

# **TERMS OF REFERENCE**

## **Consultants for the Review of Building Code Compliance Documents and to provide technical expertise under Construction Act.**

### **1. Purpose:**

Ministry of National Planning and Infrastructure (MNPI) is looking to hire the services of three (3) consultants from following categories to draft, comment, edit and review Building Code compliance documents and provide technical expertise for reviewing of regulations under Construction Act as well as other relevant Construction Industry Development works.

I. 3 Technical Consultants – one from each of the following construction field:

- Architecture
- Civil or Structural Engineering
- Building Services Engineering

### **2. Tasks and Responsibilities:**

The Consultant(s) will be required to carry out the following tasks: -

1- Compile a detailed schedule that conforms to the deadlines and activities listed in Appendix.

- (a) Consultants must provide a detailed work schedule for all compliance documents works to be done.
- (b) The consultants are allowed to propose alternatives to the proposed lead consultant and schedule provided that MNPI agrees to it and the deadlines do not drastically change to the ones provided without justifiable reasons.
- (c) Where consultants identified are not selected via the procurement process, selected consultant are to re-allocate the documents within themselves.
- (d) Based on the work schedule a schedule of deliverables should also be created to identify deliverables and deadlines.

2- Review building code compliance documents as follows as per lists and schedule provided in Appendix 1:

- (a) Carry out research and review the Building Code Compliance Documents to incorporate all applicable Laws and Regulations related to the scope of the Building Code and Code compliance documents.
- (b) Carry out stakeholder consultations on Compliance Documents requested to draft or review. Collect all the relevant information from the stakeholders and applicable authorities.
- (c) Edit and incorporate into the draft, national and international commitments. The compliance documents shall be applicable to the context of Maldives.
- (d) Elaborate as per request, any documents necessary to discuss the draft with Ministries, departments and other organizations involved in the coordination process.
- (e) Support MNPI throughout the entire period of coordinating the draft in terms of considering all objections received and to finalize and formulate the responses to the objections.

- (f) The consultants must provide the documents after drafting, to present to the Attorney General's and President's office for review and commenting, and any necessary edit to the draft after the comments till the documents are Gazetted.
  - (g) The consultant shall liaise with any other consultants selected for the work via any other agreements.
- 3- Develop Building code for public buildings such as Mosques, Hospitals, Schools and other specialized buildings.
- (a) Carry out research and identify components that are not included in the Building Code and Compliance Document in relation to Mosques, Hospitals, Schools and other specialized buildings.
  - (b) Identify which parts could be incorporated into the Building Code, and if any parts are required to be published as a separate Code.
  - (c) Carry out stakeholder consultations to review the components identified by Consultant and identify any gaps not addressed.
  - (d) Edit and incorporate into the draft, national and international commitments. The compliance documents shall be applicable to the context of Maldives.
  - (e) Elaborate as per request, any documents necessary to discuss the draft with Ministries, departments and other organizations involved in the coordination process.
  - (f) Support MNPI throughout the entire period of coordinating the draft in terms of considering all objections received and to finalize and formulate the responses to the objections.
  - (g) The consultants must provide the documents after drafting, to present to the Attorney General's and President's office for review and commenting, and any necessary edit to the draft after the comments till the documents are Gazetted.
  - (h) The consultant shall liaise with any other consultants selected for the work via any other agreements.
- 4- Conducting TOT (Training of Trainer) sessions to give information on Code Compliance Documents and Building Code for specialized buildings.
- (a) Prepare the presentation and any necessary documentation essential for information sessions.
  - (b) Deliver all the necessary information required during the sessions.
- 5- Provide Technical Expertise for reviewing of regulations under Construction Act as well as other relevant Construction Industry Development Works.
- a. Identify amendments required for regulations and give expert opinion on how it should be written
  - b. Draft or review TORs and documents relating to Construction Industry Development Works as requested.

### **3. Deliverables:**

- 1- Detailed work schedule
- 2- Schedule of deliverables
- 3- Building Code: Review and edit drafts for completion in Appendix 1 as follows:

- (a) The consultants must provide with the final draft of first 14 compliance documents as requested by MNPI within the first 3 months of commencing work. The drafted compliance documents must be shared for Attorney General's office and President's Office as per MNPI schedule.
  - (b) Consultations with stakeholders and inclusion of all comments to all objections and recommendations in the draft compliance documents.
  - (c) Consider legal / technical aspects of the draft and provide recommendations and Incorporate stakeholder and legal comments approved by MNPI
  - (d) Presentation material for information session on Code and Compliance document.
- 4- Building Code for specialized buildings: Draft and edit as follows
- (a) The consultants must provide the first drafts within 3 months of completing the final draft to be shared with Attorney General's Office.
  - (b) Consultations with stakeholders and inclusion of all comments to all objections and recommendations in the draft compliance documents.
  - (c) Consider legal / technical aspects of the draft and provide recommendations and Incorporate stakeholder, legal, AGO, PO comments approved by MNPI
  - (d) Presentation material for information session on document.

**4. Organizational Setting and leaves:**

- The consultants will be contracted and work under the direct supervision of MNPI.
- The Consultant is not required to be stationed in MNPI, but is required to participate in all work related meetings.
- The work related meetings should be prioritized to be carried out between 10:00am to 14:00pm on public working days.
- MNPI shall provide or arrange venues for meetings, consultations and workshops as required.
- MNPI shall provide stationary and printing facilities for documentation required for meetings, consultations and workshops.
- The consultant if required shall upon selection submit a leave schedule that has to be agreed with MNPI for a maximum of 10 days within a contractual period of 6 months and 5 days within a contractual period of 3 months, for which he will not be reachable. However, during this time, the consultant should be in contact via a prior approved method of communication such as email or other means of communication via phone.

**5. Input:**

MNPI will provide the consultants with necessary information and materials available for fulfillment of the tasks.

MNPI will also facilitate the necessary meetings and all the secretariat works needed.

## **6. Minimum Requirements of Consultants:**

### **(a) Architectural Consultant Education and Experience:**

Education Qualification: First Degree in Architecture or Architecture Part 1

Experience: At least 10 years of work / professional experience in the following areas relevant to field of expertise after acquiring graduating with first degree or Architecture Part 1 course.

1. Design experience
2. Practical experience on site relevant to field
3. Technical research, technical publication or assessment

### **(b) Engineering Consultant Education and Experience:**

Education Qualification: First Degree in Civil / Structural Engineering

Experience: At least 10 years of work / professional experience in the following areas relevant to field of expertise after acquiring graduating with first degree or Architecture Part 1 course.

1. Design experience
2. Practical experience on site relevant to field
3. Technical research, technical publication or assessment

### **(c) Building Services Engineering Consultant Education and Experience:**

Education Qualification: First Degree in Building Services Engineering

Experience: At least 5 years of work / professional experience in the following areas relevant to field of expertise after acquiring graduating with first degree or Architecture Part 1 course.

1. Design experience
2. Practical experience on site relevant to field
3. Technical research, technical publication or assessment

## **7. Additional Requirements of Consultants:**

- (a) Knowledge of Construction related other areas
- (b) Strong communication, analytical and drafting skills
- (c) Ability to work with a team
- (d) Good computer skills and fluency in legal / technical research
- (e) Fluent in Dhivehi and English

**8. Duration of Consultancy:**

- (a) The initial consultancy contract shall be for a duration of 6 (six) months.
- (b) Upon completion of the contractual period of 6 (six) months, if the works are ongoing as per schedule and the contractual tasks are not yet completed, the contract shall be extended by an additional 3 (three) months as per schedule.
- (c) If any further extension is required with justifiable reasons, the contract shall be extended by 3 (three) months until work is completed.
- (d) Once the assigned tasks are completed the agreement will be voided even though the contractual period is not completed.

**9. Application requirements:**

- (a) Cover letter
- (b) CV of individuals proposed as consultants
- (c) Academic Certificates of Individuals
- (d) ID copies of individuals
- (e) Work experience documentation (records from employees verifying experiences listed in CV), preferably should list at least one method of contact (phone or email)
- (f) Copies of technical research, publication or assessment
- (g) If the applicant is a company, company registration certificate at MED

**10. Payments:**

- (a) The consultants may invoice monthly.
- (b) Months in this TOR are considered to be months starting from the date of signing of agreement (eg: if agreement signed on 20<sup>th</sup> January, the first month is from 20<sup>th</sup> January – 19<sup>th</sup> February and so forth).
- (c) The total take home payment for a full work month will be ranging between MVR23,490 – 35,000 depending on qualification and experience. In addition, any fees payable to the individual for duty travel assignments, Ramadan allowance shall be compensated at the government prevailing rates. Fixed monthly fee shall be subject to deduction for pension and any other statutory requirement as applicable.
- (d) Attendance to meetings set by Ministry and dates of achieving deliverables shall be monitored by Ministry. And where Consultant is unable to attend or provide deliverables as per schedule, the pay for that month can be deducted taking into consideration the following points:
  - a. Number of days by which the delay in meeting occurs may be considered as absent days, provided that there was no rational reason.
  - b. Number of days by which the delay in deliverable being given may be considered as absent days, provided that there was no rational reason.
  - c. The deducted pay considering points in a. and b. shall be calculated as follows:

**Total days considered as absent days' x total take home payment for the month**

- (e) Once the tasks are completed the last month payment will be calculated as follows:

**Total days worked in that month x total take home payment  
Total days in the month**

## **11. Evaluation Criteria:**

- Experience: 45% - Design / site experience
  - i) For 5 years or more than 5 years' experience – 10 marks (applicable only for Building Services Consultant category)
  - ii) For 10 or more than 10 years – 20 marks
  - iii) For 15 or more than 15 years – 35 marks
  - iv) For 20 or more than 20 years– 45 marks
  
- Experience: 35% -
  - v) For 1 technical research / technical publication / assessment – 5 marks
  - vi) For 2 technical research / technical publications / assessment – 10 marks
  - vii) For 3 technical research / technical publications / assessment – 15 marks
  - viii) For 4 technical research / technical publications / assessment – 20 marks
  - ix) For 5 or more technical research / technical publications / assessment – 35 marks
  
- Education: 20%
  - i) For first degree or part I certificate in the required field – 10 marks
  - ii) For Masters in the required field – 20 marks
  
- Where experiences or qualifications require further clarifications MNPI reserves the right to call applicants for an interview to finalize selection.

## **12. Queries and Important Dates:**

<b>Task</b>	<b>Date</b>	<b>Time</b>
Advertisement + Release of TOR	18 <sup>th</sup> August 2019 - Sunday	NA
<b>Application Deadline</b>	<b>29<sup>th</sup> August - Thursday</b>	<b>12:00am</b>

For Queries submission must include your full name and phone number and shall be submitted to [construction@planning.gov.mv](mailto:construction@planning.gov.mv) OR call 3004306/3004305 for further information before deadline.

## **13. Applications:**

Interested applicants may submit their proposal in a sealed envelope indicating the following:

1. Letter of Expression of Interest (EOI)
2. Copy of National Identification Card
3. Attested copies of Educational Certificates (copies taken from with original accredited certificates)
4. A CV that demonstrates that the applicant is qualified to perform the services (including a description of similar assignments, experience in similar conditions, availability of appropriate skills etc.)

**14. Submission:**

Interested candidates may submit their proposals on or before the time provided in the advertisement to the following address:

Construction Industries Development Department,  
Ministry of National Planning and Infrastructure  
Ameenee Magu, Maafannu  
Male', 20392, Republic of Maldives

## APPENDIX 1: LIST & SCHEDULE

<b>TABLE 1</b>				
<b>CODE CLAUSE</b>	<b>DOCUMENT</b>	<b>LEAD CONSULTANT (1)</b>	<b>GAZETTE DEADLINE IN 2020 YEAR</b>	<b>SCHEDULE (2)</b>
<b>STABILITY</b>				
<b>B1 &amp; B2</b>	Structure & Durability	Engineer	MAY 1ST WEEK	A
<b>FIRE SAFETY</b>				
<b>C1</b>	Means of escape	Architect	MAY 1ST WEEK	A
<b>C2</b>	Spread of fire	Services Engineer	MAY 1ST WEEK	A
<b>C3</b>	Structural stability during fire	Engineer	MAY 1ST WEEK	B
<b>C4</b>	Access and facilities for the fire service	Architect	MAY 1ST WEEK	B
<b>ACCESS</b>				
<b>D1</b>	Access routes	Architect	MAY 1ST WEEK	A
<b>D2</b>	Mechanical installation for access	Architect	MAY 1ST WEEK	A
<b>SAFETY OF USERS</b>				
<b>F4</b>	Safety from falling	Architect/Engineer	MAY 1ST WEEK	B
<b>F5</b>	Construction and demolition hazards	Architect/Engineer	MAY 1ST WEEK	B
<b>F6</b>	Lighting for emergencies	Services Engineer	MAY 1ST WEEK	B
<b>F8</b>	Signs	Services Engineer	MAY 1ST WEEK	A
<b>SERVICE AND FACILITIES</b>				
<b>G4</b>	Ventilation	Services Engineer	MAY 1ST WEEK	B
<b>MOISTURE</b>				
<b>E1</b>	Surface water	Engineer	MAY 1ST WEEK	A
<b>E2</b>	External moisture	Engineer	MAY 1ST WEEK	B
<b>E3</b>	Internal moisture	Engineer	MAY 1ST WEEK	B



<b>CODE CLAUSE</b>	<b>DOCUMENT</b>	<b>LEAD CONSULTANT</b>	<b>DEADLINE IN 2020 YEAR</b>	<b>SCHEDULE (2)</b>
<b>SAFETY OF USERS</b>				
<b>F1</b>	Hazardous agents on site	Architect & Engineer	JUNE 1ST WEEK	B
<b>F2</b>	Hazardous building materials	Architect & Engineer	JUNE 1ST WEEK	B
<b>F3</b>	Hazardous substances and processes	Architect & Engineer	JUNE 1ST WEEK	B
<b>F7</b>	warning systems	Services Engineer	MAY 1ST WEEK	B
<b>SERVICE AND FACILITIES</b>				
<b>G1</b>	Personal hygiene	Architect / Services Engineer	JUNE 1ST WEEK	A
<b>G2</b>	Laundrying	Architect / Services Engineer	JUNE 1ST WEEK	B
<b>G3</b>	Food preparation and prevention of contamination	Architect / Services Engineer	JUNE 1ST WEEK	B
<b>G5</b>	Interior environment	Services Engineer & Architect	JUNE 1ST WEEK	B
<b>G6</b>	Airborne and impact sound	Architect / Engineer	JUNE 1ST WEEK	B
<b>G7</b>	Natural light	Services Engineer & Architect	JUNE 1ST WEEK	B
<b>G8</b>	Artificial light	Services Engineer & Architect	JUNE 1ST WEEK	B
<b>G9</b>	Electricity	Service Engineer	MAY 1ST WEEK	B
<b>G10</b>	Piped services	Services Engineer	MAY 1ST WEEK	B
<b>G11</b>	Gas as an energy source	Services Engineer	MAY 1ST WEEK	B
<b>G12</b>	Water supplies	Services Engineer	JUNE 1ST WEEK	A
<b>G13</b>	Foul water	Services Engineer	JUNE 1ST WEEK	A
<b>G14</b>	Industrial liquid waste	Services Engineer	JUNE 1ST WEEK	B
<b>G15</b>	Solid waste	Services Engineer	JUNE 1ST WEEK	B
<b>ENERGY EFFICENCIES</b>				
<b>H1</b>	<b>Energy Efficiency</b>	<b>Architect</b>	<b>JUNE 1ST WEEK</b>	<b>B</b>

1. Consultant or consultants to lead the review of code compliance works listed may be subject to change as per the consultants selected after hiring process

(2) Selected consultants must propose a draft schedule within 1 week of contracting as per the activities and deadlines durations listed below within the deadline given in the Table 1

<b>TABLE 2</b>			
<b>STEP #</b>	<b>ACTIVITIES TO BE CARRIED OUT PER DOCUMENT</b>	<b>DOCUMENT TYPE</b>	
		<b>A</b>	<b>B</b>
1	Internal Review of existing draft	3 weeks	1 week
2	Compose and edit new draft after internal review	2 weeks	1 week
3	MNPI to approve draft for public comments	2 weeks	1 week
4	Open for public comments, conduct stakeholder consultations & conduct workshop for stakeholders	6 weeks	6 weeks
5	Analyze and incorporate relevant comments	2 weeks	1 week
6	Incorporate comments approved by MNPI	1 week	1 week
7	Share final draft to stakeholders for final comments	2 weeks	2 weeks
8	Incorporate comments approved by MNPI	1 week	1 week
9	MNPI to approve draft to be sent to AGO	1 week	1 week
10	MNPI to send for AGO comments	1 week	1 week
11	Incorporate AGO comments approved by MNPI	1 week	1 week
12	MNPI to approve draft to be sent to PO	1 week	1 week
13	MNPI to share draft to PO for their comments	1 week	1 week
14	Incorporate PO comments	1 week	1 week
15	MNPI to approve & send draft to be gazette	1 week	1 week
<b>TOTAL DURATION</b>		<b>25 weeks</b>	<b>20 weeks</b>