

**SECTION 5. TERMS OF REFERENCE**

**PROVISION OF ENGINEERING SERVICES FOR CONTRACT MANAGERMENTS UNDER LONG TERM AGREEMENT**

## Terms of Reference (TOR)

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### 1. Introduction:

On 14 March 2019, Mozambique was severely hit by tropical Cyclone Idai which made landfall as a category four Cyclone near Beira City, with strong winds (180 – 220km per hour) and heavy rain (more than 200mm in 24 hours) across the provinces of Sofala, Manica, Zambezia, Tete and Inhambane. The weather system's impact was particularly devastating as it came in three waves. The impact of the cyclone and flood caused loss of life, widespread destruction to both infrastructure and shelters, as well as disruption of essential services, markets and livelihoods. About 950,000 persons were directly affected by the cyclone, out of which 53% are women. Death tolls surpassed 600 people according to the government. Secondary effects of the disaster included the displacement of 400,000 of people, as well as the outbreaks of infectious diseases, including AWD/Cholera. The effects of the cyclone and floods have been all the more impactful, especially to female headed households and person due to pre-existing vulnerabilities characterizing the affected area, Mozambique ranking 180 out of 189 in the Human Development Index 2018.

Cyclone Kenneth made landfall as a Category 4 cyclone on 24 April 2019, with eye of the storm hitting near Quiterajo. The impact however was devastating in the main areas hit including Macomia, Ibo, Mucojo, Matembo. This is the first time in recorded history that two strong tropical cyclones (above Cat 2) have made landfall in Mozambique in the same season. Further, no cyclone has made landfall this far north in Mozambique. The negative impact of cyclones Idai and Kenneth, goes also beyond the destruction of infrastructures and shelters and can also be seen in the forms of inequality, exclusion and discrimination, as it also affected the moral, the self-esteem, the participation and the capabilities of the people to exercise their rights, and to be engaged in the active reconstruction of their lives. This tends to happen with the groups that are particularly more vulnerable such as adolescents, women, people with disability, old people, PLHIV and other vulnerable groups. The resulting human and economic losses and increased socio-economic vulnerability call for increased attention to recovery and resilience.

### 2. Objective:

UNDP Mozambique is seeking a Consulting Firm(s) to provide construction consulting services for Governmental buildings , Local Markets , Clinics and CFW projects under a Long-Term Agreement (LTA) basis for a period of 12 months with possibility of extension up to three years upon satisfactory performance and efficient delivery of services.

### 3. Location:

The carried projects will be in different locations in Cyclone Idai and Kenneth affected provinces.

### 4. Scope of work

Scope of the Works Among other requirements, which may be necessary in course of supervision, implementing and certifying these construction/renovation works, the following are the basic services required from the Consulting Firm:

- I. **Construction Monitoring** The construction management and supervision during the construction stage shall include activities critical for the day to day site inspection and testing of materials, site reports and financial aspects. The Consulting Firm general responsibilities under this aspect shall include, yet not be limited to, the following:

- Observe work performed by the civil works' Contractor(s)' for compliance with the drawings, specifications, contract documents and acceptable engineering and resilient construction practices. Take such action, as appropriate, to urge the works' Contractor(s)'to carry out acceptable corrective measures where and when required ensuring resilience and standards.
- Determine the adequacy of the Contractor(s)'personnel and equipment and the availability of materials and supplies to meet the planned objectives.
- Approving standards of construction materials and equipment before being used in the work.
- Direct the works' contractor to provide representative samples of materials to be utilized in the works and where required, submit them to the designated Laboratory to test for compliance with quality standards and technical specifications.
- Conduct regular measurements of quantities of work performed by the civil works' contractor.
- Schedule and conduct progress meetings at which Consulting Firm and civil works' contractor can discuss jointly such matters as procedures, progress, problems and programming, record and distribute minutes reflecting decisions on issues raised and keep UNDP informed on critical matters orally and in writing.
- Identify potential variations between program and probable completion dates and propose corrective measures to ensure effective and quality delivery of the planned tasks.
- Review schedule for work not started or incomplete and recommend to UNDP and works' contractor adjustments in the schedule to meet the probable completion date.
- Provide summary reports of each monitoring and document all changes in schedule.
- Recommend courses of action to UNDP when requirements of a contract are not being met.
- Perform final inspections of each component of the work for compliance certification.
- Review and approve works' contractor submittals including methodologies, requests, and shop drawings.
- Maintain job diaries, drawing register and other records.
- Maintain competent full-time/ part time (according to UNDP request) staff at the project site to coordinate and provide technical observation of construction and general direction of the work and progress to the works' contractor on the project.
- Approve the detailed workshop drawings proposed by the contractor, subcontractors, or suppliers before commencement of execution.
- Analyze and validate the construction/renovation drawings on the basis of the draft designs and supervise the works to ensure that the architectural and structural works are in full conformity with the approved detailed construction design and drawings in consultation with the concerned authorities of the Employer and as permitted by the existing site conditions;
- Ensure that the construction/renovation contractor keeps the site neat and clean as far as possible.
- Do the final quality check with the Employer during the take-over of the completed building.
- Prepare monthly report for all the works and final report for the completion works.
- Guide and recommend to the contractors to ensure workers/labors (skilled and unskilled) and site safety measures and standards.
- Follow up the cash for works projects by supervising the workers and approving materials
- supervise, monitor, provide guidance and recommendations based on the agreed standards of resilient construction of PALPOC. The consultancy company shall be as a third-party monitoring and quality assurance. Additionally, provide recommendations on the spot to the communities and masons for any issues they may face.

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## II. Variation Orders Management

- All Variation Orders should be discussed with UNDP Engineers to decide the engagement of each party and to certify the process.
- Recommend necessary or desirable variations to UNDP, review requests to changes, submit recommendations, and assist in negotiating variation orders
- Make recommendations to UNDP regarding costs for works not specified in the contract documents.
- Once the process route for each variation Order is decided by UNDP the Consulting Firm will be responsible for gathering all necessary information from Contractor, designer, or their internal team.
- The Consulting Firm will keep Records of all Variation Orders and monitor the total contract costs.
- The Consulting Firm shall verify and recommend on Variation orders and respective Bills of Quantities and provide them to UNDP for further certification and processing.

## III. Contract Administration

The Consulting Firm general responsibilities under this aspect shall include, yet not be limited to, the following:

- Review and certify works contractor's progress payment requests, and accompanying support data and schedules.
- Quality assurance for the supplied materials.
- Quality assurance for the CFW projects
- Verify amounts due to the works contractors based on-site observations and Contract requirements.
- Certify, in writing, to UNDP payments to be made to the works contractor with all required support documentation.
- Advise to withhold payment for any work which has been rejected or any work which is not in compliance with the contract documents.
- Provide inputs and advises during the issuance of certification of substantial completion on completed construction contract.
- Review and certify the request for final payment submitted by the works contractor at the completion of construction under contract.
- Review the calculations for the final payment due to the works contractor accounting for all guarantees and retainage in accordance with the actual work performed following conclusion of such and although UNDP- contract would have physically expired.
- Determine the value of the works at the date of termination, in the event of the termination of the contract.
- Manage all claims, activities and provide expert advice regarding the handling of the claims made.
- Receive and catalog all samples, drawings, instructions, manuals, certifications and the correspondence submitted by the civil works' contractor.
- Make all the necessary correspondences such as mobilization order, entry permission etc. in relation to the construction on behalf of Employer and inform the employer accordingly.
- Refrain the construction/renovation contractor from using child labor;
- Make sure that debris and unnecessary items shall be removed from the site within 24-hours.

## 5. Obligations of Consulting Firm

The engineering Consulting Firm shall perform the services and carry out their obligations hereunder with all due diligence, efficiency and economy, in accordance with generally accepted professional techniques and practices, and shall observe sound management practices.

The Consulting Firm is responsible for the reviewing all the designs before the starting of the work to ensure the design is accurate according to the RFP requirement

The Consulting Firm is responsible for any engineering and administrative works required for supervision.

The Consultancy firm shall submit a CV samples according to the key personal requirement, however the consultancy firm is required to provide enough engineers according to the project's needs. The CV should be accompanied by the academic certificates of the key personnel required.

The consultancy firm shall propose CVs for each project to UNDP and should obtain minimum same score of the previous key personal individually and the CVs should be approved by the UNDP. The CV should be accompanied by the academic certificates of the key personnel required.

The Consulting Firm has no right to change any key personal without notifying the UNDP 2 weeks in advance. In addition, the new propose key personal shall be reviewed by the UNDP and should obtain minimum same score of the previous key personal individually

The Consulting Firm shall exercise all reasonable care to protect the interests of the UNDP, to ensure the timely completion of services within the standards and acceptable quality ensuring resilience.

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Under this LTA, the Consulting Firm will be responsible for providing the required team of qualified experts and resources capable to perform the services upon award of contract by UNDP.

The Consulting Firm is obliged to answer and find a proper solution for any concern that might be raised by the construction company regarding the design.

The Consulting Firm will be responsible to ensure that the services provided to UNDP shall not be shared with any Consulting Firm /companies that could ultimately lead toward leakage of internal information to other potential firms/companies. Such action will severely impact the contract and leads toward termination and imposing a penalty on the Consulting Firm.

Consulting Firm proposal should includes the cost components such as travel expenses, living allowances, taxes if any and as applicable in addition to professional fee

## 6. Deliverables and deadlines:

The Consulting Firm is expected to produce the following results:

Construction supervision services provided for the quality control of the construction material, workmanship as well as implementation of the construction schedule and all bills have been checked in detail for correctness in quantity and quality and certified for payment during the contract duration.

- a) Provide Monthly narrative and financial report including:
- b) Final Project Completion Report and Final Financial Report, within 1 month of completion of each assignment

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## 7. Contract Type:

UNDP may sign maximum of three Long-Term Agreements (LTAs) of one year extendable up to three years based on the performance and need.

The LTA(s) will be managed by competition among the LTA holders (mini competitions) for each request. For each request (assignment), UNDP will share TOR (scope of work of the assignment) with the LTA holders. UNDP will sign a Contract for Professional Services (Call-off contract) with the selected Consulting Firm for each request (assignment).

## 8. Services to be provided by UNDP:

- UNDP will facilitate the access to the site location, UNDP will not provide accommodation and transportations.
- After awarding the contract, UNDP will appoint a liaison officer (Project Manager) and qualified Engineers through whom all requests for information, guidance and assistance should be addressed and provided.
- The Consulting Firm shall receive a written approval prior of each month for the require engineers and numbers of days.
- The payment for each month shall be submitted by the Consulting Firm after the approval of the Timesheet by the UNDP
- The UNDP has the right to terminate / freeze the contract at any time without prior notification.
- The UNDP is the only party giving instruction to consultancy firm , the End-User has no right to communicate directly with the consultancy firm, except through UNDP.

## 9. Fee Proposal:

The Proposer shall submit a financial offer detailing the costs of the services as per the template provided in price schedule. The rates shall be valid for the whole LTA duration.

## 10. Performance Security

Amount :10% of total contract value in Form of:

Bank guarantee OR Certified Cheque issued by a reputable bank Should be submitted within 7 days upon issuance of letter of intent/contract per assignment.

The proceeds of the Performance Security shall be payable to UNDP as a compensation for any loss resulting from the Consulting Firm failure in supervision appearing during the implementation.

The Performance Security shall be denominated in the currency of the contract a 5% will be released after one month from the initial handing over and the remaining 5% will be released Upon successfully completion of Defect Liability period of the project and upon issuance of final completion certificate, UNDP will return the Performance Security to the bidder.

## 11. Minimum Qualifications Requirements:

The Consulting Firm should have the following minimum qualifications:

### A. Qualifications of participating Firms

- Proven track record in undertaking works of similar nature during the last three (3) years; Provide evidence of past similar projects, including contact references (company, contact person, email address and telephone number).
- The Consulting Firm has successfully provided construction Consulting Services for at least two

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projects with at least one with a minimum project value **10.500.000,00 MZN** in the last 7 years.

- Ability to work in the target Provinces.
- Provide company registration certificates and provide copies of documents declaring eligibility to work in Mozambique.
- Professional expertise and excellent background in civil, mechanical and electrical works planning and execution, monitoring and supervision of civil, mechanical and electrical works, construction systems and procedures.
- Provide Company Capability Statement and Company Profile Information including company expertise, past project experience, ongoing projects, number of staff and their expertise.
- Minimum average annual turnover of **6,000.000,00 MZN** for the last 5 years.

## **B. Human Resources**

- The Consulting Firm shall be responsible for performing all the duties and responsibilities mentioned in the above tasks under Scope of Work and as are defined and required in the pertinent sections of the Terms of Reference.
- All the propose Key personal should speak and write fluently Portuguese and English
- The Consulting Firm shall provide, for the duration of the entire assignment activities, all experts technical advice and skills, which are normally required for the entire consultancy services in which they will be engaged under the assignment.
- The Consulting Firm shall provide only one Curriculum Vitae CV for each position.
- All staff has to be approved by UNDP. It is the right of the UNDP to withdraw, at any time, any approval for such staff if found to be unsuitable or otherwise not desirable, in which case the person or persons in question shall be replaced by others approved by the UNDP.
- The proposed Consulting Firm minimum staff required for carrying out the assignment is mentioned in the personnel table. The Consulting Firm should review the assignment and determine what personnel are needed to complete the Works. It is to be noted that any staff member, other than those mentioned below, found to be needed for the assignment is to **be not included** in the person-month costs of the proposal unless a prior approval from UNDP.
- Each member of staff shall be appointed for a period determined by the requirements of the assignment and approval by the UNDP.
- UNDP reserves the right to require the Consulting Firm, at any time, to change the formation of the staff to ensure the quality of the work.
- To be able to perform the required duties during the entire assignment duration, the Consulting Firm shall provide an independent local office. This office shall be fully equipped with the necessary telephone, internet server, photocopiers, computers, printers, plotters, etc

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**12. Minimum required staff**

No	Position	Degree	Minimum Years of experience	Minimum number of supervised projects during the last 7 years
1	Project Manager	B.SC Civil engineering	15	2
2	Resident Engineer for governmental buildings	B.SC Civil engineering	7	2
3	Resident Engineer Local markets	B.SC Civil engineering	7	2
4	Resident Engineer for Clinics	B.SC Civil engineering	7	2
5	Resident Engineer for Cash for work projects	B.SC Civil engineering	7	2
6	Electrical Engineer-light & power, low voltage	B.SC Electrical engineering	7	2
7	Mechanical Engineer - Plumbing/sanitary and HVAC	B.SC Mechanical engineering	7	2
8	Quantity Surveyor BOQs and Costing	B.SC Electrical engineering	7	2

**13. Evaluation Process:**

Individual Consulting Firms will be evaluated based on the cumulative analysis methodology (weighted scoring method), where the award of the contract will be made to the individual Consulting Firm whose offer has been evaluated and determined as:

- Responsive/compliant/acceptable.
- Having received the highest score out of a pre-determined set of technical and financial criteria specific to the solicitation. Technical Criteria weight: 70% Financial Criteria weight: 30% Only Consulting Firms obtaining a minimum of 70% on the Technical evaluation will be considered for the Financial Evaluation.

The exchange rate will be; UNDP Exchange rate for that month that differs from the local exchange rate.

**14. TECHNICAL EVALUATION CRITERIA:**

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No	Summary of Technical Proposal Evaluation Forms	Sub score	Points Obtainable
1	Bidder's qualification, capacity, and experience	40%	400
2	Proposed Methodology, Approach, and Implementation Plan	20%	200
3	Management Structure and Key Personnel	40%	400
	Total	100%	1,000

### Section 1. Proposed Methodology, Approach and Implementation Plan

No	Section 1 . Proposed Methodology, Approach, and Implementation Plan	Points Obtainable
1.1	Affirmed statements by previous clients minimum 2 statement in the last 7 years at least one with a minimum project value <b>10.500.000,00 MZN</b> (175 for two statement and additional 25 for each additional statement, up to 250	250
1.2	Previous experience working with UN, one project will get 30 and for additional project 5 points, up to 45	50
1.3	Size of the firm: Bidders who employ 10 staff will receive 30 points. For each additional 5 staff, the bidders will receive an additional 5 points, up to maximum 50 points.	50
1.4	Reputation of Organization and Staff Credibility / Reliability / Industry Standing - Specialization in constructions / rehabilitations project and cost management, supervision, and latest trends in the monitoring of the construction activities - Past performance in achieving results and Reputation of Organization ,30 points for one appreciation certificate additional 10 for additional certificate up to 50	50
	TOTAL	400

### Section 2. Proposed Methodology, Approach and Implementation Plan

No	Section 2. Proposed Methodology, Approach and Implementation Plan	Points Obtainable
2.1	Understanding of the requirement: Have the important aspects of the task been addressed in sufficient detail? Are the different components of the project adequately weighted relative to one another? Does the bidder understand goals of the intervention? Is it demonstrated in the proposal? Sufficient information obtains 30 points, above average 40 points. exceeding the requirement 50 points	50
2.2	Description of the Offeror's approach and methodology for meeting or exceeding the requirements of the Terms of Reference Sufficient information obtains 30 points, above average 40 points. exceeding the requirement 50 points	50

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2.3	Details on how the different service elements shall be organized, controlled, and delivered. Are there sufficient details on coordination with other stakeholders and bidder's role in the process? Sufficient information obtains 30 points, above average 40 points. exceeding the requirement 50 points	50
2.4	Demonstration of ability to plan, integrate and effectively implement sustainability measures in the execution of the contract Sufficient information obtains 30 points, above average 40 points. exceeding the requirement 50 points	50
	<b>TOTAL</b>	<b>200</b>

### Section 3: Management Structure and Key Personnel

All propose Key personal should speak and write fluently Portuguese and English

No	Minimum key personal	Points Obtainable
1	<b>Project Manager(Civil Engineer):</b> Having a B.SC in Civil Engineering with minimum 15 years of professional experience and having successfully supervised at least two construction projects for the whole project period , values <b>10.000.000 MZN/project</b> or above as Project Manager .PM. comply with the minimum requirement will receive . 60 points. For each additional project - additional 5 points will be received, up to maximum 85 points in total	85
2	<b>Resident Engineer (Civil Engineer for governmental buildings):</b> Having a B.SC in Civil Engineering with minimum 7 years of professional experience and having successfully supervised at least two similar projects values <b>5.000.000 MZN/project</b> or above as RE. Minimum qualification will obtain 30 points. For each additional project -- additional 5 points will be received, up to maximum 45 points in total	45
3	<b>Resident Engineer (Civil Engineer for Local markets ):</b> Having a B.SC in Civil Engineering with minimum 7 years of professional experience and having successfully supervised at least two similar projects values <b>5.000.000 MZN MZN/project</b> or above as RE. Minimum qualification will obtain 30 points. For each additional project -- additional 5 points will be received, up to maximum 45 points in total	45
4	<b>Resident Engineer (Civil Engineer for Clinics ):</b> Having a B.SC in Civil Engineering with minimum 7 years of professional experience and having successfully supervised at least two similar projects values <b>5.000.000 MZN MZN/project</b> or above as RE. Minimum qualification will obtain 30 points. For each additional project -- additional 5 points will be received, up to maximum 45 points in total	45
5	<b>Resident Engineer (Civil Engineer for CFW):</b> Having a B.SC in Civil Engineering with minimum 7 years of professional experience and having successfully supervised at least two similar projects values <b>5.000.000 MZN</b> or above as RE. Minimum qualification will obtain 30 points. For each additional project -- additional 5 points will be received, up to maximum 45 points in total	45
6	<b>Electrical Engineer-light &amp; power, low voltage:</b> Having a B.SC in Electrical Engineering with minimum 7 years of professional experience and having	45

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	successfully supervised at least two similar projects values <b>5.000.000 MZN MZN/project</b> or above as Electrical engineer .Minimum qualification will obtain 30 points. For each additional project -- additional 5 points will be received, up to maximum 45 points in total	
<b>7</b>	<b>Mechanical Engineer - Plumbing/sanitary and HVAC:</b> Having a B.SC in Mechanical Engineering with minimum 7 years of professional experience and having successfully supervised at least two similar projects values <b>5.000.000 MZN MZN/project</b> or above as Mechanical engineer ( <b>Plumbing/sanitary and HVAC</b> ). Minimum qualification will obtain 30 points. For each additional project -- additional 5 points will be received, up to maximum 45 points in total	<b>45</b>
<b>6</b>	<b>Engineer-Quantity Surveyor BOQs and Costing:</b> Having a B.SC in Civil Engineering with minimum 7 years of professional experience and having successfully supervised at least two similar projects values <b>5.000.000 MZN MZN/project</b> or above as Quantity Surveyor. Minimum qualification will obtain 30 points. For each additional project -- additional 5 points will be received, up to maximum 45 points in total	<b>45</b>
	<b>Total</b>	<b>400</b>

*Ghulam Sherani*