TERMS OF REFERENCE

**Supervision of construction/reconstruction and/or upgrade of the facilities and infrastructure at the Border Crossing Points (BCPs) Deve Bair and Kjafasan**

**Ref. no. WBTTFP-8929-MK-121C-CS-CQS**

Supervision of works:

Task 1 - Supervision of construction/reconstruction and/or upgrade of the facilities and infrastructure at the Border Crossing Point (BCP) Deve Bair (Supervision of Construction of administration facility of the customs terminal and Reconstruction of the administration building of the Customs on the Border Crossing Point in Deve Bair)

Task 2 - Supervision of construction/reconstruction and/or upgrade of the facilities and infrastructure at the Border Crossing Point (BCP) in Kjafasan (Construction of upgrade of the customs administrative facilities; Reconstruction of administration building of Customs and Police and Demolishing and removal of object (Customs’ shop) on the Border Crossing Point in Kjafasan)

I. BACKGROUND

The assignment is part of the Multiphase Programmatic Approach for Trade and Transport Facilitation (TTF) covering in the first phase Serbia, Albania and North Macedonia, supporting a combination of investments, technical assistance and regulatory and institutional reforms. The Trade and Transport Facilitation Project (the Project) aims to support Western Balkans governments to promote deeper economic integration, within the region and the EU by assisting with the implementation of goods, enhancing transport efficiency and predictability and enhancing market access for trade in services and investment. The objective of the Project is to reduce trade costs and increase transport efficiency in the Borrower (Serbia, Albania and North Macedonia), to facilitate and enhance the access to and exchange of cross border data and information among various government agencies and among the government and the business community.

More specifically, the Project shall provide conditions to facilitate cross-border movement of goods, through submission of import/export/transit data only once and on one place and for more efficient coordination of all cross-border controls and inspections as well as shall improve the road border crossing facilities and infrastructure in the selected trade corridors, the Border Crossing Point (BCP) at Kjafasan with Republic of Albania and the Border Crossing Point (BCP) at Deve Bair with Republic of Bulgaria.

Border Crossing Point (BCP) at Kjafasan and the Border Crossing Point (BCP) at Deve Bair, located along the Pan-European Corridor VIII, are strategically important Border Crossings for the Country. The specific transport sector objective is upgrading and modernization of the BCPs infrastructure leading to completion and efficient and safe operations of regional Pan-European Corridor VIII linked to the Pan European Corridors. The two BCPs are strategically categorized of first category where the following institutions are regularly carrying out their duties: Customs Administration, the Border Police, the Agency for Food and Veterinary, and the Border Phytosanitary Inspection of the Ministry of Agriculture, Forestry and Water Management.

The existing BCP at Deve Bair is located in the area called Ravna Niva KO Uzem at a distance of 22 km from the city of Kriva Palanka, covers a total area of 101,935 m2, determined by several cadastral parcels (Official Gazette of Republic of Macedonia No.9.03-1997 page 625) located in the eastern part of the Country in the direction Republic of North Macedonia at the west side and Republic of Bulgaria at the east side. It is one of the oldest built border crossings in the Republic of North Macedonia.

The existing BCP at Kjafasan was built in the area called Lokov KO Radozda at a distance of 13 km from the city of Struga, covers a total area of 94,838 m2 and determined with several cadastral parcels (Official Gazette of Republic of Macedonia No.9.03-1997 page 625) located at the north side towards the Republic of North Macedonia and south towards the Republic of Albania.

II. GENERAL OBJECTIVE

The objective of this assignment is Supervision of civil works for construction/reconstruction and/or upgrade of the facilities and infrastructure at the Border Crossing Point (BCPs) Deve Bair and Kjafasan.

III. SCOPE OF WORK

Task 1- BCP Deve Bair

Supervision of civil works for Construction of administration facility of the customs terminal (ground floor, app. 320m2) and Reconstruction of the administration building of the Customs on the Border Crossing Point in Deve Bair (two floors and basement, app. 600m2)

Task 2 - BCP Kjafasan

Supervision of civil works for Construction of upgrade of the Customs’ administrative facilities (app. 253m2); Reconstruction of administration building of Customs and Police (ground floor, app. 200m2) and Demolishing and removal of object (Customs’ shop app. 60 m2) on the Border Crossing Point in Kjafasan.

**Specific tasks for both BCPs**

The Supervision Company (“the Consultant”) shall carry out the supervision and monitoring of works and inspection of the building materials.

The Consultant will provide supervisory services in the technical and financial control of the works performed by Construction company; check the performance of the Construction company and verify that the execution of the civil works is in accordance with the contract documents. During the construction phase, the Consultant will carry out all the necessary inspections and testing of materials and of manufactured products in order to ensure the compliance with accepted standards and practices.

The materials should be checked before installation and their relevant quality has to be specified in the Technical Specifications of the contract’s documents and approved by the Consultant before the beginning of the works. The Consultant will instruct the Construction company for the site testing and verification phases of such tests. The Consultant will take care of reducing project expenditures as much as possible and request the Construction company to take appropriate measures in view of improving the work’s progress. The Consultant shall supervise the sites at least once per week and at least once in two weeks accompanied by the PIU Project manager of the works (architect/civil engineer) for better coordination of their work and in order to have the same approach when supervising the contracts execution. The Construction company will provide an adequate working (office) space with necessary working conditions for the Consultant. Before the beginning of the works the Consultant in coordination with the PIU Project manager of the works (architect/civil engineer) shall approve the dynamic program plan of the works.

The Consultant shall determine the actual quantities of the civil works executed by the Construction company in accordance with the provisions of the Contract. The Interim payments have to be approved by the Consultant, controlled by the Project Implementation Unit (PIU) and verified by the Client for payment.

IV. REQUIRED QUALIFICATIONS

**1. Qualifications based on which the consultants shall be ranked on the short list**

The shortlisting criteria are:

1. Proven general experience for assignments on providing Consultancy – Supervision of civil works in the past 7 (seven) years

2. Proven specific experience in at least three (3) similar\* project references successfully completed within the last 5 (five) years

The credibility of mentioned **general** experience shall be presented in a list of project references for provided Consultancy – Supervision within the past 7 (seven) years and accompanied by certificates of orderly fulfillment of the contracts verified by other party from such contracts.

The credibility of mentioned **specific** experience shall be presented in a list of at least three (3) similar nature and scope project references successfully completed within last 5 (five) years with description of services provided (including information on contract value, contracting entity/client, project location/country, duration, assignment budget, percentage carried out by consultant in case of association of firms or subcontracting and main activities) and accompanied by certificates of orderly fulfilment of the contracts verified by other party from such contracts.

The credibility of mentioned experience in Supervision of civil works projects shall be presented in a list of project references accompanied by certificates of orderly fulfillment of the contracts verified by other party from such contracts.

\* Similarity is considered in nature, size and complexity of completed contracts in the field of supervision of construction. Assignments for supervision of construction with bigger size and complexity are acceptable.

The Consultant Company or Joint Venture should possess the following:

**a.** License (Authorization) A for supervision of works in accordance with the Construction Law of the Republic of North Macedonia. In a case of Joint Venture this qualification criterion must be met by Lead partner of the Joint Venture.

License A for domestic companies or Confirmation for companies from abroad, for performance of Supervision of construction works, issued by Ministry of transport and communications and in accordance to the national legislation, should be obtained and in possession by the awarded single Bidder or by the Lead member of JV prior to Contract Signing. Copies of the required License A or Confirmation should be submitted to Employer prior to Contract signing.

**b.** ISO 9001 Certification. In a case of Joint Venture this qualification criterion must be met by the Leading partner of the Joint Venture.

**c.** The Consultant company must provide documentary evidence that has been in its current form of business (design and/or supervision and/or design audit), for at least seven years prior to the date of issuing of this invitation for expression of interest. In a case of Joint Venture this qualification criterion must be met by the Lead partner of the Joint Venture.

**d.** The consultant should have performed at least three assignments in the past five years, similar to the one described in the specific request for expression of interest. The list shall comprise name of the assignment, description, duration, contract amount, reference and shall be supported with certificates on fulfilled contract obligations issued by the Employer. In a case of Joint Venture (JV) the qualifications of the JV partners will be cumulated, and the fulfilment of this criteria will be accomplished if the Leading partner has successfully completed at least one (1) similar contract while other partners have performed the other two required.

Similarity is considered in nature, size and complexity of completed contracts in the field of supervision of construction. Assignments for supervision of construction with bigger size and complexity are acceptable.

In a case of Joint Venture (JV) the qualifications of the JV partners will be cumulated.

**2. Key Personnel**

Consultant company must provide Key Personnel for completing the assignment, engaged fully formally, consisting of minimum one expert for each of the following positions:

1. Civil engineer (minimum required qualifications):

* Bachelor’s Degree in Civil engineering;
* At least 10 years of professional experience in supervision of works;
* Valid Authorization A (or equivalent\*) for supervision of works issued by the Chamber of authorized architects and authorized engineers of the Republic of North Macedonia;

2. Architect (minimum required qualifications):

* Bachelor’s Degree in Architecture;
* At least 5 years of professional experience in supervision of works;
* Valid Authorization A (or equivalent\*) for supervision of works issued by the Chamber of authorized architects and authorized engineers of the Republic of North Macedonia;

3. Mechanical Engineer (minimum required qualifications):

* Bachelor’s Degree in Mechanical engineering;
* At least 5 years of professional experience in supervision of works;
* Valid Authorization A (or equivalent\*) for supervision of works issued by the Chamber of authorized architects and authorized engineers of the Republic of North Macedonia;

4. Electrical Engineer (minimum qualifications):

* Bachelor’s Degree in Electrical engineering;
* At least 5 years of professional experience in supervision of works;
* Valid Authorization A (or equivalent\*) for supervision of works issued by the Chamber of authorized architects and authorized engineers of the Republic of North Macedonia;

**\* Note:** According to the Article 42, paragraph 2 and paragraph 5 of the Law on Construction, a foreign person who has an authorization from another country may carry out works on design, revision, implementation and supervision of constructions in the Republic of N. Macedonia if the authorization is confirmed by the Chamber of Certified Architects and Engineers.

The confirmation of authorization is carried out by the Commission, which determines whether the authorization of a foreign person corresponds to the authorizations prescribed by this law.

If the Commission determines that the authorization corresponds, it issues a Confirmation of the authenticity and the type of authorization that the foreign person has acquired in the Republic of N. Macedonia.

V. REPORTING OBLIGATIONS

The Consultant shall submit a weekly report and summarized monthly report to the Project manager which will comprise all details for performed activities as per the Specific tasks for both BCPs stated above. The reports shall include minutes of each site visit accompanied with site photos with description of the work dynamics in regards to the dynamic plan submitted by the contracted Construction company.

All the outputs prepared must be in accordance to the Law for construction and all other relevant Law regulations.

VI. DURATION OF THE ASSIGNMENT

The expected duration of the assignment is 18 months (up until the technical acceptance - Certificate of Completion of the executed works is issued and the submission of all technical reports that prove that the buildings/facilities/infrastructure are completed). The expected date for start of the assignment is February/March 2024.

VII. SELECTION METHOD AND CONTRACT

The selection method is “Consultant’s Qualifications Based Selection” according to the World Bank Procurement Regulations for Investment Project Financing (IPF) Borrowers – Procurement in IPF of Goods, Works, Non‐Consulting and Consulting Services, (Regulations) issued in July 2016, revised November 2017., [www.worldbank.org](http://www.worldbank.org).

Following the procurement procedure for CQS method, the Client will publish a Request for Expression of Interest (REoI). From the Consultant firms that will submit an Expression of Interest (EoI), the Client will select the firm with the best qualifications and relevant experience as a first ranked firm and will invite the firm to submit its combined technical and financial Proposal as a subject for contract negotiations. Qualifications of the Key staff (CVs including their qualifications) are not part of the selection process, but will be subject of contract negotiations with the first ranked firm. At that stage, the first ranked firm/JV should make sure the proposed key staff fulfills the qualification requirements set forth in the TOR for respective key staff positions. The CVs of the Key staff will be submitted only by the first ranked firm/JV during contract negotiations.

The Contract will be time based, the selected Consultant should provide full time schedule, activity (work) schedule, as well as break down of cost for the personnel in the proposal.