

Terms of Reference

For

An Independent Evaluator to Assess the Current Design, Bill of Quantities, Processes and Current Work Progress for the New Redemption Hospital Construction Phase 1 and provide Supervision Services to complete the Remaining Construction Works

I. Background

In 2016, Liberia restructured its Ebola Emergency Response Project (EERP) financed by the World Bank to respond to the demands for supporting strengthening of resilient health systems and implementation of National “Investment Plan for Building a Resilient Health System: 2015 to 2021”. Activities financed under the restructuring included support to the health workforce program, engineering health infrastructure (Construction of the new Redemption Hospital, rehabilitation of health facilities with triage, staff housing for health workers in remote health facilities, and isolation functions), community health workforce program, county-based service delivery, and fleet management and ambulance services.

Under the subcomponent preparedness for potential future Ebola outbreaks, the Ministry of Health (MOH) has allocated funds for the construction of phase 1 of the new Redemption Hospital. As part of the process to rationalize the existing contract within existing budgetary and time constraints, the MOH wishes to hire a firm with experiences in hospital design, construction and project management to (i) review the current design, verify and evaluate the actual work done against the existing bill of quantities and cost estimates including the change order variations. (ii) Evaluate the contractor’s claims to the employer to formalize variation order for termination of contract. (iii) Determine if the design should be modified or built as is without compromising structural integrity and its impact on the environment and vice versa, (iv) Provide cost estimates to successfully complete the project. (v) Support the Ministry of Health to evaluate the bids to hire the new contractor; and (vi) provide supervision services for the remaining works.

Scope of works

Task No.1- Evaluation of works done

- Review the tender documents, the design and supervision firm, and the contractor’s compliance with the construction agreement particularly in relation to project timelines, outputs, outcomes and impacts against the Design Monitoring Framework.
- Identify any problem areas during project implementation occasioned by the design and supervision, the contractor and/or the MOH and compile a deficiency list.
- Review and evaluate the actual construction work done by the contractor against the bill of quantities & cost estimates.
- Audits all payments made to the contractor to determine what have been paid for under the contract agreement.
- Review and evaluate the contractor’s claims as a result of the suspension of all works and termination proposed by the old contractor.

- Based on the evaluation and verification process, report and recommends best ways forward.

Task No. 2-Supervision for construction of works

- Support the Ministry of Health/PIU to evaluate bid proposals to complete the remaining construction works.
- Reviewing the contractor's construction program.
- Preparing and submitting to MOH monthly reports on the progress of the works and preparing financial and other reports as required.
- Maintaining a diary at the site recording the daily weather conditions, instructions issued to the contractor, problems occurring, deliveries of materials, progress on site, workers on site, visitors, etc
- Inspecting and supervising the construction works to ensure that the buildings are constructed in accordance with the drawings and specifications and within the contract amount.
- Monitoring the progress of the works against the Consultant's implementation program and the construction program provided by the contractor and advising MOH of any likely delays to the construction works.
- Advising the contractor on any necessary measures to ensure the completion of the construction works in accordance with the construction program.
- Advising MOH of any deviations from the contract drawings and documents by the contractor.
- Chairing site meetings at fortnightly or monthly intervals as necessary with representatives of MOH and the contractor to discuss the progress of the works and any problems.
- Advising MOH on any possible problems or necessary changes as they arise that will incur extra costs and on possible ways to avoid these costs.
- Advising MOH on any possible claims by the contractor or on any other contractual problems arising during the works.
- Measuring the work as completed and certify payments to the contractor in accordance with the contract provisions,
- Arranging the testing, commissioning, acceptance and handover of the works on completion.
- Preparing accurate 'as-built' drawings of the facilities after completion of the works.
- Preparing lists of defective and outstanding work at the time of practical completion
- Checking the condition of the works at the end of the 12 months' defects liability period and signing off the works when all outstanding or defective works have been completed
- Carrying out any other tasks related to the supervision of the works as may be requested by MOH and
- Preparing maintenance plans, handbooks and budgets for all buildings, equipment and services.

Deliverable associated with task no. 1

Technical Design and Construction (TDC) Report containing the following thematic areas

- A. Executive summary of key issues, Evaluation of works done & claims, conclusions, and make recommendations.
- B. Tender and bid process

Review and comment on the appropriateness and completeness of the tender documents issued by the MOH and the bid submitted by the contractor including design, drawings, calculations, and legal documents received and signed by the parties.

- C. Progress with implementation
 - a. Progress and activities of the MOH, design/supervision firm and contractors relating to key deliverables including technical specificity, progress of construction versus original schedule.
 - b. Actual status of deliverables/works in percentages, changes in the scope of the Project and scope of services, including the list of issued change orders and anticipated changes, if any and their impact on the project including time and project value
 - c. Summary of main issues and challenges, including recommendations.
- D. Evaluation of the contractor's claims for termination

Evaluation in terms of (a) Review the provision of contract that support the contractor's claims; assess the details of the contractor's claims (including *reasons, responsibility, and effect on progress as a whole. i.e., costs associated with prolongation and costs associated with disruption/suspension*); (c) evaluate the claims and make recommend to the Ministry of Health regarding termination of the contractor's contract.

- E. Highlights of key issues, opinions, conclusions, and recommendations
- F. Annexes -plans, schedules, progress photographs etc.

Deliverable associated with task no.2

- A. Submit progress report to the Ministry of Health/PIU (Monthly progress report, site meeting minutes, practical report, final completion report)
- B. *Maintenance Plans and Manuals* (Maintenance plans, manuals and budgets for the buildings, equipment and services.)
- C. *Defect Liability Period Report*

II. Consultant staffing Team

Task No. 1 (Evaluation)

1. Architect
2. Structural Engineer with Civil Engineering experiences
3. Quantity Surveyor

Task No. 2 (Supervision)

1. Architect
2. Structural Engineer
3. Civil Engineer
4. Quantity Surveyor
5. Electrical Engineer
6. Mechanical Engineer
7. Environmental and Social Safeguard Specialist

No.	Position	Professional experience	Educational Qualification	Specific Expertise
1.	Team Leader/Senior Architect	Minimum of 15 years Experience in infrastructure projects out of which minimum 10 years' experience in hospital construction.	Graduate degree in Architectural Engineering and a licensed & certified Architect.	He/ She should have proven record of project management of infrastructure projects especially hospital construction. Experience in World Bank aided projects shall be given additional weight. He/ She should also have good overall Knowledge of planning, contract management, the FIDIC Contract and aspects of infrastructure projects especially in health sector.
2.	Structural Engineer	Minimum 10 years of Experience on design and Structural analysis. Knowledge of various internationally accepted design codes & methodologies and Familiarity of best practices is essential.	Graduate degree in Structural Engineering. A licensed & certified Structural Engineering.	He/ She should have experience on design and Construction of vertical structures. The candidate must have capability to design vertical structures with various alternative materials and structural arrangements.

3.	Civil Engineer	Minimum 10 years of Experience in building construction	A Graduate degree in Civil Engineering.	He/ She should have worked as civil/construction engineer. Good knowledge of storm water control, sewers and water reticulation
4.	Quantity Surveyor	Minimum 10 years for degree holders / 12 years for diploma holders of Experience in quantity surveying, cost estimation and specification of construction materials.	A degree in Quantity Surveying / Diploma in quantity surveying	He/she should have worked as quantity surveyor for at least 7 years for degree holders / 9 years for diploma holders
5.	Electrical Engineer	Minimum 10 years of Experience in Electrical Engineering	Graduate degree in Electrical Engineering	He/She should have experience in industrial electrification
6	Mechanical Engineer	Minimum of 10 years of experience in each discipline	Graduate degree in Mechanical Engineering	He/She should have experience in: HVAC Plumbing and sanitary ware Water and fire reticulation Gas
7.	Environmental & Social Safeguard Specialist	Minimum of 10 years of experience	Graduate degree in Environmental Science/Engineering	He/she should have knowledge and working experience with World Bank safeguards instruments

III. Reports, deliverables, and timeline

The Consultant will prepare and submit to the Ministry of Health through the PIU the following reports in required number of copies:

Evaluation of the work done by the previous contractor		
Reports	Timeline	Number of copies
Inception report containing method statement for audit/evaluation	Within 14 days after commencement of services	electronic and hard copies
Presentation of the draft final report (include findings from desk review and analysis of construction drawings, specifications, bill of quantities, contracts, construction schedule, request for information and responses, project reports, payment application and certificates, approve change orders and claims for variations.	Within 45 days after commencement of services	electronic and hard copies
Consultancy final completion report as per the Expected Deliverables	Within 60 days after commencement of services.	5 electronic and copies
Management & Supervision of remaining construction works		
<p>A. progress report to the Ministry of Health/PIU (Monthly progress report, site meeting minutes, practical report, final completion report)</p> <p>B. <i>Maintenance Plans and Manuals</i> (Maintenance plans, manuals and budgets for the buildings, equipment and services.)</p>	Monthly and at the end of the project completion	electronic and hard copies
C. Defect Liability Period		
12 months' defects liability period report	Within 180 days. 1 st inspection will be conducted in six months while the 2 nd and final inspection will be conducted at the end of the DNP.	electronic and hard copies

IV. Contract type and duration

Type:

The contract will be divided into two types. Services under task (1) of the scope of works will be Lumpsum Contract. Payment will be based on deliverable mentioned above under deliverable no. 1. On the other hand, services under task 2 will be on the base of time inputs (Time-based Contract). The firm will be required to submit two technical and financial proposals for the services mentioned in these terms of reference.

Duration:

The contract duration will be based on the two types of contracts signed. The initial contract (Lumpsum contract) will have the duration of 60 calendar days. After satisfactory completion of the Task no.1 both the client and firm will enter into a time-based contract for the carry out of Task no.2 for the initial period of 12 months.

V. Qualification, competencies, and experience of Consultant/Firm

- A registered and chartered architecture or engineering consultant/firm
- At least 20 years of experience in Architecture and Engineering (firm with expertise and experience in hospital construction is an added weight)
- Experience with World Bank/African Development Bank projects
- Schedule of similar type projects completed
- Proficiency in the English language