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**Pacific Islands Regional Oceanscape  
Program (PROP)**

Project Number: P151780

**Department of Fisheries**  
Ministry of Natural Resources  
Teone, Funafuti  
TUVALU

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**Terms of Reference**

**PROP/ TFD/C1/CS8-2021**

<b>Title</b>	Consultancy to Supervise construction works of Tuvalu Fisheries Department infrastructure projects
<b>Location</b>	Funafuti, Tuvalu.
<b>Duration</b>	Estimated 6 months – Individual Consultant
<b>Start Date</b>	Planned start date – February

Tuvalu has received financing from the World Bank for the *Pacific Islands Regional Oceanscape Program* (PROP). PROP comprises a series of projects, which includes separate national projects in the Federated States of Micronesia, the Republic of the Marshall Islands, Tuvalu, the Solomon Islands, Kiribati, Samoa and the Kingdom of Tonga, and a separate but complementary regional project implemented by FFA.

The PROP development objective is to strengthen the shared management of selected Pacific Island oceanic and coastal fisheries, and the critical habitats upon which they depend. This will provide the basis for sustainable and increased economic benefits to the participating Pacific Island countries from this resource. The key agency in the management and development of both oceanic and coastal fisheries in Tuvalu is the Fisheries Department.

**1. Background and context**

The importance of fisheries to Tuvalu cannot be overstated: indeed Tuvalu is often characterised as one of a handful of ‘fishery-dependent small island states’ whose economy, livelihoods, food security and dietary health depend largely on marine resources. The sustainable development and management of fishery resources is therefore essential for the economic, health and social well-being of Tuvaluans. In the case of coastal fishery resources which occur in and around Tuvalu’s reefs and lagoons, this can be done on a local and national scale, although there is little history of active management in Tuvalu so far. However, tuna fishery resources are not confined to Tuvalu’s EEZ but are shared among many Pacific countries.

On behalf of the people of Tuvalu, the Government, through the Fisheries Department of the Ministry of Natural Resources, will act as a responsible custodian of oceanic or designated inshore fishery resources and fisheries rights so that they generate national revenues and sustainable employment opportunities. The Department will also support Kaupule/ Falekaupule to manage inshore fisheries to support livelihoods and provide local food security.

The Department has secured funds under PROP for the construction of two new buildings at its site at Teone, Funafuti and the Funafuti Conservation Area (FCA) watchman hut/tower on Tepuka Islet. These projects will improve facilities for the delivery on TFD mission and strengthen the management and protection of the FCA.

### ***1.1. Training Centre:***

To achieve and fulfill the TFD mission, one of the main activities that the Department has been heavily involved in the past until now, is the delivery of training programmes for local people and capacity building programmes for fisheries staff on a wide range of different areas. With the current size and composition of the Department coupled with a very intensive work programme, training programmes have become a major part of the Department's activities.

Given the need to ensure that fisheries trainings are delivered in the most effective and efficient way, the Department has been eager to have a proper training centre with proper facilities to serve this purpose. This training centre is not only for training of local fishermen and others working in the sector. It will also be used for the Department capacity building programmes especially with visiting consultants and visitors from other Fisheries regional organisations such as FFA, PNA, WCPFC and SPC. TFD also anticipates that this training centre can also be used for regional conferences at times when Tuvalu is hosting one of these meetings. With these expectations, detailed specifications of this building are listed in the building specification subheading.

### ***1.2. Store and Boatshed***

Proper recording, storage and management of the Department assets is one of the area that the Department has faced difficulty with in the past years until now. Currently, the lack of a proper asset register plus the lack of proper storage areas to store all the Department's assets have created a lot of problems in the Departments efforts to properly manage all its assets and make best use of its limited funds for procurement of new items.

Recently, the Department has recruited a full-time Storekeeper whose main duties and responsibilities are to record and manage all the Department assets. With the asset register now being properly developed, what remains as the main challenge is a proper area to store all these items. The store room will also realise the idea that has been strongly supported by stakeholders for the Department to start selling a range of the most needed fish tackle to local fishermen. It is planned that this store room will store all the Department assets and also serve as a fishing tackle shop for the general public.

In addition, the Department's boats are valuable assets that require better storage. TFD owns five outboard- powered boats with trailers: two rigid inflatable powered boat by Evinrude 75 HP, two Zodiac Pro RIBs, each are powered by 2 Yamaha 60 HP outboard motors and one Fibreglass Boat powered by Mercury 90 HP. These assets were acquired through funds from PROP and one is a donation from the KOFA. Currently these boats are just lying within the Department compound without a proper place for storage. They have been exposed to the sun and rain since their arrival. Exposing of these expensive and important assets is very disastrous and could result in the deterioration of their conditions in a very short span of time. The storage facility therefore, needs to include a secure area for storage of these boats to protect them from these elements.

### 1.3. FCA Watchman Hut/Tower

The request for a Watchman Hut/Tower under the Tuvalu PROP project for the Funafuti conservation area was introduced during the making of the Funafuti Reef Fisheries Stewardship plan (FRFSP) in 2017. The Funafuti Reef Fisheries Stewardship plan was developed by the community of Funafuti alongside key stakeholders to assist them to effectively manage and monitor the Funafuti Conservation Area (FCA). Several locals had been caught and penalized for poaching under the *Kaupule o Funafuti Conservation Area Order* made under Section 3 of the Conservation Area Act, however to strengthen the effective monitoring and enforcement of the FCA gave birth to the request. The request was explored to a stage where the concept of the request was produced in the form of a 3D model/view of the required infrastructure.

## 2. Purpose

The purpose of the project is to develop new infrastructure to enhance the work of the Tuvalu Fisheries Department in strengthening management of oceanic and coastal fisheries.

## 3. Objective

The primary objectives of the consultancy is to engage a consultant:

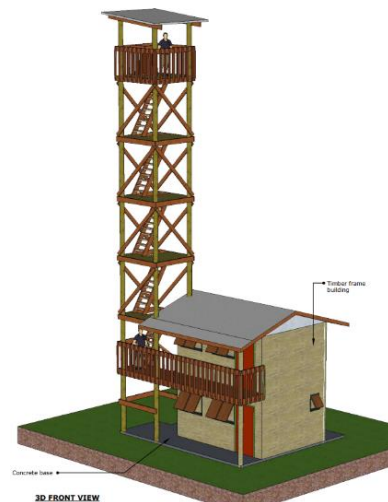
- 3.1. To supervise construction contractors for two TFD buildings at Teone and the FCA watchman hut on Tepuka to ensure construction specifications are strictly followed within social and environmental safeguard requirements of the World Bank.
- 3.2. To hand over completed buildings to TFD that has been constructed in full and in accordance with construction contract conditions, designs and specifications within the agreed budget and allotted time for construction.

## 4. Construction site:

The proposed site for TFD building projects is opposite the road to the existing Tuvalu Fisheries Department infrastructure at Teone (Figure below).



While the proposed site for the FCA watchman hut/tower is at Tepuka islet just outside of the Funafuti Conservation Area as shown in the figure below.



## 5. Scope of services

### 5.1. General

It is expected that the consultant will carry out the tasks outlined below to achieve the objectives of the assignment. The consultant will be responsible for supervising the construction works and administration of construction contract of all projects. He/she is required to monitor, audit and perform independent testing of materials and systems put in place by construction contractors to verify their compliance with the required standards in accordance with specifications.

### Pre - Supervision duties

#### 5.2. Assist to Finalize and Evaluate Construction Contractors bidding documents

- Review prepared bidding documents and advise improvement if requires;
- Ensure all bidding documents are in-order before rolling out;
- Respond to technical queries raised from bidders;
- Assist in the evaluation process of bids;
- Conduct contractors' orientation and training of the work requires for each projects in compliance with safeguard requirements and accordance to specification requirements with assistances from the safeguard consultant.

### Construction Supervision of Building Contracts

#### 5.3. Construction Supervision and Administration of Building Contracts

The consultant's roles and responsibilities during supervision will include, but not limited to the following:

- Provision of a suitably-qualified and experienced building professional who is capable of carrying out the duties of the Employer's "Project Manager" as defined in the World Bank Standard Bidding Document (WB SBD) for Procurement of Small Works Contracts;
- Provide a suitably qualified and experienced part-time or full-time Clerk of Works to carry out day-to-day supervision;
- Ensure that the contractor is at all times in possession of all data required to meet the contractual works program, through the timely issuing of contract documents, initial, updated and revised construction drawings as required;
- The Project Manager is expected to be at the sites at most times to oversee progress, with particular attention to ensuring contractors' adherence to the design and construction drawings and specifications. Maintain daily records of the activities on the site, site conditions and contractor's resources;
- Review of contractors' works program;
- Random (but at least fortnightly) review of the contractor's daily records, material-testing results, batch records, set-out survey records etc, and report to the client;
- Random independent sampling and testing of contractor's materials to ensure compliance with the specifications;
- Review and monitor contractor's adherence to the Environmental and Social Management Plans;
- Advise the client of any matters of concern and proposals for their resolution;
- Prepare monthly supervision reports with support photos for the client;
- Review and make recommendations on any claims submitted by the contractor for additional payments and extension(s) of time;
- Conduct formal site meetings with the contractor and keep minutes of matters of concern;
- Measure the actual quantities of work carried out and agree these with the Contractor; keep appropriate records of measured work;
- Receipt and checking of contractor's monthly statements, preparation of Interim payment certificates in the format prescribed in the contract and forwarding to the Client in a timely manner for due of payments, etc;
- Undertake monthly project management meetings with the Client to discuss progress, budget update, upcoming risks and mitigation measures and next steps so that all parties are on the same page and issues of importance are discussed with the Client as need be;
- Confirm that works completion has been reached and advise the client in writing accordingly;
- Prepare cost estimates and designs to accommodate any variation that may arise out of this contract.

The consultant will make his/her best efforts to ensure that the contracts are completed on time and on budget, and in full compliance with all specifications.

#### 5.4. Defects Liability Period Monitoring

As the defect liability period is outside of the contract period given the completion date of PROP, the Public Works Department will monitor a 12-month Defect Liability Period with quarterly monthly inspections to prepare defects list of repairs, and on satisfactory completion of any defect occurs, these will be rectified by construction contractor's responsible for the project before any retention or final outstanding contract payment is made.

## 6. Risk Assessment and Safeguards

Under the Environment Protection Act (2008) Regulation 2014 and the Native Land Act (2008), there are certain requirements for any new development project, particularly infrastructure to satisfy and acquire approval before starting. These requirements are aligned with those of the PROP - World Bank Environmental and Social Management Framework (ESMF) need to satisfy as this project is funded under PROP. To enable these requirement are compliant, the consultant will:

- a) Work with the PROP safeguard consultant who will be responsible for carrying out the appropriate environmental and social assessments;
- b) Assist the PROP safeguard consultant, update and monitor to ensure all environmental, social and health and safety aspects of the works are included in the procurement documents for the works;
- c) Assist the Safeguard Consultant to educate and train local construction contractors on all of these requirements;
- d) Monitor and ensure construction contractors are compliant with these requirements.

## 7. Consulting firm's qualifications and experience

- Tertiary qualifications in architecture, structural / civil engineering or building;
- Experiences in reading design and detailed construction drawings for similar works;
- Experiences with preparation of procurement bid documentation;
- Experiences in applying environmental/social safeguards policies of multilateral finance organisations.
- Knowledge of conditions and project costs in Tuvalu;
- Experience in providing similar services for at least two previous building projects, with references for each;
- Proven experience in supervising similar works.

## 8. Duration of the assignment and Level of Inputs

The consulting firm should start work as soon as possible after signing the contract. The expected duration of this assignment is 6 calendar months. The estimated level of inputs will be as follows:

- Supervision
  - Assist in finalizing construction tender documents; (1 week)
  - Assist in the evaluation and selection process of construction contractors (2 weeks)
  - Supervise and administer building contracts (6 months)
  - Handing over of each completed project.

## 9. Reporting and Deliverables schedule

The consultant reporting schedules will be as follows:

Output	Content	Timing
Assist in finalizing tender documents for construction contractors	Complete docs in WB – S/NCB format (Attachment 5/9) and rollout	1 week after signing of contract

Assist in the evaluation of tenders and drafting of the Evaluation Report	Tender(s) evaluation in accordance with WB Guidelines of qualified bidders, Award contracts and the works to start straight away.	2 weeks after closing of bids
Interim Supervision Reports	Regular reports during construction phase to provide updates on progress including monitoring against the ESMP.	Fortnightly basis after construction work started
Final Supervision Report	Should include photos and written text describing the finished product, commissioning and checks of all systems including water & sanitation, electrical, environmental, telecommunication etc	At completion of construction work of each building

#### 10. Payment schedule

The consultant will be paid according to the following schedule:

- On acceptance of each fortnightly supervision report (5% per report x10) 50%
- On acceptance of Final Certificate and Completion Report for each project:
  - Training Centre (20%);
  - Storeroom and Boatshed (20%)
  - FCA Watchman Hut/Tower (10%)

#### 11. Inputs by Client

- TFD through PROP-PMU will provide all relevant available documents related to the work and assignment of the consultant when needed;
- Arrange transportation to Tepuka on weekly basis.

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