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| Terms of Reference |
| Implementation Partnership for Employment Intensive Investment Programme (EIIP) Infrastructure Development Works in West Kordofan State (SDN/19/50/NLD) |

**Start date: 23/02/2023**

**End date: 18/03/2023**

## BACKGROUND AND INTRODUCTION

Under the Government of the Netherland’s funded “Partnership for Improving Prospects for Forcibly Displaced Persons and Host Communities” programme, also known as the PROSPECTS partnership, the ILO partners with IFC, UNICEF, UNHCR, and WB Group to develop a joint and fully integrated approach to respond to the forced displacement situation in Sudan. The Partnership focuses on improving the quality of life and livelihood opportunities for refugee and host community populations in East Darfur and West Kordofan states. The Partnership in West Kordofan State targets its programming in Keilak, Kharasana, Al-Meiram, Babanusa, and Gubeish localities.

Technical assistance under the Partnership focuses on three main pillars; namely, 1) Education, 2) Employment, and 3) Protection. Under Pillar 1 and 2, the ILOs Employment Intensive civil works programme will play a central role in employment creation, public asset creation, and value chain upgrading in the target locations. The Partnership is anchored by its Multi-Annual Country Programme commitments, which identified critical public assets, including health care facilities, water access points, schools/training centers, and selected value chain upgrading initiatives for restoration, revitalization, and/or rehabilitation in target areas of West Kordofan.

To undertake these civil works programmes the ILO has selected five (5) contractors from West Kordofan state and they were given theoretical training on labour intensive works and modalities. All West Kordofan contractors has successfully completed this training – demonstrating a detailed working understanding of the ILO contracting modality and the role the EIIP can play in improving infrastructure and use of local resources and inputs.

The theoretical training was followed by practical engagement of the contractors in direct award fixed cost contracts that helped build capacities of the local contractors and workers recruited from the host communities and among the forcibly displaced persons, both women and men, in the construction sector in West Kordofan State. The training also allowed the ILO the opportunity to see the extent the EIIP methodologies and field practices were integrated into these civil works initiatives.

**EIIP Methods**

The EIIP approach offers a cost-effective solution to deliver to rural community’s access to water and health facilities while generating a high demand for labour during implementation. It is expected that adoption of the EIIP approached, practices, and technologies by the local construction contractors will enhance post-intervention employment opportunities for those engaged under the EIIP component of the project. It is of paramount importance therefore to demonstrate the viability of the approach through actual implementation and delivery of the priority infrastructure assets identified by the ILO in consultation with the national stakeholders. The ILO’s interventions thus aim to maximize labour intensity (i.e. the ratio of labour inputs in comparison to capital inputs) of the infrastructure rehabilitation works without compromising technical standards. Through the approach, the intervention can equally generate much needed income, job, and skills development opportunities to as many project beneficiaries as possible.

## OVERALL OBJECTIVES

The main objective of this TOR is to contract a service provider to implement, monitor, and supervise the EIIP projects/contracts to be undertaken by four (4) local contractors in Al Meiram and Babanusa localities in West Kordofan State. These four contractors have all successfully completed the theoretical and practical (trial contracts) component of the ILO’s EIIP works.

The ILO PROSPECTS Sudan has identified and selected the projects that will be executed in West Kordofan state. The selected projects are**: Rehabilitation works in two schools in Al-Meiram locality,** and **The construction of women center in Gubeish locality.**

The implementing partner is entrusted with the responsibility for the overall management of the contracts, including worksite visits for monitoring, site supervision, reporting, payment transactions, insurance, test of materials, coordination of the TWG activities, and all that is necessary for successful completion of the assignment. The bidder shall prepare its detailed budget for provision of the described services as part of the financial proposal.

The Implementation Partnership Agreement (IPA) pertains to the site supervision and contracts management support for all three EIIP worksites. Under this IPA, the implementation partner will be expected to be substantively engaged with the EIIP Technical Working Group (TWG). The TWG is comprised of senior technical representatives from the key institutions (ILO, UNICEF, UNHCR, Ministry of Infrastructure, and the implementing partner) to steer and advise on the implementation of the various EIIP contracts being undertaken by the local construction contractors. Specific tasks will include the following:

Rehabilitation contract management and execution:

1. Prepare the contract documents for the three packages in liaison with ILO, ensuring that relevant clauses on decent work requirements are adequately captured;
2. Assign contract packages to the contractors in a transparent manner and sub-contract the three (3) contractors that will execute works within the stipulated scope of work and budget presented in the BOQs and hand over the sites to the contractors;
3. Support the contractors in drafting and executing any works sub-contracts that they may need to enter into for effective delivery of the project.
4. Developing work plans with three contractors in line with activities specified in each BOQ,
5. Monitoring of three (3) local small-scale contractors (and their sub-contractors) on site in their application of the EIIP theoretical training as per the contract documents, including that of Occupational Safety and Health (OSH) standards in the context of the COVID-19 crisis, as well as other social and environmental safeguards as specified in the contract template (to be agreed between the ILO and the implementation partner);
6. Collect data in formats agreed with ILO related to the works in each of three (3) worksites including the following:

I) Number of workers recruited, disaggregated by the ratio between host communities and forcibly displaced persons (FDPs), occupation, age, and gender;

II) Number of total workdays generated through the work, disaggregated by the ratio between host communities and FDPs, occupation, age, and gender;

III) Total wages paid to workers, disaggregated by the ratio between host communities and FDPs, occupation, age, and gender.

IV) Workers’ selection modalities, including the number of applicants.

1. Approve works done to specifications and process payment to the contractors and ensuring timely payment to workers contracted through the contractors;
2. Prepare and submit in a timely manner physical progress and financial expenditure reports according to the specified schedules. The physical progress report shall include information on the data sets and disaggregated as stated above.
3. Lead, coordinate, and chair the project’s Technical Working Group whose members include the ILO, UNICEF, UNHCR, Ministry of Infrastructure, and the implementing partner, with the ILO delegated representative as a secretary, to monitor the overall implementation of the project. The TWG shall meet at least once every month.

## KEY DELIVERABLES

Key deliverables are detailed below:

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| **Key Deliverables** | **Timeline** |
| **Deliverable 1:** | |
| **Inception report:**  Contains three (3) signed contracts between the service provider and the local contractors (including any sub-contracts), work plans for each work site in line with BOQs, as well as the number of workers (both skilled and unskilled) to be required for the work and their inclusive selection modalities that were agreed with the contractors based on the contract specifications | Within 20 days after the signing of the three (3) contracts. |
| **Deliverable 2:** | |
| **1st progress report:**  Narrative and financial report that contains worksite mobilization progress in percentage against activities specified in each BOQ, work plans, and budget delivery. | Within 14 days after the worksite mobilization; |
| **Deliverable 3:** | |
| **2nd progress report:**  Narrative and financial report that contains worksite progress in percentage against activities specified in each BOQ, work plans, and budget delivery. | After the average of total works on sites reaches 50%. |
| **Deliverable 4:** | |
| **3rd progress report:**  Narrative and financial report that contains worksite progress in percentage against activities specified in each BOQ, work plans, and budget delivery. | After the average of total works on sites reaches 80%. |
| **Deliverable 5:** | |
| **Final report:**  Narrative and financial report that contains all the required data specified in the TOR and financial report | No late than 10 days after the final handover of projects to the local community and stakeholders |

## REPORTING LINES

The implementing partner will be under the general supervision of the PROSPECTS Sudan Programme Manager and under the direct supervision of the PROSPECTS regional EIIP Specialist based in the ILO Country Office in Addis Ababa, Ethiopia. At the field level, the implementing partner will work in close consultation with the PROSPECTS EIIP Engineer for West Kordofan. The ILO will provide support in the design of the work plans with provision of work standards, contract templates, work plan templates, and testing of materials if needed.

Qualifications and Competencies:

The bidders shall meet the following minimum requirements (compliance to be clearly captured in the proposal):

* International NGO (INGO) or national NGO registered in West Kordofan state (please provide proof of registration)
* Has been operating in the West Kordofan State for at least two years
* A minimum of three years’ experience in WASH and buildings rehabilitation/construction works.
* Able to successfully implement contracts of at least USD 500,000 each annually (please attach at least two project completion certificates in the last five years)
* Management and technical capacity to implement such infrastructure works (please attach CVs of at least **three key staff** for the project:
* **1 key technical expert (civil engineer/Architect) at field level.**
* **2 home officer (State and HQ) supervisors.**
* Staff costs for the personnel other than the proposed three key staff should be limited to essential technical and administrative support staff costs quoted in percentage. Please note however that an important element of the assessment is competitiveness of the financial offer.
* Technical experts should demonstrate a minimum of four years of experience in managing infrastructure projects in the construction and WASH sectors.
* Home office (HQ) supervisor should demonstrate a minimum of seven years of progressively responsible experience in the implementation of infrastructure projects in the construction and WASH sectors.
* Experience working with government departments, UN agencies and other international organizations
* Experience working in humanitarian/refugee settings will be an added advantage

## EVALUATION CRITERIA

The selection of the bidder shall consider the bidder’s: (i) **technical expertise**; (ii) **institutional and financial capacity to carry out the programme/project activities and/or produce the outputs, and manage the funds entrusted to them**; and (iii) **the financial proposal**.

Only technically and institutionally compliant bidders (minimum score 60 points) are allowed to proceed to the final stage of financial comparison. At the final stage, the most cost-effective submission shall be selected.

Evaluation of the suitability of the offers will follow the below three (3) steps and be made against the following technical criteria:

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| **(Step 1)**  Technical expertise  **50 Points** | **(Step 2)**  Institutional and financial capacity to carry out the activities and/or produce the outputs, and manage the funds entrusted to them  **50 Points** | **(Step 3)**  Financial proposal  Lowest Value Technically Acceptable Offer |

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| **Evaluation Criteria** | **Maximum mark** |
| 1. **Technical Expertise** | |
| Qualification of key experts (1 key technical staff and 2 home office supervisors) | **20 points** |
| A minimum of three years’ institutional experience in WASH and buildings rehabilitation/construction works  Experience working with government departments, UN agencies and other international organizations | **20 points**  **5 points** |
| Experience working in humanitarian/refugee settings | **5 points** |
| **Maximum Points** | **50 points** |
| 1. **Institutional and financial capacity to deliver the ToR’s scope of work** | |
| Description of the methodology and work plan for performing the assignment. | **20 points** |
| The ability to successfully implement contracts of at least USD 500,000 including the estimates of the total staff input (professional and support staff; staff time) needed to carry out the assignment, supported by bar chart diagrams showing the time proposed for each professional staff team member. | **15 points** |
| Management and technical capacity to implement such infrastructure works (please attach CVs of at least three proposed staff – 1 management, 2 technical) | **15 points** |
| **Maximum Points** | **50 points** |
| Total for Both Section A (50 Points) and Section B (50 Points) |  |
| Minimum Acceptable Score for Proposal to be considered for financial evaluation. | 60 |

## PAYMENT SCHEDULE

This assignment will be implemented within a period of up to 6 months, ending no later than **17th November 2023**. The bidder in its technical proposal shall include a detailed work plan for the overall management of the tasks outlined in the TOR.

Payment and financial resources will be released upon submission of required items:

* (15%) as a first payment after submission of Inception report;
* (20%) as a second payment upon timely submission of 1st progress report;
* (55%) as a third payment upon timely submission of 2nd progress report;
* (5%) as a fourth payment upon timely submission of 3rd progress report;
* (5%) as a fifth payment upon timely submission of the final report and handover of the project sites to be inspected by the ILO.

## Instructions to BIDDERS

The bidder shall submit a technical and financial proposal. The technical proposal shall demonstrate the bidder’s capacity to successfully carry out the assignment, including its experience in such infrastructure works as well as management and technical ability. The technical proposal (narrative part) shall be concise and not more than 5 pages.

Certificates of registration, CVs of the proposed staff, completion reports of previously executed projects should be included in the technical proposal.

## Submission of Proposals

Interested companies should submit a technical and financial proposal to [addis\_procurement@ilo.org](mailto:addis_procurement@ilo.org) no later than **18 March 2023**. Requests for documents as well as questions related to the assignment can be submitted to [addis\_procurement@ilo.org](mailto:addis_procurement@ilo.org%20) by **03 March 2023**. All suppliers will receive a response latest by **13 March 2023**.