



UNHCR

United Nations High Commissioner for Refugees
Haut Commissariat des Nations Unies pour les réfugiés

Annex B – Terms of Reference

ESTABLISHMENT OF A FRAME AGREEMENT FOR PROVISION OF UNARMED SECURITY GUARD SERVICES FOR UNHCR REPRESENTATION OFFICE, UNDP OFFICES, WFP OFFICE/WAREHOUSE AND IOM OFFICE/CLINIC IN MALAYSIA

1. INTRODUCTION

The Office of the UNHCR was established on December 14, 1950 by the United Nations General Assembly. The agency is mandated to lead and co-ordinate international action to protect refugees and resolve refugee problems worldwide. Its primary purpose is to safeguard the rights and well-beings of refugees. It also has a mandate to help stateless people. In more than five decades, the agency has helped tens of millions of people to restart their lives. Today, a staff of some 6,600 people in more than 110 countries continue to help about 34 million persons. To help and protect some of the world's most vulnerable people in so many places and types of environment, UNHCR must purchase goods and services world. For further information on UNHCR, its mandate and operations, please refer to <http://www.unhcr.org>.

2. GENERAL

United Nations High Commissioner for Refugees (UNHCR) Malaysia proposes to contract a security company for unarmed security guard services at the office address 570, Jalan Bukit Petaling, 50460 Kuala Lumpur. The security guard services should aim at maintaining a safe and secure environment for UNHCR staff members, refugees and operational implementing partners as well as asset and facilities. UNHCR is seeking a security company that will maintain and enhance the overall level of security of UNHCR operations. It is envisaged that the selected company will be particularly strong in professional and quality performance delivered consistently, in addition to positive and prompt responses to security needs and concerns of the organization.

The Contractor shall provide all supervisory, management and other personnel with requisite experience, education, trainings, and ability, as well as other resources to plan and provide security services to the office as defined in this Terms of References. The service provider should also be responsible and accountable for ensuring the proper functioning of the security items located on the premises. The Contractor shall perform to the standards and shall follow all applications and directives as identified in this Terms of References.

3. ESTIMATED MANNING LEVELS

Based on the current security guard numbers and ranks, as well as forecasting into the needs of the newly renovated Refugee Reception Centre, UNHCR has determined the following manpower requirements for the it's office and separate requirements of other UN agencies operating in



UNHCR

United Nations High Commissioner for Refugees
Haut Commissariat des Nations Unies pour les réfugiés

Annex B – Terms of Reference

Malaysia. Based on that, UNHCR requires from suppliers a comprehensive and very detailed proposal to cover all security components in order to determine final needs and cost implications.

The requirement given below is for UNHCR (as lead agency) and other UN agencies in Malaysia requiring security services, UNHCR will enter into a long term frame agreement with the successful security company for UNHCR's requirement only while other UN agencies will use UNHCR tendering process for piggybacking.

The service provider shall be responsible for providing all personnel for the execution of the services. The service provider shall provide properly qualified unarmed security personnel, in the estimated numbers as follows:

UNHCR Kuala Lumpur Office: Numbers of manpower needs per day (Monday – Friday)					
Numbers needed for Morning Shift (0600HRS – 1800 HRS)	Unarmed Senior Supervisor Security Guard	Unarmed Senior Assistant Supervisor Security Guard	Unarmed Senior Female Security Guard	Unarmed Senior Male Security Guard	Total
Total	1	1	5	25	32
Numbers needed for Night Shift (1800HRS – 0600HRS)	Unarmed Senior Supervisor Security Guard	Unarmed Senior Assistant Supervisor Security Guard	Unarmed Senior Female Security Guard	Unarmed Senior Male Security Guard	Total
Total	0	0	0	4	4
TOTAL					36

UNHCR Kuala Lumpur Office: Numbers of manpower needs per day (Saturday - Sunday)					
Numbers needed for Morning Shift (0600HRS – 1800 HRS)	Unarmed Senior Supervisor Security Guard	Unarmed Senior Assistant Supervisor Security Guard	Unarmed Senior Female Security Guard	Unarmed Senior Male Security Guard	Total
Total	0	0	0	4	4
Numbers needed for Night Shift (1800HRS – 0600HRS)	Unarmed Senior Supervisor Security Guard	Unarmed Senior Assistant Supervisor Security Guard	Unarmed Senior Female Security Guard	Unarmed Senior Male Security Guard	Total
Total	0	0	0	4	4
TOTAL					8



UNHCR

United Nations High Commissioner for Refugees
Haut Commissariat des Nations Unies pour les réfugiés

Annex B – Terms of Reference

UN House Putrajaya Office (UNDP): Numbers of manpower needs per day (Monday –Friday)					
Numbers needed for Morning Shift (0700HRS – 1900 HRS)	Unarmed Senior Supervisor Security Guard	Unarmed Senior Assistant Supervisor Security Guard	Unarmed Senior Female Security Guard	Unarmed Senior Male Security Guard	Total
Total	1	0	0	3	4
TOTAL					4

UNDP GSSC – Cyberjaya: Numbers of manpower needs per day (Monday – Sunday)					
Numbers needed for Morning Shift (0800HRS – 2000 HRS)	Unarmed Senior Supervisor Security Guard	Unarmed Senior Assistant Supervisor Security Guard	Unarmed Senior Female Security Guard	Unarmed Senior Male Security Guard	Total
Total	0	0	0	3	3
Numbers needed for Night Shift (2000HRS – 0800HRS)	Unarmed Senior Supervisor Security Guard	Unarmed Senior Assistant Supervisor Security Guard	Unarmed Senior Female Security Guard	Unarmed Senior Male Security Guard	Total
Total	0	0	0	2	2
TOTAL					5

UN Agencies Representatives for Residential Purposes (UNDP): Numbers of manpower needs per day (Monday –Sunday)					
Numbers needed for Morning Shift (0800HRS – 2000 HRS)	Unarmed Senior Supervisor Security Guard	Unarmed Senior Assistant Supervisor Security Guard	Unarmed Senior Female Security Guard	Unarmed Senior Male Security Guard	Total
Total	0	0	0	1	1
Numbers needed for Night Shift (2000HRS – 0800HRS)	Unarmed Senior Supervisor Security Guard	Unarmed Senior Assistant Supervisor Security Guard	Unarmed Senior Female Security Guard	Unarmed Senior Male Security Guard	Total
Total	0	0	0	1	1
TOTAL					2



UNHCR

United Nations High Commissioner for Refugees
Haut Commissariat des Nations Unies pour les réfugiés

Annex B – Terms of Reference

IOM MHD Clinic – Jalan Pahang: Numbers of manpower needs per day (Monday –Sunday)					
Numbers needed for Morning Shift (0700HRS – 1900 HRS)	Unarmed Senior Supervisor Security Guard	Unarmed Senior Assistant Supervisor Security Guard	Unarmed Senior Female Security Guard	Unarmed Senior Male Security Guard	Total
Total	0	0	0	1	1
Numbers needed for Night Shift (1900HRS – 0700HRS)	Unarmed Senior Supervisor Security Guard	Unarmed Senior Assistant Supervisor Security Guard	Unarmed Senior Female Security Guard	Unarmed Senior Male Security Guard	Total
Total	0	0	0	1	1
TOTAL					2

WFP - UNHRD (Office and Warehouse) Shah Alam, Selangor: Numbers of manpower needs per day (Monday – Sunday)					
Numbers needed for Morning Shift (0800HRS – 2000 HRS)	Unarmed Senior Supervisor Security Guard	Unarmed Senior Assistant Supervisor Security Guard	Unarmed Senior Female Security Guard	Unarmed Senior Male Security Guard	Total
Total	0	0	0	2	2
Numbers needed for Night Shift (2000HRS – 0800HRS)	Unarmed Senior Supervisor Security Guard	Unarmed Senior Assistant Supervisor Security Guard	Unarmed Senior Female Security Guard	Unarmed Senior Male Security Guard	Total
Total	0	0	0	2	2
TOTAL					4

WFP - UNHRD (Office and Warehouse) Shah Alam, Selangor: Numbers of manpower needs per day (Monday - Friday)					
Numbers needed for Morning Shift (0800HRS – 2000 HRS)	Unarmed Senior Supervisor Security Guard	Unarmed Senior Assistant Supervisor Security Guard	Unarmed Senior Female Security Guard	Unarmed Senior Male Security Guard	Total
Total	1	0	0	0	1
TOTAL					1



UNHCR

United Nations High Commissioner for Refugees
Haut Commissariat des Nations Unies pour les réfugiés

Annex B – Terms of Reference

WFP - UNHRD (Office and Warehouse) Shah Alam, Selangor: Numbers of manpower needs per day (Saturday)					
Numbers needed for Morning Shift (0800HRS – 1300 HRS)	Unarmed Senior Supervisor Security Guard	Unarmed Senior Assistant Supervisor Security Guard	Unarmed Senior Female Security Guard	Unarmed Senior Male Security Guard	Total
Total	1	0	0	0	1
TOTAL					1

Note: Above mentioned is the estimated requirement of guard force, which may increase/decrease as per operational requirements.

3.1 Working Hours, Overtime and Compulsory Time Off:

• The Security Service Provider must be compliant to the current Malaysian Labour laws and amend its policy in line with any future changes to the law. Guards must not work more than hours specified in the Malaysian labour law and the Security Service Provider carry the legal responsibility of any violation of the Malaysian labour law. All guards must be given enough annual leave, in addition to statutory holidays. The Security Service Provider will be responsible for providing backups instead of the guards taking leave. UNHCR will not pay additional costs for the alternative guards.

4. UNARMED SECURITY GUARDS GENERAL DUTIES AND TASKS

The service provider shall provide a 24-hour service and protection to the personnel, asset, and premises of UNHCR Malaysia through the deployment of permanent unarmed security guards. The general duties and tasks for the service provider shall include, but not limited to the following:

- a) Unarmed Security Guards List: The service provider shall provide the agreed number of permanent, unarmed security guards deployed at UNHCR Malaysia. The service provider shall submit a list of the said permanent security guards, along with their identification details including, if necessary, valid employment visa. The service provider will only deploy the listed permanent security guards at UNHCR Malaysia throughout the contract period.
- b) General Health: All unarmed security guards working under this contract shall be well proportioned in height and weight. They shall be in good general health, without physical disabilities that would interfere with acceptable performance of their duties, including standing for prolonged periods in performance of guard duty. They shall be free from communicable disease. They shall also possess binocular vision, correctable to 20/30 (Snellen) and shall not be colorblind. Additionally, they shall also be capable of hearing ordinary conversation.



UNHCR

United Nations High Commissioner for Refugees
Haut Commissariat des Nations Unies pour les réfugiés

Annex B – Terms of Reference

It is the service provider's responsibility to have evidence of physical fitness by a certification from a licensed physician, based on a physical examination conducted prior to the employee's assignment to duty and annually thereafter. The service provider shall keep this certification in the administrative file.

- c) **Behaviour:** Unarmed security guards will maintain a high standard of professionalism while on duty. They will be firm yet courteous, efficient, and tactful at all times while in the performance of their duties. They will never engage in arguments with any person and will refer disagreements and misunderstandings to their supervisor. They will not use abusive language, be late for work, or be inattentive. They will not act in any manner detrimental to the reputation of UNHCR.
- d) **Uniform:** The service provider shall ensure that the unarmed security guards are provided with proper company uniform as required by the Ministry of Home Affairs under the Private Agency Act 1971. The uniforms should include, but not limited to, raincoats, jerseys, boots, caps, lanyards, ranks, batons, whistles, flashlights, remote panic buttons (where applicable). Security guards will always maintain a neat, pressed, well-fitting, and clean appearance and, while on duty, be fully dressed in the prescribed guard uniform and equipment, including having company logo and security guards name visible. The UNHCR security personnel will inspect the guard's uniform at any time.
- e) **Language:** Unarmed security guards must have a minimum A2 level proficiency in either English or Bahasa Malaysia, with the ability to understand and communicate basic instructions in English. The Supervisor Security Guard, Assistant Supervisor Security Guard, and at least one (1) of the male security guards at the Main Guardhouse should have at least B2 level proficiency in both English and Bahasa Malaysia.
- f) **Training:** UNHCR will prioritize selection of a company that invests in security guard training. The contractor will develop an induction and in-service training plan to cover all specific knowledge and skill areas noted herein. The training package and record of training completed is to be shared with UNHCR.

Unarmed security guards should have received training in areas of security, professional, and soft skills prior to being deployed to UNHCR Malaysia, in which such trainings are provided by the contractor. The trainings include, but not limited to:

- Basic principles of security and loss prevention;
- Communication techniques;
- First Aid Training
- Fire Response Training



UNHCR

United Nations High Commissioner for Refugees
Haut Commissariat des Nations Unies pour les réfugiés

Annex B – Terms of Reference

In the context of UNHCR's operation, security guards should also receive training that helps them to familiarize with the organization as well as the context of its operation. Such trainings include, but not limited to:

- Orientation: Introduction to UNHCR, its role and mandate
- UNHCR Code of Conduct Training
- Bomb threat response
- Restraint of disorderly persons: procedures for defending against physical attack; procedures for restraining others; guidance on the use of force acceptable to the organization
- Fire and evacuation drills

UNHCR would like the proposal(s) to reflect the specific training provided to deal with potential threats and to address such vulnerabilities. We would therefore like to see emphasis on an induction and in-service training program reflecting the needs of our operation.

- g) Compliance and Understanding: Unarmed security guards must read, fully understand and comply with all general and post guard orders. Security guards at UNHCR Malaysia must be able to demonstrate a working knowledge of the post's emergency action plans (fire, active shooting, demonstration, bomb threat, etc.).
- h) Confidentiality: Unarmed security guards will not offer or divulge any information about UNHCR facilities or personnel to anyone. They will report any attempt by individuals to solicit information regarding UNHCR personnel or facilities.
- i) Access Control: Unarmed security guards shall be tasked to prevent unauthorized access to the facilities, property, personnel and resources of UNHCR Malaysia. They shall strictly implement the access control procedures in place at UNHCR Malaysia. Among the tasks falling under the access control procedures include, but not limited to:
- Ensuring the visibility of personnel's identification document (eg. ID cards);
 - Visitor control procedures, including, if necessary, escorting and control of visitors within the office perimeter;
 - Crowd control;
 - Vehicle inspections.
- j) Patrolling and Monitoring: Unarmed security guards shall patrol the interior of all offices, especially at the Refugee Reception Centre, where they are authorized to enter. They are also tasked to monitor the Closed Circuit Television (CCTV) system. These tasks are to prevent breach to perimeter of the facilities and to always be on alert of all the office surroundings.

- k) Security Screening: Unarmed security guards will conduct security screening of refugees and asylum-seekers coming to the office by operating the X-ray machine and metal detectors at the Refugee Reception Centre's screening area.
- l) Communication:
- **Emergency Response / Administrative vehicles**: UNHCR requires the security company to make prior arrangements with the jurisdictional police to support any emergency response.
 - **Radio communication**: the security company shall be required to provide its own base radios and handheld radios that are of good quality with minimal communication disruptions. The security guard company is obliged to provide all other equipment as it deems necessary to allow its guard force to implement the contract. **The cost of such equipment shall be factored into the costing and not charged separately.**
 - **Public relations**: It is UNHCR's view that security guards have a public relations role when they perform their duties. The guards are frequently the first point of contact that visitors, refugees, and employees have with UNHCR. If the guards perform to a high standard, they can help to form a good relationship between security and others at UNHCR. Improper attitude can likewise seriously damage such a relationship. The public relations role is linked to proper training, presentation (uniform), and performance in particular in relation to the UNHCR code of ethics and conduct.
- m) Reporting and Maintenance of Reports: Unarmed security guards shall be tasked to track all incoming and outgoing UNHCR personnel, operational implementing partners, and visitors in writing. Additionally, UNHCR requires daily security guard attendance to be shared with UNHCR's security personnel.

Security guards shall also prepare an incident report immediately after observing a security incident. The incident report can be a simple notification to the Field Security Associate, and is usually sent by the Supervisor Guard and/or Assistant Supervisor Guard. It will contain, at a minimum, the Who, What, Where, Why, and How of any incident.

UNHCR requires daily and weekly guard force reports at the facility level, supported by monthly reports at the Malaysian headquarters level in what can be a mutually agreed format. Issues internal to UNHCR shall not be reported outside of the organization. The contractor should obtain approval of UNHCR through the Field Security Associate in Malaysia, prior to including any UNHCR-internal issues in reports outside of UNHCR.

5. MANAGEMENT AND RESOURCE PLAN

There should be a clear management and resource plan to deliver the services contained in this Terms of Reference. The security guard company should make note of its experience in similar projects and fully explain resource capacity in terms of personnel and assets necessary for the performance of UNHCR contract requirements. The contracted security company at each location must include a contract manager, who will be responsible for contract implementation, daily performance management and to serve as a first contact between the company and UNHCR in each location. The contract manager should provide security coverage under the guidance and cooperation of the UNHCR executive management and security unit. This arrangement is designed to address specific UNHCR organizational needs.

Of particular concern to UNHCR is the emphasis on the quality of the line manager from the security company to monitor and improve the efficiency of the security guards deployed at UNHCR compound. UNHCR insists on consistent management supervision and involvement of the guard company headquarters in the management of the office guard force. It is expected that the security company headquarter senior managers will visit UNHCR once in every quarter and as requested by UNHCR for the duration of the contract. There is an expectation that the selected company maintain consistent control, reporting and supervision of all its guard forces assigned to the UNHCR contract. The security company shall ensure line managers visit UNHCR at least once every two weeks and the senior managers once every three months.

6. MALAYSIAN AND NEPALI RECRUITMENT

UNHCR requests the bidders to indicate numbers of senior Nepali guards or senior Malaysian guards in their offer. It is crucial that there is stability within the security team if there are mix of guards from Nepal and Malaysia. UNHCR expects the bidder to have a clear and well thought out strategy with regards to recruitment and management of security guards. Continuity of security guard personnel at the UNHCR office is imperative to the organization.

7. ETHICS / CODE OF CONDUCT

UNHCR would like to see a company Code of Ethics and/or Code of Conduct. A code of ethics is a partial solution to strengthening the professionalism of security practitioners. Such a code helps to guide behaviour by establishing standards of ethical conduct. The security company's performance ultimately depends on the performance of the individual security employee. In order to define the desired professionalism, UNHCR requests the company to state, that they will adhere to the UNHCR Code of Conduct, and their personnel will sign the same, should they be awarded the contract.

8. CERTIFICATE OF GOOD CONDUCT

The company shall ensure that all guards assigned to the UNHCR contract are in possession of a Certificate of Good Conduct from the Royal Malaysian Police.

9. OPEN BOOK PRICING POLICY – GUARD COSTING



UNHCR

United Nations High Commissioner for Refugees
Haut Commissariat des Nations Unies pour les réfugiés

Annex B – Terms of Reference

UNHCR would like to see the pricing policy and individual guard costing breakdown. UNHCR will look more favorable on a comprehensive and transparent pricing policy.

10. BILLING/INVOICING

For ease of processing payment, UNHCR proposes the following information be indicated in each invoice:

- a) Invoice number;
- b) Date issued;
- c) Date due;
- d) Contract reference;
- e) Description of service (Month, Location, Number of Guards);
- f) Total cost.

A separate document detailing the actual deployments by grades should further be annexed to the invoice. UNHCR might request additional billing information if required.

11. MEDICAL INSURANCE, FAIR PAY, AND INCREMENTS

It is required that the company adheres to all pertinent labour laws consistent with national legislative requirements, thus costing of guards will have covered the statutory minimum wage and anticipated government increments including inflation within the two year period from commencement of contract. The security company is responsible for the payment of all applicable charges and duties concerning its security guards (i.e. salary, pension, health care, insurance, etc.) and will provide proof of these payments, as per national law. No discussion for increments shall be entered into for the duration of the contract.

12. TIMELINE

The security companies are required to provide a timeline indicating activities from signing of contract to deployment. Preferably UNHCR would like to see the deployment schedule of 1 week from the signing of agreement.

13. INCREASE/REDUCTION OF GUARD STRENGTH

UNHCR may increase or reduce the guard strength from time to time. These changes shall be formalized by issuance of an addendum to the contract.

14. ACCOMMODATION, MEALS AND TRANSPORTATION

The security company shall ensure that all guards assigned are provided with accommodation, meals and transportation as required. There should be a set timetable for security guards to go on lunch breaks in such a way that breaks are taken in rotation and in smaller groups. Meals should be provided by the security company to the guards at their own expense. Security guards are to have their lunch breaks at the security room and not to leave the office premises as it may risk post stations being unattended.



UNHCR

United Nations High Commissioner for Refugees
Haut Commissariat des Nations Unies pour les réfugiés

Annex B – Terms of Reference

INITIAL SITE VISIT

UNHCR recommends that security companies who intend to offer a bid for the provision of services should undertake the following

- a) Tour of the location, facilities as defined to observe existing conditions;
- b) Study required guard deployment at the facilities as outlined under estimated manning levels.

15. CONFIDENTIAL NATURE OF DOCUMENTS AND INFORMATION

All maps, drawings, photograph plans, reports, recommendations, estimates, documents, and all other data compiled by or received by the contract under this Contract shall be the property of UNHCR, shall be treated as confidential and shall be delivered only to UNHCR authorized officials on completion of work under this Contract.

The security contractor may not communicate at any time to any other person whatsoever, Government or authority external to UNHCR, any information known to it by reason of its association with UNHCR which has not been made public except with the authorization of UNHCR; nor shall the contractor at any time use such information to private advantage. These obligations do not lapse upon termination of this Contract.

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