

Package No. 8
Terms of References (ToR)
for NR13 N&S PMUs' Project Management Consultant

1. Background

The MPWT has received financing support from World Bank, AIIB, EIB and the Nordic Development Fund (NDF) to implement Lao Road Sector Project 2 (LRSP2) and National Road 13 Improvement and Maintenance projects, which will support MPWT to improve critical sections of Lao road network and strengthen its capacity at both central and local levels to manage road improvement and maintenance. The MPWT is the Executing Agency (EA) for the projects.

For LRSP2, a project management team to oversee the overall project implementation has been formed under the Department of Planning and Cooperation (DPC). The Project has included support to strengthen the capacity of the departments concerned in MPWT and the provinces. Department of Finance will be responsible for providing procurement support to the concerned departments. Department of Road (DoR) is responsible for managing the road works and road asset management systems development. At provincial level the six provincial Departments of Public Works and Transport (DPWT) covered by the Project (Phongsaly, Houaphan, Oudomxay, Xiengkhouang, Xayabouly and Bolikhamxay) will be responsible for the implementation.

The Project has been designed as a program to support the strengthening of maintenance systems that will result in improved connectivity. It will support institutional development through the preparation of financing and policy frameworks, improved planning and prioritization, and governance systems. The project further will contribute to improved technical capacity for the road sector as a whole so as to maximize the effectiveness of public expenditure and enable continual increases in the length of provincial roads in good and fair condition, and steady improvement in climate resilience and safety. The Project will also finance periodic maintenance and routine maintenance works in the six provinces mentioned above.

In response to the flooding in 2018, the World Bank has mobilized additional financing to LRSP2 to support MPWT to improve a section of National road 13 South.

For NR13 road improvement and maintenance, a project management team is formed under DoR. The scope of works cover widening of 19 km road section: km 12 to 31 from two lanes to four lanes and improvement of 2 lanes section: km31-70. Output performance Based Road Contract (OPBRC) has been used.

National Road 13 is the most important highway in Lao PDR, connecting Laos with China in the North and Cambodia in the South, for a total length of 1,500 km.

The proposed project roads, (1) National Road 13 North (NR13N), runs from Vientiane Capital (Km 12) to Phonhong (Km 70) and is 58-km long. It is a critical stretch serving high traffic volumes. This section is close to Vientiane Capital has a higher traffic volume, while the volume decreases farther from Vientiane Capital; (2) National Road 13 South (NR13S), runs from Vientiane Capital (km 71) to Khammouane Province (Km 346) and is 275-km long.

The project road (1) is financed by the World Bank (WB), the Nordic Development Fund (NDF), the Asian Infrastructure Investment Bank (AIIB) and the Government of Lao PDR (GoL) and the project road (2) is financed by the World Bank (WB), the European Investment Bank (EIB)¹, the Asian Infrastructure Investment Bank (AIIB) and the Government of Lao PDR (GoL).

¹ Subject to satisfactory due diligence and EIB Board approval

The WB, AIIB, EIB and NDF will finance over half the cost of the improvement and rehabilitation of the project roads. The GoL, through the Road Maintenance Fund (RMF), will finance the remaining part of the project.

The projects cover improvement of the quality, including climate resilience, as well as maintenance and safety of two roads with two physical works and maintenance packages.

Project (1):

Package 1 being the upgrading of the roadway from 2 to 4 lanes from km 12+000 to km 31+400 (just north of Nam Houm bridge); and Package 2 being upgrading the two-lane sub-section from km 31+400 to km 70 (Phonhong), with cycle lanes and associated infrastructure. All roads are to be constructed new with concrete pavements, and each package contains two bridges to be constructed, along with maintenance of existing bridges. The World Bank Standard Procurement Document for Output- and Performance-based Road Contracts (OPBRC), October 2017 version, has been adopted as the form of contract to be applied for carrying out the works under the Project. The two physical works packages will be awarded through International Competitive Bidding.

Project (2):

Contract 1: Km 71 to Km 111 widening existing road width from 9 to 12 metres with asphaltic pavement and construction of two new bridges; Contract 2: Km 111 to Km 190 widening existing road width from Km 111 to 150 which passes Paksan urban and from Km 150 to 190 no widening with asphaltic pavement; Contract 3: Km 190 to 268 and Contract 4: Km 268 to 346 no widening with asphaltic pavement.

OPBRC expands the role of the private sector from the simple execution of works to the management and maintenance of road assets. The contractor is paid through a combination of output payments for defined improvement works along with periodic performance-based lump-sum payments for bringing the road to a certain service level and then maintaining it at that level for a relatively long period. The Ministry of Public Works and Transport (MPWT) is planning to award two 10-year contracts for the works with climate resilient improvement and rehabilitation carried out over the first 2-3-year period (the “Construction Phase”). Operations and maintenance (O&M) requirements commence from the start of the contract and extend for 7-8 years beyond completion of the Construction Phase. The payments for the construction phase will be made if the contractor meets or exceeds the performance indicators for defined fully finished road sections (“milestones”). The quarterly O&M payments are limited to the post Construction Phase period and will be based on the Contractor’s performance in meeting or exceeding the defined Service Levels.

O&M payments will only start after full completion of the Construction Phase. However, the contractor is still required to deliver O&M works during the Construction Phase along the entire contract road – including those parts of the contract road yet to have construction works commenced. Payment during the Construction Phase will be on the basis of completed road subsections (milestones) and against works certification issued by the Implementation Support and Work Supervision (ISWS) consultant.

The Department of Roads (DoR), under MPWT, is responsible for project implementation including overall technical oversight, execution and management of the project. DoR, which will be the Employer for the OPBRC, has appointed a dedicated team (Project Management Unit or PMU) that will be responsible for the day to-day implementation, and operation of the project, including contracting and supervision of all consultants.

For NR13 N, DoR has already hired implementation support and work supervision consultant to help manage and supervise OPBRC contracts. Contractor for OPBRC has been on board and progress has been made on the ground. For NR13S, procurement of both supervision consultant and contractors are under way.

DoR intends to recruit a project management consultant to assist DoR to manage improvement and maintenance of NR 13 South under LRSP 2 project and improvement and maintenance of NR13 North under NR13 project and assist DoR on strategic road sector development management.

The Consultant will be recruited using the Individual Consultant (IC) method following the World Bank's "Procurement Regulations for IPF Borrowers: Procurement in Investment Project Financing" (hereinafter referred to as "Procurement Regulations") dated July 1, 2016, revised November 2017." The services are described in these TOR.

2. Scope of Work and Main Tasks

The consultant will work closely with the Project Management Units Team (PMUs) in the overall project management to ensure that the project achieves its objectives. The Project Management Consultant will work jointly with the project management Units team under the direction of the Project Managers, in:

- 1) Provide support to the Director General of DoR on strategic road sector management, including planning, prioritization, budget allocation and monitoring the implementation of five-year investment plan for the road sector; This will also include improve business process for road improvement and maintenance.
- 2) Provided support to Project Managers of NR13 N and NR13 S on overall project management including contract management, overseeing progress of works , overseeing the performance of contractor and supervision consultants, regular updating overall work program and its critical path, monitoring compliance with WB, EIB, AIIB and NDF policies related to the projects and covenants in the financing agreement between the government and Development Partners.
- 3) Monitoring and updating the procurement plan in cooperation with the procurement consultants.
- 4) Development and put in place Monitoring and evaluation system to ensure that data for M&E is collected in a timely manner.
- 5) Provide support to PMU to track procurement and payment process.
- 6) Provide training on project management and contract management to DoR staff.
- 7) Provide support to PMU in preparation and participation in joint implementation support missions.
- 8) Provide support to PMU to follow up the implementation of actions plan agreed during the implementation support missions.
- 9) Other duties as assigned.

3. Experience and Qualifications

The qualifications and experience required of the consultant are as follows:

- 1) At least Bachelor's degree or higher in civil engineering, Public Policy, Business administration, or a related field.
- 2) Minimum of 10 years of experience in project and or program management within the infrastructure sector.
- 3) Knowledge, skills and experience in result-based planning, quality control, monitoring and evaluation and human resources management, ideally within the infrastructure sector.
- 4) Familiarity with infrastructure projects funded by the World Bank and other International Financial Institutions.
- 5) Good inter-personal and team building skills.
- 6) Excellent spoken and written skills in English.
- 7) Willingness to travel as needed to provinces.
- 8) Flexibility and ability to work and deliver high-quality production time.

4. Deliverables

The Consultant will provide the followings:

- 1) Monthly/quarterly/annually progress reports of the overall implementation of the projects;
- 2) Monthly plan for overall PMUs activities, to be updated weekly;

- 3) Brief monthly report on the performance of the supervision consultant (progress, findings, issues or problems encountered on execution) and contractors, including recommendations for improvements;
- 4) Updated procurement plan;
- 5) Review draft Bidding Document (if any) and OPBRC and ISWS contracts.
- 6) M&E system.
- 7) Develop and put in place contract management system;
- 8) Report on improvement of business process for implementation of road improvement and maintenance.

5. Duty Station and Duration

The initial duration of the assignment will be 12 months from (planned) October 2020 to September 2021 with possible renewal based on satisfactory performance.

The duty station is in Vientiane, Lao PDR, with travel to provinces. The Project Management Consultant will be based at the NR13 N&S PMUs' Office (Project Management Units Team Office) at the Department of Roads, Ministry of Public Works and Transport.

6. DoR's Input

DoR will provide office space, technical counterpart, access to the use of photocopy machines and transport to project sites or provinces.

The Consultant will work with the Project Managers (as client) and PMUs' staff and report to Director General of DoR.