

# Terms of reference (ToRs) for the procurement of services below the EU threshold

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<b>Terms of reference (ToR) for the design, technical specifications and bill of quantities for the tender process of Catchment Rehabilitation Measures for ICM in Lesotho</b>	<b>Project number/ cost centre: 2018.2194.1-005.00</b>
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<b>0. List of abbreviations .....</b>	<b>2</b>
<b>1. Context.....</b>	<b>3</b>
<b>2. Tasks to be performed by the contractor .....</b>	<b>3</b>
<b>3. Concept.....</b>	<b>6</b>
Technical-methodological concept .....	6
Other specific requirements.....	6
Project management of the contractor.....	6
<b>4. Personnel concept .....</b>	<b>6</b>
Team leader .....	<b>Error! Bookmark not defined.</b>
Expert 1.....	6
Short-term expert pool with minimum ..., maximum ... members ..	<b>Error! Bookmark not defined.</b>
<b>5. Costing requirements .....</b>	<b>7</b>
Assignment of personnel.....	7
Travel.....	7
Workshops, training.....	7
Other costs.....	7
Flexible remuneration item .....	7
<b>6. Inputs of GIZ or other actors .....</b>	<b>8</b>
<b>7. Requirements on the format of the bid .....</b>	<b>8</b>
<b>8. Option .....</b>	<b>8</b>
<b>9. Annexes .....</b>	<b>Error! Bookmark not defined.</b>

**0. List of abbreviations**

AVB	General Terms and Conditions of Contract (AVB) for supplying services and work 2018
ToRs	Terms of reference

## **1. Context**

The Government of Lesotho, with support of international partners, has embarked on an ambitious national programme for Integrated Catchment Management. Its aim is to rehabilitate degraded watersheds across the country and to put in place prevention measures that will halt the further degradation of Lesotho's catchment areas. The sustainable management of Lesotho's catchments are of critical importance for water, energy and food security not only in Lesotho itself but in the entire Orange-Senqu Basin and Gauteng Province, Southern Africa's economic centre.

GIZ was commissioned by the European Union and the German Federal Ministry for Economic Cooperation and Development to support the Government of Lesotho in the implementation of integrated catchment management (ICM). The support project aims to implement ICM in line with climate change adaptation principles. Target areas include policy harmonization (Output 1); institutional development (Output 2); building human capacities, skills and knowledge (Output 3), implementation of watershed rehabilitation measures (Output 4); and support for data and monitoring (Output 5). Background (e.g., short description of the project) and initial situation, in particular the objectives of the services to be tendered.

A key activity to support ICM in Lesotho will be the implementation of measures for watershed rehabilitation and development at the local level across the country (Output 4). Here, the project applies a "dual track approach" that distinguishes between a) "fast track" emergency measures in hot spots of degradation and b) long-term measures. "Fast track" measures are intended to be implemented where degradation is most severe and close to becoming irreversible. They are intended to stop and slowly reverse further damage to the catchments. Longer term catchment rehabilitation measures (land, water and livelihoods interventions) will be identified through community-based annual planning processes.

The ICM support project is implementing measures for watershed rehabilitation and development in six priority sub-catchments. Within each of these priority sub-catchments, hotspots of degradation were identified that require immediate action to halt and reverse environmental degradation. Implementation of a first phase of the emergency measures is underway and it is planned that design, procurement and implementation of the second phase will follow in quick succession.

During the first phase of emergency measures, fit-for-purpose designs, drawings, specifications and other tender documentation for catchment rehabilitation works were produced and used to procure contractors for labour intensive implementation of the works. Some of these designs and specifications can be re-used for the second phase of works, but will have to be complemented with specifications, designs and costing of new types of measures such as small dams and water supply systems.

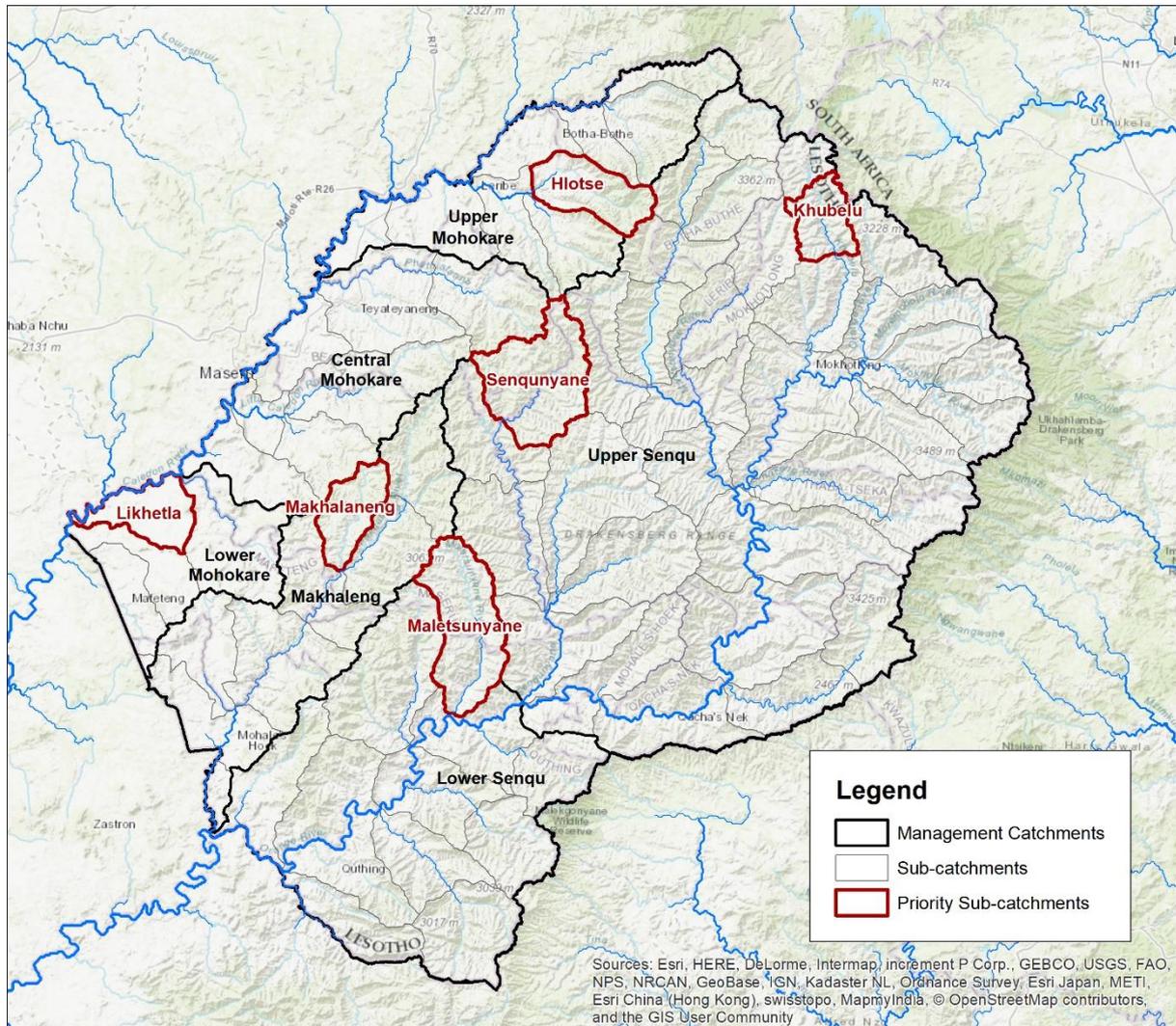
## **2. Tasks to be performed by the contractor**

GIZ requires the services of an experienced design engineer, preferably with experience of labour-intensive construction methods and catchment rehabilitation works to support the design and preparation of tender documents for procurement of contractors for implementation of the second phase of catchment rehabilitation measures.

The contractor is responsible for providing the following services:

- Provide technical assistance to the project by providing assessments, designs and drawings of “baskets” of measures that will holistically address watershed rehabilitation issues, including but not limited to erosion, wetland degradation and rural water supply. Following completion of designs procurement documentation will be prepared, including specifications, costing and bills of quantities. It is anticipated that measures for rehabilitation of three watersheds will be required.
- Designs will be based on concepts developed in rapid planning processes with ICM community structures and Government technical advisers. Concept development will not form part of this assignment; however, the contractor is expected to critically review the concepts and introduce improvements where required.
- Provide designs of catchment rehabilitation measures such as erosion control measures (including stormwater management and gully rehabilitation), conservation farming, spring protection works, small rural water supply schemes and wetland rehabilitation measures.
- Design of more complex measures such as small dam construction and/or irrigation schemes as required by the project needs
- Tender documentation, including technical drawings, technical specifications, cost estimates and bills of quantities for the tender process.
- Review proposed designs with GIZ technical team in Lesotho.
- Advise on the company profile to be selected to implement actual construction works.
- A concise design reports.
- The consultant should work closely with the GIZ Construction Unit in Lesotho and if necessary, with the Construction and Contract divisions of GIZ at Country and Head Quarters levels. However specific reporting will be to the GIZ Support to ICM in Lesotho Component Manager for Catchment Planning and Implementation.

The project is implemented in the priority sub-catchments of the national ICM programme in Lesotho. Phase B watershed rehabilitation sites have been identified in the Likhetla, Makhalaneng and Hlotse priority sub-catchments (Figure 1-1).



Certain milestones, as laid out in the table below, are to be achieved by certain dates during the contract term, and at particular locations:

<b>Milestone</b>	<b>Deadline/place/person responsible</b>
Field visits to the proposed rehabilitation sites, surveys, and assessments	Expert 1: 12 days on-site task / Deadline: 1 month after contract signed
Meetings and consultations with technical officers of line ministries, including, but not limited to Departments of Rural Water Supply, Soil and Water Conservation and Agriculture	Expert 1: 5 days on-site task / Deadline: 1 month after contract signed
Preparation and submission of draft designs, drawings, technical specifications and Priced BoQ's	Expert 1: 15 days remote task / Deadline: 2 months after contract signed
Preparation, submission and presentation of final Technical Documents (designs, drawings, technical specifications, Priced BoQ's etc.) And further review	Expert 1: 5 days on-site task / Deadline: 2.5 months after contract signed

Remote support to address queries arising during procurement of contractors	Expert 1: 5 days remote task / Deadline: contract closing date
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Anticipated period of assignment: From September 2022 until 31<sup>st</sup> of January 2023

### 3. Concept

In the bid, the bidder is required to show how the objectives defined in Chapter 2 are to be achieved, if applicable under consideration of further specific method-related requirements (technical-methodological concept).

#### Technical-methodological concept

**Strategy:** The bidder is required to consider the tasks to be performed with reference to the objectives of the services put out to tender (see Chapter 1). Following this, the bidder presents and justifies the strategy with which it intends to provide the services for which it is responsible (see Chapter 2).

#### Other specific requirements

##### Project management of the contractor

- The contractor makes available equipment and supplies (consumables) and assumes the associated operating and administrative costs.
- The contractor manages costs and expenditures, accounting processes and invoicing in line with the requirements of GIZ.
- The contractor reports regularly to GIZ in accordance with the AVB of the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH from 2018

### 4. Personnel concept

The bidder is required to submit a CV that demonstrates the bidder's suitability to fill the position described (see Chapter 7), the range of tasks involved and the required qualifications.

The below specified qualifications represent the requirements to reach the maximum number of points.

#### Expert 1

##### Tasks of expert 1

- Preparation of designs and a set of drawings, technical specifications and Priced BoQ's
- Presentation of Technical Documents (designs, drawings, technical specifications, priced BoQ's etc.) And further review.

##### Qualifications of expert 1

- Education/training (2.2.1): Bachelor's degree in civil or agricultural engineering, or natural resource management
- Language (2.2.2): Excellent English language skills (level C1)

- General professional experience (2.2.3): 15 years' civil or agricultural engineering design experience
- Specific professional experience (2.2.4): Any two of (a) Design of river protection works and erosion control measures (including stormwater management and gully rehabilitation), (b) conservation farming, spring protection works, (c) small rural water supply schemes (d) Design of labour-intensive construction measures.
- Leadership/management experience (2.2.5): not applicable
- Regional experience (2.2.6): 5 years of professional experience in SADC countries
- Development Cooperation (DC) experience (2.2.7): not applicable
- Other (2.2.8): not applicable

### Soft skills of team members

In addition to their specialist qualifications, the following qualifications are required of team members:

- Team skills
- Initiative
- Communication skills
- Sociocultural competence
- Efficient, partner- and client-focused working methods
- Interdisciplinary thinking

## **5. Costing requirements**

### **Assignment of personnel**

Expert 1: Assignment in country of assignment (Lesotho) 22 expert days, remote assignment for a further 25 expert days

### **Travel**

The contractor is requested to travel to Lesotho as required and as permitted by GIZ risk management regulations regarding Covid-19. Provision has been made in the budget for up to 2 visits to Lesotho, depending on Covid-19 restrictions.

Please include a lumpsum of EUR 5,000 for travel (flights, accommodation allowance, per diem allowance, visa costs) in the financial proposal. GIZ will reimburse actual travel costs as per GIZ travel regulations up to this amount.

### **Workshops, training**

- Not applicable -

### **Other costs**

- Not applicable -

### **Flexible remuneration item**

Please include a flexible remuneration item with a fixed budget of EUR 3,000 for additional work arising out of the work packages. For more information see 5.18 General Terms and Conditions of Contract.

## 6. Inputs of GIZ or other actors

GIZ and/or other actors are expected to make the following available:

- Transportation to and on site with project vehicle
- Accommodation bookings outside of Maseru (payment by consultant)
- Workshops logistics, if required.

## 7. Requirements on the format of the bid

The structure of the bid must correspond to the structure of the ToRs. In particular, the detailed structure of the concept (Chapter 3) is to be organised in accordance with the positively weighted criteria in the assessment grid (not with zero). It must be legible (font size 11 or larger) and clearly formulated. The bid is drawn up in English (language).

The complete bid shall not exceed 10 pages (excluding CVs).

The CVs of the personnel proposed in accordance with Chapter 4 of the ToRs must be submitted using the format specified in the terms and conditions for application. The CVs shall not exceed 4 pages. The CVs must clearly show the position and job the proposed person held in the reference project and for how long.

If one of the maximum page lengths is exceeded, the content appearing after the cut-off point will not be included in the assessment.

Please calculate your price bid based exactly on the aforementioned costing requirements. In the contract the contractor has no claim to fully exhaust the days/travel/workshops/ budgets. The number of days/travel/workshops and the budget amount shall be agreed in the contract as 'up to' amounts. The specifications for pricing are defined in the price schedule.

## 8. Option

After the tasks put out to tender have been completed, important elements of these tasks can be continued or extended within the framework of a follow-on assignment. Individual points:

1. **Type and scope:** The emergency measure concept is expanded to include additional interventions requiring designs.
2. **Requirements:** The option becoming effective is subject to the (interim) results of the original commission.

The option is exercised in the form of an extension to the contract based on the already offered individual rates.

## 9. Other Requirements

- Please submit your proposal (technical and price proposal) in separate files/folder to [ZA\\_Quotation@giz.de](mailto:ZA_Quotation@giz.de) no later than **09.09.2022**, all documents must be in PDF.
- Please do not mention any price for this measure on your cover letter/Technical proposal.

- Please submit your tax clearance certificate with the bidding documents.
- Please submit your price proposal in LSL.
- Our General Terms of Conditions (attached) shall not be changed/amended should you be the winner of this tender. These General Terms and Conditions will form part of the contract should you be awarded this contract. By submitting your proposal we will conclude that you have read and accepted these terms and conditions.
- Bidders are not allowed to communicate directly with any other person regarding this bid other than the procurement official/s. Failure to comply with this requirement may lead to your bid being disqualified.
- Bidders must strictly avoid conflicts with other assignments or their own interests. Bidders found to have a conflict of interest shall be disqualified. Without limitation on the generality of the above, Bidders, and any of their affiliates, shall be considered to have a conflict of interest with one or more parties in this EOI and tender process, if they:
  - a) are or have been associated in the past, with a firm or any of its affiliates which have been engaged by GIZ or the Interim Supply Chain Management Council to provide services for the preparation of the design, specifications, Terms of Reference, cost analysis/estimation, and other documents to be used for the procurement of the services in this selection process;
  - b) were involved in the preparation and/or design of the programme/project related to the services requested under this EOI and tender;
  - c) are serving or have been serving in the past three months in the structures of the Interim Supply Chain Management; or
  - d) are found to be in conflict for any other reason, as may be established by, or at the discretion of GIZ.
- In the event of any uncertainty in the interpretation of a potential conflict of interest, Bidders must disclose to GIZ, and seek GIZ's confirmation on whether or not such a conflict exists.
- Similarly, the Bidders must disclose in their proposal their knowledge of the following:
  - a) if the owners, part-owners, officers, directors, controlling shareholders, of the bidding entity or key personnel are family members of GIZ staff involved in the procurement functions and/or the Interim SCM Council or any Implementing partner receiving services under this EOI or tender; and
  - b) all other circumstances that could potentially lead to actual or perceived conflict of interest, collusion or unfair competition practices.
- **Failure to disclose such an information may result in the rejection of the proposal or proposals affected by the non-disclosure.**

- **Questions & Answers will be placed on the link provided.**

**Bids sent via Dropbox and WeTransfer will not be accepted**