

May 10, 2021



Government of Saint Lucia

**Ministry of Tourism, Information & Broadcasting, Culture &
Creative Industries**



OECS REGIONAL TOURISM COMPETITIVENESS PROJECT

TERMS OF REFERENCE

FOR CONSULTING SERVICES

SUPERVISION FOR

CASTRIES MARKET REDEVELOPMENT PROJECT

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1) Background

The Government of Saint Lucia (GoSL) has begun works to refurbish the Castries Market, as part of its broader programme to revitalize the city of Castries. The Castries Market, the largest of its kind in the country, is a major tourist attraction which accommodates hundreds of vendors and offers a diverse range of goods, such as fruit, herbs, spices, dry goods, meat and fish, craft, woodwork and restaurants.

The Castries Historic Market was built in 1891 by Liverpool engineers Bruce & Still Ltd. and opened to patrons in 1894. The Market was extended and remodeled in the early 1990's by the Government of Saint Lucia. The existing historic market and food court measures approximately 20,000 square feet. The total existing space (open vending, meat and fish, craft market) measures approximately 49,767.45 square feet.

In order to continue works towards the completion of the other phases of the CMRP, the GoSL has secured financing from the World Bank, under the OECS Regional Tourism Competitiveness Project (ORTCP). The Ministry of Tourism, Information and Broadcasting, Culture and Creative Industries is the lead agency responsible for implementing the ORTCP.

2) Overview of the Castries Market Redevelopment Project

The scope of the Castries Market Redevelopment Project which will be implemented in three phases, includes: the rationalization and revitalization of the historic market; creation of covered vending stalls; rationalization of the open vending area; construction of a meat and fish market, creation of a box park; creation of a viewing tower to include duty free shops; creation of high end restaurants; upgrade of the existing food court; creation of administrative office space and to improve the general circulation; and security features and aesthetics of the market compound.

The first phase which involves the construction of the Covered Vending area for raw food vendors has been completed.

In order to continue works towards the completion of the other phases of the Castries Market Redevelopment Project, the GoSL is proposing to utilize funding under the ORTCP to undertake the following:

- Construction of a Box Park building. The Box Park measures approximately 21,600 sq. ft on two floors. The building is expected to house 14 shopping outlets, a combination of 14 meat and fish stalls, electrical and mechanical closets on its ground floor plus 8 restaurants and toilet facilities for male and female on its first floor.

3) Objectives of the Assignment

General Objective

The Ministry of Tourism seeks to engage a consulting firm (hereafter referred to as the Consultant) to provide contract management and supervision services during the construction of the Box Park building of the upgraded Castries Market, to ensure compliance of the executed works to the contract documents, certify claims against works executed, and to review the quality of the executed works.

Specific Objectives

The specific objectives of the assignment are to provide contract administration services including full time supervision and services during the defects liability period to ensure: a) quality in delivery of the works contract, b) compliance by the selected contractor to the works contract and, c) certification of all works for the proposed construction of the Box Park building.

4) Scope of Services

4.1. General Services`

The Consultant shall perform all of the services hereafter described as expeditiously and with the highest professional skills and care to ensure timely completion of the works. During all stages of the services the Consultant shall make all efforts to maintain full coordination with the Client and the beneficiary agency to ensure a common understanding on the requirements of the assignment and as such shall designate appropriate personnel to serve as liaison.

4.2. Specific Scope of Services

The consultancy shall include Full Time Supervision during the construction period and Quality Assurance checks during the defects liability period. Accordingly, the Consultant shall be responsible for services as follows:

4.2.1. During the Construction Phase

Under the direct supervision of the ORTCP Project Engineer of the Ministry of Tourism, the Consultant, after reviewing and becoming truly familiar with the design of the Box Park building, the site and the Castries Market Redevelopment Project, will undertake the contract management services, supervision and

certification of works, by providing fulltime on-site supervision and contract administration services during the construction period. These services will include *inter alia*:

- 1 Carry out permanent and close supervision of the various activities included in the construction contract in a manner that ensures the contractor remains obligated to the timely and qualitative implementation of the works;
- 2 Prepare a Quality Assurance Plan in consultation with the contractor, consistent with the conditions of the contract. The Plan should be reviewed and approved by the ORTCP technical review team;
- 3 Certify all completed physical works, ensuring quality and standards are maintained before acceptance by the Government of Saint Lucia;
- 4 Represent the interest of the Government vis-à-vis the contract in any manner related to the construction contracts and the proper execution thereof;
- 5 Organize consultations with relevant agencies and authorities on all matters, as required to ensure effective and efficient execution of works;
- 6 Prepare, in accordance with the works implementation program, a comprehensive Public Relations Program to keep residents, road users and other key stakeholders informed prior to and during construction, of the types and duration of disruptions and impacts that may be caused during construction. This should also include but not be limited to advance notice and information on closure of roads, traffic diversions and measures being implemented to minimize the nuisance effects of dust and noise in the specific areas.
- 7 Review, implement and supervise the Environmental and Social Management Plan (ESMP) including Health and Safety requirements to ensure compliance, so as to mitigate environmental and social impacts;
- 8 Ensure that the contractor mobilizes and supplies to the contract all personnel, equipment and machinery that has been committed in the Contract and that all such items remain on site until the appropriate approval for release is granted;
- 9 Review for compliance equipment and personnel on site as per contract;

- 10 Check the adequacy and operability of the Contractor's equipment to ensure proper execution of the works contracts;
- 11 Review and approve any workshop drawings required from the works contractor;
- 12 Approve all sources of materials and fixtures including technical inspections, the results of laboratory testing of all construction materials and the quality of all permanent fixtures prior to their use;
- 13 Examine any technical proposals by the Contractor and furnish the Client with the necessary technical advice and recommendation in respect of materials and fixtures as compared with the specifications and Bill of Quantities (BOQ);
- 14 Organize, and chair fortnightly site meetings, review contractor's work schedule, monthly progress report and results of laboratory testing, in accordance with the agreed quality assurance plan; and maintain a complete set of field records, timesheets, diary and minutes of site meetings. Minutes of meetings shall be submitted to the Project Team and the Ministry of Tourism highlighting any concerns and recommendations for the contract and the works;
- 15 Verify periodic and final payment statements submitted by the contractor and certify the quality and quantity of completed work activities for payment after checking their consistency with the technical specifications, terms of contract and agreed quality assurance plan;
- 16 Examine and make recommendations to the Client on all claims from the Contractors including proposed variations (scope, cost and time), extension of time, compensation for work and expenses or other matters of a similar nature;
- 17 Review and prepare any necessary variation orders after securing the employer's approval and prepare all relevant amendments to the contract including drawings to suit any modifications to the existing approved works;
- 18 Review the breakdown of unit rates and justification submitted by the contractor for the unit price of work activities relating to provisional sums identified in the BOQ and other work activities that are not included in the original contract (including variation orders), and make recommendations for the approval by the employer.

- 19 Provide timely assistance and direction to the Contractors on all matters related to the interpretation of the Contract Documents, ground survey controls, quality control, laboratory testing of construction material, work performance and other matters related to contract compliance and progress of the project.
- 20 Organize the supervision of the works by engaging necessary full-time site personnel to ensure effective execution of the works.
- 21 Inspect the safety aspects of the construction, temporary works, accesses, and traffic conditions to ensure that adequate measures of public safety and circulation have been taken to protect life and property;
- 22 Inspect the occupational health and safety aspects of the construction and temporary works to ensure that adequate measures have been taken to protect life and property and to ensure compliance with COVID-19 protocols;
- 23 Promote, implement and report to the PCU and the Ministry of Tourism, on the Grievance Redress Mechanism
- 24 Participate in meetings of the steering committee, which has oversight on the execution of works;
- 25 Prepare and submit monthly progress reports on the progress of works, the Contractors' performance, and the quality of works. The report should highlight problems or potential problems that may arise in connection with the works contracts and make recommendations for possible solutions;
- 26 Prepare and submit a final report on the completed works, the Contractors' performance, and the quality of works. The report should highlight problems experienced in connection with the works contracts and the recommended solutions;
- 27 Update of the Maintenance Manual in accordance with the final scope of the works;
- 28 Prepare as built drawings for submission to the Ministry of Tourism and the Development Control Authority for approval. Submission should be made in hard – (3 copies) and in electronic (AutoCAD) form;

- 29 Organize and conduct the inspection of the substantially completed works and facilitate a final inspection along with the relevant authorized officials before the issuance of the Taking Over certificate;
- 30 Before the issuance of the Taking Over certificate, the Consultant shall carry out the necessary inspection, specify and supervise any remedial works to be carried out and after their approved completion, recommend the final inspection with the authorized representatives
- 31 Perform all other tasks not specifically mentioned above but which are necessary and essential to successfully supervise and control all construction activities in accordance with the terms of the works contract.

4.2.2. Services during the Defects Liability Period:

The Consultant shall carry out inspections during the defects liability period (365 days) to assess the quality of the whole works completed, prior to issuance of the Defects Liability Certificate. Where possible defects are identified the Consultant shall specify the requirements to address these defects, notify the Contractor and supervise the execution of the proposed remedial works to be carried out during the defects liability period. This would require for the Consultant to undertake the following:

- 1 Inspection of works periodically (at a minimum of three (3) months intervals) prior to the expiration of the Contractors one-year defects liability;
- 2 Preparation of a final deficiency list for correction by the contractor, where required;
- 3 Advise on the extension of performance security, if required;
- 4 Supervise remedial works and make recommendations to the Client, as to the date of the final inspection of the completed works;
- 5 Undertake Completion Inspection of Works together with the representatives of the Ministry of Tourism, the CCC, Project Coordination Unit and the Department of Infrastructure, Ports and Energy;
- 6 Preparation and Issuance of the Defects Liability Certificate;
- 7 Review and update the Maintenance Manual in accordance with the final scope of the works; and
- 8 Prepare the Final Payment Certificate (Final Account).

5. Manpower, Scheduling and Costs:

5.1. Supervision during the construction

The Consultant shall be employed on a fixed cost per month payment contract and should take this into consideration when calculating cost estimates, list of personnel and schedule of rates for performing the services. The contract sum shall be established based on the understanding that it includes all of the consultant's cost and profits including any taxes and obligations. Payments shall be made on the basis of a fixed monthly rate and the actual period undertaken for construction. The Consultancy services will be financed under the ORTCP.

A period of ten (10) calendar months will be required for the construction of the Box Park. The key personnel required for the construction services shall be Team Leader (Civil/Structural Engineer), Electrical Engineer, Mechanical Engineer, Quantity Surveyor, Architect. The key personnel will be assisted by a qualified Clerk of Works.

Apart from the key personnel, the Consultant shall have the necessary supporting staff (administrative and technical) and shall ensure that the relevant specialists listed below are on site to provide timely instructions and approvals to the Contractor during the construction period for the successful completion of the assignment. The Team Leader and the Clerk of Work are required to ensure a permanent presence on the job site.

The Consultant shall make provision for services as follows:

- Civil/Structural Engineer (team leader): ten (10) man-months during the construction period ;
- Clerk of Works: ten (10) man months during the construction period
- Approximately three (3) man-months during the construction period for the services of the following:
 - Mechanical Engineer
 - Electrical Engineer
 - Quantity Surveyor
 - Architect

As part of the Supervision of works the Team Leader shall also function as the Environmental Supervisor with responsibilities for overseeing the implementation of the Environmental Plan.

5.2. Supervision during the defects liability period

Within the defects liability period of twelve (12) months, commencing from the date of issuance of the taking over certificate, the Consultant shall be required

to participate in the periodic inspection of works along with the contractor and the Client. The Consultant shall make provision for services of approximately three (3) man-months during the defects liability period for the services of the following key personnel.

- Team Leader
- Mechanical Engineer
- Quantity Surveyor
- Electrical Engineer
- Architect

The consultancy services for the whole works are required for an estimated period of 29 man-months over a period of 22 months.

6) Deliverables

The Consultant shall prepare and submit the following reports to the client:

Phase 1 - Supervision during the construction period services

Inception Report: Site Possession Report

Two (2) weeks after commencement of the works by the Contractor the Consultant shall submit a report on the available equipment, and staffing provided by the Contractor, any breaches to the contract, supervision team, mobilisation and organisation. The report should provide feedback of the review of the contractors' mobilisation, work methods and work plan, setting out guidelines for administering, monitoring and evaluating project progress and mode of cooperation.

Monthly Progress Reports

The Monthly progress reports shall be brief and concise and provide means of closely monitoring project progress and forecasting construction costs and shall cover percentage completion of the proposed works, detail the progress of works including revised cost estimates (if any), cash flow statements. Generally, the report should include but not limited to the following:

- Main activities undertaken and events for the period and progress of activities of the contractor and supervision staff;
- Monitoring and evaluation of project progress;
- Quantity of works completed as the date thereof;
- Observations on the progress of works, sharing what is actually taking place in the execution of the contract;

- Photographic pictures;
- Results of laboratory testing reports;
- Variation orders issued to date;
- Payments received by the contractor and consultant, including project; accounts balances as at the date thereof;
- Define achievements, setbacks, problems, shortages, impediments, and means of rectification;
- Number of skilled and ordinary labourers and their attendance and gender composition;
- Environmental reporting based on checklist in the ESMP;
- Minutes of site and progress meetings, including extra ordinary meetings; and
- Works schedules and duration.

The Consultant is expected to provide a statement in support of works certified based on claims submitted by the Contractor.

Final Report

The Final Report shall be submitted within two (2) weeks after Practical Completion of the works and on completion of the construction period. This report will detail the level of achievement made and provide an assessment of the contractors' performance under the contract. Generally, the report should include all the points required in the interim report given above but not limited to the following:

- Project Description (purpose, scope and dimensions);
- Project data (historical data on contract, financial resources, etc);
- Monthly Certificates;
- Claims. Variation Orders and Addenda;
- Project Organisation;
- Updated Maintenance Manual;
- Quality and time evaluation;
- Major problems arisen and measures taken;
- Quantity of works completed as the date thereof;
- Photographic pictures (Construction);
- Statement of Accounts Payments received by the contractor and consultant;
- Minutes of site and progress meetings, including extra ordinary meetings;
- List of As *Built* drawings;
- The arrangement for inspection during the defect liability period if required; and

- Conclusions and Recommendations.

The client will take no longer than ten (10) days to review and provide feedback to the reports submitted by the Consultant.

Phase 2 - Supervision during the defects liability period services:

Project Completion Report

This report shall provide an appropriate update to the Final Report to take into account any event and contractors' activities which took place during the Defects Liability Period. It should also include the final project accounts.

Maintenance Manual

This Manual should be submitted within two months from the start of the defects liability period. The Manual should comprise but not be limited to:

- A description of the project, including relevant floor plans and mechanical plans;
- General maintenance process descriptions and schedules, for the structure(s)/surface, interior finishes, surfaces and sealants, exterior finishes, roofing material and finishes, and grounds and landscaping maintenance and materials;
- Description of special maintenance items, including electrical equipment, panels, sub-panels, breakers, lighting and equipment, air conditioning and ventilation systems, fire detection and alarm systems, plumbing maintenance, gas maintenance and Public Address (PA) systems and Intercom systems. Manufacturers' specifications should be included; and
- Forms such as Inspection Forms, maintenance checklists, and operational procedures.

❖ ***All reports shall be submitted in English.***

❖ ***All reports and documents relevant to the Consultant's services, computer programmers, etc. shall become the property of the Government of Saint Lucia.***

7) Duration of Services

The consultancy is to be undertaken over a period of twenty two (22) months. Supervision services during the construction period, will be carried out over a period of ten (10) months during which the Consultant will be required to provide full time services, while Services during the defects liability period, will be carried

out over a period of twelve (12) months during which the Consultant will be requested to participate in the periodic inspection of works along with the Contractor and the Employer's team.

8) Working Arrangements

The Consultant will be supervised by the ORTCP Engineer, Ministry Tourism. The ORTCP Engineer will provide the necessary instructions to the Consultant consistent with direction provided by the Project Manager.

Client's Responsibility

- i) Ensure timely review of the reports submitted by the Consultant and within the stipulated duration stated in the Terms of Reference.
- ii) Initiate the consultation and co-operation of other agencies required to provide support to the consulting firm for realization of the relevant aspects of the assignment.
- iii) Facilitate access to the site for effective delivery of the assignment.
- iv) Disseminate reports to relevant officials.
- v) Promptly process payments to the Consultant in accordance with the contract's provisions.

Consulting Firm's Responsibility

- i) Submit at the outset the expected outputs, as well as ensure their timely submission to the Client for review.
- ii) Supervise its technical staff including providing all office space, equipment, materials, accommodation, office requirements and transportation.
- iii) Engage the appropriate qualified and experienced technical and administrative staff and other resources necessary to undertake the services.
- iv) Execute the services in accordance with the laws, customs and practices of Saint Lucia and use the appropriate international standards for carrying out the services.

9) Qualification Requirements and Evaluation Performance Criteria

The shortlisting criteria are:

The minimum required qualifications and experience of the consulting firm are:

General Experience:

1. At least ten (10) years' experience in contract administration and management and supervision of civil works contracts involving the construction of works related to buildings such as a two (2) story reinforced concrete structures and other complex concrete type building structures.

Specific Experience:

1. At least two (2) successfully completed contracts during the past five (5) years which entailed contract administration and supervision of construction of multi-use Commercial Facilities of at least XCD \$2M each.

To be qualified, the Consulting Firm shall propose a team of key experts with the following qualifications and experience:

Interested Consultant should have the following key staff with the requisite minimum qualifications and professional experiences listed below for undertaking the assignment.

WORK TEAM MINIMUM REQUIREMENTS			
POSITIONS		QUALIFICATIONS	SPECIFIC EXPERIENCE
K1	Team Leader (Civil/Structural Engineer)	Registered Engineer with a Bachelor's Degree in Civil Engineering	<ul style="list-style-type: none">• No less than ten (10) years professional experience in contract administrative management and site supervision of civil works contracts for the construction of buildings.• Not less than five (5) years' experience in structural design of multistory reinforced concrete public buildings• At least two (2) years' experience in environmental monitoring for compliance with ESMPs is required.

K2	Electrical Engineer	Registered Engineer with a Bachelor's Degree in Electrical Engineering	<ul style="list-style-type: none"> • Not less than five (5) years' experience in electrical design of multistory public buildings including commercial, multi-use facilities.
K3	Mechanical Engineer	Registered Engineer with a Bachelor's Degree in Mechanical Engineering	<ul style="list-style-type: none"> • Not less than five (5) years' experience in mechanical design of multistory buildings including commercial, multi-use facilities.
K4	Quantity Surveyor	Certified Quantity Surveyor	<ul style="list-style-type: none"> • At least seven (7) years working experience after certification
K5	Architect	Certified Architect	<ul style="list-style-type: none"> • At least ten (10) years in public and private sector architectural works • At least ten (10) years in Construction Management for private and public sector
K6	Clerk of Works	Associate Degree/Diploma in Civil & Structural; / Building Engineering/Construction	<ul style="list-style-type: none"> • At least seven (7) years working experience in the related discipline.

Through this consultancy, it is expected that the works will be completed within the stipulated timeframe, cost and approved scope. Therefore, the services of the Consultant will be evaluated on the following:

- Efficiency in submission of reports
- Effective oral and written communication
- Tasks are completed with the agreed timeframe
- A high level of accuracy in preparation of documents
- The ability to meet deadlines