

TERMS OF REFERENCE FOR THE CONSULTANCY SERVICES (CONSULTING FIRM) FOR THE PREPARATION OF DETAILED DESIGNS, TENDER DOCUMENTATION AND CONSTRUCTION MANAGEMENT UNDER THE SAVE PROJECT

1. INTRODUCTION

The Skills for a Vibrant Economy (SAVE) is a Government of Malawi project supported by the World Bank. The SAVE Project aims to increase equitable access to market-relevant skills in priority areas of the economy, especially for females and vulnerable youth, through (a) improving access to market-relevant skills programs in priority areas of the economy; (b) enhancing equity in skills training with empowerment of women and girls and vulnerable youth through targeted skills in priority areas of the economy; and (c) creating a conducive policy environment & strengthening systems and institutional capacity for skills development.

To support the timely implementation of the project, (*Mzuzu University*) ('hereinafter "the Client") intends to recruit a Design, Supervision and managing Consultancy Firm (hereinafter "the Consulting Firm") to design and provide the on-ground support for construction of Entrepreneurs Training and Incubation Center (ETIC).

2.0 OBJECTIVES OF THE CONSULTANCY SERVICES

GENERAL OBJECTIVE

The objective is to prepare architectural and engineering designs for the proposed infrastructure and providing supervision for construction management services.

SPECIFIC OBJECTIVES

The design and supervision consultancy will consist of the following:

- Conducting necessary surveys i.e., topographic, and cadastral surveys, soil investigations and tests
- Reviewing of existing designs
- Preparation of preliminary designs
- Preparing of detailed architectural and engineering designs (Structural engineering, electrical engineering, Mechanical and Landscape designs)
- Preparation of bidding documents and technical support during evaluation
- Construction supervision and contract monitoring and management.
- to ensure alignment to works related environmental safeguards and other related project requirements

3.0 PLAN OF WORK

The Consulting Firm shall be expected to undertake Plan of works that shall include but not limited to:

3.1 ENVIRONMENTAL, SOCIAL, HEALTH AND SAFETY MANAGEMENT

The Consulting Firm shall address Environmental and Social Management matters in accordance with national law and the World Bank Environmental and Social Framework (ESF). In particular, the Consulting Firm should pay attention to the SAVE project safeguards instruments which include but not limited to the Environmental and Social Management Framework (ESMF), Environmental and Social Commitment Plan (ESCP), Stakeholder Engagement Plan (SEP) and Labor Management: Procedures (LMP):

3.1.1 General requirements

The Client shall share the Environmental and Social Management Plan (ESMP) or Environmental and Social Impact Assessment (ESIA) and any related safeguards instruments as they outline the environmental, social, health and safety policies that will apply to the project.

The Consulting Firm should ensure enforcement of all environmental and social safeguards requirements and regulations at each site. This should be done by putting monitoring and evaluation measures in the construction works and plant movement based on the following ES reporting:

- (a) Notify the Client of any failure by the Construction Contractor to comply with its Sexual Exploitation and Abuse (SEA) and Sexual Harassment (SH) obligations.
- (b) Notify the Client of any allegation, incident or accident, which has or is likely to have a significant adverse effect on the environment, the affected communities, the public, Client's Personnel, Contractor's Personnel or Experts. In case of SEA and/or SH, while maintaining confidentiality as appropriate, the type of allegation (sexual exploitation, sexual abuse or sexual harassment), gender and age of the person who experienced the alleged incident should be included in the information. The Consulting Firm shall provide full details of such incidents or accidents to the Client within the timeframe agreed with the Client and ensure remedial measures are put in place to prevent any recurrence, in accordance with national law and the World Bank Environmental and Social Standards.
- (c) In line with project legal requirements, Inform and share with the Client notifications on ES incidents or accidents provided to the Consulting Firm by the Contractor, and as required of the Contractor as part of the Progress Reporting.
- (d) Share with the Client in a timely manner the Contractor's ES Reports, as required of the Contractor as part of the Progress Reports.

3.1.2 Specific tasks to ensure Environmental and Social Safeguards Compliance

Ensure that the Contractor delivers their ES obligations under the contract. This includes but not limited to the following:

- (i) Supervise the implementation of the Environmental and Social Management Plan (ESMP) and the Environmental and Social Guidelines for contractors (ESGs) during the construction period.

- (ii) Review the Contractor's Environmental and Social Management Plan (C-ESMP), update it in a timely manner to address emerging Environmental, Social, Health and Safety (ESHS) issues, or anticipated risks or impacts).
- (iii) Review and consider the ES risks and impacts posed by any design change and advise if there are implications for compliance with ESIA, ESMF, ESMP permits and other relevant project requirements.
- (iv) Undertake, as required, audits, supervisions and/or inspections of the site where the Contractor is undertaking activities under its contract, to verify the Contractor's compliance with safeguards requirements (including prevention of Sexual Exploitation and Abuse (SEA), Gender Based Violence (GBV), Child Abuse and Exploitation (CAE), HIV and AIDS, and response obligations.
- (v) Undertake audits, inspections, monitoring and supervision and reporting of Contractor's health and safety measures put in place with the view of preventing accidents including monitoring findings and other Environmental, Social, Health and Safety related documentation, as necessary, to confirm the Contractor's compliance with Environmental, Social, Health and Safety requirements.
- (vi) Undertake audits of gender equality related considerations such as recruitment of female workers, lactating mothers and persons with disabilities.
- (vii) Undertake monitoring and supervision of implementation of the Grievance Redress Mechanism (GRM) and reporting of cases in order to confirm contractors' compliance with GRM requirements.
- (viii) Provide technical guidance regarding remedial action/s and their timeframe for implementation in the event of a noncompliance with the Contractor's ES obligations.
- (ix) Ensure representation of Safeguards Specialists at relevant meetings including site meetings, and progress monitoring meetings to discuss and agree appropriate actions to ensure compliance with ES obligations.
- (x) Ensure adherence to preventive measures under COVID-19, including conducting necessary awareness to workers, observing physical distance and promoting hygiene practices such as provision and use of hand sanitizers and hand washing facilities.
- (xi) Ensure incorporation of environmental and social considerations including construction designs based on climate smart solutions into tender documents/BoQs based on ESIA/ESMPs.
- (xii) Ensure development and implementation of a "Safe System of Work" which entails analyzing individual tasks, identification of hazards and risk assessment, introducing controls & procedures, instruction and training, and monitoring the system.

- (xiii) Prepare monthly progress reports on Contractors' compliance with Environmental and Social safeguards.

3.2 CADASTRAL AND TOPOGRAPHIC SURVEY

The Consulting Firm shall be expected to produce cadastral and topographic surveys of the plots and produce location plans to be used for the design

3.3 SOIL INVESTIGATIONS

The Consulting Firm shall be expected to carry out soil investigations to establish soil nature and to determine bearing capacities of the soils for the structures and all associated external works.

3.4 DEVELOP THE CLIENT'S BRIEF

The Consulting Firm shall be required to develop client's brief in a more clear and detailed manner through a series of consultative processes [design reviews] with the client in order to capture all the needs including accommodation schedules.

3.5 OUTLINE DESIGNS AND SKETCH SCHEME

The Consulting Firm shall come up with Preliminary Designs in Architectural, Structural/Civil Engineering, Electrical and Mechanical Engineering and Water and Waste Water Disposal System. The Consulting Firm shall obtain **ALL NECESSARY APPROVALS** from relevant authorities.

3.6 COST ESTIMATES

After the production of sketch scheme and outline designs, the Consulting Firm shall be mandated to finalise the cost estimates of the scheme to match the budget.

3.7 DETAILED DESIGNS AND BILLS OF QUANTITIES

The Consulting Firm shall also be expected to produce detailed architectural and engineering designs, Bills of Quantities, specifications and material schedules with associated cost estimates. At this stage, the Consulting Firm shall assist Mzuzu University in preparing a complete set of bidding documents before going to tender; the Consulting Firm shall have a lump sum contract for the design and time-based contract tied to progress with stipulated targets for the supervision contract.

3.8 PREPARATION OF BIDDING DOCUMENTS

The Consulting Firm shall be expected to prepare bidding documents in hard copies using the standard bidding documents for PPDA for NCB and World bank for ICB. These shall be prepared before the Specific Procurement Notice is published in the newspapers, and websites of World bank and donor partners and also shall be prepared in sufficient number to enable all prospective contractors to purchase them within the bidding period. In addition to the hard copies, soft copies shall also be needed for the client for purposes of uploading it in Systematic Transactions Exchanges in Procurements (STEP) as well as sharing with bidders.

3.9 TENDERING PROCESS

It shall be the duty of the Client (Mzuzu University) to ensure that the Specific Procurement Notice (SPN) is prepared and issued to the Press in compliance with PPDA and World Bank Procurement Procedures.

The Consulting Firm shall ensure that the Tender Documents are prepared, checked and approved by the Client. It shall be the duty of the Client to issue the tender documents to prospective bidders.

The Consulting Firm shall arrange for the Client Pre-Tender Meeting which shall include site visits, with the prospective Contractors. This shall be done together with Mzuzu University. Following the meeting, the Client with assistance from the Consulting Firm shall issue responses to the tenderers' queries in the form of Addendum through the Client. The Consulting Firm shall continue to respond to other questions raised through the client by issuing the necessary addenda to all tenderers in good time. The Client has a duty to upload all the responses in STEP.

The Consulting Firm will assist the Client in the bidding process, including pre-bid conference, bid evaluation, and contract negotiations for civil works and for the supply, delivery and installation of furniture and including related equipment.

Evaluation of the bid documents received from the prospective Contractors including detailed comparison of rates and total prices, detailed assessment of the adequacy of the construction plan, programme, method statements, resources and any other details required to be submitted by the tenderers will be the duty of the Consulting Firm and Client together. Where necessary, clarifications shall be sought from the tenderers in writing through the client.

Preparation of the Tender Evaluation Report shall be undertaken by the Consulting Firm together with the Client (*Mzuzu University*) who shall take the leading role in the process.

The Consulting Firm shall assist the Client to prepare 6 copies of Construction Contract Documents for signing.

The Consulting Firm shall ensure that at this stage Sufficient and Detailed Working Drawings are produced before going to tender

The Consulting Firms shall make sure that detailed Construction Drawings shall be based on the same Standards and Codes of Practice used for the Tender Design Phase. *She /He shall also make sure that there are no discrepancies between working drawings and Bills of Quantities.*

The Construction Working Drawings shall include all reinforcement drawings, bar bending schedules, electrical services, mechanical services and any relevant specifications for proper execution of works.

The Consulting Firm shall be responsible for the submission of Construction Drawings for approval by City Council and the Client shall be responsible for payment of the associated fees.

Performance assessment:

Upon completion of the design phase, the Client will assess the Consulting Firm's performance, and decide whether or not to continue with the service contract for the contract management phase services. Any decision to terminate the service contract is at the sole discretion of the Client, which is laid down in the Conditions of Contract for Consulting Firm Services. In case of termination, the Client shall notify the Consulting Firm in writing within 2 weeks from receipt of the Phase 1 / Final Design and Bidding Document Report. Failure to provide complete designs shall lead to fundamental breach of contract condition hence will result into termination of the contract.

3.10 SITE HANDOVER

The Consulting Firm shall be expected to handover the site(s) to the winning contractor. This shall be done after making sure that all the necessary preparations for works commencement on site have been fulfilled.

3.11 CONSTRUCTION SUPERVISION

The Consulting Firm shall be expected to:

- a) Carry out site supervision of all components of the Project in accordance with the Construction Contract, drawings, bills of quantities and schedules of materials, all standards and specifications, and time schedules.
- b) Verify plant and personnel provided and used by the contractor for the successful execution of the Project in compliance with proposals accepted with the Letter of Acceptance.
- c) Review and accept the Contractor's Programmes or arranging for modification thereof as appropriate. The Consulting Firm shall also ensure that the Completion Dates are accurate.
- d) Check Survey Points for the works and main Setting Out done by the contractor.
- e) Ensure that the Contractor is notified about any defects for rectification.
- f) Supervise and witness Field Testing by the Contractor in accordance with the specifications and the Client shall periodically witness the exercise.
- g) Organize and chairing Monthly Site Meetings and production of the minutes.
- h) Certify Payment Certificates received from the Contractor for the works carried out and submitting them to Client.
- i) Issue Architect's Instructions. Variation Orders shall be done only in very extreme cases and upon client's prior approval.
- j) Report to the Client regularly on progress and advising the Client of any potential problem areas likely to affect progress and offering solutions to avert the problems.

- k) Check that works are being carried out in a **Safe Manner** and reporting all breaches of safety requirement by the contractor. Monitoring the corrective actions taken to ensure unsafe practices are avoided.
- l) Inspect the quality of materials and workmanship including preparatory work to ensure conformity with the specifications. Where work does not conform to the specifications, it shall be removed/not certified for payment.
- m) The Consulting Firm shall produce an operations and maintenance manual for piped water project in institutions which will require water systems.
- n) Ensure that all Environmental and Pollution Control Measures are implemented in accordance with the contract and are maintained for the duration of the works.
- o) Assist in creating a smooth working relationship between the Client and the Contractor accepting Litigation and Arbitration when required.
- p) Maintain daily site diaries, and daily reports to verify contractor's labour, plant and equipment, weather conditions, progress, instructions and delays.
- q) Produce Quarterly progress reports and quarterly cost reports
- r) Maintain a Photographic Record of the progress of the work. These will be required to be included in Quarterly Progress Reports.
- s) Carry out inspection at the time of substantial completion of the works and arranging for the issuing of the Certificate of Practical Completion after having consulted and agreed the same with the Client.
- t) Undertake periodic inspections during the Defects Liability Period and notifying the Client and Contractor of any defects on the construction work or plant which requires rectification. Following completion of the work and expiry of the defect's liability period, the Consulting Firm shall arrange for issuance of Defect Liability Certificate.
- u) Check Contractor's final statement and issuing Final Certificate to the Client for payment.

3.11 PRODUCTION OF AS BUILT DRAWINGS

The Consulting Firm shall be expected to produce accurate and detailed as built drawings using latest AutoCAD software and these shall be submitted to the client in the same format within a period of 3 months after the issuing of certificate of practical completion to the contractor.

3.12 USER MANUAL

The Consulting Firm shall be expected to produce user manual in Microsoft office or pdf for any plumbing installations, electrical installations and equipment installed within the building (s) and conduct O&M training soon before or after the practical completion and handover of the works.

Generally, the Consulting Firms shall carry out all services for the smooth realization of the buildings.

4.0 SCOPE OF WORK

The Consulting Firm undertaking this exercise will be required to work in close liaison with *Mzuzu University* to facilitate the award of contract to a competent contractor following a competitive tendering procedure. The services are going to be provided in three (3) phases.

- Phase 1: Will involve the production of the detailed designs, BOQs and cost estimates.**
- Phase 2: Will involve the conduction of the tender process, contract negotiations up to Mobilization and demobilization**
- Phase 3: Will involve the construction supervision, handover and defects assessment**

4.1 Inception of the project through comprehensive inspections analysis, collection of data, and interviews with relevant stakeholders.

- Incorporate advice and comments from the client.
- Conduct topographic survey and foundation bearing capacity testing.
- Preparing tender documentation incorporating all the requirements of the PPDA for NCB and World Bank procedures for ICB.
- Preparing a detailed confidential cost estimate using the latest available cost information for similar projects in Malawi or any other information deemed necessary.
- Evaluating tenders received, providing comments and assistance to (*Mzuzu University*) for tender award.

A more comprehensive description of the works can be found in the following paragraphs. The Consulting Firm must be aware that this design brief is indicative only and by no means should be interpreted as a complete definition of the extent and nature of the work eventually required.

However, the functions required on the proposed infrastructure will be as follows and will not differ much from what is stated below in the final analysis:

4.2 INFRASTRUCTURE SPACE REQUIREMENTS

Space requirement for the departments of Energy Systems and ICT

- Common facilities and workshops will be at ground floor
- Proposal for two wings – one for Energy systems and the other for ICT
- Preferably the building should be multistory (minimum 3 stories) with the postgraduate section and seminar rooms on the most upper floor.

(i) Common Facilities for ICT and Energy Systems

S/N	NAME	QTY	CAPACITY	DESCRIPTION
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1	Reception	1		
2	Computer Lab	1	120	For undergraduate students
3	Recreation	1		Kitchen
		1	20	Lounge for visitors and staff
4	Auditorium	1	300	
		2		Lavatories
		1	1	Office space
5	Entrepreneurship workspace	1	30	Open space area for entrepreneurs and incubates
6	Seminar Rooms	2	30	These will have computer labs for postgraduates and the meeting room
7	Boardroom	1	30	Assessment and general meetings
8	Office space	3		Dean of Faculty of FOSTI, Deputy Dean of Faculty of FOSTI and Secretary

(ii) Facilities for ICT

S/N	NAME	QTY	CAPACITY	DESCRIPTION
1	AI & DS Lab	1	80	For teaching, demonstration and practice
		1	1	Office for technician
2	Hardware & Networking Lab	1	80	For teaching, demonstration and practice
		1	1	Office for technician
3	Classroom (Active learning style (ALS)/Versatile Learning Space (VLS)	1	48	For Postgraduates and professional training (CISCO/CEH/DBA/CISA/CCISO)
		1	1	Office for technician
		1	4	Postgraduate work space
4	Workshop	1	6	To be used for technical work by entrepreneurs, students, and technicians
		1	1	Office for the technician
5	Equipment room	1		Storage of consumables

6	Server room	1		Warm sits for the department's systems
7	Classrooms	2	80	On top floor of the building
8	Lavatories	2		Toilets for staff members
9	Offices	6		Head of ICT, Deputy Head, postgraduate coordinator and secretary ICT Incubation Centre Manager Coordinator Weekend programme and professional courses
10	Lavatories	1	5 Toilets 5 Urinals	Gents/male students
		1	5	Ladies/female students

(iii) Facilities for Energy Systems

S/N	NAME	QTY	CAPACITY	DESCRIPTION
1	Testing Laboratory	1	20	Product receiving and recording
		1	1	Indoor product testing and simulation
		1	1	Computers and server room for data storage
		1		Invoicing, delivery note preparation and product dispatch to client
		2		Offices for the instructor and technician
2	Mechanical workshop with benches	1	60	Practicals in fabrication, general fitting and Engineering drawing and design. To be installed/fitted with lathe, grinding, milling and welding machines).
		2		Offices for the technician and instructor
		1	1	Room for storage of consumables and others
	Electrical and Electronics Laboratory	1	40	Hands on practical design, assembly, and simulation of electrical and electronics controls for power quality enhancement from renewables
3	Bioresources	1	20	Solid and liquid biofuels processing and testing laboratory

	processing laboratory	1		Furnace room
		1		Thermo gravimetric Analyzer (TGA) Room
		1	20	Cook stoves testing laboratory
		2		Offices for technician and instructor
4	Postgraduate room	1	30	Purposely built postgraduate room with 30 working stations fitted with lockers
5	Classrooms	2	80	On top floor of the building
6	Offices	4		Head of Energy Systems, Deputy Head, postgraduate coordinator and secretary
7	Lavatories	2		Toilets for staff members
9	Lavatories	1	5 Toilets 5 Urinals	Gents/male students
		1	5	Ladies/female students

4.3 Conduct of Service

The Consulting Firm shall co-operate fully with the *Mzuzu University* identified here as “the Project Managers”.

The Consulting Firm shall familiarise itself with and comply with all laws, customs and practices in Malawi in relation to the works.

The design will be produced according to current Government technical standards or to those agreed with Ministry of Transport, Public Works.

All activities of the Consulting Firm shall be carried out in strict accordance with the general regulations’ contracts financed by the World Bank

4.4 Confidential Cost Estimate

The Consulting Firm shall prepare a detailed cost estimate for the detailed design and tender documents of the project, expressed in **Malawi Kwacha**. The estimate should be based on practical costs prevailing in Malawi, and realistic programme for implementation. The Consulting Firm’s estimate of the construction period should be stated in months.

The estimate should allow for preliminary and general items, contingencies and dayworks. An estimate of the local currency should be presented with details of the assumptions made, including those relating to taxes and customs duties. The Consulting Firm should also provide an estimate of the cash flow from the beginning of the construction period to the end of the maintenance period.

The estimate for contingencies should be for the “Preliminaries and General” component of the construction costs should be sufficiently detailed to show the services to be provided to the supervisor.

4.5. Detailed Consulting Firms Services

4.5.1 PHASE 1: DETAILED DESIGNS AND COSTS ESTIMATES

4.5.1.1 Architect’s Services

The architect’s services are to be provided together with the responsibility of team leadership including the design management and co-ordination of the project with the other service providers.

- Gain an appreciation of the environment within which to operate.
- Discuss the Client’s requirements including timescale and any financial limits; assess these and give general advice on how to proceed.
- Obtain the opinion and views from the client planners regarding organizational issues affecting the detailed.
- Obtain from the Client information on ownership of the site, existing buildings boundary fences and other enclosures, any known assessments, encroachments, underground services, rights of way, rights of support and other relevant matters.
- Visit the site and carry out an initial appraisal, which will be the basis of the investigation/appraisal report for approval by the Client.
- Review with the Client alternative designs and construction approaches under relevant building acts or regulations.
- Incorporate comments and views of the client organizational issues.
- Advise on the need to obtain planning permission and approvals under building acts or regulations.
- Develop a scheme design considering the client requirements.
- The scheme design will illustrate the size and character of the project in sufficient detail to enable the Client to agree the spatial arrangements, materials and appearance.
- Develop the scheme design based on agreed requirements with the client
- Obtain the Client’s approval for the type of construction, quality of materials and standard of workmanship
- Co-ordinate all of the design work to be done.
- Obtain information in connection with specialist work.

- Carry out cost checks as necessary; advise the Client of the consequences of any subsequent changes on the cost and programme.
- Undertake studies of the environmental impact of the development proposals and land use changes and recommend mitigation measures

4.5.1.2 Civil/Structural Engineering Services

The Civil/Structural Engineer will report to the Team Leader and will carry out the services listed below and any other services related to civil/structural work so as to make the design complete as part of the consultancy team.

- Generate preliminary structural design options with rough calculations.
- Arrange for surveys, site investigations, ground tests and analyses.
- Liaise with the Architect on the modifications required to the architectural design so that it's in line with the structural design requirements.
- Select a suitable structural design option with justifications based on surveys, tests and consultations with the Architects.
- Generate detailed calculations for the structural design option selected.
- Generate detailed structural engineering drawings complete with a bar bending schedule.

4.5.1.3 Electrical & Mechanical Engineering Services

The Electro-Mechanical Engineer will report to the Team Leader and will carry out the services listed below and any other services related to electromechanical work so as to make the design complete as part of the consultancy team.

- Generate preliminary electromechanical design options with rough calculations and sketches where necessary.
- Liaise with the Architect and the structural engineer on the modifications required to the architectural and structural design so that they are in line with the proposed electromechanical design.
- Select suitable electromechanical designs for the electrical and mechanical installations structural design with justifications based on consultations with the Architects and the Structural Engineers.
- Generate detailed calculations for the electromechanical services where required and detailed drawings for the electrical and mechanical installations.

4.5.1.4 Landscape Services

The Landscape Designer will report to the Team Leader and will carry out the services listed below and any other services related to the provision of landscaping services so as to make the design complete as part of the consultancy team.

- Advise on the selection and suitability of sites and conduct negotiations concerned with the sites and their features
- Make measured surveys, take levels and prepare plans of the sites and their features (slopes, drainage patterns, rock outcrops etc.), including any existing buildings
- Undertake investigations into the nature and condition of vegetation, soil and other existing features of the sites and prepare reports
- Analyze the usage, management and maintenance of the sites and their features based on the collected information in the development of the concept scheme
- Broadly analyze the Landscape requirement and importance from the collected data and prepare outline proposals and approximate estimate costs of executing the proposals for the client's approval
- Develop the sketch scheme proposals from the outline proposals; prepare cost estimates and program of implementation. The sketch scheme proposals should indicate the size and character of the project in sufficient detail to enable the client understand and agree with the spatial arrangements, materials used and appearance of the end product
- Develop the proposal in sufficient detail to obtain the Client's approval of the proposed materials, techniques and standards of workmanship required for the execution of the works
- Design site furniture, supervise the fabrication of site furniture and supervise its placement

4.5.1.5 Quantity Surveying Services

The Quantity Surveyor will report to the Team Leader and will carry out the services listed below and any other services related to quantity surveying so as to make the design complete, as part of the consultancy team.

- Provide cost estimates of proposed designs together with cost advice in respect of construction and the selection of materials.
- Advise on the most suitable and cost-effective methods of implementation, in accordance with Government requirements and regulations.
- Provide a detailed cost report covering all the components of the project (Architectural, electro-mechanical, structural and landscaping) which could be used for resource mobilization.

4.5.2 PHASE 2: TENDERING AND CONTRACT NEGOTIATIONS.

The second phase of the assignment will involve the production of tender documents, the actual tender process and construction supervision.

I. Tender Producer for Works

The type of tender for the works shall be (open national) and is based on the thresholds applicable to (*Mzuzu University*) as per the World Bank guidelines.

II. Evaluation of Tenders

The Client Liaison with Consulting Firm will be required to scrutinize the eligibility of the tenderers (origin, administrative requirements, technical capability, and financial resources) through the Government Contracting Authority.

On receipt of the tenders, the Client in liaison Consulting Firm will carry out an arithmetic check on all tenders received.

The Client together with the Consulting Firm will then carry out a full analysis of all the tenders, in accordance with PPDA and World Bank regulations, conditions and procedures, including:

- The rates and prices.
- programmes
- methods of constructions
- plant
- personnel
- financing of the works
- any other information provided by the tenderers

The Adhoc Evaluation Team in liaison with Consulting Firm will present the results of the analysis of tenders in a bid evaluation report to (*Mzuzu University IPDC*) with recommendations for award of the contract within 14 days of receipt of bid documents. He should provide full substantiation of his recommendation and advise on the issue, which should be clarified in negotiations with the prospective contractor and included in the contract.

III. Eventuality of Shortage of Funds

In the case of shortage of funds for any reason, the Consulting Firm will assist (*Mzuzu University*) either with conducting negotiations with the tenderer(s) to explore possibilities of reducing/downgrading the quantities and/or design specifications or launching a new tender.

The Consulting Firm will assist the client in negotiations with the prospective contractor to resolve any technical or contractual matters prior to award of the contract.

4.5.2.1 Architect's Services

- Prepare tender documents including drawings, schedule and specification of materials and workmanship
- Provide particular specifications for the works.

- Provide a programme for the works with a critical path analysis.
- Prepare invitation to tender for the works in accordance with World Bank procedures.
- Answer queries submitted by contractors during the tender period with circular letters
- Examining alternative designs submitted by any contractor or prospective contractor and advising the Client upon them;
- When required, advise on and obtain the Client's approval to a list of tenderers
- Organize a site visit for tenderers
- Invite tenders from approved contractors; appraise and advise on tenders submitted and arrange for a price to be negotiated with contractor.
- Advise the Client on the appointment of the contractor and the responsibilities of Client, Contractor and Architect under the terms of the building contract; where required prepare the building contract and arrange for it to be signed by the Client and the contractor; provide production information as required by the building contractor.

4.5.2.2 Civil/Structural Engineering Services

- Assist in the preparation of tender documents including drawings, schedule and specification of materials and workmanship
- Provide particular specifications for the structural and civil engineering works.
- Take part in the contract negotiations.

4.5.2.3 Electrical & Mechanical Engineering Services

- Assist in the preparation of tender documents including drawings, schedule and specification of materials and workmanship
- Provide particular specifications for the electromechanical works.
- Take part in the contract negotiations.

4.5.2.4 Landscape Services

- Assist in the preparation of tender documents including drawings, schedule and specification of materials and workmanship
- Provide particular specifications for the landscaping works.
- Take part in the contract negotiations.

4.5.2.5 Quantity Surveyors Services

- Assist in any necessary pre-qualification exercises to select appropriate contractors to be invited to tender.

- Prepare tender documents according to the World Bank regulations and conditions for each building contract. The tender documents shall include Bills of Quantities in sufficient detail to enable a contractor to prepare a tender.
- Analyse tenders received and make recommendations as to the proposed awards in the formats required.
- Take part in the contract negotiations.
- Prepare contract documents for signature by the parties including the preparation of copies of documents.
- Prepare any necessary Bills of Reduction that may be required by the client.

I. Tender Documentation

The Client and Consulting Firm shall prepare the following documentation for the project in format as required for Government tenders, the originals becoming the property of the Government. The tender documents shall be designed to require the contractors to take account of gender including Sexual Exploitation and Abuse (SEA) issues where necessarily affecting construction personnel as well as construction activities.

The Consulting Firm will provide a flush disc or memory stick copy of all documents

II. Specific Procurement Notice (SPN)

This shall be prepared in two formats to allow publication in both the Malawi Government Gazette and in Local papers.

III. Note of General Information

This shall include sufficient details such information to enable potential tenderers to make informed decisions.

Volume I

This should contain the following sections:

- Instructions to Tenderers.
- Particular Specifications
- Standard Specifications for Buildings
- Procedural Rules on Conciliation and Arbitration of Contracts.

Volume II

- Drawings in A I or any other more appropriate size
- Measured survey report of existing buildings or existing certified drawings
- A soils report for foundation design where needed
- Any other report where needed

Volume III

- **Bill of Quantities**
- **Schedules of Supplementary Information**

- I - Major items of construction plant
- II - Key Personnel
- III - Sub-contractors
- IV - Memorandum of procedure
- V - Camps, Workshops and Stores
- VI - Depression of transferable foreign currency requirements
- VII - Analysis of main unit rates
- VIII - Basic rates of materials
- IX - Basic rates of labour
- X - Dayworks rates
- XI - Materials qualifying for payment on delivery to site
- XII - Normal working hours

- **Operating Vehicle**

The Consultant shall be required to buy a 4 x 4 project supervision vehicle.

- **Tender Contract and Guarantee Forms**

- Tender Form
- Tender Guarantee Form
- Contract Form
- Performance Form
- Advance Guarantee Form

IV. Award of Contract

The Client will award the contract to the lowest and most economical evaluated bidder.

V. Reporting

The Consulting Firm shall submit reports and documents from time to time during design and construction stages as may be required by the Client.

4.5.3 PHASE 3: CONSTRUCTION SUPERVISION

This phase involves the provision of supervision and contract management services to the actual construction of the project. This phase is time based and will be in line with the proposed construction schedule

4.5.3.1 Architect's Services

- Act as the overall project supervisor
- issuing instructions to contractors and generally inspecting the execution of the Works including such site visits as the Consulting Architect considers necessary
- dealing with disputes or differences that may arise between the Client and Contractors, excepting mediation, arbitration and litigation;

- Make, where required, periodic financial reports to the Client including the effect of any variations on the construction cost.
- Arranging on behalf of the Client for the reproduction of the drawings and documents necessary for the completion of the Works;
- Provide monthly reports.
- Administer the terms of the building contract during operations on site.
- Visit the site as appropriate to inspect generally the progress and quality of the work.
- Administer the terms of the building contract relating to the completion of the works.
- Give general guidance on maintenance
- Provide the Client with 8 sets of drawings (as built) showing the building and the main lines of drainage; arrange for drawings of the services installations to be provided.
- Administer the terms of the contract relating to the completion of the works and give general guidance on activities after completion of the contract.

4.5.3.2 Civil/Structural Engineering Services

- Preparing any further plans, designs or drawings necessary for the carrying out of the Works, including bending schedules for reinforced concrete work but not fabrication details for the structural steelwork. Provided that this service may be included in the Detailed Design Stage if full documentation is required before the Construction Stage.
- Arranging and witnessing performance or acceptance tests on site;
- Checking contractors' drawings for permanent works for conformity with design requirements.
- Arranging for the inspection and testing of materials and plant as necessary.
- Arranging the provision of the record drawings and manuals necessary for the operation and maintenance of the Works and providing any documents necessary to co-ordinate drawings and manuals supplied by others.

4.5.3.3 Electrical & Mechanical Engineering Services

- The general administration of electrical and mechanical services and other services in connection with the carrying out of the Works as may be necessary
- Checking contractors' drawings for permanent works for conformity with design requirements but excluding detailed checking for erection fit.
- Arranging for the inspection and testing of materials and plant.

- Arranging for the provision of the record drawings and manuals necessary for the operation and maintenance of the Works and providing any documents necessary to co-ordinate drawings and manuals supplied by others

4.5.3.4 Landscape Services

- Administer the landscaping contract during execution.
- Visit the site at intervals appropriate to the contractor's programmed activities to inspect the progress and quality of the works
- Provide site staff for frequent or constant inspection of the works
- Check and certify the authenticity of contractor's claims and certify progress payments
- Visit Horticultural Nurseries to ascertain the quality, quantity and cost of plant stock available for purchase.
- Attend site progress meetings

4.5.3.5 Quantity Surveyors Services

- Preparing and agreeing interim valuations of work done and making recommendations to the architects.
- Preparing periodic assessments of anticipated final costs.
- Checking and certifying claims for payments and for the duty-free entry of materials etc.; as required by Malawi Customs.
- Measuring, preparing and agreeing Final Accounts with the contractors, including calculating and agreeing fluctuations in labour and material prices if required by the contracts.
- Advise on any claims that may arise from parties to the contract and report thereon. Representation at any arbitration proceedings or environment with any litigation would be regarded as additional work.
- Attend all site meetings as required by the architects.

4.5.3.6 Environmental and Social Safeguards Services

Ensure that the Contractor delivers their ES obligations under the contract. This includes but not limited to the following:

- Implementation of the Environmental and Social Management Plan (ESMP) and the Environmental and Social Guidelines for contractors (ESGs) during the construction period.
- Develop the Contractors' Environmental and Social Management Plan (C-ESMP), update it in a timely manner to address emerging Environmental, Social, Health and Safety (ESHS) issues, or anticipated risks or impacts).

- Ensure the Contractor's compliance with safeguards requirements (including prevention of Sexual Exploitation and Abuse (SEA), Gender Based Violence (GBV), Child Abuse and Exploitation (CAE), HIV and AIDS, and response obligations.
- Reporting of Contractor's health and safety measures put in place with the view preventing accidents and ensure the Contractor's compliance with Environmental, Social, Health and Safety requirements
- Undertake monitoring and supervision of implementation of the Grievance Redress Mechanism (GRM) and reporting of cases in order to confirm contractors' compliance with GRM requirements.
- Represent the Contractor at relevant meetings including site meetings, and progress monitoring meetings to discuss and agree appropriate actions to ensure compliance with ES obligations.
- Ensure the Contractors' adherence to preventive measures under COVID-19, including conducting necessary awareness to workers, observing physical distance and promoting hygiene practices such as provision and use of hand sanitizers and hand washing facilities.
- Ensure the Contractor incorporates environmental and social considerations including construction designs based on climate smart solutions into tender documents/BoQs based on ESIA/ESMPs.
- Support the Contractor in ensuring the development and implementation of a "Safe System of Work" which entails analyzing individual tasks, identification of hazards and risk assessment, introducing controls & procedures, instruction and training, and monitoring the system.
- Prepare monthly progress reports on Contractors' compliance with Environmental and Social safeguards.

5.0 EXPECTED OUTPUTS

The Consulting Firm is expected to produce the following deliverables during the course of the assignment.

5.1 Phase I

5.1.1 Inception and Investigation/Appraisal Report (8 Copies)

This should present the Consulting Firm's detailed programme of activities and methodology on how he is going to proceed with the assignment in Phase I. It will also present preliminary design proposals and preliminary project cost estimates. The Inception and Appraisal report shall be submitted within 30 days of commencement of services.

5.1.2 Outline Proposals and Scheme Design (8 Copies)

The Consulting Firm shall provide outline proposals and scheme design, allowing sufficient time to incorporate feedback and comments and meet the deadline for draft detailed design presentation for client's approval.

5.1.3 Draft Detailed Design Report and Cost Estimates (8 Copies)

The draft detailed design report shall be submitted within 60 days of commencement of services. Drawings, materials report, environmental analysis and cost estimates shall be submitted in draft form either within 60 days of commencement of services or 30 days of submission of draft detailed report, whichever is sooner

5.1.4 Final Detailed Design Report and Cost Estimates (8 Sets)

All documents shall be finalized and shall be submitted within one month of receipt of the clients, comments on the draft reports and documents. The submission shall include copies of all calculations done throughout the assignment

Additional sets of tender documents will be produced for issue to prospective tenderers on payment of an agreed fee to cover the reproduction costs.

5.2 Phase II

5.2.1 Inception Report

This should present the Consulting Firm's detailed programme of activities and methodology on how he is going to proceed with the assignment in Phase II and shall include the Consulting Firm's proposals for the tender procedure to be used. This shall be submitted within 15 days of commencement of the services.

5.2.2 Tender Documents

The Consulting Firm shall within 30 days from the date of acceptance of the Inception Report review, finalize and submit 5 copies of a complete set of the Tender documents. The tender documents shall be produced in line with the client's approved thresholds for works under the World Bank procurement guidelines.

The submission shall also include one set of full size reproducible drawings together with a disk containing the necessary text.

Additional sets of tender documents will be produced for issue to prospective tenderers on payment of an agreed fee to cover the reproduction costs.

5.2.3 Tender Process Report

The Consulting Firm shall at the completion of the tender process and before commencement of the works submit a progress report outlining how the tender process has gone up until award of the contract and including the proposed date for the commencement of the works.

Phase III

5.3.1 Monthly Progress Report

The Consulting Firm shall submit a monthly progress report of the construction works by the 15th of the following month in format to be agreed with the client but that shall include an Expenditure Report and Projected completion cost.

5.3.2 Final Report and statement of Account

The Consulting Firm shall within 90 days after the final handover of the works submit a final Report to the client which shall also include a Final statement of Account for the project.

6.0 QUALIFICATION OF CONSULTING FIRMS

The assignment is expected to be conducted by a firm or a consortium of firms with a multi discipline team of experts. The firm should demonstrate to have designed innovative architecture for buildings (e.g. green buildings, adoption of sustainability principles, consideration of landscape and workflow in building design).

The Consulting Firm must have implemented an assignment of similar nature or bigger and should clearly indicate traceable work that it has successfully completed within the country.

The Consulting Firm should comprise the following experts with requisite qualifications:

6.1 Project Architect

- Registration with the relevant professional bodies.
- Minimum of Ten (10) years of active Architectural design work, with project/construction supervision/management experience.

6.2 Quantity Surveyor

- Registration with the relevant professional bodies.
- Minimum of Ten (10) years of active quantity surveying experience in works of a similar nature.

6.3 Civil/Structural Engineer

- Registration with the relevant professional bodies.
- Minimum of Ten (10) years of active Civil/Structural engineering experience in works of a similar nature

6.4 Electro-Mechanical Engineer

- Registration with the relevant professional bodies.

- Minimum of Ten (10) years of active electro-mechanical engineering experience in works of a similar nature

6.5 Landscaping Architects

- Registration with the relevant professional bodies.
- Minimum of five (5) years of active landscaping experience in works of a similar nature

6.6 Resident Civil Engineer

- Registration with the relevant professional bodies.
- Minimum of five (5) years of active supervision and experience in works of a similar nature

6.7 Clerk of Works

- Diploma in Construction Management.
- Minimum of five (5) years of active supervision and experience in works of a similar nature

6.8 Environmental and Social Safeguards Expert

- The expert should have a degree in Environmental Science/ Social Science/ Development Studies/Social Work with at least five (10) years relevant experience qualifications and experience managing environmental issues, social issues, gender and social inclusion issues and occupational health and safety issues.

7.0 TIME FRAME

The assignment is expected to be completed within the following times:

Phase I: Detailed Designs and Cost Estimates - 90 calendar days.

Phase II: Tender documents and Process including contract negotiations 120 days.

Phase III: Construction Supervision – Time based (18 months).