



Terms of Reference (ToR)

Engineering Consulting Firm for the Implementation of the Community Leisure and Recreational Park Facility Project

**United Nations Development Programme
5 Kofi Annan Street, Cape Point
Republic of The Gambia**

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1. BACKGROUND INFORMATION AND DESCRIPTION

The emergence of the Sustainable Development Goals (SDGs) in 2016 marked a new global ambition and roadmap for rapid and sustained poverty reduction and advancement of human wellbeing worldwide. As such, the attainment of the goals requires concerted efforts from different stakeholders from local, national, and global levels. Notably, since the enactment of the SDGs, the international development community has been increasingly supporting country-level initiatives that advance the attainment of the goals. As we make progress towards Agenda 2030, it is becoming increasingly evident that local participation is not only beneficial for evidence-based policy formulation but relevant for sustainable development in all its dimensions – social, economic, political and environmental.

Against this backdrop, the UNDP Accelerator Lab The Gambia (AcclabGM) aims to exploit SDG 3 – Good Health and Well-being in an effort to create a more active and engaged, healthy, and happier society. With increased cognizance to the non-economic aspects of well-being, and the effects of global emergences like COVID-19, increasing resources for policies and programs that increase Gross National Happiness (GNH) has become also imperative for policy planners, national governments, and the international development community to design initiatives that respond to societies’ holistic perception of ‘good life’. Notwithstanding its centrality to human wellbeing, noticeably, poor communities (particularly in sub-Saharan Africa) considerably lack recreational facilities/centers that foster entertainment, exercise, fun, athletics, community cohesion/social trust, amongst others; all of which contributes to the happiness of a society. For instance, The Gambia ranks 113 out of 153 countries on the World Happiness Report (2017-2020). Equally, many other developing nations perform very low on the happiness report. Arguably, such low GNH could be attributed to lot of factors, however outdoor recreational activities have been proven to have a positive correlation with the happiness level of societies.

Given AcclabGM’s role as the innovation hub of the UNDP Country Office, it aims to design programs that increases the happiness level of Gambians through the establishment of community recreational centers/facilities, with Kanifing Municipal Council (KMC) being its pilot project. In line with KMC’s vision of modernizing its administrative area, the Lab will partner with the municipality in achieving this ambition.

1.1 Project Description

According to GBoS (2016), The Gambia has a population of about 1.9 million people of which 50.8 per cent are females. The population is growing at the rate of 3.1 per cent per annum and will double in 22.3 years at this rate. With a population density of 176 persons per square kilometer, The Gambia is the fourth most densely populated country on mainland Africa; surpassed only by Rwanda (441 persons per sq. km), Burundi (402 persons per sq. km) and Nigeria (197 persons per sq. km). The population increased by 3.5 per cent since 2013 with the male and female populations being 47.6 and 52.4 per cent respectively. The results further show that The Gambia has a young population with more than 70 per cent under the age of 30 years and 44 per cent under 15 years. This translates into high dependency ratios particularly in the rural areas. The high dependency ratios have very negative impact on the economy in terms of provision of labour for these predominantly low areas as they have a low working age population yet depend mainly on agriculture for their livelihoods. Table 1 below shows the population by sex and local government area.

Table .1: Distribution of Population by Sex and Local Government Area

	Total	Male		Female		Sex ratio	Mean household size
		Count	Percent	Count	Percent		
THE GAMBIA	1,922,950	915,357	47.6	1,007,593	52.4	91	6.9
<i>Urban</i>	<i>1,057,467</i>	<i>503,304</i>	<i>47.6</i>	<i>554,163</i>	<i>52.4</i>	<i>91</i>	<i>6.0</i>
<i>Rural</i>	<i>865,483</i>	<i>412,053</i>	<i>47.6</i>	<i>453,430</i>	<i>52.4</i>	<i>91</i>	<i>8.4</i>
Banjul	30,703	15,704	51.1	14,999	48.9	105	4.1
Kanifing	383,545	179,016	46.7	204,529	53.3	88	5.5
Brikama	730,895	354,559	48.5	376,336	51.5	94	7.0
Mansakonko	82,201	38,437	46.8	43,764	53.2	88	6.9

Kerewan	225,516	105,832	46.9	119,684	53.1	88	8.2
Kuntaur	98,966	45,959	46.4	53,007	53.6	87	9.0
Janjanbureh	127,333	59,684	47.0	67,649	53.0	88	9.0
Basse	243,791	116,166	47.6	127,626	52.4	91	7.0

Source: IHS 2015/2016

Poverty: The number of people living in poverty in The Gambia increased between 2010 and 2015/6 by 18.2 per cent. In both urban and rural areas, the number of people living in poverty went up but at varying proportions; poverty by about 19 per cent in the rural areas whilst the urban areas registered an increase of 16.6 per cent in poverty. Fewer people live in the rural areas (less than 50 per cent of the population), yet the rural areas account for more than 60 per cent of people living in poverty, indicating that poverty is more of a rural phenomenon. Whilst absolute and food poverty rates in the rural areas is double that of urban areas, extreme poverty in rural areas is four times the rate in urban areas. This further confirms that poverty is not only a rural phenomenon but that it is on the rise in the rural areas whilst declining in the urban areas. Between 2010 and 2015 poverty has been stagnant nationally (slight increase of 1.03%) but declined in the urban areas (-5.45%) whilst on the rise in the rural areas (8.16%). Similarly, the urban area's share of poverty declined slightly whilst that of the rural areas increased.

2. OBJECTIVES OF THE ASSIGNMENT

The objective of this assignment is to provide professional inputs, advice and support to UNDP in the implementation of, during pre-tender, management and supervision of the project activities execution and to enhance the overall technical capacity of the public sector stakeholders on an as need basis. In collaboration with UNDP, the engineering firm / consortium shall, will ensure that the project is effectively managed and that outcomes are delivered on track and on time in accordance with the Contract Conditions and the UNDP rules and regulations. The strategy for the project will be to target beneficiaries based on need identified by them in collaboration with technical national and local government bodies. An integrated approach will be adopted in the project implementation progression to ensure that that projects components complement each other to create a multiplier effect.

The aim of this program is to contribute to the significant improvement of the living conditions of people in the Buffer Zone area of Serrekunda within the Kanifing Municipal Council through improving sustainable access to basic socio-economic infrastructure and services, and the creation of a local economy for sustained and improved socio-economic development, social justice and equality through community development and recreation. The programme will have four infrastructure components as follows:

2.1 Improving access to portable water

The initial phase will consist of erecting one borehole within the site to support construction and serve as a water source to community residents after construction has ended. The Kanifing Municipal Council will serve as the implementing institution for the successful implementation of this component.

2.2 Urban Construction

The initial phase will consist of the construction of a community recreational skatepark and parking lot to benefit the 150,000 residents of the Buffer Zone area within Serrekunda and the surrounding areas. The programme will be implemented in collaboration with the Kanifing Municipal Council which will engage with UNDP on complementary aspects of the project such as landscaping, and parking allocation and design.

2.3 Metal Works;

The same Serrekunda residents will also have access to outdoor exercise (gym) facilities and a childrens playground that will promote community well-being. This aspect of the pilot will provide the basis of garnering private sector interest in investing in outdoor physical infrastructure, specifically exercise and playground sites.

2.4 Building construction

Should a need for construction of building arise, the Engineering Consultancy Firm or consortium will be requested to provide advisory service. Should the scope of work be outside of the project framework, a new modality will be discussed and engaged upon. However, the purpose of these terms of reference focuses on the first three components above.

3. DUTIES AND RESPONSIBILITIES OF THE CLIENT

i. All information, data and reports shall be provided by the constructing firm and where applicable, the UNDP project management team

4. DUTIES AND RESPONSIBILITIES OF THE TECHNICAL SUPPORT (ENGINEERING CONSULTING FIRM / CONSORTIUM)

i. All information, data and reports obtained from the constructing firm in the execution of the project shall be properly reviewed and analyzed by the consulting firm. All such information, data and reports shall be treated as confidential.

ii. The Firm shall review the bidding package for each infrastructure component in the tendering process for the construction of the aforementioned works. The Firm will assist with the evaluation of bids for the construction works. The bidding document shall be prepared in accordance with UNDP rules and procedures for the procurement of goods and works.

iii. Where Applicable, the Firm will provide technical review, professional inputs, advice and support on behalf of UNDP during the construction works and will be required to supervise the construction of the aforementioned works.

iv. The Firm shall be responsible for composing its team of experts. Nonetheless, it shall submit to UNDP the list of names of the expert(s) participating in the assignment, as well as their respective curriculum vitae. It shall not subsequently modify the composition of this team without prior approval by the UNDP.

v. The Firm shall make its own arrangements for document reproduction, printing, translation and reproduction of all reports during the course of the assignment.

5. SCOPE

Upon a written request by UNDP, the Firm is required to provide the principal services but not limited to the following:

Phase I – Pre-tender services

The project design proposals will be assessed by UNDP in its entirety and where preliminary approval is attained, a more detailed review and costing estimate will be required from the Firm. These will be subject to approval by UNDP. Prior to the above submission, the Firm will however take steps to engage, consider and incorporate the requirements of the relevant regulatory agencies as applicable. This may begin at the general project scope stage as well as after Preliminary approval is received. This is to ensure smooth and timely approval of the subsequent submission. The Firm shall provide cost estimates of work items in foreign currency components according to the technical details provided by UNDP. The calculated quantities for the construction works under the 3 components shall be based on the final design drawings in accordance with accepted methods of measurement, which shall be agreed with UNDP. In addition, the Firm shall present separately the taxes and duties element of these three components.

In order to assist in budgeting for the required construction period, the Firm shall review the submitted construction schedule for the proposed construction contract for each infrastructure component and the anticipated annual expenditure. Due account shall be taken of the climatic and any other conditions of the area which may influence the construction schedule.

The Firm accepts that the supervision / technical support component of the Scope of Works is not automatic and is subject to variables to include inter alia review of the Firm's performance during the pre-tender and bid evaluation phase.

Phase II – Provide support in the preparation and execution of the tendering process

The Firm will be expected to provide UNDP with the support necessary for the procurement to be conducted efficiently and transparently and in full compliance with the UNDP Procurement policies and guidelines. The Firm will provide technical guidance during the evaluation process to ensure compatibility with

requirements. The Firm shall review the final detailed design and bidding documents as detailed in the following activities:

- Assist in finalization of TOR for the constructing company
- Assist in setting up Bid Evaluation criteria
- Clarifications of Bidding Document

During bidding, the Firm will designate an expert who will assist the UNDP to respond to requests for clarification of bidding document. The expert will also organize a site visit, arrange and attend pre-bid meetings (if any). The expert will prepare minutes of the pre-bid meeting including the text of the questions raised (without identifying the source) and the responses given. The expert will transmit responses promptly to UNDP for onward transmission to all bidders who have obtained the bidding document from the source stated by the Employer in the invitation for bids. The expert will be familiar with UNDP Bidding Documents and Rules and Procedures for Procurement of Work as well as civil/building construction projects.

- Facilitation of the bid evaluation process

The Firm will provide an expert who will participate in the bid evaluation process for the construction works. The bid evaluation services will be completed within a performance period of three weeks. The expert will be familiar with UNDP rules and tender evaluation procedures as well as with civil/building construction projects.

- Preliminary Services

The Firm shall acquaint himself with the tender documents submitted by the selected Contractor. The Firm shall inform UNDP of any errors or shortcomings he finds in the above-mentioned documents and shall propose solutions for consideration by UNDP.

Phase III – Technical Support / Supervision

- i. Advise the UNDP on the management of the construction works in accordance with the terms of the contract, specifications, drawings and other relevant documents;
- ii. Review and advise on the project cost and time schedules for the entire project;
- iii. Review the processing of interim payment certificates submitted by the contractor to UNDP and ensure they align with the project BoQ.
- iv. Review the progress reports and comment upon delays and other major issues and advise on actions to be taken to resolve outstanding issues;
- v. Make periodic visits to the construction sites and as and when required;
- vi. Assist in the assessment of variation orders, including verification of procedures followed;
- vii. Advise on all other claims which may be presented to UNDP, assessment of claims for extensions of time and prolongation costs, including verification of procedures;
- viii. Advise on follow up with regulatory agencies with respect to environmental, planning and associated reporting;
- ix. Review program of works showing all Project activities, and advise in monitoring actual progress of works compared to planned progress;

6. DELIVERABLES AND SCHEDULES/EXPECTED OUTPUTS

The Firm is expected to submit the following deliverables during the course of the assignment:

1. A detailed workplan for the implementation of the aforementioned works and an inception report following initial consultation rounds, highlighting the discussions held with UNDP and counterpart stakeholders. The workplan shall consist of the following:
 - a. A detailed Gantt chart showing milestones/major deliverables and activities and highlighting the critical path and version number as well as the duration for the assignment and expected start and completion dates;
 - b. Project Implementation Methodology;
 - c. Schedule, type and context of consultations with stakeholders (for approval by UNDP);
 - d. Any other relevant sections, documents, procedures, processes, literature and references.
2. Upon approval of the inception report, submission of a preliminary report which shall include the following (but not limited to):
 - a. Requirements documentation / Bill of quantities (BoQ) for contractors to be procured
 - b. Cost estimates and time schedules for the three components
 - c. Template for bidding documents and comments on the detailed design

- d. Procurement methodologies and timeline (Gantt Chart) (support to UNDP for procurement – technical assistance for evaluation of bids);
 - e. Any other relevant information and details which are pertinent.
3. Technical support during bid evaluation, selection process and contracting
 4. Technical support to UNDP on needs basis during the construction of the aforementioned works

6.1 Submission Procedure

All outputs/deliverables should be submitted to the UNDP Project Management Unit. UNDP will review all outputs/deliverables and their comments shall be communicated to the consultants within 14 days of submission of the output/deliverable. The Firm will then have to consider and incorporate the comments within a period of 2 weeks from the date of receipt of comments. The Firm will have to provide for justifications when comments are not incorporated in the output/deliverable. Reports prepared by the Firm shall be submitted to:

United Nations Development Programme
Project Management Unit
Accelerator Lab
5 Kofi Annan Street Cape Point
The Gambia

6.2 Reporting, Presentations and Language

Inception Report – summarizing overall assignment requirements, approach methodology staffing and work plan of the services, shall be submitted to UNDP no more than seven (7) calendar days after the commencement date of the Contract. UNDP should forward comments on the report to the Firm within seven (7) calendar days of receipt.

Preliminary Report – including bill of quantities, cost estimates, bidding documents and procurement methodologies and timelines

Quarterly Progress Reports - summarizing for all civil works under the services, inter alia physical progress, technical issues, environmental and social safeguards compliance, projected workplans, contractual issues - shall be submitted to UNDP no later than fourteen (14) days after the end of every quarter year period, in electronic version and four (4) hard copies.

All project implementation documents such as progress reports, draft project documents, templates (website, MIS), preliminary and intermediate designs, layouts, specification documents etc. shall be submitted in editable Microsoft Office Word Version and editable PDF Version, and in hard copies (4 copies) in a scale to be agreed with all stakeholders and in soft copy. The soft copy should not be secured with password(s) to allow printing or copy and paste of extract from the reports.

The language of the assignment shall be in English. All the outputs and deliverables shall be written in English language and should be presented in a format acceptable by UNDP. All the final versions of the reports and documentation. There shall be no security restrictions on printing/editing in the deliverables.

6.3 Logistical Arrangements

All transportation costs and administrative costs related to the execution of the assignment are to be borne by the Firm. In case workshops/ training sessions have to be organized, all costs will be borne by UNDP.

7. QUALIFICATIONS, EXPERIENCE AND COMPETENCIES

The assignment requires the services of an engineering consulting firm with extensive experience in all the required areas. The Firm must be capable of deploying an experienced team in the area of its domain which is capable of interacting and communicating effectively in English with central and local government officials, power utility management, private sector, financial sector and development agency representatives. The firm should ideally have experience in designing and implementing modern infrastructure projects of similar nature in the Gambia and/or Sub-Saharan Africa.

Thematic Experts

While the Firm has the responsibility of proposing the team composition, the tasks in the assignment will require the involvement of at least the following key experts. The Firm will be required to provide the experts on a needs basis and upon the written request of the UNDP.

- Team Leader / Civil Engineer with significant experience in the planning, designing, and overseeing construction and maintenance of similar infrastructure works: urban construction and metal works. The candidate must also have at least five (5) years' experience as a Team Lead on at least one (1) project of substantial size and a minimum of five (5) years' experience in site management of infrastructure works. The candidate must hold a master's degree in civil engineering or related field.
- Fabrication Engineer / Specialist with at least six (6) years of experience in the planning, designing, an overseeing construction and maintenance of urban construction; including 5 years' experience in supervision of construction and/or rehabilitation of similar infrastructure work. The candidate must hold an Fabrication engineering degree or related field.
- Design Specialist Engineer with at least 8 years of relevant operational experience and in community-based assistance and participatory community actions are an asset. The candidate must hold a Graduate degree in Civil Engineering or related field
- Quantity Surveyor with a minimum of five (5) years' professional experience in quantity surveying, including measurement and certification of civil works for payment. The candidate must hold a with a BSc in Civil Engineering, Quantity Surveying or equivalent

The Firm shall provide sufficient evidence and detail of qualifications, certification, experience and availability for and of personnel which must be available for the required time to allow the Firm to deliver on the requirements of the Formulation and Supervision aspects of the contract(s). At the start of the assignment(s) the Firm must provide confirmation of availability of the personnel proposed at the time of bid. Where personnel are no longer available the Firm must provide similar evidence to assure that replacement personnel are of similar or exceed the qualifications and experience of the previously submitted. UNDP reserves the right to accept or reject based on changes to the Firm personnel. The Firm shall provide evidence satisfactory to UNDP and as outlined in the contract to indicate the following:

- Qualifications of the personnel
- Certifications of the personnel
- CV of the personnel
- Professional registrations

This assignment requires the part-time / as needed inputs from key experts. Firms are strongly encouraged to tap into locally-based expertise, as appropriate, to contribute to enhance local capacities and facilitate the implementation of follow-up activities. The CVs of proposed staff should clearly demonstrate the relevant experience of each team member by task assigned. Key personnel must sign their own submitted declarations.

8. LANGUAGE OF ASSIGNMENT

The language of communication and writing reports is English. However, the knowledge of any local language will constitute an asset.

9. EXPECTED DURATION OF THE CONTRACT/ASSIGNMENT

The project period has an estimated duration of five months, comprising an estimated:

- 1 months for Pre-tender services, Design Approvals, Tender and Contracting
- 3 months for Supervision Support
- 1 month for Final Assessment

10. PRICE AND SCHEDULE OF PAYMENTS

Payments for services rendered will be based on deliverables accompanied by final reports approved by UNDP submission. All reports will be submitted in draft (for comments) and then final approval.

There will be a 10% Retention on Professional Fees on each payment made. This Retention is to be the Final Payment paid at the end of the assignment upon approval of the final assessment report.

First Payment (30%) - Upon completion of pre-tender activities as outlined in Section 6 of the Terms of Reference.

Interim Payments – up to a maximum of 60% - Shall be made upon submission and approval by UNDP of quarterly progress summarizing requirements of the assignment provided as outlined in Section 6 of the ToR. Payments to the Firm will be aligned with deliverables and approved progress reports.

	Deliverable / Milestone	Timeline for contract effectiveness	Payment Schedule
1	Approved of TOR for Construction phase	Week 3	10%
2	Approved workplan and preliminary report on overall assignment requirements	Week 6	15%
3	Approved BOQ and bidding documents for aforementioned works	Week 8	5%
4	Approved progress reports on supervision support services	Week 12 Week 15 Week 18	60%
5	Final assessment report, strategies and implementation road maps to stakeholders	Week 30 - 36	10%
	TOTAL		100%

Final Payment (10%) - Professional fees shall be paid upon submission of the Final assessment report, strategies and implementation road maps to stakeholders.

11. EVALUATION CRITERIA

Technical Evaluation

Upon the advertisement of the Procurement Notice, qualified or specialised Expert firms are expected to submit both the Technical and Financial Proposals. Accordingly; the firm will be evaluated based on Cumulative Analysis as per the following conditions:

1. Responsive / compliant / acceptable as per the Request for Proposal (RFP) of the Standard Bid Document (SBD), and
2. Having received the highest combined score out of a pre-determined set of weighted technical and financial criteria specific to the solicitation. In this regard, the respective weight of the proposals is:
 - i. Technical Criteria weight is 70%
 - ii. Financial Criteria weight is 30%. For the financial evaluation, please see below.

Technical Evaluation Criteria

See section 4 above for technical evaluation criteria

The minimum technical score (St) required to pass is: 70

Financial Evaluation

The lowest evaluated financial proposal (Fm) is given the maximum financial score (Sf) of 30

The formula for determining the financial scores (Sf) of all other proposals is calculated as following:
 $Sf = 30 \times Fm/F$, in which “Sf” is the financial scores, “Fm” is the lowest price, and “F” the price of the proposal under consideration.

The weights given to the Technical (T) and Financial (P) proposals are:

$$T = 0.7$$

$$P = 0.3$$

The proposals are ranked according to their combined technical score (S_t) and financial proposal (S_f) using the weights (T = the weight given to the Technical Proposal; P = the weight given to the Financial Proposal; T + P = 1) as following: $S = S_t * T\% + S_f * P\%$)