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**COVID-19 socio-economic recovery for returning migrants and host communities in North West Cambodia**

# Annex – I: Terms of References (TOR)

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| Name of this contract: | Rehabilitation of rural roads – 5.05 km in Mukh Reah, Prek Chik and Basak Communes, Rukha Kiri District, Battambang Province hereinafter referred to as “**the Project**” |
| Employer of this contract: | The International Labour Organization, represented by the International Labour Office (ILO) |
| The Works under this contract are located in: | Province: Battambang  Mukh Reah, Prek Chik and Basak Communes, Rukha Kiri District, Battambang Province (compare overview map below) |
| Type of Works: | Rehabilitation of rural roads – 5.05 km in Mukh Reah, Prek Chik and Basak Communes, Rukha Kiri District |
| Works to commence on: | Date: 01/11/2022 |
| Works to be completed on: | Date: 31/05/2023 |

# Background

The project aims to address pressing needs to create jobs and provide skills development in remittance-dependent communities in Siem Reap and Battambang Provinces - targeting returned migrants and vulnerable households – to mitigate the economic impact of the COVID-19 pandemic. Many households depend on remittances from their internal or external migrant household members.

While retrenched workers are returning to their homes in rural areas, these communities face additional livelihood challenges such as a lack of potable water, sanitation and drainage, road connections and irrigation structures in poor condition. This situation is aggravated by cyclical patterns of torrential rain during which villages and infrastructure are inundated by floodwater, causing damage to properties and farmlands as well as essential infrastructures such as water supply, sanitation, and access roads. Standing water from poor drainage also leads to unhygienic living conditions and an increase in water-borne diseases.

The project intends to improve such infrastructure and climate-proofing such assets and facilities. With the introduction of employment-intensive methods in such works, it is also possible to increase job opportunities and income generation thereby also mitigating recent job losses resulting from the economic impact of the COVID-19 pandemic.

The core strategy of the project is to use the Employment Intensive Investment Programme approach (EIIP) including Local Resource-Based Technology (LRBT) and Decent Work Principles (DWP) to rehabilitate and maintain public infrastructure, complemented by training for contractors and capacity building. Contractors and their site supervisors will be trained by the project, focusing on the application of LRBT and the Social Safeguards Framework. Submission of a tender is tied to the condition that the contractor attends pre-tender training prior to submission of their bids. A key condition in the application of LRBT is the active involvement of local communities in the planning and implementation of the works and adherence to the use of decent working conditions.

# 2 Scope of work

The works under this contract are locatedin Mukh Reah, Prek Chik and Basak Communes, Rukha Kiri District, Battambang Province . Below is a map showing the location of the envisaged rural road works.



**Road rehabilitation in Rukha Kiri district**

Road in Basak commune

Road in Mukh Reah commune

Road in Prek Chit commune

The scope of works includes but are not limited to:

* bush and grass clearing and disposal to a safe place
* earthwork construction including, excavating, levelling, filling embankment, sloping and forming camber
* side drain construction (earth side drain and concrete side drain) where needed
* construction of drainage structures such as culverts
* construction of retaining walls
* gravel wearing course construction
* planting grass (turfing) on roadside slopes
* planting trees on the road shoulders
* Construction of concrete pipe culverts
* other work as shown in the Bill of Quantities in Annex II-G.

The Contractor shall apply Local Resource-Based Technology (LRBT), in which most of the works will be performed using manual labour. Some specified works such as compaction and long-distance transport of materials will be implemented using the equipment.

# 3 Role of the Contractor

The ILO will select a contractor through competitive bidding to implement the works. Throughout the contract duration, the Contractor shall coordinate closely with local authorities in the project area and the designated ILO Project Engineer. The scope of the works consists of the following but is not limited to:

* mobilize and establish a construction site camp. The general items in the works specifications provide details of the site camp establishment and its provision. The site camp shall be established within 7 days after signing the contract.
* mobilize construction equipment and hand tools to perform construction activities. The type and number of required construction equipment are shown in the list of Equipment (in Annex II-E) to be provided by the contractor.
* theContractor shall deploykey staff on-site as per the personnel list provided by the contractor for the approval of the Project Engineer before commencing the work. Any changes to the key staff shall only be done with prior approval of the ILO. The staff replacements shall have the same qualifications and experience or higher.
* the contractor shall commence the works immediately upon the return of the signed contract. Description, scope, and quantities of works are shown in the Bill of Quantities in Annex II-G. The BoQ shall be read in conjunction with the technical specifications in Annex III-B for details of the construction methods, quality control, measurements, payment, etc.
* procure and supply construction materials on site. The contractor shall procure and deliver the required construction materials on-site as per the work plan. The quality of the works and materials shall meet the minimum requirement as specified in the work specifications.
* The contractor shall coordinate the recruitment of labour with local authorities, to identify vulnerable groups and returning migrants who have lost their jobs as a result of the COVID-19 pandemic. Both male and female workers shall have equal opportunities to participate in the works. The contractor is encouraged to apply *a task work* system in which the size of the daily task will be that which a worker can reasonably complete during a normal working day (8 hours).
* Completed works shall be measured jointly by the Contractor and the ILO on which basis the Contractor shall submit payment claims. A format for the payment certificate will be provided by the ILO.
* The contractor shall record labour attendance (muster rolls) to be used to determine the wages to be paid to each worker and the number of work days (WDs) generated. Wage payments should be made on a bi-weekly basis. Workers shall be informed at the start of the assignment of the daily rate, and when and where payment will be issued. The minimum daily wage for the labour shall be not less than **US$ 8.50**.
* The contractor is responsible for ensure adequate occupational safety and health standards at the work sites and shall provide its workers with hand tools, safety gear and COVID-19 protection of adequate quality, and in sufficient numbers. The type of hand tools and their quality are defined in the work specifications. The contractor shall maintain tools and equipment in good and safe working conditions.
* The contractor shall adhere to the work description in the BoQ and the technical specifications which describe activities that are to be carried out by equipment. The contractor needs to obtain prior approval from the ILO Project Engineer before commencing any activities using heavy construction equipment.
* The contractor shall adhere to the work plan prepared by the contractor and approved by the Project engineer to manage the work to achieve the planned progress.
* The contractor shall prepare weekly and monthly progress reports. Weekly reports should be submitted at the end of each week and the monthly progress report should be submitted in the first week of the following month. The format of the monthly and weekly reports will be provided and explained by the Project Engineer before commencing the works.
* Short Form of the ILO Construction Contact is described in Annex III-F.

# 4 Role and responsibilities of ILO

The ILO shall in a timely manner provide the following:

* at the start of the implementation, ILO shall organise meetings with relevant local authorities, to explain the works to be carried out, labour recruitment criteria, construction methods, payment of wages, etc. The ILO shall request the cooperation of local authorities to identify vulnerable groups and returned skilled and unskilled migrant workers and request for other coordination to the smoothness of the construction works.
* designate a Project Engineer for monitoring work progress, quality of works, and Occupational Safety and Health (OSH) at all the work sites. The ILO will closely monitor and confirm that the payment of workers is made based on the Muster Roll and in a timely manner, and shall ensure that the signed Muster Roll is submitted to the ILO.
* the Project Engineer together with the Contractor shall inspect and verify the quality and quantities of completed work. On this basis, ILO shall then issue a Certificate of Payment to the Contractor for the satisfactory completion of works and process the payment in accordance with the Contract.

# 5 Eligible bidders

Bidders should not be associated or have been associated in the past, directly or indirectly, with a firm or any of its affiliates or an individual which have been engaged by the ILO to provide consulting services for the preparation of the design of the works or other documents to be used for the procurement of goods, works or services to be purchased under this contract.

Bid submission is open for bidders who participated in the site visit and the pre-bid meeting. The bidders shall submit the certificates of attendance for the site visit and the pre-bid meeting along with their bid proposals.

Bidders shall be legally registered in the authorized ministries in Cambodia and preferably the bidders shall also be legally registered in the province where the work is taking place.

Bids will not be opened from companies that have been blacklisted by one of the following projects: Commune/Sangkat Fund, LEAP, and other UN agency projects.

# 6 Duration of contract

The works are expected to commence on 01 November 2022 immediately after signing the contract and expected to be completed by 31 May 2023. The contractor shall prepare the construction work plan and submit it along with the bid submission.

# 7 Reporting, coordination, performance security and payment modality

The contractor will work under the overall supervision of the ILO Project Manager and shall coordinate closely with the designated Project Engineer throughout the assignment until the completion of the works.

# Performance security and Payment schedule

Once the construction contract is signed, the contractor shall submit Performance security of 10% of the total contract value covers the period until the end of the warranty period (6 months after completion of the contract).

Payments shall be made to the contractor according to the following schedule:

* Interim payments shall be issued on a regular basis within the contract implementation period, based on works completed to the satisfaction of the ILO Project Engineer.
* The Practical Completion Certificate shall be issued when all works have been completed.
* A Final Completion Certificate shall be issued at the end of the defects liability period at which time the contractor shall have repaired any defects of the work to the satisfaction of the Project Engineer. The performance security shall be released once the Final Completion Certificate has been issued by the ILO.