meet the following requirements:</p> <p>a. graduate of Higher Education with bachelor's degree/similar/equivalent in the areas: Electrical Engineering/Mechanical Engineering/ Systems' Engineering/ Automation and Computers/ Construction Engineering.</p> <p>b. knowledge in automations and systems' control proven by specialized professional certification acknowledged nationally or internationally (e.g., Building Management Systems – BMS / Building Information Modeling (BIM) / SCADA or equivalent)</p>
Professional Experience	<p>General expertise: at least 10 years of general professional experience</p> <p>Specific professional expertise: contributing to at least one project/contract where they completed the same type of activities with the ones they are going to complete under the future contract.</p> <p><i>The phrase "similar activities/ the same type of activities" is to be read as the same categories of activities/responsibilities with the ones they are to complete under the herein contract for the proposed role.</i></p>
Responsibilities under the Contract	<p>Enabling the monitoring of the implementation of technical and infrastructure systems that are essential for the optimal operation of the hospital;</p> <p>Enabling monitoring the implementation of clinical support technologies;</p> <p>Enabling monitoring of the planning and design of the hospital's technical systems in compliance with the medical standards, patients' and staff's safety;</p> <p>Monitoring the implementation in the design and execution stage of the required control systems, such as HVAC (heating, ventilation and air conditioning) systems, electrical and plumbing systems, fire detection and extinguishing systems, medical gas systems, emergency lighting system and other critical infrastructures and integration thereof in the BMS / SCADA systems, as applicable;</p> <p>Verifying the integration and implementation of the BIM project in the execution of the investment objective;</p> <p>Collaborating with the team of architects and design engineers in order to develop the technical specifications and performance requirements for each and every system;</p> <p>Assessing the proposed solutions in order to make sure that they are compliant with the legal requirements, the</p>

health and safety standards, as well as with the specific needs of a university hospital;

Verifying the integration and implementation of the requirements stipulated in standards, regulatory acts, regulations and rules that are enforceable to medical constructions;

Enabling maintaining a thorough installation calendar, making adjustments wherever necessary, in order to observe the deadlines set for the project;

Enabling the monitoring of the teams covering installation and verification of equipment within the infrastructure;

Supervising the activity of the construction teams and of sub-contractors in charge of installing and executing the technical systems, making sure that plans and specifications are observed;

Verifying the mounting of the equipment and their correct operation, as well as their compliance with the safety and performance rules;

Monitoring the initial tests of the installed systems, such as pressure tests, verifying the air-flow and other functionality-related, essential tests in order to ensure the integrity of the equipment;

Enabling monitoring the works' progress and the technical resources;

Drafting regular progress reports, providing details on the works' status, the encountered issues and the implemented solutions, and presenting these reports to the management;

Verifying compliance of the installation works with the regulations and rules enforceable to medical constructions, such as hospital-specific quality and safety requirements;

Attending quality audits/technical inspections, documenting any non-compliance or flaw whatsoever and setting corrective measures;

Collaborating with the teams covering quality control and with the safety experts in order to ensure that all procedures and standards are complied with, throughout each implementation stage;

Monitoring the implementation of automation systems;

Supervising the integration of automation systems (e.g., Building Management System – BMS, SCADA etc.), by means of which the heating, ventilation, air conditioning, lighting and security systems may be monitored and controlled, in order to enhance the hospital's operational effectiveness;

Verifying the automation solutions providers in order to develop control protocols and to schedule the equipment in compliance with the operational specifications;

	<p>Attending the testing/verification of the operation of automation systems and controlling the performance thereof, by adjusting the settings or intervening in case of malfunctions;</p> <p>Ensuring compliance with the fire safety and prevention requirements;</p> <p>Verifying the implementation of the fire detection and extinguishing systems, smoke evacuation systems and of other safety measures;</p> <p>Securing compliance of the safety systems with the international legal rules and regulations enforceable to medical constructions;</p> <p>Attending the evacuation simulation and fire safety tests, by liaising with the hospital's safety teams and with the relevant authorities;</p> <p>Securing verification and management of the technical documentation;</p> <p>Verifying the drafting and hand-over of the technical documentation for all systems, including specifications, operation guidelines, maintenance instructions and testing reports;</p> <p>Verifying the "as-built" documentation upon completion of works, where all the amendments are recorded, by comparison with the initially approved technical documentations;</p> <p>Enabling archiving and safekeeping of the technical documents, so that they are available for subsequent maintenance and inspections;</p> <p>Ensuring cooperation with the relevant regulatory and inspection authorities; Collaborating with the local regulatory authorities for securing the approvals and authorizations required for operating the infrastructure/equipment;</p> <p>Verifying the documentation requested for the regular inspections, making sure that all the systems are compliant with the public health and safety requirements;</p> <p>Following the recommendations of the authorities and making sure that any amendment or upgrade required thereby are correctly implemented;</p> <p>Verifying the completion of training for the staff covering operation and maintenance of buildings, systems, equipment and devices;</p> <p>Attending the assessment of energy performance and efficiency of the systems;</p> <p>Monitoring the design activities and proposing energy efficiency solution in order to implement sustainable solutions, by cutting down operational costs in the long run;</p>
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	<p>Proposing solutions for optimizing and saving the systems' energy resources, the equipment proposed in the building's structure;</p> <p>Monitoring the hospital's energy performance and verifying the hand-over to the Contractor of all supporting documents;</p> <p>Contributing to the activities related to the beginning, conclusion, coordination and control of the project, while reporting on the progress of the activities for which they are held accountable;</p> <p>Enabling the implementation of the Equal Opportunities and Non-Discrimination Principle, as well as the Environmental Protection Principle, throughout the deployment of all activities under the contract.</p>
Further Requirements	<p>"Availability Affidavit" for the timeframe covering the activities undertaken in the herein contract, signed by the expert proposed for the completion of the contract (annex to the terms of reference), in the event that the expert is not an employee of the Bidder. If the proposed expert is an employee of the Bidder, supporting documents proving the employee/collaborator status etc. shall be submitted.</p>

Role	MEDICAL PROCESSES EXPERT
Category	Key Expert
Educational and/or Professional Qualification	<p>The Medical Processes Expert shall meet the following requirements:</p> <p>a. graduate of Higher Education -with bachelor's degree/similar/equivalent in the areas: engineering/medicine/management/economic/public administration;</p> <p>Degree/graduation certificate of a training in healthcare services quality management, organized in compliance with the provisions of the Order of the Chairperson of ANMCS (TN: <i>Romanian National Authority for Healthcare Quality Management</i>) no.418/2020 approving the framework syllabus for trainings in healthcare services quality management, of the Order of the Minister of Health no. 1312/2020 on the organization and operation of the healthcare services quality management structure within the healthcare facilities with beds and of ambulance services.</p>
Professional Experience	<p>General expertise: at least 10 years of general professional experience</p> <p>Specific professional expertise: contributing to at least one project/contract where they completed the same type of activities with the ones they are going to complete under the future contract.</p>

	<p><i>The phrase "similar activities/ the same type of activities" is to be read as the same categories of activities/responsibilities with the ones they are to complete under the herein contract for the proposed role.</i></p>
Responsibilities under the Contract	<p>Securing compliance and quality of the medical processes throughout the timeframe for design and execution of the investment objective;</p> <p>Conducting the analysis and optimization of medical processes in compliance with the standards and rules stipulated in the national law in the field;</p> <p>Verifying whether the medical processes are designed and executed in compliance with the legal regulations/protocols and proposing corrective measures wherever necessary;</p> <p>Assessing the workflows proposed in the technical documentation for the investment objective in order to identify the weak points, blockages and areas in need of improvement;</p> <p>Proposing solutions for streamlining the medical processes and implementing the best practices in the field, while reducing the waiting time and enhancing patient experience;</p> <p>Creating and monitoring the specific performance indicators for the medical processes, such as waiting time, procedures' success rate, number of medical incidents, patient satisfaction etc.;</p> <p>Monitoring compliance of the medical infrastructure with the legal regulations and the quality standards that are specific to the medical sector (e.g., ISO rules, data protection regulations, World Health Organization Standards, the standards of the Romanian Ministry of Health, the Romanian Public Health Directorate, the certifying institutions and organizations etc.);</p> <p>Assessing the healthcare management information systems (e.g., e-health files, resource planning systems etc.), in order to support clinical decisions and to secure quick access to the patient's information throughout the operation timeframe of the medical infrastructure;</p> <p>Collaborating with the team comprising IT experts, medical equipment experts etc., to customize the technological solutions aligned with the specifics of the hospital and to make sure that the medical staff shall be properly trained throughout the timeframe when such equipment is used, in the newly-built infrastructure;</p> <p>Managing risks and patient safety throughout the timeframe for design and execution of the investment objective;</p> <p>Identifying, assessing and managing the risks associated with the medical processes, in order to mitigate the</p>

	<p>likelihood of emergence thereof during the operation timeframe of the medical infrastructure;</p> <p>Attending the verifications of the flows proposed by the designers and collaborating with the medical teams in order to implement the medical processes/flows.</p> <p>Collaborating with the technical/medical teams in order to develop and implement standardized procedures and protocols for making the hospital operational;</p> <p>Contributing and developing internal policies and procedures in terms of quality and patient safety, in order to render the investment objective operational and to authorize its operation;</p> <p>Contributing to the activities related to the beginning, conclusion, coordination and control of the project, while reporting on the progress of the activities for which they are held accountable;</p> <p>Enabling the implementation of the Equal Opportunities and Non-Discrimination Principle, as well as the Environmental Protection Principle, throughout the deployment of all activities under the contract.</p>
Further Requirements	<p>"Availability Affidavit" for the timeframe covering the activities undertaken in the herein contract, signed by the expert proposed for the completion of the contract (annex to the terms of reference), in the event that the expert is not an employee of the Bidder. If the proposed expert is an employee of the Bidder, supporting documents proving the employee/collaborator status etc. shall be submitted.</p>

Role	MEDICAL GAS SYSTEMS ENGINEER
Category	Key Expert
Educational and/or Professional Qualification	<p>The Expert shall meet the following requirements:</p> <ol style="list-style-type: none"> graduate of Higher Education with bachelor's degree/similar/equivalent in the areas: Construction Systems/ Bio-medical Engineering/ Medical Engineering/ Mechanical Engineering/ Electrical and Electronic Engineering. knowledge in automatic control and monitoring systems for medical gas (BMS/SCADA or equivalent) proven by professional certification recognized/acknowledged nationally/ internationally
Professional Experience	<p>General expertise: at least 5 years of general professional experience</p> <p>Specific professional expertise: contributing to at least one project/contract where they completed the same type of activities with the ones they are going to complete under the future contract.</p>

	<i>The phrase "similar activities/ the same type of activities" is to be read as the same categories of activities/responsibilities with the ones they are to complete under the herein contract for the proposed role.</i>
Responsibilities under the Contract	<p>Supervising the design and execution of Medical Gas Systems, for compliance with the technical and safety requirements stipulated in the laws in the area;</p> <p>Assessing the need of the healthcare facility for determining the quantities and types of medical gas (oxygen, compressed air, nitrous oxide etc.) and supervising the planning of the distribution network;</p> <p>Supervising the design and execution activity and making recommendations related to new technologies and solutions that could optimize the consumption and distribution of medical gas;</p> <p>Monitoring the engineers and architects for integrating the gas network in the hospital's structure, considering the locations for consumption and the medical equipment;</p> <p>Ensuring compliance with the national and international regulations and standards in terms of medical gas systems, such as ISO 7396-1 and NFPA 99, both for design and execution;</p> <p>Monitoring the implementation in the design and execution stage of medical gas systems and the integration thereof with BMS/SCADA systems, as applicable;</p> <p>Verifying the integration and implementation of the BIM project in the execution of the investment objective;</p> <p>Supervising the installation of the Medical Gas Systems;</p> <p>Securing the development of a detailed technical plan for the installation of Medical Gas Systems;</p> <p>Supervising the installation teams in order to make sure that the medical gas network is completed in compliance with the technical project and the safety standards;</p> <p>Supervising the installation in order to prevent gas leaks, system contamination or the accidental mixing of gas;</p> <p>Checking the quality of materials and equipment;</p> <p>Securing the use of compliant and high-quality equipment, such as pipes, compressors, storage containers, oxygen generators and other distribution-related equipment;</p> <p>Attending the testing and calibration of the system;</p> <p>Supervising the tests covering pressure and verification of the distribution network integrity in order to secure constant gas distribution at the appropriate pressure;</p>

	<p>Supervising the calibration of the system, equipment, in order to verify purity, concentration and pressure of the distributed gas, in compliance with the standards;</p> <p>Supervising the validity of compliance, that the system meets all safety and performance requirements for issuing the compliance certificates and recording the results of the tests;</p> <p>Drafting a preventive maintenance plan in order to mitigate the risk of malfunctions and to secure continuous and safe network operations;</p> <p>Monitoring performance of the system's essential parameters, such as pressure, purity and flow, through specialized software (e.g., SCADA or other for automated monitoring);</p> <p>Supervising the interventions and repairs in case of malfunctions, in order to rapidly reset the medical gas system's functionality and safety;</p> <p>Supervising the training of the medical and technical staff on safely using and maintaining the medical gas network, as well as on safety and emergency protocols;</p> <p>Managing and archiving the detailed technical documentation concerning design, verifications and installation, regular testing and maintenance of the system;</p> <p>Drafting compliance and safety reports for the hospital's management teams and the regulatory authorities;</p> <p>Enabling archiving of documents and certificates of the commissioned installations and equipment, in order to guarantee the system's traceability and compliance;</p> <p>Contributing to the activities related to the beginning, conclusion, coordination and control of the project, while reporting on the progress of the activities for which they are held accountable;</p> <p>Enabling the implementation of the Equal Opportunities and Non-Discrimination Principle, as well as the Environmental Protection Principle, throughout the deployment of all activities under the contract.</p>
Further Requirements	<p>"Availability Affidavit" for the timeframe covering the activities undertaken in the herein contract, signed by the expert proposed for the completion of the contract (annex to the terms of reference), in the event that the expert is not an employee of the Bidder. If the proposed expert is an employee of the Bidder, supporting documents proving the employee/collaborator status etc. shall be submitted.</p>

Role	MEDICAL EQUIPMENT EXPERT
Category	Key Expert

Educational and/or Professional Qualification	<p>The Expert shall meet the following requirements:</p> <p>a. graduate of Higher Education with bachelor's degree/similar/equivalent in the areas: Bio-medical Engineering/ Medical Engineering/ Mechanical Technics/Medicine or Medical Physics/ Electrical and Electronic Engineering.</p> <p>b. Knowledge of the CNCAN (<i>Romanian National Commission for Nuclear Activities Control</i>) authorization standards in the area of radiological protection, proven by professional certification acknowledged/recognized at national/international level in the area of radiological protection - level 3 exercising permit/ or medical physics - level 3 exercising permit.</p>
Professional Experience	<p>General expertise: at least 5 years of general professional experience</p> <p>Specific professional experience: at least 5 years of specific professional experience in medical engineering/ bio-medical engineering/ medical physics/ technical maintenance of medical equipment or contributing to at least one project/contract where they completed the same type of activities they are going to carry on under the future contract.</p> <p><i>The phrase "similar activities/ the same type of activities" is to be read as the same categories of activities/responsibilities with the ones they are to complete under the herein contract for the proposed role.</i></p>
Responsibilities under the Contract	<p>Ensuring the planning and assessment of the required medical equipment;</p> <p>Assessing the required medical equipment by the hospital's specialties and capabilities;</p> <p>Enabling optimization and assessment of equipment's performance;</p> <p>Carrying on the assessment of equipment's efficiency and compatibility with the clinical and technological requirements of the hospital;</p> <p>Proposing solutions for optimizing the costs, either by upgrading the equipment, or by purchasing more energy-efficient equipment;</p> <p>Verifying the technical and functional specifications set by the design team in order to set the technical and functional performances for each type of equipment;</p> <p>Verifying the budgeting of costs and securing optimization thereof throughout the operation timeframe; Drafting the budgetary plan for equipment, identifying the essential equipment and opting for the most effective solutions, within the budget limits;</p>

Supervising the installation, testing and commissioning of equipment, in compliance with the specifications in terms of space, input and accessibility;

Enabling the initial verifications and testing the equipment to guarantee that they operate correctly and that they are compliant with the safety specifications;

Enabling quality monitoring and control of the medical equipment and the compliance thereof with the performance and safety standards;

Carrying out inspections in order to verify equipment performance and safety, making sure that they operate in compliance with the set parameters;

Ensuring compliance with the standards and regulations; Making sure that all the proposed and delivered medical equipment comply with the international safety standards and the local regulations such as ISO, EC or FDA;

Enabling equipment compliance check against the safety and hygiene-related requirements;

Enabling the management of technical documentation and warranty, compliance etc. certificates;

Securing the complete documentation for each piece of equipment, including technical specifications, user's manuals, compliance certificates and maintenance-related records;

Enabling organizing and archiving the certification and guarantee documents, being cautious to observe the audit requirements and the enforceable regulations;

Drafting and updating the equipment registry, including with details concerning localization, technical status and planning of maintenance interventions;

Analyzing the collected data on the use of equipment in order to prevent overuse or premature wear-and-tear and proposing adjustments to the use process;

Securing the Coordination of maintenance and of the servicing of equipment throughout the sustainability timeframe;

Enabling the reporting of issues and the management of malfunctions; Identifying the potential malfunctions and collaborating with the suppliers or the servicing teams, in order to swiftly remedy the issues;

Monitoring equipment performance and making recommendations for potential replacements, upgrades;

Collaborating with the regulatory authorities in order to present the compliance documentation, the certificates and any other relevant documents during inspections;

Identifying non-compliances and coordinating corrective measures in order to align the equipment with the regulatory requirements;

	<p>Providing consultancy for legal changes in order to adjust the medical equipment to the new regulations and standards;</p> <p>Supervising the training and assistance of the medical staff in using the equipment, making sure that they know how to correctly and effectively operate the equipment;</p> <p>Securing the oversight of the training of both medical and technical staff regarding the correct use and maintenance of equipment;</p> <p>Verifying the training timeline proposed by the suppliers and the training assessment process;</p> <p>Attending the assessment of energy efficiency of the equipment;</p> <p>Proposing solutions for optimizing and saving the systems' energy resources, the equipment proposed in the building's structure;</p> <p>Monitoring the hospital's equipment energy performance and verifying the hand-over to the Contractor of all supporting documents;</p> <p>Contributing to the activities related to the beginning, conclusion, coordination and control of the project, while reporting on the progress of the activities for which they are held accountable;</p> <p>Enabling the implementation of the Equal Opportunities and Non-Discrimination Principle, as well as the Environmental Protection Principle, throughout the deployment of all activities under the contract.</p>
Further Requirements	<p>"Availability Affidavit" for the timeframe covering the activities undertaken in the herein contract, signed by the expert proposed for the completion of the contract (annex to the terms of reference), in the event that the expert is not an employee of the Bidder. If the proposed expert is an employee of the Bidder, supporting documents proving the employee/collaborator status etc. shall be submitted.</p>

Role	CONTRACTS' MANAGER
Category	Key Expert
Educational and/or Professional Qualification	<p>The Expert shall meet the following requirements:</p> <p>a. graduate of Higher Education with bachelor's degree/similar/equivalent in the areas: Constructions/Finance/Business Management;</p>
Professional Experience	<p>General expertise: at least 10 years of general professional experience</p> <p>Specific professional expertise: contributing to at least one project/contract where they completed the same type of activities with the ones they are going to complete under the future contract.</p>

	<i>The phrase "similar activities/ the same type of activities" is to be read as the same categories of activities/responsibilities with the ones they are to complete under the herein contract for the proposed role.</i>
Responsibilities under the Contract	<p>Enabling the management and the administration of the contracts within the project;</p> <p>Providing assistance and support to the Beneficiary, in order to fulfill the responsibilities to the contractors within the project;</p> <p>Drafting and negotiating the contracts under the project;</p> <p>Reviewing and negotiating the terms and conditions of the contracts with the customers, suppliers or sub-contractors;</p> <p>Monitoring the Contractor's, suppliers' and service providers' compliance with their contractual obligations;</p> <p>Making sure that all the parties comply with the contract's terms and conditions, including the deliveries, deadlines and quality standards;</p> <p>Drafting proposals of addenda to contracts and submits them for approval purposes to the relevant stakeholders;</p> <p>Managing the amendments of the contract and the assessment of the impact of such amendments on the project and on the budget;</p> <p>Enabling monitoring and control of the versions of all contracts and makes sure that the team is using the latest versions of the contractual documents;</p> <p>Identifying and managing the risks associated with the contracts, including the ones related to non-compliance or litigations;</p> <p>Maintaining an effective communication with all the parties involved in the contract in order to clarify the responsibilities and solve the issues that may occur;</p> <p>Drafting performance reports and the required documentation for the management and the stakeholders;</p> <p>Providing support and training for the project team in terms of contract management and of interpreting the contractual terms and conditions;</p> <p>Drafting the report regarding the management of the contract covering design and execution of works;</p> <p>Enabling the management/administration and archiving of the contracts within the project;</p> <p>Collaborating with the audit teams in order to verify compliance with the legal regulations and regulatory acts;</p> <p>Securing assistance during visits for monitoring, assessment and control from the relevant bodies having jurisdiction therefor;</p> <p>Contributing to the activities related to the beginning, conclusion, coordination and control of the project, while reporting on the progress of the activities for which they are held accountable;</p> <p>Enabling the implementation of the Equal Opportunities and Non-Discrimination Principle, as well as the</p>

	Environmental Protection Principle, throughout the deployment of all activities under the contract.
Further Requirements	"Availability Affidavit" for the timeframe covering the activities undertaken in the herein contract, signed by the expert proposed for the completion of the contract (annex to the terms of reference), in the event that the expert is not an employee of the Bidder. If the proposed expert is an employee of the Bidder, supporting documents proving the employee/collaborator status etc. shall be submitted.

Role	LAWYER
Category	Key Expert
Educational and/or Professional Qualification	The Expert shall meet the following requirements: a. graduate of Higher Education -Bachelor's degree/similar, proven by bachelor's degree or equivalent in law;
Professional Experience	General expertise: at least 10 years of general professional experience Specific professional expertise: contributing to at least one project/contract where they completed the same type of activities with the ones they are going to complete under the future contract. <i>The phrase "similar activities/ the same type of activities" is to be read as the same categories of activities/responsibilities with the ones they are to complete under the herein contract for the proposed role.</i>
Responsibilities under the Contract	Providing legal expertise in all project implementation stages; Providing the legal counseling needed by the Beneficiary in order to solve any potential legal issues that may emerge in relation with the specifics of every stage in the project implementation; Providing the legal counseling required in case of submitting any challenges to the various tender procedures run by the Beneficiary (Contracting Authority), as well as in the case of litigation emerging throughout the implementation of the project; Identifying the potential risks that may affect, from legal perspective, the appropriate implementation of the project; Providing the counseling required for drafting the tender documentation for the purchase of commodities and services financed under the project; Providing the legal counseling required for running the procedures for awarding public procurement contracts, stipulated in the planned public procurement timeline within the project; Providing the legal counseling required for securing the lawfulness of the terms of the contracts to be concluded by

	<p>the Beneficiary for implementing the activities of the project in compliance with the activities' chart; also, securing the lawfulness of the other legal documents whose drafting is required throughout the implementation of the project;</p> <p>Analyzing and assessing the requests, claims and litigations in order to determine the validity thereof;</p> <p>Collecting the information, documents, proof and statements from the parties involved in order to have a clear understanding on the context of the litigation;</p> <p>Securing the mediation of negotiations between the parties involved, facilitating the talks and searching for amicable solutions;</p> <p>Drafting detailed reports summarizing the analysis of the claims/litigation and the recommendations for solving thereof;</p> <p>Providing practical and feasible solutions to solve conflicts, in compliance with the enforceable regulations and rules;</p> <p>Making sure that the proposed solutions comply with the legal provisions and professional ethics rules;</p> <p>Providing counseling and support to the parties involved in the litigation solving process;</p> <p>Monitoring the implementation for the accepted solutions, of the implementation extent and compliance with the relevant deadlines;</p> <p>Training and informing the parties involved regarding the litigation resolution process and their rights;</p> <p>Providing the legal information required for running the inter-institutional dialogue with the management authorities, including for drafting replies to clarification requests forwarded by the bodies/authorities having prerogatives related to managing and monitoring the implementation manner of the project's activities;</p> <p>Providing assistance during the monitoring, assessment and control visits conducted by the relevant bodies with jurisdiction therefor;</p> <p>Contributing to activities related to the beginning, conclusion, coordination and control of the project, reporting on the progress of the activities for which they are held accountable;</p> <p>Enabling the implementation of the Equal Opportunities and Non-Discrimination Principle, as well as the Environmental Protection Principle, throughout the deployment of all activities under the contract.</p>
Further Requirements	<p>"Availability Affidavit" for the timeframe covering the activities undertaken in the herein contract, signed by the expert proposed for the completion of the contract (annex to the terms of reference), in the event that the expert is not an employee of the Bidder. If the proposed expert is an employee of the Bidder, supporting documents proving the employee/collaborator status etc. shall be submitted.</p>

Role	ARCHITECT
Category	Key Expert
Educational and/or Professional Qualification	<p>The Expert shall meet the following requirements:</p> <p>a. graduate of Higher Education -Bachelor's degree/similar, proven by bachelor's degree or equivalent in Architecture - Holds signatory rights, issued by the Order of Romanian Architects (OAR), included in the National Registry of (Romanian) Architects, in compliance with Law 184/2001, republished or equivalent;</p>
Professional Experience	<p>General expertise: at least 10 years of general professional experience</p> <p>Specific professional expertise: contributing to at least one project/contract where they completed the same type of activities with the ones they are going to complete under the future contract.</p> <p><i>The phrase "similar activities/ the same type of activities" is to be read as the same categories of activities/responsibilities with the ones they are to complete under the herein contract for the proposed role.</i></p>
Responsibilities under the Contract	<p>Coordinating and overseeing the activities covering architecture, construction and systems, so that the objectives are met at state-of-the-art standards;</p> <p>Securing communication with the Beneficiary, Contractor, suppliers of equipment, medical devices, IT systems, furniture and other stakeholders involved in the completion of the works' project;</p> <p>Meeting their obligations in terms of verifying the design documentation and issuing observations and opinions;</p> <p>Fulfilling their responsibilities in terms of project coordination;</p> <p>Providing technical assistance and verification of the technical solutions forwarded by the designers, in case of unforeseen situations;</p> <p>Inspecting and identifying the issues, errors or flaws emerging during the warranty period, as well as ordering the execution of remedial works therefor to the Contractor, under the quality conditions stipulated in the Contract;</p> <p>Fulfilling any further obligations and undertaking any further responsibilities, in compliance with the laws in force and the Works' Contract Terms and Conditions.</p>
Further Requirements	<p>"Availability Affidavit" for the timeframe covering the activities undertaken in the herein contract, signed by the expert proposed for the completion of the contract (annex to the terms of reference), in the event that the expert is not an employee of the Bidder. If the proposed expert is an employee of the Bidder, supporting documents proving the employee/collaborator status etc. shall be submitted.</p>

Role	QUANTITY SURVEYOR
Category	Key Expert
Educational and/or Professional Qualification	The Expert shall meet the following requirements: a. graduate of Higher Education -Bachelor's degree/similar/ graduation degree (in case of short-term university studies – sub-engineers/"sub-engineers") proven by bachelor's degree or equivalent in civil engineering and industrial buildings
Professional Experience	General expertise: at least 5 years of general professional experience Specific professional expertise: contributing to at least one project/contract where they completed the same type of activities with the ones they are going to complete under the future contract. <i>The phrase "similar activities/ the same type of activities" is to be read as the same categories of activities/responsibilities with the ones they are to complete under the herein contract for the proposed role.</i>
Responsibilities under the Contract	Checking the bill of quantities and the estimates for each specialty; Measuring and calculating the quantities that were executed as per the approved Project and the orders and approved changes; Checking and correcting the intermediate payment certificates and other documents (work schedule, monthly reports, weekly reports) prepared by the Contractor; Checking the consistency of the bills of quantity with the technical plans and terms of reference, as well as that of the execution schedule; Checking the accuracy of the unit and total process, in relation to the regulations in force; Assessing the proposals for changes and the impact thereof on the quantities and the costs of the project; Monitoring compliance with the quantities and the costs in the execution phase; Contributing to drafting the "as-built documentation" in terms of final quantities and executed works; Drafting regular reports on the status of quantities and the costs of the project; Keeping detailed and clear records on the changes and adjustments of the quantities; Securing the correct and complete archiving of the relevant documents on quantities and costs.
Further Requirements	"Availability Affidavit" for the timeframe covering the activities undertaken in the herein contract, signed by the expert proposed for the completion of the contract (annex to the terms of reference), in the event that the expert is not an employee of the Bidder. If the proposed expert is an

	employee of the Bidder, supporting documents proving the employee/collaborator status etc. shall be submitted.
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6.1.2. Other Experts, Members of the Backstopping (support) Staff

The Provider may make available additional experts who are not key-experts, in compliance with the project requirements. In order to successfully implement the contract, apart from the aforementioned key experts, the Bidder shall also assign other (non-key) experts required for the completion of the activities under the Contract.

The non-key experts shall have the qualifications required for fulfilling the roles for which they are proposed. The resumés of the non-key experts must not be submitted at the same time with the Bid; however, the bidders shall have to prove in their proposals that they have access to experts with the required profiles.

The Provider must select and hire other experts, upon request, in compliance with the needs identified in the herein Terms of Reference and in the Organization and Methodology. The selection procedures used by the Provider when selecting these additional experts shall be transparent and based on preset criteria, including professional qualifications, language proficiency and professional experience.

All experts must be independent and free of any conflicting interests in relation to the commitments they undertake.

The non-key experts - minimally - requested under the herein Contract are the following:

No.	Expert Category	Proposed Role	No.	Specific Professional Experience
1	Non-Key Expert	Deputy Project Manager	1	At least 5 years' specific professional experience in coordinating projects/ project management
2	Non-Key Expert	Project Assistant	1	At least 5 years' specific professional experience in the administration of project/ document control/ project management
3	Non-Key Expert	OHS Coordinator	1	At least 5 years' specific professional experience in OHS
4	Non-Key Expert	IT Expert	1	At least 5 years' specific professional experience in IT
5	Non-Key Expert	Environmental Expert	1	At least 5 years' specific professional experience in Environmental Protection
6	Non-Key Expert	Person in charge of Authorizations	1	At least 5 years' specific professional experience in assessing medical facilities in order to secure authorizations/ accreditations
7	Non-Key Expert	Specialized Resilience Designer	1	At least 5 years' specific professional experience in Design
8	Non-Key Expert	Specialized HVAC Designer	1	At least 5 years' specific professional experience in Design
9	Non-Key Expert	Specialized Electric Systems Designer	1	At least 5 years' specific professional experience in Design

10	Non-Key Expert	Specialized Plumbing Designer	1	At least 5 years' specific professional experience in Design
11	Non-Key Expert	Specialized Medical Gas Systems Designer	1	At least 5 years' specific professional experience in Design
12	Non-Key Expert	Specialized Natural Gas Systems Designer	1	At least 5 years' specific professional experience in Design
13	Non-Key Expert	Specialized Fire Security Systems Designer	1	At least 5 years' specific professional experience in Design
14	Non-Key Expert	Specialized Access Control Systems Designer	1	At least 5 years' specific professional experience in Design
15	Non-Key Expert	Coordinating Engineer - Structure/Resilience	1	At least 5 years' specific professional experience in constructions for the relevant area of expertise
16	Non-Key Expert	Coordinating Engineer - Architecture	1	At least 5 years' specific professional experience in constructions for the relevant area of expertise
17	Non-Key Expert	Coordinating Engineer - HVAC Systems	1	At least 5 years' specific professional experience in constructions for the relevant area of expertise
18	Non-Key Expert	Coordinating Engineer - Electrical Systems	1	At least 5 years' specific professional experience in constructions for the relevant area of expertise
19	Non-Key Expert	Coordinating Engineer - Plumbing	1	At least 5 years' specific professional experience in constructions for the relevant area of expertise
20	Non-Key Expert	Coordinating Engineer - Medical Gas Systems	1	At least 5 years' specific professional experience in constructions for the relevant area of expertise
21	Non-Key Expert	Coordinating Engineer - Natural Gas Systems	1	At least 5 years' specific professional experience in constructions for the relevant area of expertise
22	Non-Key Expert	Coordinating Engineer - Fire Security Systems	1	At least 5 years' specific professional experience in constructions for the relevant area of expertise
23	Non-Key Expert	Coordinating Engineer - Access Control Systems	1	At least 5 years' specific professional experience in constructions for the relevant area of expertise
24	Non-Key Expert	Site Supervisor - Domain 3.3 - roads, bridges, aviation lanes, cable transportation -of local interest		At least 5 years' specific professional experience in constructions for the relevant area of expertise
25	Non-Key Expert	Site Supervisor - Domain 2.3: Civil Engineering, Industrial and Agricultural Buildings, B importance category;	1	At least 5 years' specific professional experience in constructions for the relevant area of expertise

26	Non-Key Expert	Site Supervisor - Domain 6: Urban and Communal Household Constructions - of national interest;	1	At least 5 years' specific professional experience in constructions for the relevant area of expertise
27	Non-Key Expert	Site Supervisor - Domain 8: Systems relevant for constructions, Sub-domain 8.1 - Electrical Systems;	1	At least 5 years' specific professional experience in constructions for the relevant area of expertise
28	Non-Key Expert	Site Supervisor - Domain 8: Systems relevant for constructions, Sub-domain 8.2 - Plumbing, Thermo- Ventilation;	1	At least 5 years' specific professional experience in constructions for the relevant area of expertise
29	Non-Key Expert	Site Supervisor - Domain 8: Systems relevant for constructions, Sub-domain 8.3 - Natural Gas Systems;	1	At least 5 years' specific professional experience in constructions for the relevant area of expertise
30	Non-Key Expert	Site Supervisor - Domain 9: Networks, Sub-domain 9.1. Electrical grids	1	At least 5 years' specific professional experience in constructions for the relevant area of expertise
31	Non-Key Expert	Site Supervisor - Domain 9: Networks, Sub-domain 9.2. Thermal and plumbing networks;	1	At least 5 years' specific professional experience in constructions for the relevant area of expertise
32	Non-Key Expert	Site Supervisor - Domain 9: Networks, Sub-domain 9.3. Gas pipeline networks;	1	At least 5 years' specific professional experience in constructions for the relevant area of expertise

The costs for the backstopping and support staff, as applicable, are considered to be included in the financial offer of the Bidder attending the tender. One thing to note is that the members of the backstopping/support staff cannot be assigned as either short- or long-term experts, while they retain their initial assignment. The two responsibilities must be kept separate, and double-budgeting within the project must be avoided.

Note: for compliance with the mutual recognition principle, we hereby mention that non-resident staff is allowed to present the relevant degrees/certifications/licenses issued in their country of residence.

The team may be supplemented with non-key experts for the areas the Bidder considers necessary for the deployment of the Contract; such non-key experts must be authorized in compliance with the **Procedure for authorizing site supervisors, approved by Order no. 1496/13.05.2011 of the Romanian Minister of Regional Development and Tourism** and **Order no. 277/19.03.2012 amending and supplementing the Procedure for authorizing site supervisors, approved by Order no. 1496/13.05.2011 of the Romanian Minister of Regional Development and Tourism**, as applicable.

The Bidder shall provide details on what categories of human resources are to attend the execution of the contract, their number per each and every category, as well as on the effort of each resource in order to complete the activities under the contract, within the

bidden deadline. The Bidder shall realistically present the completion of the activities falling under the contract.

All experts to hold a major part in implementing the project shall be named key-experts. The Bidder will present the list consisting of the names of the key-experts who will be involved in the delivery of the services requested in these Terms of Reference, also mentioning the role that each proposed person will have in terms of service delivery.

For each specialist (key-expert), the following documents will be produced:

- resumé, signed and dated at the bid submission deadline, including the main projects in which they were involved and the position they held in said projects;
- copies of the educational degrees, certifications, other relevant diplomas or other equivalent documents - nationally/internationally acknowledged - required and mentioned in the resumé;
- copies of the employment contract/collaboration agreement/service-delivery contract or/and participation engagements signed by the proposed person (for the staff who is not in-house to the bidder);
- copies of the relevant documents proving beyond any doubt the specific experience in the requested field, the involvement of the assigned person in said project or other proof demonstrating these aspects, the duration and purpose (object) of the project/contract and the fact that the relevant services have been accepted by the beneficiary (either public or private). These documents may be - without limitation - the following: copies of the recommendations issued by the relevant projects'/contracts' end beneficiaries, signed or countersigned by the Contracting Authority/private Beneficiary acting as end beneficiary, documents issued by the employer provided that such documents are accompanied by minutes or any other type of certifying/supporting documents proving that the relevant authority accepted said services, as well as that said services were delivered in high quality conditions or other supporting documents showing the deployed activities and highlighting similar specific professional experience.

Within their submitted bid, the Bidder must mention at least the following elements in order to prove the proposed staff's minimal experience:

- Name of the project/contract, beneficiary and the timeframe for completion of the projects/contract where they acquired the requested experience, as well as the objectives of the relevant project/contract (the targeted final outcomes, justifying the deployment of the project/contract and against which the success thereof is assessed).
- The activities deployed by the person proposed as expert.

The aforementioned supporting documents' list is neither limitative, nor cumulative.

The specialists designated in the team will have solid written/spoken English skills or the Bidder shall include in the team a person whose role will be to draft and translate the texts requiring translation for liaising with the Council of Europe Development Bank and third-parties.

The Contracting Authority is entitled to verify the accuracy of the information and proof provided by the bidders and to request further documents/information clarifying the relevant similar experience. Subsequently to checking the accuracy of the information and the proof provided by the bidders, the Contracting Authority may request further documents/information clarifying the relevant similar experience. Also, the Contracting

Authority reserves the right to contact the end beneficiaries of the projects presented under professional experience, in order to confirm the assertions of the bidders.

The documents requested for the experts are to be produced until the bid submission deadline only for key-experts.

The list of secondary/non-key experts involved in the implementation of the contract and their relevant supporting documents (resumés, degrees, recommendations etc.) are to be produced within no more than 10 days from signing the service contract. The Contracting Authority shall verify and approve the secondary/non-key experts. Subsequently to the verification of the documents submitted for the secondary/non-key experts, the Contracting Authority reserves their right to reject or request the substitution of one or several of the presented secondary/non-key experts.

Should the Provider fail to submit the Final List of Secondary/Non-Key Experts List involved in the implementation of the contract, as well as their supporting documents (resumés, degrees, recommendations etc.) in compliance with the requirements under the tender documentation, within no more than 20 days from the execution of the contract, the Contracting Authority reserves their right to terminate the contract and to withhold the performance bond.

Subsequently to the approval of the Final List of Secondary/Non-Key Experts, it becomes annex to the contract.

Given that the non-key experts' operation - e.g., designers, site supervisors, environmental expert, OHS expert - is conditional upon acquiring a specific certification/ license/ authorization issued in compliance with the provisions of Art. 3 letter a) corroborated with those under Art. 9 letter d) of the Regulation approved by Order no. 99/2021, for this type of expert, the Bidder shall describe in their technical proposal the moment when such expert is to intervene in the implementation of the contract and the manner in which the economic operator secured their access to the services of this type of expert (either by their own resources, or by outsourcing - a case where the contractual arrangements made in order to secure the relevant services shall be described), in compliance with the instructions under Art. 3 (4) of Instruction no. 1/2017 issued for the implementation of the provisions of Art. 179 letter g) and Art. 187(8)(a) of Law no. 98/2016 on public procurement.

For all the key-experts designated in the bid, resumés and supporting documents showing that they hold the specific professional experience for the role/position they have been proposed are to be produced.

The minimal number of persons required for each category of experts is listed next to it. Each and every proposed person must entirely comply with all the minimal requirements relevant for the expert (person profile) for which they were nominated. It is not acceptable that the minimal requirements for an expert be covered, cumulatively, by several persons.

The Provider is held liable for making sure that the experts do not find themselves in any incompatibility with the responsibilities they have and/or with the activities they are to perform under the Contract. Furthermore, throughout the entire implementation of the Contract, the Contractor shall take all required measures to prevent any situations whatsoever meant to compromise impartial and objective completion of the activities deployed for achieving the objectives associated to the Contract.

The Provider must make sure and strictly monitor that any of the proposed experts knows very well and understands the requirements, purpose and objectives of the Contract, the relevant Romanian law requirements, the specifics of the activities they are to perform under the Contract, as well as the assigned responsibilities.

The Provider must make sure and guarantee to the Contracting Authority that the experts they propose are available throughout the entire duration of the Contract for completing the foreseen activities and for achieving the aggregate outcomes by means for the Contract, within the timeframe for deploying the activities under the Contract.

Note regarding the designated experts:

The possibility that the Contracting Authority requires the replacement of the experts throughout the deployment of the Contract, based on a grounded and justified written request, so that the Contracting Authority may have the right to ask the awarded Provider to replace a key-expert, should they deem that such staff member is inefficient or does not complete their tasks at the level of the requirements the former has set.

If, within the submitted bid, any of the experts among the 11 ones required by the Contracting Authority is not designated, the economic operator is disqualified.

THE CUMMULATION OF POSITIONS BY ONE PERSON IS NOT ACCEPTABLE.

6.1.3. Replacing the Experts

Experts may be replaced only for solid and thoroughly-justified reasons, not at the discretion of the Supervisor. As an example, experts may be replaced in case they cease-of their own initiative - the labor relations/ trade relations or in case the Supervisor drops the relevant experts, regardless of the contracting method, for reasons related to the person/performance/ conduct of the relevant expert (e.g., professional non-compliance, disciplinary misconduct, medical reasons etc.).

Furthermore, the Supervisor must propose the replacement of certain experts/persons within the initially-proposed staff in order to meet the contractual obligations, if said experts/persons are/shall be involved in other projects/contracts of the Beneficiary that run simultaneously with the supervision activities under the herein project. In the event that the Beneficiary finds - subsequently to the signing of the supervision contract - that the staff/experts proposed by the Supervisor in order to meet the contractual obligations is/are or shall be involved in other projects/contracts of the Beneficiary that run simultaneously with the supervision activities under the herein project, the Beneficiary shall be able to request the replacement thereof.

In the event that, throughout the deployment for the contract, situations calling for replacing a member in the project team emerge, any such replacement must be notified and approved by the Contracting Authority.

Replacing the specialized staff designated for the completion of the contract is made only with the approval of the Contracting Authority, and it is not a substantial change, as defined under Art. 221 of Law no. 98/2018, except for the following situations:

a) the new specialized staff designated for the completion of the contract does not meet at least the requirements in the tender documentation;

b) the new specialized staff designated for the completion of the contract does not secure at least the same scoring as the staff proposed, at the time when the assessment factors are applied.

In the event that throughout the deployment of the contract, the replacement of either a key or non-key (secondary) expert becomes necessary, the substitute person must at least comply with the same requirements as the replaced expert complied with or with the requirements stipulated in the tender documentations, as applicable.

The Provider must convey -for the new staff- the documents required in the tender documentation, either in order to prove compliance with the requirements, or to calculate the scoring after applying the assessment factors. Should the new expert not meet the minimal requirements stipulated in the procurement documentation, they are to be rejected.

Within 20 days from the time when the Supervisor conveys the proposal for replacing their staff (accompanied by the relevant resumé, degrees - as applicable, documents proving certification/licensing/authorization and the supporting document on the experience held by said expert - as applicable), the Beneficiary shall convey a notification either approving or rejecting the proposed staff, presenting- in case of rejection - the relevant grounds therefor. If the replaced key-expert underwent the application of the assessment factors during the contract awarding procedure, the proposed substitute person shall be assessed in compliance with the criteria stipulated in the tender documentation and they will need to secure the same scoring as the replaced expert. The replacement of key-experts who underwent scoring by applying the relevant assessment factors for the awarding criterion, as well as the replacement of non-key experts is to be only with the Beneficiary's approval.

The Contracting Authority may propose the replacement of a Provider's expert if there is a solid reasoning for replacing an existing expert. In this case, they shall make clear proof - by written and sufficient supporting documents - that keeping the expert in the project blocks or creates major difficulties in the deployment in good conditions of the project.

In case the Supervisor is not able to provide a replacement who can meet the following:

- a. at least the scoring achieved - subsequently to the application of the assessment factors - by the key-expert to be replaced and/or
- b. the requirements of the Terms of Reference, for the remaining staff, other than the key-experts undergoing scoring,

this stands for a violation of the provisions of the Contract covering Supervision Services, as per its terms and conditions.

Subsequently to the approval of each new expert by the Beneficiary, the Supervisor shall notify the Beneficiary on the date proposed for the mobilization of said expert. To this purpose, the Beneficiary shall issue an Order of Mobilization for the expert, considering the Supervisor's proposal, as well as the contract's execution stage.

Any replaced expert shall be able to begin their operation and shall be able to be clocked in only after they were approved and mobilized, in compliance with the mobilization order.

The Contracting Authority shall hold no liability whatsoever for any potential claims of the replaced person; the Provider is solely held accountable for the lawfulness of the replacement. The costs generated by replacing the staff mandatorily lie with the Provider.

6.1.4. Travelling and Associated Costs

Local and international transportation (including mobilization and demobilization), as well as the associated costs (vehicles, including drivers - if deemed necessary, per diem etc.) for both key and non-key experts displaced onsite must be included in the financial offer.

6.2. Material Resources

The Provider is to secure an office space at a reasonable standard for the experts working under the Contract, with reasonable access to phone and e-mail, throughout the entire duration of the assignment.

In order to successfully complete the described activities, the Provider shall make available all the required material resources to their own project team. Minimally, each expert shall have at their disposal a portable computing equipment, where office-type software shall be installed (text editor, spreadsheet calculation software, graphical presentation tool etc.).

Also, the Provider shall make the following available:

- Hardware required for the supervision, management activity;
- Software tools for the activity covering implementation, coordination of design activities.

The Provider is liable for all software tools in use for the completion of the Contract (the development of the required deliverables) to be licensed in compliance with the legal provisions in force, and depending on the used tool, the licensing recommended by the manufacturer, number of users etc.

The costs of facilities must be included in the Bidder's financial offer. All official documents and reports shall be delivered in Romanian and English. The Provider shall make sure that the experts receive the appropriate support and equipment. Particularly, they must make sure that there are enough administrative, secretarial and interpreting resources, to enable the experts to focus on their main responsibilities. At the same time, they must transfer the required funds for supporting the activity thereof under the Contract and for making sure that the employees are paid in due time, regularly.

No equipment is to be purchased on behalf of the Contracting Authority, as part of this service-delivery contract; no equipment whatsoever shall be transferred to the Contracting Authority at the conclusion of this service-delivery contract.

7. DELIVERABLES AND REPORTS

7.1. Reporting Requirements

7.1.1. Progress Reports

The Provider is requested to deliver the following activity progress reports, amending any requirements in the herein Terms of Reference, as per the table below:

Report	Submission of the Working Version
Initial Report	Within 1 month from the date of beginning of the contract, the Provider shall make available an initial report approaching the matters explained in the section below.
Minutes	The minutes of the meetings (in English and Romanian) must be made available in electronic format, to the attention of the attendees, no later than 3 working days from the time when any such meeting occurred.
Monthly/Progress Reports	On a monthly basis, throughout the deployment of the contract covering design and execution of works, the Provider shall make available, in electronic format, a report describing the current status of the project, focusing on the technical and financial progress and including a forecast concerning the estimated technical progress of activities in the upcoming timeframe.
Quarterly Report throughout the entire duration of works' warranty, calculated as of the date when the acceptance protocol upon the completion of works is signed	The Provider shall prepare Monthly Reports on the services they delivered, for the services they deliver under the contract (at the date when the herein procedure is launched, the Contracting Authority is also running the open tender procedure for awarding the contracting covering design and execution for the objective „BUILDING A HOSPITAL FACILITY WITH CONNECTED FUNCTIONS AND ORGANIZING THE EXECUTION OF WORKS AT THE ADDRESS 101E BULEVARDUL TIMISOARA, SECTOR 6, BUCHAREST”. One of the assessment factors consists of the works' warranty deadline, for which a maximal duration of 120 months has been assigned. Therefore, in drafting the Bid for the provision of the requested services, the Bidders shall consider drafting the quarterly reports for a warranty timeframe of no more than 120 months).

Report at the Completion of Works	The Provider shall issue a Technical Report/Opinion for the following decisive stages: building (architecture and structure), electrical systems, plumbing, HVAC systems, medical gas systems, medical equipment and amenities and subsequently to the acceptance upon the completion of works (post-execution).
Report for monitoring the behavior of the building and of the equipment/amenities during exploitation	The report is to be drafted at the end of the warranty period for the investment objective.

In the **Initial Report**, the Provider shall describe the initial findings, the progress recorded in terms of data collection, the predicaments encountered or foreseen, apart from the working schedule and the travels of the staff. If there are proposals for the amendment of the initial provisions of the Terms of Reference due to changes in the circumstances subsequently to the arrival onsite, they are to be submitted for discussion purposes and agreed, in principle, with the Contracting Authority, before the submission of the Report.

This Report shall describe the Provider's proposal concerning the headquarters and their staff, the location of the headquarters, as well as the Provider's proposal to approach the project, given the situation at the date of beginning the assignment. At the same time, they shall set a detailed work plan to complete the activities in the remaining execution timeframe, together with a detailed work plan for inter-connected, subsequent and complex activities, with an agreed log frame matrix of the project. The estimated completion of the outcomes listed in the Terms of Reference should be clearly identified with the relevant intermediary points and confirmation from the counterpart staff of other commitments to be undertaken by the counterparts receiving said outcomes. The contributions in order to support the key- activities of each beneficiary should be based on a thorough assessment of the needs, which also considers individual circumstances.

The Monthly/Progress Reports:

The Provider shall prepare Monthly Activity/Progress Reports covering the services delivered under the contract.

The Monthly Activity/Progress Reports shall serve as basis for making the payments under the contract.

These reports shall be remitted on a monthly basis, before the tenth day of the following month.

These reports shall mandatorily specify the prepared documents, mentioning the date of submission and the date of approval, and what activities were completed, mentioning the experts involved in such activities.

The report shall also include information on:

- The main activities delivered under the contract (project management, supervision, site supervision etc.) in the relevant reporting period;

- The experts involved in deploying the activities under the contract, in the relevant reporting period;
- The progress of the activities under the contract and the estimated completion deadline, as well as forecasts for the following reporting period;
- Key-issues for the Contracting Authority; information on any emerging/foreseeable delay;
- Any other emerging/foreseeable issues and suggestions to solve them;
- The forecast on the technical and financial progress of the activities in the subsequent timeframe; any outstanding/unfinished aspects whatsoever of the activities that may result in the extension of the duration or unforeseen costs shall be presented;
- The deliverables prepared and submitted in the relevant reporting period.

The Quarterly Report shall mandatorily include an annex regarding the main categories of delivered services/activities and the amounts requested for payment purposes for each category of activities under the contract, namely:

- Project management advisory services;
- Supervision services;
- Site supervision services.

Quarterly Report on the delivered services

The Provider shall prepare Quarterly Reports covering the services delivered under the contract.

The Quarterly Reports shall serve as basis for making the payments under the contract. These reports shall mandatorily specify the prepared documents, mentioning the date of submission and the date of approval, and what activities were completed, mentioning the experts involved in such activities.

The report shall also include information on:

- The general description of the activities deployed during the relevant reporting period;
- The issues encountered in the relevant reporting period, the implemented actions, the status of the resolution thereof;
- The updated risk management plan, indicating the actions adopted by the Provider and the proposed actions, including relevant implementation deadlines;
- The experts involved in the deployment of the relevant activities throughout the relevant reporting period and the number of days they worked;
- The payroll charts acknowledged by signature of the Provider's Contract Manager and countersigned on behalf of the Beneficiary by the Project Manager;
- The updated service completion chart, correlated with the reference schedule of the contract covering design and execution of works;
- The calculation of a value of the services delivered in the relevant reporting period and the calculation of the amount payable, in consideration of the works' financial progress;
- The project management activities deployed under the contracts covering supply and installation of medical equipment, IT systems and furniture, also describing the experts involved.

The Quarterly Report shall mandatorily include an annex regarding the main categories of delivered services/activities and the amounts requested for payment purposes for each category of activities under the contract, namely:

- Project management advisory services;
- Supervision services;
- Site supervision services.

Report at the Completion of Works

The Provider shall issue a Technical Report/Opinion for the following decisive stages: building (architecture and structure), electrical systems, plumbing, HVAC systems, medical gas systems, medical equipment and amenities and subsequently to the acceptance upon the completion of works (post-execution), within 10 days from the date of the request therefor. The Report shall be based on own verifications and shall include information covering:

- ✓ The quality of the execution of works (on-site verifications, performance of specific tests: blower door test, tests for building systems etc.) in compliance with the enforceable standards and the legal provisions for meeting the performance and quality demands established in the project;
- ✓ The output of the thermal screenings. The thermal screening is to be carried out using equipment enabling 640x480-pixel resolution, infrared detector (the analysis report shall include all the images resulting from the thermal imaging cameras). For an accurate verification, the Provider shall perform thermal screenings only when the weather is favorable, as per the standard EN 13187:1998. Furthermore, the testing methodology and the recording of the outputs shall comply with the standard EN 13187:1998- Thermal Performance of Buildings - Qualitative Detection of Thermal Irregularities in Building Envelopes: Infrared Method.
- ✓ The compliance of the documents underlying the performance of the acceptance upon completion of works, including the building's log book, checking the compliance of the as-built documentation;
- ✓ Checking the compliance and the quality of the materials used for execution purposes, the execution methods, as well as the documents/certificates acknowledging the quality and compliance thereof with the Technical Project.
- ✓ The verification of the Energy Performance Certificate issued upon completion of works, including the verification of the information included and the calculation methodology.

Report for monitoring the behavior of the building and of the equipment/amenities during exploitation at the end of the warranty period covering the investment objective.

This Report shall at least include:

- The description of the executed works, while indicating their value by main constituents and the actual execution deadlines;
- The assessment of the goal completion rate for the project's objectives;
- The summary of the challenges faced during the contract implementation timeframe and the way they were solved;
- The outcomes resulting from the completion of the investment objective;
- A technical and financial analysis of the project;
- An assessment of the outcomes of the project compared against the expected outcomes;
- The critical analysis of any major issues faced throughout the implementation period;
- A presentation of any recommendations whatsoever that the Provider shall wish to make, based on the conclusions drawn throughout the deployment of the project.

The Provider (Supervisor) shall supervise the completion of the thermal screening to be run with equipment enabling at least 640x480 pixels resolution, infrared detector (the analysis report shall include all the images resulting from the thermal imaging camera). For a correct verification, the Provider (Supervisor) shall run thermal screenings only when the weather conditions are favorable, in compliance with the EN 13187:1998 standard. Also, the testing methodology and the registration of the outputs shall comply with the EN 13187:1998 standard: - Thermal performance of buildings - Qualitative Detection of Thermal Irregularities in Building Envelopes: Infrared Method. Should the relevant regulations be subject to amendments, the Provider (Supervisor) shall make sure that the thermal screening is compliant with the laws in force and with the highest standards.

The Supervisor makes sure that:

- a. The report shall include a description providing enough details on the various options, in order to enable informed decision making on any of the recommendations that were made
- b. The detailed analyses underlying said recommendations shall be presented in annexes to the main report.
- c. Given the comments received during the final project closing meeting and as a result of analyzing the working version of the final report, the final version thereof shall be delivered within no more than 2 weeks after the time when the final meeting is held (or at any other mutually-agreed deadline, within the limits of the contract implementation timeframe).

All reports shall be written in standard, concise, clear and correctly-edited language, in both **Romanian and English**. All reports shall be produced on A4 paper format, as well as in electronic format. The spreadsheets and planning shall be produced in A3 format for reporting purposes. The origin of the files shall be easy to identify in the header or footer of the page. A list of contact details covering the essential liaising officers shall be included. The reports should have a title page, including the name of the project, the code or reference number of the project, the title of the report, the date of issuance and the reference timeframe, as well as the name and address of the Provider. The Contracting Authority shall make available to the Provider - subsequently to the date of beginning of the assignment - a recommended layout structure for the Reports. The Provider may propose changes at the level of this layout structure, requiring advanced approval of the Contracting Authority.

7.1.2. Other Deliverables

The main deliverables resulting from the project management activity and contributing to meeting the contract quality conditions are:

Targeted Objectives and Outcomes		Deliverables
1.1.	Contributes to contracting the delivery of Amenities and any other procedures required for the proper implementation of the project	<ol style="list-style-type: none"> 1. Independent technical opinion on the assessment report to the benefit of the Contracting Authority and of CEB in terms of procurement 2. The assessment report to the benefit of the Contracting Authority and of CEB in terms of procurement
1.2.	Provides technical expertise to Sector 6 in terms of reviewing the detailed design, equipment, devices and materials against the international standards, runs verifications throughout the implementation and adjustments, as applicable	<ol style="list-style-type: none"> 1. <u>Project management plan highlighting the technical services required for the management of detailed designs</u> drafted by the DBEM team. This plan should include details on the scope of the work, a timeline for the design-management activities, a resource allocation plan, as well as any other documents or tools needed for the effective management and oversight of the design process. 2. <u>Design coordination report</u>. This report shall focus on the efforts made in order to coordinate -including the organized meetings- the communication and collaboration with the DBEM team and other interested stakeholders. At the same time, this report shall document the matters or conflicts identified throughout the coordination process and shall forward solutions or recommendations for resolution purposes. 3. <u>Design review report</u>. This report shall assess the quality, accuracy and compliance of the design with the requirements, standards and regulations that are enforceable to the project. It shall document the flaws, inconsistencies or the areas of design that need enhancements, identified throughout the review process and shall include recommendations for changes or enhancements on design, as applicable. 4. This may include recommendation on the selection of systems, equipment, devices and materials, alternatives to cutting down costs, the availability of workforce and of the materials and the feasibility of the building.

		<p>5. <u>Compliance check-list or Compliance-check report.</u> The compliance check-list shall highlight all local and international enforceable standards, regulations, and requirements that need to be met. It shall serve as a tool to systematically review and check each requirement. The check-list shall include relevant sections for each matter related to design, working sketches, tender documentation and specifications, enabling a wide compliance assessment.</p> <p>6. The compliance-check report shall summarize the findings of the compliance review. It shall document the extent in which each requirements have been met or whether there are inconsistencies or areas that need improvements. The report shall provide compliance proofs, such as references to the specific sections in the design documents, work sketches, tender documentation and specifications that meet each requirement. It may also include recommendations for the additional changes and actions required for full compliance.</p>
1.3.	Construction planning services (coordination with the DBEM Contractor in terms of duration, equipment orders made by DBEM and direct purchase from Sector 6)	<u>The construction coordination plan</u> shall include updates on the strategies, processes and timelines for effectively planning and coordinating all activities pertaining to construction. It shall include updated details on the way in which the Contractor's activities shall be managed, in order to secure the progress without any issues and to avoid conflicts with other undergoing constructions.
1.4.	Prepares the Project Management Plan (PMP) Handbook, in order to guide the implementation and to oversee their implementation, in order to secure general checks on the project	<u>The exhaustive Project Management Plan (PMP) Handbook:</u> this deliverable shall include all the updated information and guidelines required for the successful implementation of the project. It shall include updates of the communication plan, cost management, deliverables' acceptance plan, quality management plan, risk management plan, roles, responsibilities, procedures and processes that shall trigger the success of the project. The Handbook shall document updates of the assumptions and decisions related to communication, management processes, execution and general controls of the project.
		1. <u>The review check-list for the deliverables submitted by the DBEM Contractor.</u> This list shall

1.5.	Monitors the key-deliverables, control systems, information and security systems, the implementation of the request to amend the assistance and maintenance contract	<p>ensure the traceability and shall document the status of each submitted deliverable, including the date of submission, the date of review, the comments or observations made throughout the review process and the final status of the deliverable (approved, rejected or subject to further action). The list shall provide a wide perspective, an overview of the submission process, ensuring that all the deliverables are properly reviewed, in due time and that the issues or delays are addressed promptly.</p> <p>2. <u>The review check-list for the deliverables submitted by the Site Supervision company.</u> This list shall enable traceability and shall document the status of each submitted deliverable, including the date of submission, the date of review, the comments or observations made throughout the review process and the final status of the deliverable (approved, rejected or subject to further action). The list shall provide a wide perspective, an overview of the submission process, ensuring that all the deliverables are properly reviewed, in due time and that the issues or delays are addressed promptly.</p>
1.6.	Ensures compliance with the safety requirements in the construction contractual documentation in order to include a wider safety program in the construction contractual documentation and report the shortcomings to the Contracting Authorities	<p>1. <u>OHS Compliance Report.</u> This report shall include the following constituents:</p> <p>Review of the Construction Contractual Documentation: shall call for a thorough examination of the construction contractual documentation, in order to identify all the requirements or provisions related to safety stipulated in the Contract. The review is the way to make sure that all the needed measures, regulations and standards in term of safety are properly stipulated and included in the contract.</p> <p>The assessment on the inclusion of the OHS Program: based on the review of the construction contractual documents, the report shall assess the appropriateness and completeness of the existing safety program. It shall identify the inconsistencies and the flaws in the current safety program and shall provide recommendations to include additional safety measures, in order to enhance the general OHS program.</p> <p>Identifying and reporting the flaws: The report shall highlight the flaws or inconsistencies found in the construction contractual documentation, in terms of safety requirements. It shall clearly document these</p>

		<p>flaws and shall report them to the Contracting Authority. The report shall include detailed explanations on the findings, their potential impact on safety, as well as recommendations of corrective actions or changes to be brought to the contractual documents.</p> <p>2. The OHS Compliance Report shall serve as paramount tool to ensure the adhesion to the safety requirements enforceable to construction projects. It shall make available a vast assessment of the existing OHS program, it shall identify the areas that may be enhanced and shall highlight the flaws or inconsistency in the contractual documents. By reporting any such flaws to the Contracting Authority, the timely implementation of the corrective actions shall be facilitated, as well as the timely inclusion of a vast OHS program – this shall ultimately improve the safety measures enforceable in the constructions' field.</p>
1.7.	Monitors the evolution of the project and DBEM and the Contractor's supplying all guarantees, operation handbook, spare parts and materials and other items required by contract, runs the final inspection	<p><u>The final report/Report for Monitoring and Closing the Project.</u> The Report for Monitoring and Closing the Project shall provide a vast perspective, an overview on the developments of the project and the status of the deliverables of the site supervision and DBEM company and of the Contractor. It shall include information such as the current status of the intermediary milestones of the project, the completion percentage rate and any deviations or delays from the planned implementation timeline.</p> <p>Furthermore, the report shall secure the traceability of the delivery of all guarantees, user manuals, spare parts and materials and any other item requested by contracted. It shall document the date of delivery, any encountered inconsistencies or issues, as well as the solution or the measure taken for the resolution thereof.</p> <p>Also, the report shall provide a summary of the outcomes of the final inspection and shall include all the observations or flaws identified throughout the inspection process. It shall highlight all the outstanding items or corrective actions required for securing full compliance with the contractual requirements.</p> <p>The Report for Monitoring and Closing the Project shall serve as exhaustive records of the project's</p>

		developments and of meeting the contractual obligations. It shall provide a valuable perspective on the project's overall performance, it shall highlight the areas where concerns may occur and shall facilitate the closing process, by ensuring that all items and the required documentation are properly delivered and recorded.
1.8.	Manages the contract (drafting, execution, payments, etc.) and assists the Contracting Authority in terms of liaising with the Ministry of Health and/or other relevant authorities in the field, in order to secure all the permits and to prepare/ authorize/ accredit the hospital	<p><u>The Report on the management of the contract and the coordination of the authorizations.</u> This report shall include the following constituents:</p> <ol style="list-style-type: none"> 1. Contract management: this section shall highlight the activities carried out in relation with drafting, execution and payments of the contract. It shall provide details on the process to draft and complete the contract, that shall ensure that all terms and conditions are included and agreed by all signatory parties. The report shall also provide an overview on the process of signing the contract and the payments that were made or that are pending, under the contract. 2. Coordination related to authorizations: this section shall focus on the efforts made in order to secure the liaising with the Ministry of Health and/or other relevant authorities in the field, in order to secure all the permits and to prepare/ authorize/ accredit the Hospital. It shall document the communication and the liaising activities that have been carried out, including meetings, mail.
1.9.	Provides administrative assistance regarding the Project: organizes regular meetings with the contractors, drafts minutes of the meetings, sets and upholds an archiving system, assists S6 with meeting their obligations before the contractors	<p><u>The Administrative Support Package</u> shall include the following constituents:</p> <ol style="list-style-type: none"> 1. Organizing meetings and drafting the minutes: this shall encompass planning regular meetings with the contractors, coordination of logistics items, as well as location, equipment and snacks, as well as preparation and dissemination in advance of the relevant agendas. Throughout the meetings, detailed minutes shall be compiled, to record the discussions, decisions and major action items. The minutes shall be drafted and disseminated to all the relevant stakeholders in due time. 2. Setting and upholding an archiving system: this constituent shall encompass setting a vast archiving system, ensuring the effective organization and storage of the documents, mails and other

		<p>relevant materials under the project. The archiving system shall be conceived to be accessible and user-friendly for inquiries, enabling swift information withdrawal, whenever necessary. The archiving system shall be subject to regular maintenance and organization operations, in order to secure its effectiveness throughout the entire duration of the project.</p> <p>3. Assistance with the responsibilities of Sector 6: this constituent shall encompass providing assistance and support to S6, in order for them to meet their obligations before the contractors. This could include tasks such as reviewing and monitoring the contractor's deliverables, securing traceability of the contract compliance, preparing reports and presentations, coordinating communication between S6 and the contractors and ensuring prompt resolution of any issue or concern whatsoever related to the contractor.</p> <p>The Administrative Support Package shall streamline the administrative processes, shall improve communication and coordination and shall facilitate effective documentation and archiving. It shall help making sure that the meetings are well organized, that the talks and the decisions are accurately recorded, that the documents of the project are properly archived and accessible and that S6 responsibilities are effectively met.</p>
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The Provider is liable for preparing and remitting – apart from the technical and administrative reports explicitly stipulated in the contract – other deliverables that are relevant for the successful deployment of the advisory and oversight activities, upon request from the Contracting Authority.

These may include, without limitation: substantiation reports, remedial plans, technical-economic analyses, summaries for decision-making purposes, proposal for optimizing the execution of works or supporting documents for institutional reporting purposes etc. The deliverables shall be conveyed within the deadlines conveyed by the Contracting Authority, in editable formats and acknowledged by the Provider.

7.1.3. Submission and Approval of Reports/Deliverables

The reports and other documents requested in the Terms of Reference for the project **“Building a Hospital Facility with Connected Functions and Organizing the Execution of Works in Bucharest Municipality Sector 6”** shall be made available in electronic format. These must be delivered in Microsoft-Word-compatible format, in a

single file or in a series of files following a structure that facilitates printing and generating hard-copies; at the same time, all supporting files shall also be attached. All spreadsheets must be delivered in Microsoft-Excell-compatible format, including all underlying formulae. Such formulae must be unprotected and made available to the Beneficiary.

The Contracting Authority is accountable for the approval of the reports and the Provider shall update them on the report submission dates. One must consider that the Contracting Authority shall make comments on each submitted report, within no more than 10 days from submission. In case the Contracting Authority requests modifications, the Provider shall be requested to re-submit the report within 5 working days from said request, with the appropriate amendments and supplements.

The number of copies of the aforementioned activity progress reports and of the deliverables must be submitted to the Contracting Authority and to the other project stakeholders, in compliance with the details included in the table below.

The contact details of the Contracting Authority staff members to which the reports must be submitted shall be conveyed to the Provider during the initial meeting. The working version of the reports must be conveyed in electronic format to these staff members. Subsequently to the received comments, the Provider shall convey a revised version, highlighting the operated amendments, from the same contact details, before formally submitting the final version. Subsequently to the Contracting Authority approving the report, a final version shall be submitted, as follows:

Report	Dissemination List	
	Contracting Authority	Any Other Stakeholder
Deliverables listed under Section 7.1.2	1 copy in electronic format	1 copy in electronic format
Progress Reports		
Initial Report	1 copy in electronic format + 2 hard-copies	1 copy in electronic format
Monthly Activity/Progress Reports	1 copy in electronic format + 2 hard-copies	1 copy in electronic format
Minutes of the Meetings	1 copy in electronic format + 1 hard-copy	1 copy in electronic format
Quarterly Report	1 copy in electronic format + 1 hard-copy	1 copy in electronic format

Report at the Completion of Works	1 copy in electronic format + 1 hard-copy	1 copy in electronic format
Report for monitoring the behavior of the building and of the equipment/ amenities during exploitation	1 copy in electronic format + 1 hard-copy	1 copy in electronic format

8. CONTRACT MONITORING AND ASSESSMENT

8.1. Defining Indicators

The indicators to be used in monitoring the outcomes and the impact of this contract shall refer to the timely submission of the reports and of other materials requested based on the herein Terms of Reference, that would comprise complete information, as per the requirements.

The bidders involved in the tender procedure must clearly define the estimated realistic outcomes of the project activities, including deliverables, intermediate milestones and the expected impact. Monitoring and assessment of progress and consumed resources is to be carried out through the process of identifying the indicators that shall show, in time, the extent to which the outcomes were secured and may be attributed to the project activities.

In their technical offer, the bidders shall comment on the potential impact of the work included in the herein Terms of Reference. They must identify the appropriate Performance Indicators for the activities specified in the herein Terms of Reference, to be used in monitoring the progress and the outcomes of the project management and supervision services.

The acceptance of the deliverables - in both quantity and quality terms - will be done by means of acceptance protocol signed by the representatives of the Contract's Signatory Parties.

The Consultant will draft all the reports in Romanian and English.

All documents/materials drafted and/or conceived under this Contract, for Contract execution purposes, analyses, reports, data, compiled materials, technical documentation created by the Project Management Services Provider as part of this Contract will be statutory property of the Contracting Authority. Thus, the Provider undertakes that any outcome or rights related thereof, including copyright and/or any other intellectual and/or industrial property rights, obtained during the execution or as a result of the delivery of services which fall under this Contract will be statutory property of the Purchaser, who may use, publish or assign them as they deem appropriate, with no geographical or any other type of limitation.

8.2. Managing the Relation between the Provider and the Contracting Authority and Reporting

The following indicators will be monitored throughout the deployment of the activities under the Project Management and Works' Supervision Advisory Services Contract :

- full, timely completion of the obligations which lie with the Provider;
- deliverables (tendering documentation, reports of the joining experts, replies to clarifications/clarification requests, opinions etc.) conveyed in due time to the Contracting Authority, as it was requested in the timeline presented under the section "Duration of Contract";
- quality of the conveyed assessment reports, including the level of detail requested in assessing the analyzed bids;
- observance of the requests/needs of the Contracting Authority.

The practical tool for managing the relation between the Provider and the Contracting Authority is the meeting.

The type, frequency and purpose of the meetings under the Contract will be mutually agreed upon.

The Provider shall suggest the formats of the reports and other requested documents, based on the requirements in the Terms of Reference – and such formats are to be agreed upon, together with the Contracting Authority.

8.3. Acceptance of Services and Payments under the Contract

Acceptance of services shall be made based on the deliverables submitted by the Provider and accepted by the Contracting Authority (as defined under Chapter 7.1.3) for the activities delivered in the relevant time frame and as per the project's progress.

The Contracting Authority is entitled to request clarifications/reviews of the reports, that they request in written format from the Provider, within no more than 10 working days, and the Provider is liable for answering the requests/ operating the requested reviews within no more than 5 working days if the Contracting Authority does not stipulate otherwise in its request.

The Service Acceptance Protocol shall be attached to each invoice and it confirms that the delivery of Services is completed, in compliance with the provisions of the Contract. The Service Acceptance Protocol is the only legal grounds pursuant to which the Provider is entitled to receive payment for the delivered Services.

The Contracting Authority shall deem the Services under the Contract as completed at the time when:

- a. all the requirements in the Terms of Reference have been met;
- b. the outcomes have been approved by the Contracting Authority, based on the requirements included in the Contract.

The Contracting Authority undertakes to pay the Project Management, Works' Supervision and Site Supervision Advisory Services Provider the price for the delivery of the Services, based on the invoices issued by the Provider and based on the Handover-Takeover Protocol, and the Service Acceptance Protocol, within no more than 30 days from the remittance of the electronic invoice through the national "RO e-Factura" system.

The invoice shall include an annex – Summary of the categories of services, where the amounts requested for reimbursement purposes shall be broken down for:

- Project Management Advisory Services;
- Supervision Services;
- Site Supervision Services.

The payment of the countervalue of the delivered Services is to be made, by bank transfer, based on the invoice issued by the Provider, for the amount they are entitled to receive, in compliance with the contractual provisions, directly to the Provider's account listed on the invoice.

Conveying inappropriately-drafted invoices for settlement purposes, respectively comprising data errors, results in the Contracting Authority refusing the payment and extending the payment deadline. The new payment deadline will start running from the submission of the re-conveyed invoices, with correct data, in compliance with the legal provisions and with the Contract.

It is required that the last invoice is issued within the contractual period.

The Service Acceptance Protocol shall be attached to each invoice and it shall confirm that the delivery of Services is completed, in compliance with the provisions of the herein Terms of Reference and the contractual terms and conditions.

The Contracting Authority does not make any advance payments whatsoever to the Provider.

8.4. Contract Price and Payment Method

The payments shall be made based on the deliverables submitted by the Provider and accepted by the Contracting Authority (as defined under Chapter 7.1.3) for the activities delivered within the relevant reporting period and in compliance with the project's progress; said payments stand for the maximal values the Contracting Authority may disburse based on the submitted supporting documents (reports, invoices, any other relevant supporting document).

The bidder shall compile a Delivery Schedule under the contract and a payments' schedule correlated with the estimated effort for completing the activities stipulated in the contract. The delivery schedule under the contract and the payments' schedule shall also be correlated mainly with the durations and deadlines of the main design and execution of works contract for the investment objective "Building a Hospital Facility with Connected Functions and Organizing the Execution of Works" (estimated: 12 months design; 36 months execution of works and fitting the investment objective; 120 months works' warranty timeframe).

The price shall include all the required expenditure for the delivery of all categories of activities under the contract, namely:

- Project Management Advisory Services;
- Supervision Services;
- Site Supervision Services.

The payment shall be made up to the amount of the figures stipulated in the relevant budget lines for these main categories of services/ activities listed in the payments' schedule.

Throughout the implementation, the payments' schedule is to be updated, upon request from the Provider or from the Contracting Authority, depending on the actual development of the project and the potential approved changes on the duration, volume or sequence of activities. Such update is to be carried out only by both parties' agreement, by supporting documents and, if applicable, by addendum to the contract.

9. Requirements on Bid Presentation

The technical proposal shall be drafted in compliance with the requirements of the Terms of Reference. The technical proposal shall be presented at the relevant specifically-designated column in SEAP (TN: *Electronic System for Public Procurement*). For this purpose, the bidders shall draft the technical proposal in such a way as to enable the verification of the consistency of the technical proposal with the requirements/specifications stipulated in the herein section, as well as with the ones included in the Terms of Reference.

The technical proposal shall be drafted in an organized manner, so that the bid assessment process enables easily identifying the correspondence between the information included in the bid with the requested demands and shall include at least the following chapters/sections:

1. The technical proposal shall include relevant information on the approach and methodology proposed by the bidder regarding the manner in which activities shall be run and the targeted outcomes shall be achieved, through implementing the works' contract (design and execution) in compliance with HG (TN: *Romanian Government Resolution*) 1/2018; and the approach proposed by the bidder regarding the manner in which activities shall be run and the targeted outcomes shall be achieved shall focus on the services described in the Terms of Reference, namely project management, site supervision and supervision/coordination for the investment objective.

At least the following matters shall be detailed:

- a) The overview on the context, objectives and expected outcomes under the contract: in this section, the Bidder - based on the information stipulated in the herein Terms of Reference, included in the tender documentation, as well as on their own know-how and expertise - shall present relevant information related to the context of the subject of the procedure as it is understood by the bidder showing that the Bidder is aware and understands both relevant general information, as well as the actual status of the Contracting Authority's field of action;
- b) The laws considered throughout the deployment of the activity to be enforced, for the purpose of completing the activities, for each typology of services;

- c) The approach and methodology proposed for service delivery, input data and output data for the activities falling under the Contract;

Particularly, for each activity, the following shall be presented:

- The work procedures and the relevant deliverables;
- The relevant deadlines for the deliverables encompassed in the completion of any such activity;
- The staff involved (key experts needed to complete the activity, as well as the supporting experts deemed necessary for completing each typology of services);
- The required technical resources;
- The description of the potential risks that may affect the successful deployment of the contract, together with the measures for mitigation/elimination thereof, in relation with the objectives and outcomes encompassed by completing the contract. To this purpose, the bidder shall present a risk management plan, that shall include: details on the manner to approach the activity of identifying the risks that may emerge throughout the deployment of the contract; the manner to approach the activity of preventing/mitigating/eliminating the effects thereof; a correspondence table including at least the following information "set/identified risks – proposed measures to mitigate/eliminate risks – activity that may be affected by said risk and the duration reflected in the contract completion schedule for the implementation of the proposed measures", both in terms of the risks set in the terms of reference, as well as for the risks additionally identified by the Bidder based on the information included in the terms of reference.

2. Work plan for the requested activities/services

- A. The Bidder shall present a work plan for running the activities including relevant information for completing the stages and activities for the implementation of the subsequent contract defined above. The relevant information shall include, without limitation:
 - a) The activities required for the delivery of the services included in the contract shall be detailed, having as reference point the investment objective for which the Contracting Authority shall conclude a works' contract (design and execution), in compliance with HG 1/2018;
 - b) The durations required to complete each activity, mentioning the beginning and end dates;
 - c) The milestones highlighting the main moments in the deployment of the project and shall include at least the dates for which the handover of the documentations, approvals, verifications, coordination etc. is planned;
 - d) The staff resources that shall include the types of specialists needed for the implementation of each activity covering the type of construction, the category of services and the project stage, in compliance with legal requirements in force; the number of specialists assigned to complete the activities shall be mentioned;
 - e) The material resources required for the implementation of their activity: the dependencies of the activities to the predecessors, the documents (deliverables) to result from the completion of the activities;
 - f) The critical path;
 - g) Reporting under the contract.
- B. The Bidder must present a service delivery schedule under the contract that includes all the categories of requested main activities in the Terms of Reference (Project

Management Advisory Services, Supervision Services, Site Supervision Services). The service delivery schedule shall include at least the following:

- i. Activities;
 - ii. Deliverables;
 - iii. Human resources for each activity;
 - iv. Material resources for each activity;
 - v. The beginning and end duration for each activity;
 - vi. Milestones;
 - vii. Critical path.
3. The Structure of the proposed team shall be presented, meaning that the Bidder shall present relevant information on the numerical structure and the structure by specialties of the staff assigned for completing each activity under the contract, the responsibilities of the members of this structure. The presentation shall include:
- a. full organizational chart indicating the coordination and control relations exercised within the Bidder's management apparatus throughout the duration of the contract (including in relation to potential sub-contractors and associates), namely the precise positions/ responsibilities/ obligations pertaining to each entity involved in the implementation of the contract, as well as the coordination relations between the project manager and the entities having prerogatives in the implementation of the contract;
 - b. the description of the technical infrastructure that the bidder shall use in order to complete the activities required for finalizing the contract (that must be appropriate for the purpose of the contract and comply with all the legal requirements in force), in correlation with the contract implementation timeline.

For the experts requested in the tender documentation, the documents shall be presented in compliance with the specifications included in the Terms of Reference.

4. The Bidder is liable – throughout the deployment of the contract, as per the provisions of Art. 51 para. (1) and (2) of Law no. 98/2016 – to comply with the national regulations in force regarding environmental protection (website: www.mmmediu.ro), social matters in terms of labor conditions and labor protection (www.mmssf.ro) set in the laws adopted at the European Union level, national law, through collective bargain agreements or international covenants/agreements in these fields. Economic operators may secure information from the territorial agencies of ITM (TN: *Territorial Labor Inspectorate*), environmental agencies and territorial agencies for employment. The economic operators shall indicate in the bid the fact that when they drafted the bid they complied with the obligations regarding labor conditions and labor protection and they shall draft the bid in compliance with the occupational health and security law for the staff tasked with the completion of the contract. Information regarding the labor conditions and labor protection may be found on the website: www.mmmediu.ro/acte_normative; www.inspectmun.ro-legislatie-legislatie.htm

NOTE 1: A bid shall be deemed unacceptable in compliance with the provisions of Art. 137 (2) letter k) of HG 395/2016, subsequently amended and supplemented, namely "if one bid is missing one of the two constituents, as stipulated under Art. 3(1) letter h) of the Law" and shall be rejected in compliance with Art. 137(1) of HG 395/2016.

NOTE 2: The bids which do not duly comply with the requirements of the Terms of Reference will be deemed non-compliant. Any inconsistency, omission or non-compliance found in relation to the documents of the bid, regarding the terms of reference or the legal provisions in force, including the situation when a relevant document for the financial/technical proposal is missing and/or a document is erroneously filled-in or it is not submitted with at least the requested information, may result in deeming the bid as non-compliant. It is not acceptable to copy entirely or partly the terms of reference in the technical proposal – the bidders are liable for proving compliance of the bid with the requirements thereof by presenting their own approach/methodology on the manner to complete the contract and to provide solutions.

NOTE 3: The Bidder is liable for securing the appropriate staff (from the prospect of educational and professional training and in terms of complying with the deadline for the completion of works), as well as the required infrastructure/equipment for effectively completing all the activities listed in the Terms of Reference and reaching the targets in the Contract in terms of compliance with the deadlines, costs, and required quality level.

NOTE 4: The Bidder has the liberty to choose the approach they will use. The presented methodology must reflect the understanding of the subject matter of the Contract for Services covering Project Management Advisory, Works' Supervision and Site Supervision, as well as the effective management of the encompassed activities – to be highlighted in the Technical Proposal; the actual approach, including the services'/activities' completion timeline must comply with the proposed methodology.

NOTE 5: The bidders shall prepare the technical proposal in such a way as to enable the possibility to verify its compliance with the requirements included in the Terms of Reference. The Technical proposal shall include commentaries chapter by chapter of the technical requirements included in the Terms of Reference, proving this compliance. The bidders who take part in the tender understand to only offer activities meeting the minimal requirements specified in the Terms of Reference. The technical offers that shall fail to duly meet the requirements in the Terms of Reference shall be deemed non-compliant as per Art. 137(3)(a) of HG no. 395/2016.

NOTE 6: The Bidder's technical proposal must include enough information and details in order to enable the assessment of the bid as per the adopted assessment factors. The bidders shall observe the presentation order, contents and structure requested by the main chapters of the aforementioned Technical Proposal.

The bidder must present a service delivery schedule under the contract including all the categories of main activities requested in the herein terms of reference (Project Management Advisory Services, Supervision Services, Site Supervision Services).

Also, the Bidder must present an estimate payment schedule under the contract, that shall include the main categories of activities requested in the herein terms of reference. The Bidder shall draft the Payment Schedule correlated with the estimated effort to complete the activities stipulated under the contract. The payment schedule must proportionally reflect the planned expenditure depending on the physical status of the main contract for services covering design and execution of works, enabling a realistic and justified distribution of the payments throughout the duration of the contract. During implementation, the payment schedule may be updated, upon request from the Provider

or from the Contracting Authority, depending on the actual development of the project and the potential approved changes in terms of duration, volume or sequence of activities. Update shall be made only by parties' agreement, through supporting documents, and, as applicable, by addendum to the contract.

The delivery schedule under the contract and the payment schedule are to be correlated mainly with the durations and deadlines under the main design and execution contract for the investment objective "Building a Hospital Facility with Connected Functions and Organizing the Execution of Works".

10. Other Information

The activities, sub-activities and the tasks presented in the Terms of Reference are minimal and mandatory, in the event they are not to be found in the Bid, this will lead to the Bid being deemed non-compliant.

The Environmental, social and labor relations conditions will be observed, throughout the entire deployment of the Contract. An affidavit to this purpose shall be presented, where the Bidder shall indicate that, upon drafting the offer, they considered the relevant obligations for these fields. In case of association, said affidavit will be presented by each associate, separately.

Proposed subcontractors must comply with the same obligations as the bidders, in the area of Environment, social environment and labor relations, as per EU law, Romanian law, collective agreements or international treaties and agreements. Declared subcontractors will, in turn, fill in an affidavit to this purpose.

Detailed information on the regulations in force at national level concerning labor conditions and protection, occupational health and security can be obtained from the Labor Inspection or at: <http://www.inspectmun.ro/legislatie/legislatie.html>

Information on the regulations in force at national level concerning the Environmental conditions can be obtained from the Romanian National Agency for Environmental Protection or at: <http://www.anpm.ro/web/guest/legislatie>.

The technical information included in the Bid shall not be treated as confidential, except for the information included in the Technical Proposal and which is clearly highlighted by the Bidder as being confidential, classified or privileged under any intellectual property rights. The Contracting Authority reserves the right to use all the other technical information included in the Technical Proposal. The Bidder consents that, should they not clearly highlight the information included in the Technical Proposal which is confidential, classified or privileged under an intellectual property right, the Contracting Authority is at liberty to use or disclose any or all such information without prior notice to the Bidder. The economic operator will mention, in the submitted bid, which of the information included in the Technical Proposal and the Financial Proposal, except for the price, is deemed confidential, classified or privileged under an intellectual property right, based on the applicable law, to the extent that, objectively, disclosing such information would damage the legitimate interest of the economic operator, especially in terms of the trade secret and intellectual property.

The data provided under this chapter are firm commitments; in the event that the bid is deemed successful, after the signing of the Contract, default on these commitments

throughout the deployment of the Contract leads to the enforcement of the terms and conditions related to termination and/or penalties.

The Bidder must have the capability to provide the required resources, to complete their activities and to achieve the goals stipulated at the required standards, within the set deadline. The Bidder shall be held financially liable and shall have to dispose of experts for providing the required expertise for the project. The Bidder shall make sure and shall monitor that the team members are well aware and understand the requirements, purpose and objectives of the contract.

Note - general and specific conditions:

1. By submitting an offer, the Bidder priorly accepts the general and specific conditions governing this contract, as they are presented in the Tender Documentation, as sole basis for this tendering procedure, regardless of the Bidder's own sales terms and conditions.
2. The Bidders are liable for carefully analyzing the tender documentation and preparing their bid in compliance with all instructions, forms, contractual provisions and the Terms of Reference comprised in the herein documentation.
3. No cost whatsoever borne by the economic operator for preparing and submitting the bid shall be reimbursed. All these costs shall be borne by the bidding economic operator, regardless of the outcome of the procedure.
4. The assumption of lawfulness and authenticity of the presented documents: the bidder takes sole responsibility for the lawfulness and authenticity of all the documents presented in original/copy in order to attend the procedure.
5. The fact that the commission assessing the documents presented by bidders analyzes such documents does not hold the commission liable for accepting such documents as authentic or legal and does not exonerate the Bidder for their sole liability in this regard.
6. The technical specifications defined under the herein Terms of Reference are aligned with the requirements and demands of the Contracting Authority.
7. Any reference to manufacturers/ brands/ types/ standards/ procedures/ specific production/ origin/ certifications presented in the terms of reference are only mentioned in order to easily identify the type of product/ service/ certification and shall be construed as bearing the mention "or equivalent".

General Manager

Valeriu BUNEA



Project Manager

Deputy Director General

Catalina LUCACI



Project Assistant

Dana DUMITRESCU

