

**United Nations Development Programme
Country: Occupied Palestinian Territory (oPt)
Project Document**

Project Title: Construction & Equipping of the Palestinian Palace of Justice in El Bireh/Ramallah.

MTSF Outcome(s): Enhancing the Development of Efficient & Accountable Institutions.

Expected CP Outcome(s): Essential Infrastructure for Economic & Social Development Improved.
(Those linked to the project and extracted from the CP)

Expected Output(s): Courthouse facilities built & equipped that meet International safety & security standards.
(Those that will result from the project)

Executing Entity: United Nations Development Programme/Programme of Assistance to the Palestinian People (UNDP/PAPP)

Implementing Agencies: United Nations Development Programme/Programme of Assistance to the Palestinian People (UNDP/PAPP), High Judicial Council (HJC), Office of the Attorney General (OAG)

Brief Description

The goal of this project is to enhance the ability of the Palestinian Authority to dispense the rule of law in an efficient and effective manner. Through the construction of the Palace of Justice, which will also symbolize and support Palestinian state building, the administration of justice will be strengthened and modernized to provide improved service delivery to the Palestinian people. The new estimated 17,000 square meter facility will include the Palestinian High Judicial Court, Ramallah Appellate Court, Cassation Court, Court of First Instance, and Magistrate Court. Landscaping works and greening options in the construction works will be included. The project will encompass three phases. The first phase will encompass an International Design Competition. The second phase will incorporate the actual construction works. The third stage will encompass the purchase of equipment and furniture for the Palace of Justice, as well as Hebron, & Tulkarem Courthouses.

Programme Period:	2011 - 2013
Atlas Award ID:	00057409
Project ID:	00077024
Start date:	June 2011
End Date:	December 2013
PAC Meeting Date:	Sept. 2010
Management Arrangements:	Direct Execution

Total resources required	_____
Total allocated resources:	_____
• Regular	_____
• Other:	_____
o CIDA	\$25,737,410
o Donor	_____
o Donor	_____
o Government	_____
Unfunded budget:	_____
In-kind Contributions	_____

Agreed by (UNDP):

Y. Felle


I. SITUATION ANALYSIS

As a consequence of 43 years of Israeli occupation which prevented the Palestinian people from developing a comprehensive and modern rule of law sector, Palestinian court infrastructure remains weak and in most cases not based upon any international norms or standards. With the exception of a number of courthouses funded by the Government of Japan and constructed by UNDP in Nablus, Jenin, & Khan Younis, as well as courthouses built in Jericho and Bethlehem by other Palestinian Authority (PA) implementing institutions; the remaining courthouses have their cases adjudicated in sub-standard rented facilities that are not conducive for the dispensing of justice.

To support this observation, a number of missions were conducted by “CIDA’s technical design team who concluded that combined with weak strategic planning capacity, human resources management challenges and ongoing efforts at legal reform, the lack of adequate courthouse infrastructure hinders the dispensation of justice and the full application of the rule of law. In sum, current Palestinian Authority (PA) court infrastructure impedes the PA’s ability to reform criminal and civil law, strengthen justice sector institutions with clearly delineated mandates or develop the professional capacities of the justice sector.”

Since 1948, the Palestinian people have lived under competing and overlaying legal arrangements that include Ottoman, British, Jordanian, and Egyptian law, as well as Israeli Military Orders. From 1948 until 1967 Palestinians lives were governed by Jordanian law in the West Bank and Egyptian Law in the Gaza Strip. After the 1967 war, and up until the Oslo Accords in 1994, the Israeli Civil Administration utilized various military orders and Jordanian law in the West Bank and Egyptian Law in the Gaza Strip in governing Palestinian lives. There were no actual courthouses in the entire West Bank and Gaza Strip during this period, except for Israeli Military Courts. After the Oslo accords, the PA inherited all the rented facilities from which courthouses operated. Most were designed to be apartments. In most cases, the rented facility was not adequate in size, space, & function which affected the PA’s ability to adjudicate in an efficient manner.

For example, the Courts complex serving the Ramallah & El Bireh district, which is the target of this project document and one of the priority projects of the PA High Judicial Council, was once situated in a municipal facility that when constructed was originally planned to be a vegetable market. Due to its location, minimal and inadequate functional space, and extensive case load, the PA purchased an incomplete building in the city of El Bireh and transformed it into the new Courts Complex. While the facility is better in stature, its design & functionality remain below international standards. For example, there continues to be no separate access and flow for the defendants and the public in the facility, thus creating a potentially dangerous situation.

Current Situation:

Today, the Palestinian court system is comprised of the following tiers of justice:

- The Palestinian High Court, which is currently based in Ramallah. The High Court, which is the highest Judicial Authority, deals with Administrative, Constitutional, and the soon to be established Cassation court that will hear cases that come up through the Appellate courts.
- Three Appellate courts, one each in Ramallah, Gaza, and Jerusalem. Currently the Ramallah/El Bireh Appellate court and Jerusalem Appellate court are functioning out of the Ramallah/El Bireh due to the inability of the PA to open such a court in Jerusalem by the

Israeli Authorities, and in Gaza the work of the court is suspended due to the internal Palestinian conflict. This court hears cases that come up from the Magistrate (Suloh) & First Instance Courts.

- Eight courts of First Instance in the West Bank & three in the Gaza Strip. These courts deal with both civil and criminal cases and have the authority to fine persons an unlimited amount and can sentence persons up to seven years in prison.
- Finally, there are twelve Magistrate (Suloh) Courts in the West Bank and five in the Gaza Strip. These courts which deal with misdemeanor cases, both civil and criminal cases have the authority to fine persons up to 10,000 Jordanian Dinars and can sentence persons up to seven years in prison.

While significant work by various donors has gone into the enhancement of the technical capacities of judges and administrative staff of the courts, including UNDP's Rule of Law and Access to Justice Program which is funded by the Canadian International Development Agency (CIDA) in the amount of Canadian Dollars (CD) \$7,000,000, very little has been done to provide them with the proper venue to administer the rule of law.

As such the Government of Canada, through CIDA, which already is investing heavily in providing technical assistance to the High Judicial Council (HJC) and various other arms of the Palestinian Rule of Law sector, has also agreed with the Palestinian Authority (PA) to fund the construction and equipping of three priority courthouses in the West Bank.

The three courthouses to be constructed are:

- The Court of First Instance (Badaya) and Magistrate (Suloh) Court in Hebron city.
- The Court of First Instance (Badaya) and Magistrate (Suloh) Court in Tulkarem city.
- The Palace of Justice for the El Bireh/Ramallah district which will comprise of the High Court of Justice, Cassation Court, Appellate Court, Courts of First Instance and the Magistrate Court. This project document will focus on the Palace of Justice.

Based upon the above, the CIDA approached the UNDP in coordination with the Palestinian Authority to be responsible for the construction of the Palace of Justice. The goal of this project is to improve court infrastructure in the Ramallah/El Bireh area in a manner that will allow the PA to apply rule of law in a more efficient and effective manner. This project, a symbol of Palestinian state building, will instill the type of facility that the Palestinian public will look up to for dispensing of justice and rule of law, which is based upon due process and is fair and equitable.

II. STRATEGY

PA Strategy:

This project will address the various national aspirations of subsequent Palestinian Authority strategic planning documents such as the 2008 – 2010 Palestinian Reform Development Plan (PRDP), Palestinian National Development Plan for the years 2011 – 2013, as well as the Homestretch to Freedom, The Second Year of the 13th Government Program which states that it “will support the strengthening of the justice system by assisting the development of human resources **and the establishment of specialized courts.**” Moreover, the mission of the 13th Government's program is to “consolidate the rule of law and separation of powers in the democratic state of Palestine, to safeguard citizens' rights and freedoms, ensure all institutions are accountable and comply with the law, preserve independence of the Judiciary, and manage the courts system in line with the principals of integrity, impartiality and effectiveness. Finally, it is mentioned as part of

its priority activities and outputs to “**finalize planning and commence construction of the Justice Palace (Ramallah)** and court facilities in Hebron & Tulkarem.”

In order to fulfill these strategic plans, the CIDA has agreed to fund these three priority courthouses in the Ramallah/El Bireh, Hebron and Tulkarem Districts as part of its support to the Palestinian Rule of Law Sector. CIDA has selected UNDP as its partner to implement the Palace of Justice in the Ramallah/El Bireh Districts.

UNDP Strategy:

The United Nations Development Programme/Programme of Assistance to the Palestinian People (UNDP/PAPP) will act as the executing and implementing agency for this project. It will engage various local as well as international experts to ensure timely and effective planning, as well as quality design and construction workmanship. The UNDP/PAPP will work in close cooperation with its Palestinian partners, in particular the Palestinian High Judicial Council (HJC) who is the primary project beneficiary, as well as the Palestinian Attorney General’s Office (OAG), Palestinian Police Force (Courts Unit) and Ministry of Justice (MOJ), on all relevant aspects of the project. UNDP will also gather advice and feedback from Palestinian Civil Society Organizations working in area of Rule of Law.

Moreover, UNDP will work in partnership with the CIDA in ensuring the project is implemented efficiently according to the planned outcomes and outputs delineated in the project document, is in line with the Palestinian 13th Governments program, meets International as well as Canadian Building Code Standards, as well as fulfills UNDP corporate requirements (Gender, Disabled, etc).

Based upon UNDP’s previous experiences in Courthouse construction in the occupied Palestinian Territory (oPt), and lessons learned, UNDP will seek support from its Rule of Law and Access to Justice Program, Capacity Development Initiatives (CDI), & Engineering Team in supporting the Palestinian partners through various planning & capacity building activities that will address the need for the smooth operation, management, & maintenance of the handed over facilities. This is a critical component in ensuring the future longevity and sustainability of the CIDA investment. CIDA themselves are very keen on ensuring that there is a “**Facilities Management**” component included for all the courthouse investment projects.

UNDP will require of the Palestinian Counterpart, prior to handover of the facility, that a detailed operation, management, and maintenance plan be submitted with associated financial and budgetary costs. This plan, once reviewed, discussed, and finalized in draft form, will be shared with the Project Steering Committee (PSC).

In addition, UNDP will work with partners to ensure **gender mainstreaming** and associated important considerations are taken into account, such as breastfeeding areas and spaces (waiting areas) for men and women to sit and relax while waiting for their proceedings. In addition, there should be diaper changing facilities, either in both male and female restrooms or in specially designated rooms.

Moreover, special arrangements for **youth/juveniles** who are accused of crimes will be introduced in the courthouse. This includes a mechanism to ensure confidentiality of the accused and how youth/juveniles are dealt with throughout the justice system. If possible, UNDP will work with CIDA and the HJC to provide for a space, such as a Juvenile Court, in the Palace of Justice. Such a space should also be included in the Hebron and Tulkarem Courthouses.

Finally, the facility should be accessible for the **disabled**, including provisions for ramps and elevators, as well as disabled friendly restrooms. In addition, doorways and hall ways will be

constructed to the width required for those utilizing wheelchairs. Finally, where possible, the inclusion of brail printing will be installed in such places as entrances to doorways and elevators.

UNDP will work with CIDA and HJC, as well as the other implementing partners toward ensuring all three courthouses incorporate these vital elements for the public.

Finally, because of the similar functional requirements pertaining to the Magistrate and First Instance courts, UNDP, PECDAR, and UNOPS will coordinate all technical specifications and standards in order to assist the HJC in operating the similar facilities in a cost effectiveness manner.

Scope of Works for the Palace of Justice:

For this project, the focus will be on the implementation of the Palace of Justice which will provide facilities for the Supreme Court, consisting of the High Court, a Court of Cassation and a yet-to-be established Constitutional Court. The site, which will be provided by the Palestinian Authority is located close to the Sharia Court in El Bireh on the main highway leading from Jerusalem. The total area of the currently proposed plot of land allocated is approximately 13,000 square meters, of which half is zoned for construction purposes. In addition, it will also include the Magistrates, First Instance and Appeals courts for the El Bireh/Ramallah court district. In total, the preliminary size requirements of the courthouse prior to design is estimated at 182,988 square feet, or 17,000 square meters and will include landscaping works, greening options, and the associated furniture and equipment for not only the Palace of Justice, but also the Hebron and Tulkarem courthouses.

While spatial and functional requirements have been determined, the figures provided for the various courts and units are still under discussion. The Palace of Justice will be planned in a manner that will ensure sufficient space to meet today and tomorrow’s expansion requirements.

Currently there are 55 Judges assigned to the Ramallah/El Bireh court system. The following table illustrates the breakdown of judges per court:

Court:	Male Judges:	Female Judges:	Total:
The Magistrate Court (Soloh) - Ramallah	10		10
The First Instance Court - Ramallah	10	1	11
The Appellate Court – Ramallah	7	1	8
The Appellate Court – Jerusalem	6	2	8
High Court of Justice	7	1	8
Total:	40	5	45

It should be noted that an additional ten judges have been assigned for the new court of Cassation.

Even with this amount of judges, and the high caseload they review, there is still a greater need for additional judges and courtrooms to meet the population’s current and future needs. With a high number of cases and insufficient space to adjudicate the cases in a timely manner, efficiency of the judges may be hindered.

In addition, and of importance, is to ensure in the court house design and construction that there are separate areas of movement for judges, the public, & the accused.

Implementation Strategy:

Based upon discussions between UNDP and CIDA, the implementation strategy for this project will be based on a three phase approach. Each phase of the projects progress determines the start point of the subsequent phases. For example, phase two of the project is dependent upon the completion and approval of the phase one design. The various phases are:

- Phase I – International Design Competition (three stages);
- Phase II - Construction and Landscaping Works; and
- Phase III - Equipment and Furnishing.

Phase III activities will be initiated upon the completion of the skeleton works for the various courthouses and the submittal of the detailed furnishing and equipment requirements of the courthouses.

Phase I – International Design Competition:

The purpose of the international design competition is to combine the experience of international architectural firms who have worked on similar designs with local firms who are acquainted with local aesthetics and the market of building materials. The idea is to encourage a high level of creativity which is culturally & environmentally sensitive, symbolic in nature, while at the same time cost effective.

The **tentative outline** for the three stage International Design Competition including timetable is as follows:

- Call for a pre-qualification of local class A Engineering & consultancy firms.
- Call for international pre-qualification of international architectural firms.
- Firms will be evaluated and those pre-qualified will move on to the design competition.

Announce both short lists, initiate competition:

- Exchange short lists between each group of pre-qualified local and international firms.
- Access to competition design brief enabled allowing both sets of short listed firms to download information.
- Require that Joint Ventures be registered with local engineering association and that proof of registration be provided to the competition manager within 30 days
- Post short list on website for all registrants to view, and advise each short listed firm by direct correspondence, email or otherwise

Stage I – Concept Design

- Short listed teams (up to 20) prepare concept design based on competition brief and Stage I submission requirements defined in the brief
- Prompt technical responses to Questions & Answers (Q&a) related to competition brief, functional program interpretation, etc.
- Establish evaluation criteria for use by technical review committee and jury for both stages I and II

Stage I submissions – Evaluation to create Stage II short list

- Technical evaluation with report to jury
- Jury review and deliberation

Stage II –Final Design

- Second short listed teams (up to 5) prepare final design based on concept design and competition brief and Stage II submission requirements defined in the brief
- Prompt technical responses to Q&A related to competition brief, technical requirements, interpretations, etc.

Stage II submissions – Technical Evaluation and Jury Deliberation

- Technical evaluation with report to jury
- Jury review and deliberation to determine ranking of submissions and prize winners

Announce competition Winner

- Distribute honoraria to 4 teams (excluding winner), and prizes to top three ranked teams. Final amounts to be distributed will be agreed to by the parties.
 - A fixed fee award amount will be awarded to the design winner.
- As indicated above, this process and set of procedures is tentative.
 - The final manner of the design competition should be carried out in accordance with or with the approval of the Palestinian Engineering Association rules and regulations which are based upon International standards.
 - A competition Jury will be selected by the parties.
 - **The Jury** will be responsible for evaluating the designs against the established criteria. The jury will comprise of the UNDP, CIDA, PA High Judicial Council, Representative of the Community, and the Palestinian Engineering Association. Upon completion of the evaluation, the jury will recommend the top three designs to the assessors.
 - As UNDP will be the responsible party toward the donor and Palestinian beneficiary for the quality of the design, as such UNDP can exercise its right to have a majority number of members the committee outlined below:
 - The Jury: Will consist of up to seven members and not less than five. UNDP may have up to three members. It will also comprise members from CIDA (2), HJC (1), & the Engineering Association (1), in particular the Architectural Association.
 - UNDP will have the majority members of the jury, however, all the scores for the committee will be averaged.
 - It should be mentioned that CIDA, as well as UNDP require that access to the courthouses be disability friendly.

The Jury will evaluate the designs and give scores (i.e. highest score 100) in accordance with the following tentative criteria categories:

- Aesthetics
- Function
- Economy

Upon finalization of the entire Design Competition, an announcement to the public and presentation of the three winning proposals will be conducted by the Palestinian High Judicial Council, CIDA, & UNDP. The design firm will be requested to present a model of the selected design and its theme. The UNDP communications department will work in coordination with CIDA & PA public relations departments on organizing the event and ensure a high level of public & media exposure.

As a note, for any works in the Ramallah/El Bireh District and in the occupied Palestinian territory (oPt) in general, the Municipality requires that for all building permits that the rules and regulations and codes as stipulated by the Palestinian Civil Defence Department (regarding safety issues such as fire, earthquake requirements, etc), Ministry of Antiquities (regarding archaeological sites, etc) , Ministry of Transportation (regarding road access to the sites, etc), Jerusalem Electricity Company (regarding electrical installations) & Ministry of Health (environment, sanitation, etc) are utilized .

As for the structural, mechanical, and electrical design and implementation, it is possible to utilize the Canadian codes if the design firm is familiar with them. Most local design firms utilize American Building codes.

The actual design competition at minimum will take months. UNDP will require immediately thereafter an additional three weeks approving the award and signing the contract. Actual preparation of the design and associated bill of quantities for the Ramallah Courts Complex should not exceed at a minimum four months. UNDP, CIDA, and PA technical staff will review all tender documents & Bill of Quantities (BoQ) prior to their finalization and approval by the Project Technical Committee (TC).

Prequalification of Contractors:

Simultaneous to the works associated with the preparation of the designs, tender documents, and bill of quantities, UNDP will conduct a prequalification of contractors who are registered with the Palestinian Contractors Union and classified as grade one. The invitation for prequalification will be advertised through the UNDP web site globally and locally through the Palestinian press. UNDP will draft an evaluation criterion that will be shared with CIDA & HJC for their review and comments.

During the prequalification evaluation, a committee of five members (Three from UNDP, one from CIDA, and one from the HJC) will review the technical, managerial & financial capacities of the submitting contractors. The criteria will be scored; either **YES**, meets the required criteria or **NO**, doesn't meet the required criteria. If any response to the criteria is scored **NO**, the submitting contractor will be disqualified. Only those successful contractors whose evaluation registered **YES** against every criterion will be invited to tender for the construction works.

It is expected that the entire pre-qualification exercise of contractors will take approximately 4 to 6 weeks.

During the design stage, UNDP's core Programme, Engineering, and Procurement staff will lead the activities to be implemented. A Project Manager, Resident Engineer, and Project Assistant, who will be part of the Project Implementation Unit (PIU) will be hired during this phase to become acquainted with the project including design and construction work preparations.

Phase II – Construction & Landscaping Works:

The second phase of the project will encompass the tendering and actual construction works of the Palace of Justice. Only after the design stage is completed and the final scope of works including cost estimates are determined, and prior to tendering the works, UNDP, CIDA, and HJC technical teams will finalize the best possible implementation arrangement for the construction works based upon either individual contractual packages or phased contractual works.

As per the Administrative Arrangement, the donor will transfer US\$10,000,000 upon signature of the Administrative Arrangement to UNDP. An additional three payments in Canadian dollars will be made based upon a payment schedule and implementation approach agreed to by both parties.

The tentative implementation approach, which will be greatly influenced by the final design, may encompass one of the following scenarios:

1. Awarding of one contract for all construction phases, including skeleton, finishing, electro-mechanical, and landscaping works to one highly qualified contractor;
2. Awarding of one or more contracts for each of the following phases;
 - a. The skeleton works
 - b. The finishing works
 - c. The electro-mechanical works
 - d. The landscaping works.
3. It is possible to combine the awarding of contracts to be inclusive of the various phases if deemed appropriate and the contractor(s) have the requisite capacities.

Tender of Construction Works:

Once the approach is agreed to, and after the pre-qualification of contractors, UNDP will tender as per UNDP Procurement Rules and Regulations the project through an Invitation to Bid (ITB) that will be open to only those contractors that were pre-qualified. It is expected that the tender period will not exceed **three weeks**, and will include a pre-bid meeting and site visit in which the potential contractors, CIDA, and the HJC would be present.

The bid opening will be open to the public with CIDA and the HJC being invited to attend. A bid opening record will be prepared and shared with the CIDA and the HJC. The UNDP procurement team will be ultimately responsible for evaluating the bids against the agreed upon bill of quantities and required specifications. Once the evaluation is complete, UNDP will inform CIDA and the HJC of the preliminary results and forward the tender to UNDP's internal Contracts, Assets, and Procurement committee (CAP) for review and recommendation to the Special Representative of the Administrator. The evaluation period as well as CAP exercise will take between **three to four weeks**.

Based upon the recommendation of the CAP and assuming all contracts to be awarded will be over US\$1 million dollars, UNDP will be required to forward the recommended CAP award for an independent price verification with Azzam and Partners, a company hired by UNDP and based in Amman, Jordan. Once the price verification is reviewed and cleared, UNDP/PAPP will forward the CAP recommendation(s) to UNDP Headquarters so that the Assets, Contracts, and Procurement

(ACP) Committee can review and finally approve the awarding of the contract(s). The price verification and ACP process can take up to **three weeks**.

Once the final approval is received from the ACP, UNDP will inform the contractor(s) to provide all the required documents including guarantees. When the documents are received, UNDP will thereafter sign the agreement with the contractor(s).

The contractor(s) will have a maximum of ten days to mobilize their teams and equipment for the commencement of the works. This includes the installation of a site office for the UNDP and partner teams. Once mobilized, and based upon discussions with CIDA and HJC, a **ground breaking ceremony** will be held with all Project Steering Committee (PSC) members.

During the ceremony, a project sign will be installed at the project site. Extensive visibility through the local and international media for the ceremony will be coordinated by UNDP's, CIDA's and the HJC's communication and public relations teams.

Construction works:

During this stage, the remaining members of the PIU will be hired including the Junior Civil Engineer, as well as Mechanical and Electrical Engineers. They will join the Resident Engineer who will have already been recruited. The entire team will be based on the project site and safety precautions will be required by staff and on site workers

The Resident Engineer will be responsible for ensuring that all technical works are being implemented as per the BoQ and the required specifications, time schedule, and according to UNDP Rules and Regulations. The Resident Engineer will manage the UNDP technical team on site and will report on project progress to the Project Manager and Technical Committee of the project (TC).

The Resident Engineer in coordination with the UNDP Engineering Analyst and Area Engineer will coordinate all technical works with the project Technical Committee (TC), which will also include the Architect, Contractor, CIDA, and HJC. The UNDP Engineering Analyst and Area Engineers will assume a Quality Assurance role during the technical works. The Project Manager and Project Assistant should be present for all TC meetings in which meeting minutes should be drafted and signed by all parties.

As UNDP is the implementing party of the donor, and is in the end the responsible party for ensuring the technical quality of works, UNDP will have upper supervision of all works on the project site.

The UNDP will ensure that the project and/or project site selected will not cause any negative environmental affect to the local community and fauna. If necessary and requested, UNDP will conduct an additional environmental impact assessment of the project site prior to the implementation of works and building on the previous Environmental Assessment and Screening Report prepared by CIDA in September 2009.

It is anticipated that actual construction works during this stage will not exceed 24 months.

The tentative project implementation plan for phase II is as follows:

No.	Description:	Duration (maximum):
1.	Pre-qualification of contractors will be conducted including evaluation.	4 to 6 weeks

2.	Upon completion of the Design Stage, UNDP will tender for the construction works through its Procurement Department.	3 Weeks
3.	UNDP will commence hiring of remaining PIU support team, a Junior Civil Engineer, Mechanical Engineer, and Electrical Engineer. (This will be done concurrently with the tendering of the project)	4 Weeks
4.	UNDP will evaluate the bids according to UNDP rules and regulations.	4 Weeks
5.	UNDP will locally present the bid results to its Contracts, Assets, and Procurement (CAP) committee for approval.	
6.	Once approved, UNDP will send winning bid(s) for external price verification.	3 Weeks + 2 weeks for Contract Signature
	Upon receipt of the price verification report, UNDP will forward winning bid(s) to our New York Assets, Contracts, and Procurement (ACP) committee for approval.	
	Upon ACP approval, UNDP will issue the contract(s) awarded.	
7.	Construction works commence including landscaping works.	24 Months

Project Committees:

During the implementation of the project, two committees, the Project Steering Committee (PSC) and the Technical Committee (TC) will be established to monitor the implementation of the project and approve significant issues that may arise, either technically or financially. The committees will be established prior to the beginning of Phase I of works and will remain operational until the final handover of the project and submission of the final progress report by UNDP.

The PSC will be responsible for providing guidance and approval to the three courthouse projects being funded by CIDA in El Bireh/Ramallah, Hebron, and Tulkarem. This committee will not be project specific, but rather programme specific. The PSC will be comprised of the following membership:

- Co-Chairs: High Judicial Council (HJC) & CIDA
- Members: Office of the Attorney General (OAG), Ministry of Justice (MOJ), Ministry of Planning and Development (MOPAD) and the Ministry of Public Works and Housing (MPWH)
- Agencies: UNDP, PEC DAR, & UNOPS.

The terms of reference of the PSC encompasses the following:

- Provision of oversight and strategic direction,
- Coordinate donor mobilization and information sharing efforts,
- Approve/Certify Quarterly progress Reports,
- Approve/Certify Final architectural design plans,
- Approve/Certify major design changes. (Major design changes consist of changes to the functionality of the courthouses schedules or costs. Any cumulative delay of three months or more and increase of 2% of the construction budget will require PSC approval.)

The PSC will meet bi-annually, or as required at the HJC facilities. The secretariat of the PSC will be the Project Planning and Management Unit of the HJC. They will be responsible for scheduling meetings, preparing the agenda, circulating documents in advance of the meeting, and taking of minutes.

The project Technical Committees (TC) will be established for each individual project in El Bireh/Ramallah, Hebron, Tulkarem. For this project, the TC will comprise of HJC, CIDA, and UNDP staff. In addition, the architect of the project and contractor will be required to be part of the committee. On a weekly basis a weekly site meeting will be scheduled to discuss the issues that may of arised during the week.

The project Technical Committee (TC) terms of reference will include:

- Review of Quarterly Technical Progress Reports and Site Work plans prior to submission to the Project Steering Committee (PSC) with recommendations;
- Review of proposed major design changes and submit to PSC with recommendations;
- Review final architectural design plans, including Bill of Quantities, and
- Bring any technical issues of concern to the PSC.

The TC will be responsible for reporting to the PSC all technical issues that arise in a timely manner, and if so required, may request of the secretariat an ad hoc meeting if so required.

In addition, during this stage, UNDP will make every effort to support the High Judicial Council in developing their operation and maintenance plans for the court complex, which will be to support any CIDA Facilities Management Intervention. This intervention will occur in parallel with the actual construction works under the guidance of the UNDP Program Analyst and Project Manager.

Stage III:

UNDP will be requested to procure equipment and furnishings for the three courthouses in Hebron, Tulkarem, and the Palace of Justice. UNDP will utilize to the greatest extent possible its established Long Term Agreements (LTA's) to purchase the required items.

The LTA's are already established for furniture, IT equipment, security items, cars, etc. If UNDP is selected, UNDP Project Manager will work with the HJC in identifying their needs and relevant specifications needed for each individual courthouse. While LTA's will be utilized in the majority of cases, there may be some items that may require tendering. If this is the case, UNDP will utilize its procurement guidelines to purchase the goods and/or services. All furniture and equipment will be installed upon the completion of construction works and will include training, if necessary, on their utilization. Warranties on all items will also be included.

It is anticipated that the project duration encompassing all stages will not exceed 36 months.

III. RESULTS AND RESOURCES FRAMEWORK

<p>Intended Outcome as stated in the Country Programme Results and Resource Framework: <i>See Palestinian Homestretch to Freedom, PA Planning Framework</i></p> <p>Outcome indicators as stated in the Country Programme Results and Resources Framework, including baseline and targets: <i>See Palestinian Homestretch to Freedom, PA Planning Framework</i></p> <p>Applicable Key Result Area (from 2008-11 Strategic Plan): Enhancing Rule of Law and Access to Justice</p> <p>Partnership Strategy: UNDP/PAPP will work closely with the High Judicial Council in order to ensure that the project will respond to their various needs. In addition, UNDP/PAPP will consult regularly with the CIDA throughout the various phases of implementation. Finally, UNDP will share its experiences and lessons learned with other partners such as UNOPS & PEC DAR who will be concurrently constructing other courthouses in the cities of Hebron and Tulkarem.</p>				
<p>Project title and ID (ATLAS Award ID): Construction & Equipping of the Palestinian Palace of Justice in El Bireh/Ramallah.</p>				
INTENDED OUTPUTS	OUTPUT TARGETS FOR (YEARS)	INDICATIVE ACTIVITIES	RESPONSIBLE PARTIES	INPUTS
<p>Output 1.1 – Courthouse facilities built & equipped that meet International safety & security standards.</p> <p>Baseline: Currently no design for the Ramallah Judicial Complex has been developed.</p> <p>Indicators: A design has been completed</p> <p>Baseline: Current Courthouse does not meet international standards.</p> <p>Indicators: New Palace of Justice meets international standards</p>	<p>Targets (First Quarter 2011)</p> <ul style="list-style-type: none"> - Completion of the design works for the Palace of Justice by December 2011. <p>Targets (2013)</p> <ul style="list-style-type: none"> - Construction of the Ramallah Courts Complex by January 2013 that meet international standards. 	<p>1 Design Works.</p> <ul style="list-style-type: none"> ▪ Pre-qualification of consultancy firms (International Competition) – Pass/Fail ▪ Design Competition – Those who passed pre-qualification compete. ▪ Awarding of design contract. Four months to complete. <p>2 Construction of the Palace of Justice</p> <ul style="list-style-type: none"> ▪ Tendering individually each component for the construction of the Palace of Justice including landscaping works. ▪ Receipt of bids. ▪ Technical and financial evaluation of bids. 	<p>UNDP, CIDA, the Palestinian High Judicial Council, Palestinian Engineering Association, Community Representative, & Design Firm(s).</p> <p>UNDP, CIDA, the Palestinian High Judicial Council, & various contractors.</p>	<p>\$800,000</p> <p>\$ 18,600,000</p>

<p>Baseline: Ability to secure courthouses minimal.</p> <p>Indicators: Security improved in courthouses.</p>	<p>Targets (2013)</p> <ul style="list-style-type: none"> - Separate access for judges, defendants, and citizens reduces potential security risks. 	<ul style="list-style-type: none"> ▪ Upon completion of evaluation, submittal of recommendation to internal UNDP Contracts, Assets, and Procurement (CAP Committee) for approval. ▪ Upon approval, forward to Jordan for cost verification review. ▪ Forward to UNDP Headquarters Assets, Contracts, and Procurement (ACP) for approval if project over \$1,000,000. <p>3 Purchasing of Equipment & Furniture for three courthouses.</p> <ul style="list-style-type: none"> ▪ Identification of equipment and furniture needs of the three courthouses, including specifications. ▪ Tendering for Equipment and Furniture (Utilize UNDP Long Term Agreements (LTA) when possible). ▪ Receipt of bids. ▪ Evaluation of bids. (if not LTA) ▪ Upon completion of evaluation, submittal of recommendation to internal UNDP Contracts, Assets, and Procurement (CAP Committee) for approval. 	<p><i>UNDP, the Palestinian High Judicial Council, & various suppliers.</i></p> <p><i>\$ 1,000,000</i></p>	
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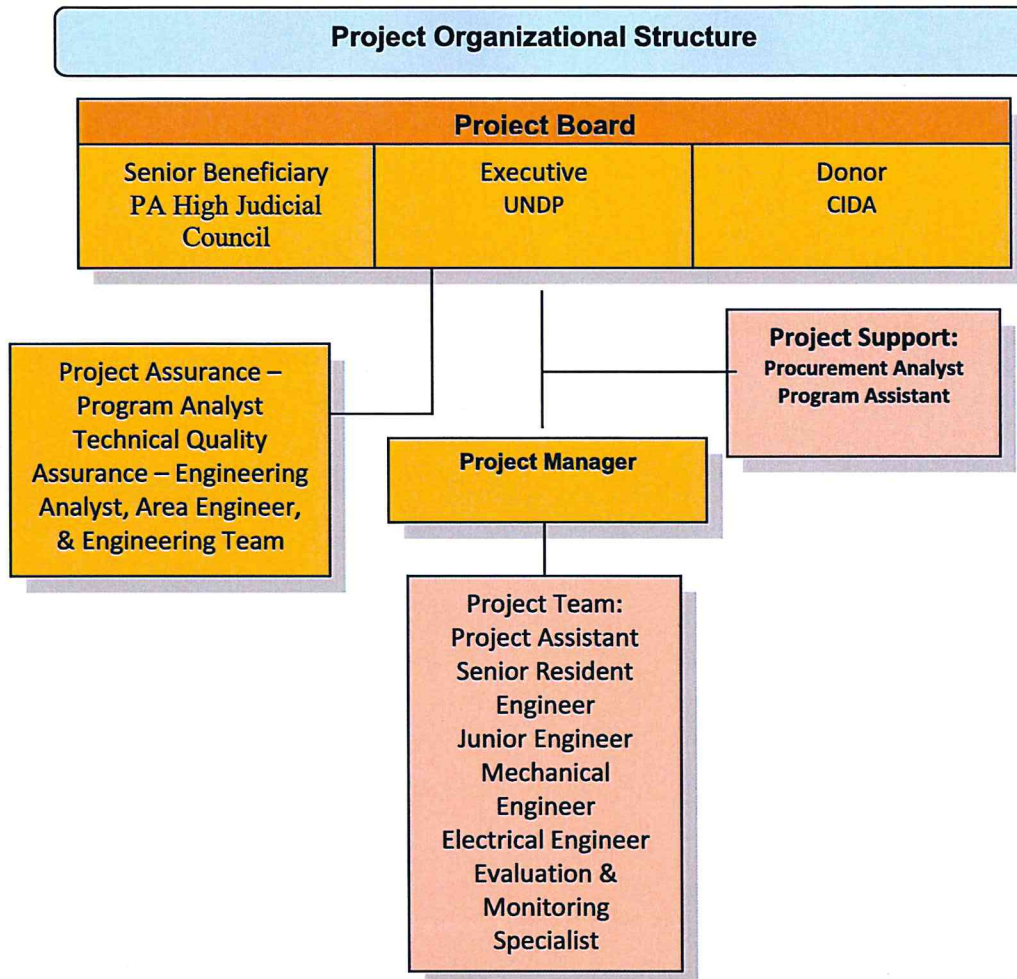
IV. MANAGEMENT ARRANGEMENTS

UNDP will assign a Program Analyst who will be responsible for the initiation, monitoring, and overall management of the project. An Engineering Analyst will also be assigned to the project and will be responsible for managing all technical interventions from the design through the construction stage of the project. UNDP rules, regulations, and procedures will be the basis of implementation. In addition, a Project Implementation Unit (PIU) consisting of a Project Manager, Project Assistant, Senior Resident Civil Engineer, Junior Engineer, Mechanical Engineer, and Electrical Engineer will be assigned to the project and will be responsible for the daily running of the project activities and coordinating works on the ground with the local implementing partner. In addition, a part time monitoring and evaluation specialist will be hired through the project.

The PIU will be responsible for updating the project management module in the UNDP Atlas system, including entering all risks, issues, and quality logs. Moreover, the PIU will be responsible for maintaining a lessons learned log and develop a communications plan. These logs & plans will be part of all donor reports. The Project Manager will directly report to the Program Analyst who will be responsible for project assurance.

UNDP's core staff of Senior Civil, Electrical and Mechanical Engineers as well as the Area Engineer will conduct a quality assurance role through the provision of support, advice, and feedback at various stages of the projects progress. UNDP's procurement staff will provide support on contractual and procurement procedures. The entire PIU team of technical staff will reside at the project site, except the Project Manager, Project Assistant, & Monitoring & Evaluation Specialist who will be tentatively housed at the UN common premises in Ramallah.

A project board will be established to follow up the works implemented by UNDP. The members of the board will include the CIDA as the donor, the High Judicial Council as the senior beneficiary, and UNDP/PAPP as the implementing partner. This board will meet quarterly or exceptionally upon the request by Board members, to review priorities and progress towards expected results. The project board will be incorporated as part of the PSC indicated earlier.



The UNDP will monitor and supervise all construction works on a daily basis and will be responsible for verifying all works and the issuance of payments to designers, suppliers, and contractors based upon actual works performed or agreed upon payment schedule. The HJC in partnership with UNDP & CIDA will coordinate and review all plans and works pertaining to the project. UNDP will maintain upper supervision on all construction works implemented on the ground.

The UNDP will utilize its standard Programme Management, Procurement, Contracting, and Financial procedures in the implementation of the program. If any contract value is in excess of US\$1 million, the evaluated tender will be forwarded to our Headquarters Assets, Contracts, & Procurement (ACP) committee for further review and final approval.

Through this mechanism UNDP will directly execute all project activities. The project budget would cover the costs of the Project Team including cost recovery, and UNDP's General Management Services fees shall be a fixed 7%.

The payment schedule for this project is outlined in the administrative arrangements, see attached. It should be mentioned the budget may increase or decrease depending upon the exchange rate at the time of transfer.

V. MONITORING FRAMEWORK AND EVALUATION

In accordance with the programming policies and procedures outlined in the UNDP User Guide, the project will be monitored through the following:

Within the annual cycle:

- An Issue Log shall be activated in Atlas and updated by the Project Manager to facilitate tracking and resolution of potential problems or requests for change. When required, this log will be updated on a daily basis
- Based on the initial risk analysis submitted, a risk log shall be activated in Atlas and regularly updated by reviewing the external environment that may affect the project implementation.
- Based on the above information recorded in Atlas, a Project Progress Reports (PPR) shall be submitted by the Project Manager to the Project Board through Project Assurance, using the standard report format available.
- A project Lesson-learned log shall be activated and regularly updated to ensure on-going learning and adaptation within the organization, and to facilitate the preparation of the Lessons-learned Report at the end of the project.
- A Monitoring Schedule Plan shall be activated in Atlas and updated to track key indicators and reflected in the Results and Resources Framework.
- A Quarterly Progress Report shall be prepared by the Project Manager and cleared by the Program Analyst, who will share it with the Project Board and donor.
- At anytime during the project implementation, CIDA staff will be able to access the project site, review site documents pertaining to the construction works, and discuss project progress with staff.
- Monthly Summary Report. A monthly summary report, including pictures, will be provided to the donor with a status update.
- **Annual Review Report**. An Annual Review Report shall be prepared by the Project Manager and shared with the Project Board and the Outcome Board. As minimum requirement, the Annual Review Report shall consist of the Atlas standard format for the QPR covering the whole year with updated information for each above element of the QPR as well as a summary of results achieved against pre-defined annual targets at the output level.
- **Annual Project Review**. Based on the above report, an annual project review shall be conducted during the fourth quarter of the year or soon after, to assess the performance of the project and appraise the Annual Work Plan (AWP) for the following year. In the last year, this review will be a final assessment. This review is driven by the Project Board and may involve other stakeholders as required. It shall focus on the extent to which progress is being made towards outputs, and that these remain aligned to appropriate outcomes.

An evaluation of the project is recommended in order to ensure that the goals and objectives of the project are according to schedule and in line with the requirements of the project document.

- **Evaluations:** If necessary, evaluations of the project document outputs will be conducted upon the completion of every stage of implementation and three months after the completion of the last activity.

The Contribution will be subject exclusively to the internal and external auditing procedures provided for in the financial regulations, rules and directives of UNDP. Should an Audit Report of

the Board of Auditors of UNDP to its governing body contain observations relevant to the Contribution, a copy of such report will be made available to CIDA.

VI. LEGAL CONTEXT

The administration of this project shall be governed by UNDP rules and procedures.

VII. ANNEXES

- Administrative Arrangement
- Budget
- Preliminary Time Schedule