



Terms of Reference

Implementation Partnership for Employment Intensive Investment Programme (EIIP) Infrastructure Development Works in East Darfur State

REVISED ON 3 JUNE 2021

Background

Under the Government of the Netherlands' 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 South Sudanese refugee and host community populations in East Darfur and West Kordofan. The Partnership in East Darfur State targets its programming in El Nimir Camp and in the Assalayaa settlement areas.

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 East Darfur.

To undertake these civil works programmes the ILO has implemented a three week Contractors Training session (Theoretical) in the ILOs Employment Intensive Investment Programmes (EIIP) methodological approaches and field practices for five (5) selected contractors from the East Darfur construction contractor community. All East Darfur contractors 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. This theoretical training will be followed by practical applied training sessions that have been organized around the engagement of the contractors in direct award fixed cost / fixed duration contracts that will allow the ILO the opportunity to see the extent the EIIP methodologies and field practices were integrated into contracted civil works initiatives. This ToR has been designed to contract a service provider to implement and supervise the ILOs EIIP fixed cost / fixed duration contracts that have been developed for our recently capacitated local construction contractors from East Darfur.

The EIIP approach is a potential engine for local development and improving community-level commercial exchange and income streams. In East Darfur State, the labor-intensive approaches have been identified as economically viable (i.e. the approaches enable use of local resources, hence lower cost infrastructure works), yet technical capacities for its practical use are limited. Therefore, capacity development of the relevant local institutions - to help facilitate the greater use of employment intensive construction methods by local small-scale contractors - is expected to result in a greater inventory of quality public assets and infrastructure in PROSPECTS targeted locations. In addition, public works campaigns are also expected to provide good opportunities for local young people to acquire and strengthen their skills through on-the-job learning on the job.



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 approach, practices, and technologies by the local construction contractors community will to 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.

During the mid-80s, in order to promote employment creation in rural infrastructure development, using the labor-intensive approaches, the ILO supported the Government of Sudan in piloting labour-intensive projects. However, the absence of the ILO's EIIP activities in Sudan over the last two decades and the limited understanding, by local contractors, of the potential that labour-intensive methods has on employment creation and the demand for local materials/resources, created the conditions where no viable modalities were identifiable which could help to mainstream employment-intensive work into national practices/modalities. Although the Ministry of Labour and Administrative Reform's Labour-Based Coordination Unit (LBCU) is currently responsible for propagating the labour-based approach in the country, its implementation capacity is severely limited by budgetary resource allocations, skills and expertise mismatch with current technical challenges in the country, and related impacts that repeated adverse shocks (economic, COVID19, flooding, etc.) are having on the country. At present, there are no ongoing employment-intensive projects in East Darfur State.

Objectives

The main objective of this contract is to implement and monitor the EIIP trial fixed cost / fixed duration contracts to be undertaken by five (5) local contractors in El Nimir Camp and in the Assalayaa settlement area in East Darfur. These five contractors have all successfully completed the theoretical component of the EIIP training and are now in a position to be awarded one of the trial fixed cost / fixed duration contracts. The trial contract works will help 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 East Darfur State.

Target Beneficiaries

The intended beneficiaries of this Implementing Partnership Agreement are many and include: (i) **local contractors** (i.e. managing directors and site supervisors) that will be responsible for managing contracts and works on site, (ii) their **employees/trainees** recruited from the local communities, (iii) **local communities** that will benefit from rehabilitated public assets, and (iv) **local government**



engineers (engineers from the Ministry of Infrastructure and Urban Planning and the Ministry of Health) that will learn the worksite monitoring methods.

In the selection of workers and trainees , the service provider will supervise the contractors to help ensure equitable and transparently determined on-the-job training opportunities for young women and men from both host communities and FDPs, with due consideration of disability inclusion.

Assignment under the Implementation Partnership Agreement

The PROSPECTS Sudan will undertake selected demonstration projects that provide critical and basic capacity building opportunities in infrastructure development to local small-scale contractors and rural communities in East Darfur and leverage these infrastructure development opportunities to help employ and train young working age Sudanese males and females from both the Forcibly Displaced and Host Community households. These works are: **rehabilitation of healthcare structures and water provision facilities** in El Nimir Camp and Assalayaa locality. The Implementation Partnership Agreement (IPA) pertains to the site supervision and training of unskilled or semi-skilled workers, and contracts management support for all five fixed cost trial contract worksites. Under this IPA, the implementation partner will be expected to be substantively engaged with the soon to be established EIIP Technical Working Group(TWG). The TWG is expected to be comprised of senior technical representatives from the key institutions (ILO, UNHCR, Ministry of Health, Ministry of Infrastructure, and the implementation partner) to steer and advise on the implementation of the various fixed cost trial contracts being undertaken by the local construction contractors. Specific tasks will include two categories the following:

A: Rehabilitation contract management and execution

- 1) Prepare the contract documents for the five 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 five (5) contractors that will have undertaken the theoretical component of the training prior to the demonstration works, within the fixed scope of work and budget presented in the BOQs attached in the TOR 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 five contractors in line with activities specified in each BOQ,
- 5) Monitoring of five (5) 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 trial 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 five (5) 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
- 7) Approve works done to specifications and process payment to the contractors and ensuring timely payment to workers contracted through the contractors;
 - 8) 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.
 - 9) Establish, lead and chair a Technical Working Group whose members include the ILO, UNHCR, Ministry of Health, Ministry of Infrastructure and the implementation 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.

B: On job training of the unskilled workers

Under this category of work, the contractor will be required to integrate unskilled workers in the on-the-job training planned for the rehabilitation of healthcare and water access infrastructure in Nimir Camp and in the Assalayaa settlement areas in partnership with a training provider(s) (TVET) working with the ILO on a separate contract. Based on the identified occupations and existing material regarding occupational standards / training standards (provided by the ILO and in close coordination with training provider(s) (TVET)), the contractor will:

1. Identify the targeted workers from refugees and host communities with contractors. The workers should be a mixed of skilled (supervisory roles) and unskilled workers;
2. Develop monitoring and basic assessment tool to be applied by the contractors to capture progress and acquired skills by the workers
3. Provide all the available data of site activities and profiles of trainees/workers to training provider(s) (TVET)

The ultimate goal through the aforementioned tasks is to support the contractors and workers to develop their skills in managing employment-intensive works. In addition, the rehabilitation works that will be done through trial contractual training should also provide opportunity for skills acquisition for the unskilled workers supporting the contractors work.

Deliverables and Reporting

The service provider shall submit the following reports against the progress of activities agreed with the ILO:

- i. **Inception report** that contains five (5) 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 five (5) contracts. The inception report should include the jobs to be performed for each rehabilitation work to be done.
- ii. **1st progress 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;



- iii. **2nd progress report** that contains worksite progress in percentage against activities specified in each BOQ, work plans, and budget delivery: after the elapse of 50% of required work duration for each worksite
- iv. **3rd progress report** that contains worksite progress in percentage against activities specified in each BOQ, work plans, and budget delivery: after the elapse of 80% of required work duration for each worksite;
- v. **Final report** that contains all the required data specified in the TOR and financial report, including enrolment and completion rates of trainees in preliminary and on the job training, no later than 10 days after the completion of the works in each site.

The service provider shall submit a digital copy of these reports in time in MS Office 2003 format or later version. The service provider shall also ensure to update the ILO with the worksite progress on a regular basis. This timely update shall include highlighting any risks that may negatively affect delivery of the project within the specified quality, cost and time, and recommending any mitigating measures to the ILO.

Organization

To carry out this assignment, 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 Officer based in the ILO Country Office in Addis Ababa, Ethiopia. AT that field level, the implementing partner will work in close consultation with the PROSPECTS EIIP Engineer for East Darfur based in Ed Daein. The ILO will avail to the implementation partner existing training materials adapted to the local language and context used during the theoretical component of the contractors training. ILO will also provide support in the design of the demonstration work plans with provision of work standards, contract templates, work plan templates, and testing of materials if needed. The ILO will avail itself of the provision of quality assurance. With regards to Training, the ILO will avail to the contractor, the relevant forms that are to be used to collect training needs data on the unskilled workers, work with trained engineer to develop profiles for tasks for each job areas to be covered during the rehabilitation and develop a modularized trainings programme to be delivered onsite. The training expert/cum engineer will work with site supervisors to orient the on-site training and will assist in supervision. Develop tools to collect information on trainings needs/gaps for the selected workers/trainees. Jointly work with contractors to do orientation to work supervisors. Develop tools for monitoring during on job training. Facilitate material and financial costs for the training and monitoring. Explore options and opportunities for additional post training support. The service provider may outsource and include in its proposals any necessary costs for successful execution of this agreement that it may not currently have in-house.

Technical and Financial Proposals

A complete proposal with budget shall be prepared and submitted by the bidder. 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 should also briefly outline how the bidder aims to develop a training programme for unskilled workers. The technical proposal shall be concise and not more than 8 pages.

The Provision for the contract works is approximately \$329,886.65 USD. This amount shall be included unchanged in the budget breakdown. All costs to be incurred by the contractors in



implementation of the works are included in the BOQs, i.e. the procurement of tools, materials and equipment as well as costs for labour and overhead charges.

The service provider (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.

Time Frame & Payment Schedule

This assignment will be implemented within a period of up to 6 months after the signing of the contract. The bidder in its technical proposal shall include a detailed work plan for the overall management of the tasks outlined in the TOR.

Resources will be released **in the equivalent local currency at the official exchange** rate upon submission of required items:

- (15%) as a first payment after submission of Inception report;
- (25%) as a second payment upon timely submission of 1st progress report;
- (30%) as a third payment upon timely submission of 2nd progress report;
- (20%) as a fourth payment upon timely submission of 3rd progress report;
- (10%) as a fifth payment upon timely submission of the final report and handover of the project sites to be inspected by the ILO.

Service Provider Profile

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

- International NGO (INGO) or national NGO registered in Sudan (please provide proof of registration)
- Has been operating in the East Darfur State for at least five 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 **five key staff** for the project:
 - **2 key technical experts**
 - **1 assistant team leader/resident engineer**
 - **1 environmental and social standards(ESS) expert**
 - **1 home office (HQ) supervisor**
 - Staff costs for the personnel other than the proposed five 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 and assistant team leader/resident engineer have a minimum of Diploma in Civil Engineering or equivalent and should demonstrated a minimum of six years of



experience in managing infrastructure investment programmes, particularly in the WASH sector, through day-to-day supervision, and liaising with donors. Language proficiency in both Arabic and English is desirable.

- ESS expert should demonstrate a minimum of six years of experience in mainstreaming environmental and social safeguards in infrastructure projects, and drafting environmental and social reports, preferably in the WASH sector.
- Home office (HQ) supervisor should demonstrate a minimum of ten years of progressively responsible experience in the successful implementation of infrastructure investment programmes, particularly in the WASH sector. Experience with the UN and donor agencies in Sudan is highly desirable.
- Experience working with government departments, UN agencies and other international organizations
- Experience working in humanitarian/refugee settings will be an added advantage

How to apply

Interested companies should submit a technical and financial proposal to kirsch@ilo.org copying ahmeda@ilo.org no later than Sunday 13 June 2021. Requests for documents as well as questions related to this assignment can be submitted to kirsch@ilo.org until 6 June 2021. All suppliers will receive a response latest by 10 June 2021.