New UNICEF Standard Contracts

Contracting Centre, UNICEF SD
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1. Overview
UNICEF’s General Terms and Conditions (GTCs) for goods and services have been in use for several years without revision.

The PO and LTA terms for both goods and services have been updated in an ad hoc manner over the years to try to address new developments and gaps.

A major review of the UNICEF standard contracts has been done, and solicitation documents have been updated as well to align changes with GTCs and clarify bidder responsibilities and UNICEF rights.

The new standard contracts were launched on 1 June 2017.
2. New UNICEF Standard Contract
The new contract looks and feels very familiar – and that’s generally because it is.

**General**

UNICEF has an ERP system for generating and recording contracts - VISION. No payments can be made except against a VISION contract. Format fixed and unchangeable.

**Front Page:**

No change.

Goods description, INCOTERM, Consignee, Price.

Supplier details.

**Terms:**

Now much shorter and simply sets the framework for the Contract.

Separate shipping instructions updated.

Any specific special terms.
Elements of UNICEF Standard Contract

Terms:
Now explains how the LTA works and POs are issued.
Distinguishes much more clearly between terms that apply to LTA and those that apply to POs issued under LTA.
Updated sections on PDI, delivery terms, shipping instructions, inspection of facilities and any specific special terms.

General Terms and Conditions:
Longer – largely because all of the substantive terms from the PO and LTA have been shifted to TCS.
Annexed to Contract/LTA and also available on [Supply Division website](#). Non-editable.

Annexes:
Annexes can be added as relevant – e.g. Goods requirements, price schedule. Solicitation document and supplier proposal not automatically included as part of Contract (may be included if necessary).
3. Categories of Changes
Key elements of the contract have not changed:
• UNICEF status is unchanged
• UNICEF operations are largely the same as they have always been
• Public procurement principles still apply
• Risk profile has not changed
• The UNICEF Standard Contracts are generic across the entire organization for all contracts for goods of all types

Bringing existing substantive clauses from the PO/LTA into GTCs:
• Rights of UNICEF
• Ethical standards and cooperation with investigations
• Warranties
• Indemnity
Categories of Changes to Contract Terms

• **Alignment with United Nations GTCs:**
  • Ethical standards (in particular, sexual exploitation) and cooperation with investigations
  • Indemnity
  • Intellectual Property

• **Where possible, addressing reasonable supplier requests:**
  • Risk of Loss (linked to INCOTERM)
  • Mutual termination for breach
  • Confidentiality
Categories of Changes to Contract Terms

• Reflecting new policies and new developments:
  • Transparency
  • Monitoring of supplier performance
  • Increase in Procurement Services
  • UNICEF’s Anti-Corruption and Anti-Fraud Policy
  • UNICEF’s Child Safeguarding Policy
  • Post-employment restrictions

• Experience:
  • Updating and clarifying packaging, labeling, dangerous goods, shipping and PDI provisions (including, e.g., responsibility for designating dangerous goods)
  • Clarifying consequences of delay and/or non-conforming goods, including supplier obligations/UNICEF rights
  • Clarifying which version of INCOTERMS apply
4. Implementation
Launch took place on 1 June 2017. 

The rollout will be in a staggered approach from launch:

- New solicitation documents and subsequent LTAs/contracts will use the new standard contract documents after launch date.
- For solicitation documents dated prior to launch date, the resulting LTAs/contracts will use the current standard contract documents, even if the LTA/contract is issued after the launch date.
- For LTAs / contracts created before the launch date and to be extended or amended after launch date, the current standard contract documents will still apply.

- In cases where substantive risk has been identified for a particular supplier, Offices may require the new standard contracts documents be used for LTAs/Contract amendments/extensions.

The UNICEF Supply Division website will include all the policies and documents referred to or incorporated by reference in the UNICEF Standard Contracts, including:

- GTCs & LTA/PO/tender provisions
- Packaging and labelling instructions
- UNICEF Anti-Fraud and Anti-Corruption Policy
- UNICEF Information Disclosure Policy, etc.
Thank You!