

TERMS OF REFERENCE (ToR)

FOR

PROVISION OF CONSULTANCY SERVICE TO PROVIDE TECHNICAL SUPPORT (ARCHITECT) TO MOEST CONSTRUCTION MATTERS UNDER HIGHER EDUCATION FOR ECONOMIC TRANSFORMATION (HEET) PROJECT.

1. BACKGROUND

The Government of the United Republic of Tanzania has secured a loan from the World Bank to support the higher education sector through “Higher Education for Economic Transformation (HEET) Project”. The HEET Project Development Objective (PDO) is to strengthen the learning environments and labor market alignment of programs in priority areas and the management of the higher education system.

This 5-year (2021 – 2026) project, coordinated by MoEST, seeks to enable Universities and colleges/schools to be in the driving seat for the envisaged economic transformation, whereas three MoEST agencies, namely Tanzania Commission for Universities (TCU), the Commission for Science and Technology (COSTECH) and the Higher Education Students Loan Board (HESLB) are expected to create the needed enabling environment.

In the financial year 2022/2023, MoEST intends to use part of the funds to construct and rehabilitate its teaching and learning infrastructures. This activity requires expertise in Architectural. The Ministry intends to hire Architect to ensure smooth planning and implementation of construction and rehabilitation works.

2. OBJECTIVES

The MoEST wishes to contract an experienced an Architect with extensive previous experience in the design, design review and execution of construction works to work closely with the MoEST and other technical staff of the MoEST. The consulting position will be full-time, assigned to the MoEST and reporting to the HEET Project

National Coordinator and Head of Physical Facility (PFS) - (MoEST) to achieve the following objectives.

- i. To provide technical assistance and expertise with reference to the design development and construction activities particularly in architectural, structural, and civil engineering plans, surveys, design, estimating & costing, review of drawings, BoQs and tender documents. Also the Architect will provide his/her expertise in contracts management, construction supervision monitoring, evaluation and reporting of construction works progress. The assignment will thus ensure high quality and timely delivery of the requested deliverables through collaborative, client focused, quality and results- oriented approaches. To provide technical support to the MoEST on design and Construction matters.
- ii. To provide design input in terms of expected deliverances and all aspects to enhance the design to suit the institutions requirements in line with TCU guidelines.
- iii. To provide overall construction management oversight during the implementation of the project, managing Contractors' and consultants' contracts and advise the MoEST in addressing a variety of construction issues at all the stages of construction.
- iv. To provide technical input to ensure MoEST meets acceptable standards on construction related documents, reports and other submissions to the World Bank to facilitate timely "No Objections".
- v. To enhance capacity of the MoEST staffs through workshops and trainings.
- vi. To ensure efficient and satisfactory progress in implementing Construction activities in coordination with MoEST staffs including Monitoring and Evaluations Officer, Procurement Officer and Financial Management Officer.

3. MAIN RESPONSIBILITIES

The Architect shall work under and support National Project Coordinator of HEET in overall aspect of construction management of the project and its sub-components and advise the Project Implementation Team (PIT) on construction issues in implementing the project. He/she will carry out the following responsibilities but not limited to;

Preparation of Construction Plan, Design and Technical Documents

- i. To coordinate with MOEST during design stage, review the designs and provide advice on the information submitted by PIU to ensure designs meet client's requirements/expectations
- ii. Ensure that all PIUs comply with the applicable codes and regulations for design assumptions, design calculations and specifications.
- iii. In the design stage, the architect should advise MOEST on the access to buildings for physically challenged persons. The architect will consider the best practice and positive legal regulations in Tanzania regarding the rights of the disabled persons;
- iv. Review technical specifications, bills of quantities and preliminary cost estimates meeting acceptable professional standards for new construction and renovation works. Advise MOEST on alternative specifications.
- v. Ensure that prepared designs submitted by PIUs comply with applicable Tanzania environmental laws and regulations, and site-specific Environmental and Social Management Plan (ESMP). MOEST will arrange for the ESIA report to be available and thereof recommendations to be incorporated in the project brief and final detailed design;
- vi. Ensure that recommendations from the environment social impact assessment (ESIA) and other environment safe guard required by World Bank and NEMC for the proposed construction and renovation works are incorporated in the design.

- vii. Highlight and advise on potential specification design issues for comments before they affect construction and programme.
- viii. Familiarize with the project document and other relevant planning documents, project papers, studies reports, etc
- ix. Familiarize with the existing and planned construction projects based on review of technical documentation, site visits and meetings with relevant stakeholders;
- x. Prepare Guidelines/Manuals regarding design, estimates, supervision and monitoring of construction works per need of the project, if required;
- xi. Prepare and Implement the approved capacity building program to enhance capacity of the MoEST staff through trainings, workshops, hand-on exercise mode, support and guidance, mentoring and coaching or any other agreed approach.
- xii. Liaison with the design consultancy firms and PIU, to ensure that the design is developed according to the required standards and the planned timeline.
- xiii. Support MoEST in preparation of Quality Management System and provide input/requirements to the preparation of electronic construction management system.
- xiv. Review technical documents related to construction (design drawings, technical specifications and bills of quantities); verify whether they are clear, complete and compliant to programmatic and construction needs, and accessibility requirements; undertake the actions required to endorse these technical documents by relevant agencies.
- xv. Provide assistance to Estate Management Unit (EMU) through involvement in construction project proposals, planning, and preparation of relevant terms of reference.

- xvi. Attend technical cooperation meetings; prepare and present PPT presentations on projects' progress; undertake follow-up actions in relation to project implementation and monitoring.
- xvii. Provide Estate Management Unit (EMU) with independent information on projects' progress; undertake appropriate actions to overcome technical obstacles prepare reports on projects' progress.
- xviii. Maintain liaison and direct communications with the Project Implementation Units (PIU) coordinators copying relevant program staff(s).
- xix. Liaise with the institutions/PIUs or consultants and coordinate process application of the relevant permits from relevant authorities and ensure that relevant permits and approval from relevant authorities are obtained as required before and during the construction phase;

Procurement Process Support

- i. Advise upon and assist Estate Management Unit (EMU) and the Procurement Management Unit (PMU) in preparation and finalization of construction related Terms of References and Tender documents;
- ii. Independent review of the BoQ and Internal price estimates and confirmation of their relevance and provide report;
- iii. Advise on qualification requirements for selection of the Bidders (relevant qualification & technical requirements, educational background, relevant authorizations and licenses applicable to national law, and knowledge of the local market and its research before recommending criteria for evaluation;
- iv. Support the Evaluation Committees in reviewing and analyzing technical documentation provided by the bidders through the tendering procedure; compare them with the cost estimates and current market prices for equivalent materials and type of works;

- v. Review tender documents prepared by Project Implementing Units (PIU) in relation to construction works and engineering services;
- vi. Attend tender's meetings and present the technical components of the tender; draft answers on technical questions raised by the bidders during the tendering;
- vii. Support procurement management unit in organizing tenderer's meeting and site visits; participate in the evaluation of technical proposals received and draft technical recommendation; if needed, provide support on the analysis of financial proposals; and
- viii. Assist Procurement management Unit on reviewing draft Contract with supporting documents related to construction activities and provide comments for improvement where necessary.

Monitoring and Quality Assurance of construction projects

- i. Advise MOEST on project management elements like enforcement of preliminaries on site such as temporary structures, adherence to performance and payment of the contractor through bonds.
- ii. Ensure that the PIU enforce construction of temporary structures are as per preliminaries. Ensure the program, visitors' book and instruction books are available on site at all times.
- iii. Examine and approve various documents submitted by project implementing units including review validity of bonds and other securities during construction phase.
- iv. Ensure that inspection of the entire contractor's safety measures, including labour welfare according to World Bank HSMP, notify immediately both the Employer and the Contractor of any infringement or violation;
- v. Advise MOEST on the approach by PIUs to supervise and monitor the works for contractors and consultants with respect to their obligations under contracts and follow up with the appropriate responsible personnel.

- vi. Monitor the execution of construction works and report on all technical issues including but not limited to timeliness, quality, compliance with technical specifications and contract conditions with an aim to alert MoEST on any irregularities and potential problems, etc.;
- vii. Review reports, and other written documents submitted by the contractors and Consultants, provide feedback for their improvement to ensure they meet standards of MoEST and the World Bank;
- viii. Attend and participate in project meetings and provide input to the technical/ construction matters;
- ix. Conduct regular site visits during construction in order to actively oversee execution of the works by the Contractors and Consultants.
- x. When and if needed, provide technical advisory and/or assist EMU to hold site meetings with the contractors and provide written feedback to the Permanent Secretary of MoEST.
- xi. Assist Estate Management Unit (EMU) to coordinate and manage final inspection of the completed works.
- xii. Additional review (in coordination with the respective Project Managers and MoEST Quantity Surveyors) of the interim/final payment certificates before payments are authorized and must align with actual construction works;
- xiii. Assist the MoEST in preparing and updating the Project quality register, risk register and lessons learned log in the time frame stipulated by the Project's strategic documents.
- xiv. Advise MOEST on conformity and divergence of site installations, equipment, material restin and contractors purchasing schedule to curb costs, quality and time.
- xv. Provide continuous liaison with the MOEST and project implementing units on all possible changes on the designated scope and budget of works.
- xvi. Monitor closely and report on the works' progress against the schedule, including all issues encountered.

- xvii. Report on unforeseen deviations affecting the Scope, contract price and timelines, propose solutions and assist MoEST to obtain approval from Tender Board and the World Bank.
- xviii. Report any irregularities in respect of environmental, social Health and Safety procedures on the site and provide recommendations.
- xix. Provide on-demand support on any issue of relevance to constructions in line with consultant's experience and expertise.
- xx. Prepare monthly, quarterly, annually and other progress reports based on planned and actual project performance for submission to Permanent Secretary of MoEST and the World Bank including reasons for delays and recommendations on resolution of the issues at hand (if any); In addition, progress report for each implementation support mission will be prepared as part of the overall project progress report for sharing with the Bank.
- xxi. Investigate and report with recommendations any unusual circumstances which may arise during construction;
- xxii. Review issued instructions to the Contractors and ensure they are under the provisions of the works contract. Document and report all instructions to MOEST.
- xxiii. Advise MOEST on any dispute arising under the Contract to ensure that disputes are resolved amicably as soon as possible without affecting the project progress;
- xxiv. After commission of the project the ensure that the PIU have acquired As-Built-Drawings for works carried out, operation and maintenance manuals where applicable for records and reference. Ensure that both Maintenance Plan and projected Cost implication for maintaining the functions and forms of the built facilities are prepared and submitted.
- xxv. Perform any other duties related to the project as shall be agreed with and assigned by the MOEST during the construction phase.

4. QUALIFICATIONS AND EXPERIENCE

The Architect should be a reputable and experienced expert and shall have extensive expertise in the relevant policies of the World Bank, framework and procedures. The candidate must meet the minimum required qualification and experience stipulated below:

- i. He/she shall have a minimum of degree in Architecture or equivalent. Postgraduate qualification or a degree in other related professions would be an added advantage;
- ii. He/she shall be Professional registered with Architects and Quantity Surveyor's Registration Board (AQRB).
- iii. She/he must have at least Ten (10) years of cumulative experience in the relevant field of architecture, and shall have extensive experience in preparation, building design, supervision and construction management, materials testing and contract management;
- iv. She/he must have served in a similar position in at least three (3) building infrastructure projects of similar magnitude and complexity;
- v. He/she must have a working experience of at least 3 years in developing Countries;
- vi. Fluency in writing and speaking English language is mandatory;
- vii. The candidate should be eligible and have no Conflict of Interest as per Bank's Procurement Regulations;
- viii. Should have well developed interpersonal, good analytical and communication skills strong negotiations skills and ability to cultivate team spirit;
- ix. Self-propelled work ethic with ability to stay on task and focused with minimal supervision,
- x. Technical problem solving, project management, dependability, initiative and professionalism are of the utmost importance,

- xi. Must be a person of proven honesty and integrity with no criminal record, result oriented and proactive;
- xii. Ability to manage and monitor the effective use of resources;
- xiii. Ability to supervise and direct a team of professional and support staff working on construction projects;
- xiv. Ability to work in a multicultural environment and establish harmonious working relationships, both within and outside the organization;
- xv. Fast learner, adapts and responds to change, tolerates ambiguity;
- xvi. Previous experience in development of reports;
- xvii. Strong planning, organization and time management skills and ability to manage multiple tasks and projects simultaneously;
- xviii. Good knowledge of latest developments and technology in construction industry;
- xix. Good understanding of construction project cycles, from program needs assessment, through planning, procurement and contracting, monitoring the execution of work and evaluation of project outcomes; and
- xx. Good knowledge and understanding of World Bank Projects, public procurement principles, financial and legal aspects of construction issues, ethics and risk management of construction project.

The successful candidate must understand the objectives and delivery mechanisms of the project. She/he must be willing to work in a team, be flexible to emerging or changing conditions, and undertake initiative to overcome challenges. She/he must as well be willing to work for extended periods without direct supervision and ready to travel to the upcountry within the project sites.

5. OUTPUTS/EXPECTED DELIVERABLES

The Architect will report to the National Project Coordinator on the day-to-day implementation of his/her duties. The specialist shall inter alia be expected to produce the following deliverables:

- i. He/she will report to the Permanent Secretary of MoEST throughout the duration of the engagement, and will work closely with other PMU & MoEST members to deliver the required inputs
- ii. The consultant shall provide all the necessary reports and updates to the Permanent Secretary of MoEST to be presented to the MoEST management, Stakeholders and the World Bank whenever needed.
- iii. The consultant shall provide individual monthly performance reports on implementation of his/her duties and responsibilities.

6. COORDINATION AND REPORTING

The Architect will report to HEET Project National Coordinator and work closely with Head Estate Management Unit within MoEST and other MoEST Project members to deliver the required outputs.

7. DURATION OF THE ASSIGNMENT

The services will commence immediate after signing the Contract. The assignment shall be for a period of twelve (12) months, renewable based on the satisfactory performance of the Consultant and Project needs". The duty station shall be Dodoma

8. FACILITIES TO BE PROVIDED BY THE CLIENT

The Client will provide the Architect with facilities that will enable him to perform her/his duties in an efficient manner as per Government policy. In case the Architect is assignment activities outside Dodoma, MoEST will bear the cost of transport and per diem allowances as per the Government policy.

9. PAYMENT TERMS

- i. The Consultant's salary is negotiable but will not be more than the estimated value per month. A monthly lump sum amount of remuneration per month will include all his overheads, social charges and other associated costs including local transportation within Dodoma and insurance premium costs.
- ii. In case of travel requirements outside Dodoma and within Tanzania for project-related assignments, the Consultant shall be paid travel expenses in line with the Government rules and procedures.
- iii. Payment to the expert in respect of remuneration will not be adjusted for inflation for the duration of assignment.

10. LEAVE

The Architect will be entitled to 28 days paid leave during the twelve (12) months duration of the assignment.