



Afghanistan Community Resilience and Livelihoods Project

Annex 1.2 Terms of References

Project Name: Construction of Abu Talib Guzar Protection wall for flood control Canal with total length of 300 m, Gozar#11, District#05, Mazar-e-Sharif City.

Project ID: MZR/DIS#5/SP03

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UNOPS IN AFGHANISTAN

The United Nations Office for Project Services (UNOPS) is an operational arm of the United Nations, supporting the successful implementation of its partners' peacebuilding, humanitarian and development projects around the world. Mandated as a central resource of the United Nations, UNOPS provides sustainable project management, procurement and infrastructure services to a wide range of governments, donors and United Nations organisations.

UNOPS has worked on improving rural livelihoods and access to social protection by supporting Afghanistan's National Emergency Employment Program since 2003, creating 2.5 million labour days through the rehabilitation of infrastructure work. UNOPS has also been an implementing agency in the Afghanistan Rural Access Project funded by the World Bank and the Afghanistan Reconstruction Trust Fund to enable rural communities in Afghanistan to benefit from all seasons road access to basic services and secondary and tertiary rural roads and bridges.

PROJECT BACKGROUND

Background - The isolation of the Afghan economy following the political crisis of 2021 has led to grave poverty and, with per capita incomes estimated to have fallen by around over one-third over the last six months, increased household hardship. The economic collapse has been driven by sharp declines in international grants, loss of access to the overseas assets of the central bank, disruption to international banking relationships, and a loss of investment confidence.

The aid-dependent services sector has been hit hardest by the crisis, leading to a collapse in urban employment and incomes. At the same time, agricultural output is estimated to have declined by around five percent, reflecting drought impacts and higher prices for key inputs.

The main objective of this World Bank-funded project (*Afghanistan Community Resilience and Livelihood Project or CRLP*) is to provide short-term livelihood opportunities and deliver urgent essential services in rural and urban areas. This immediate assistance will first provide short-term employment and income to Afghans while also improving access to basic services such as clean water and sanitation, roads/streets, and basic neighbourhood improvements.

The urban component of CRLP (Component 2) covers 10 major cities of Afghanistan that include Kabul, Kandahar, Herat, Mazar-i-sharif, Jalalabad, Khost, Kunduz, Bamyán, Ghazni and Gardez.

Women and vulnerable groups, such as persons with disabilities, will be especially assisted. The Project will also support community-level systems and institutions for long-term resilience, sustainability and inclusive development.

By engaging local private sector contractors in the cities, the Project will help preserve the local civil works implementation capacity that has been gradually developed over the past two decades. The Project will be delivered through the UNOPS which is a UN agency.

PROJECT SUMMARY

The scope of works relating to this project is described within the Contract Documents, however, a high-level summary is included within this document in the upcoming paragraphs to give the reader a general understanding of their location and nature.

1) Project Name and Location

Construction of Abu Talib Guzar Protection wall for flood control Canal with total length of 300 m, Gozar#11, District#05, Mazar-e-Sharif City.

The project site coordinates are illustrated on the project location map.



Figure 1. Project Site Location Map

2) Scope of Works

The length and width of the proposed street are illustrated in the design drawings. The major activities included within the scope of this work include:

- Provision and or reshaping of earthen flood control canal through provision of earthen bank supports
- Provision of stone masonry flood control canal for the most destructive parts
- Provision of Apron, Wing wall and Cut-off wall at the start point of stone masonry canal for water confine
- Implementation of all construction activities with the required elevations, slopes, length, width, etc. as per site requirements and Engineer's instruction and approval
- Carry out any additional labor intensive works as may be instructed by the Engineer on site utilizing or any labor not engaged on the scope of works described in the design and

quantified within the Bills of Quantities. Such additional works may include ditch cleaning, street cleaning, litter picking, etc.

3) Design/Shop Drawings and Topographic Survey

The Contractor's attention is drawn to the technical and other requirements relating to the works which are set out within the drawings and bill of quantities which form part of the Contract Documents. If any shop drawings are required for the implementation or during the implementation of works, the contractor is required to furnish it and submit it to the Engineer for approval. The contractor is responsible for conducting site surveys at the very beginning of the project and preparing the joint inspection report for the project which highlights the site related adjustments if any. The contractor is also responsible for the conducting of any survey required for the preparation of shop drawings.

The Contractor shall furnish required shop drawings/narratives/analysis (to the extent specified in the Contract) and execute the Works:

- a) properly and in accordance with the Contract and all applicable Laws;
- b) exercising the standard of skill, care and diligence reasonably to be expected of an appropriately qualified contractor experienced in carrying out such work for projects of a similar type, nature and complexity to the Works;
- c) acting in accordance with Industry Best Practices;
- d) with properly equipped facilities and new, good quality and non-hazardous materials and machinery, and where qualities of materials, machinery and workmanship are not specified, they shall be fit for the purposes for which they are intended;
- e) in compliance with any requirements in relation to access; and
- f) in such a way as to ensure the full, efficient, economical and safe commercial operation of the Works are completed with the minimum interruption for maintenance or repair.

The Contractor shall submit to the Employer's Representative/Engineer as-built drawings/records in accordance with the Specification and in sufficient detail for the Employer.

4) UNOPS Minor Work Specification and Measurement Rules

The Contractor's attention is drawn to the technical and other requirements relating to the works which are set out within the "UNOPS Minor Work Specification and Measurement Rules" document which forms part of the Contract Documents.

5) Health, Safety, Social and Environment Requirements

The contractor's attention is also drawn to the requirements relating to the management of Health, Safety, Social and Environment stated in the Environmental and Social Management Plan (ESMP) attached as Annex 3 "Sub-project Simplified ESMP" of RFQ and general requirements as listed in series 1000 of the "UNOPS Minor Work Specification and Measurement Rules", document.

In addition to the specific requirements relating to the management of Health, Safety, Social and Environment contained within the ESMP and UNOPS Minor Work Specification and Measurement Rules documents, the Contractor's attention is drawn to the under-noted points. These points are provided for information and to encourage the contractor to fully read and understand the requirements that are set out in detail within the stated documents.

- The Contractor must assess the need for and supply any necessary PPE free of charge to all unskilled/skilled labourers. All provided PPE must be of good quality and be in a good usable condition. The Contractor will replace any lost or damaged PPE free of charge and will not make any charges or deductions to payable wages for its provision or replacement.

- The Contractor will be required to provide free of charge all tools and other equipment that may be required for mitigation of environmental hazards and risks.
- The Contractor will be responsible for carrying out an initial site induction for all skilled and unskilled labourers and for any other training that may be required or as instructed by the Engineer.
- The contractor should provide the required number of first aid kits to the field office and site workers.

6) Contractor Quality Control System

The contractor should make its own quality control system and quality control plan for the project to ensure that the project's activities are carried out in accordance with the UNOPS Quality Management Strategy and quality assurance plan. The contractor's quality control plan shall consist of the components stated in Section 4.2 "Method Statement", Schedule 4 of RFQ.

The contractor should arrange third-party testing laboratory services on the site for conducting of all quality testing specified in the UNOPS Minor Work Specification and Measurement Rules without any charges.

7) Gender Requirements

The contractor should consider all aspects of the gender action plan attached as Annex 7 of the RFQ during the project implementation.

8) Key Staff, Equipment, Tools and Machinery

Machinery: - The contractor should provide the required number of machinery for the implementation of projects considering the technical requirements stated in the design drawings and UNOPS minor works specifications and measurement rules as referenced in Section 4.3 "Contractor's Equipment and Machinery", Schedule 4 of RFQ.

The Contractor shall provide the machinery (and spare parts, if any), and all Contractor's Personnel, Goods, consumables and other things and services, whether of a temporary or permanent nature, required to fulfil the Contractor's obligations under the Contract.

Tools: - The contractor should provide the required tools for the implementation of projects considering the technical requirements stated in the design drawings and UNOPS minor works specifications and measurement rules as listed in the table below:

List of minimum required Equipment and Tools

S/N	Description of Key Tools	Quantity	Quality	Remarks
1	Wheelbarrow	As required considering the project requirements and needs	Good Condition and to the satisfaction of the UNOPS Engineer	If extra tools are required than the listed ones, the contractor is responsible for providing them for the project implementation.
2	Shovel			
3	Pickaxe			
4	Hand Compactor			
5	Mortar Tray			

Equipment: - The contractor should provide the required equipment for the implementation of projects considering the technical requirements stated in the design drawings and UNOPS minor works specifications and measurement rules as listed in the table below:

S/N	Description of Key Equipment	Quantity	Quality	Remarks
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1	Hand GPS	As required considering the project requirements and needs	Good Condition and to the satisfaction of the UNOPS Engineer	If extra equipment is required than the listed one, the contractor is responsible for providing it for the project implementation.
2	Automatic Level			
3	Total Station			
4	Measuring Tapes			

Key Staff:- The contractor's key staff should comply with the requirements stated in Section 4.4 "Proposed Project Team and Organisational Structure", Schedule 4 of RFQ. Besides the key staff stated in the RFQ, the contractor is required to hire any other staff required for the project's proper implementation at his own expense.

9) Method of Measurement and Payment for the Works

The method of measurement and item coverage in relation to payment for the works are contained within the "UNOPS Minor Work Specification and Measurement Rules" document.

The works have been quantified and are itemised in the Bills of Quantities. The quantity of work carried out will be re-measurable in accordance with the Measurement Rules.

Further details relating to the Bills of Quantities are included within the "Preamble to the Bills of Quantities" document.

10) Labours

The Contractor will be required to maximise the use of unskilled labour for all operations where it can be effectively used to attain the required standards. This means utilising labour instead of mechanical plant and equipment whenever possible or as directed by the design drawings. To ensure that the required numbers of unskilled labouring work days are generated through this sub project, the "UNOPS Minor Work Specification and Measurement Rules" document includes specific requirements relating to the works of labourers.

As part of the design and quantification of the sub project works, UNOPS has assessed the number of unskilled labourers that will be required to carry out the works along with the duration of these labourers. When pricing the works items, the contractor should omit the cost of skilled and unskilled labour from its rates and prices as the Bills of Quantities contains a separate item where unskilled/skilled labour is priced. This means that the rates submitted for individual items should be calculated however the contractor wishes to calculate them, but they should exclude the cost of unskilled/skilled labours.

Within the Bills of Quantities, two items have been included to allow the Contractor to price the assessed number of labourer days.

Should the Contractor believe that the UNOPS assessment of unskilled/skilled labour is insufficient to carry out the works, it shall engage all other labour that it believes is required. Any additional unskilled/skilled labour should be priced as part of the contractor's rates for the measured works. Any additional unskilled/skilled labour that the contractor may require should be selected in accordance with specifications.

The Contractor will be required to engage the stated number of unskilled/skilled labourers for the stated number of days. The contractor's unit rate for the provision of each labourer must ensure that each labourer is paid the minimum daily wage as specified in the bill of quantities.

It is the Contractor's responsibility to ensure that it has included within its price sufficient resources to complete the contracted works.

Minimum daily wage

The daily minimum wage for all unskilled and skilled labourers engaged by the contractor for any and all project works will be 450AFG and 700AFG respectively for an 8-hour working day. This amount is the minimum amount that each person should take home after any deductions have been made. This wage is applicable to both men and women.

When the contractor pricing the labour items of Bills of Quantities (BOQ) it's required to quote a minimum daily wage of 450 AFs for unskilled labourers and 700 AFs for skilled labourers considering the allocated wages unit rate with indirect cost (if any).

The contractor should pay labourer wages in 21 Calendar days without waiting for invoice processes by UNOPS.

The contract will be deemed to be incomplete until the works are completed on-site and the required number of labour days has been reached or as decided by the Engineer.

Selection of Labourers

Particular attention is drawn to the requirement to engage local unskilled labour from a list that will be provided by CDC in liaison with the local communities for CDC areas and through the public notice for non-CDC areas (areas with Gozars) based on the first come first service selection approach.

The Contractor shall ensure that at least 7% of all unskilled/skilled labourers that are selected from the lists or public notice approach of available people are female. In the event that insufficient female names are not found, the Contractor will make up any shortfall by selecting males.

There will be no restriction placed on the employment of mentally or physically handicapped persons. If such a person is selected, the Contractor will employ them and find them a suitable role on site.

The Contractor shall ensure that the skilled labourers are selected based on the project need and in coordination/approval of the Engineer.

Before the start of the works, the Contractor should communicate with the Engineer and inform him of the project and the need for labourers and shall provide a resource allocation plan showing the labour distribution throughout the project life.

Selection Procedure:

The contractors will carry out the selection of unskilled labor from within the vicinity of the subproject area i.e., within the boundaries of the urban community governed by a given Community Representative CDC, GA, or CG. The selection process will consist of the following steps:

CDC Areas (The Community Representative will be introduced by the communities in place of CDCs:

- The contractor will call for an application process through a public notice
- Interested and eligible unskilled labourers will self-identify within the designated timeline
- Community Representatives Representative CDCs will advise on who may be included. Community Representatives Representative CDCs will provide an existing list of identified beneficiaries as guidance, where available.

GA and CG areas:

- The contractor will call for an application process through a public notice
- Interested and eligible unskilled labourers will self-identify within the designated timeline

The contractor will then create a list of unskilled labour participating in the LIW. The list should reflect the order in which self-identifications were made (especially where the number of self-identifications exceed the number of labourers needed), however, the unskilled labourers will be hired based on the numbers required for construction activities with the consultation of GA/CG considering equitable distribution of labourers across the Gozar. The labourers shall work for a minimum and maximum of

30 and 60 working days respectively. Upon the completion of maximum days, the labours shall be replaced with new or unworked labourers. See Annex IV for further detail.

Selection criteria

LIWs target poor and vulnerable households. These are self-identified but need to meet the geographic eligibility criteria and selection process. There should only be one participant per household.

The contractor can arrange the labour in two shifts (morning and afternoon) on the project site but should take a pre-approval from the Engineer.

Excess unskilled/skilled labour

In the event that there is insufficient identified work within the quantum of works set out within Bills of Materials for the unskilled/skilled labour as assessed by the UNOPS, the UNOPS working in liaison with the local community will identify additional works with high unskilled labour content. Additional high labour content works will if required be instructed by the UNOPS Engineer.

Record keeping

During the course of the works apart from the records that the Contractor is required to keep in relation to the management of Health, Safety and Quality etc., the Contractor will be required to keep and provide to UNOPS a number of records specifically relating to the engagement, employment and payment of each labourer that works on the site. Such records will consist of but may not be limited to:

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- The name of each worker;
- The identity number of each worker;
- The sex of each worker (male or female);
- The job description of each worker – skilled labourer, unskilled labourer, machine operator, etc.
- Start time – finish time and the hours worked.

Each day, the Contractor must provide a copy of the previous day's record sheet to the UNOPS engineer. The Contractor must provide the UNOPS engineer with a summary of all payments made to its workforce demonstrating that the daily minimum wage has been paid to all. The summary sheet should be supported by copies of wage receipts signed by the person named on the daily timesheets. N.B. The receipt of wages by other persons on behalf of the named worker will not be allowed. All labourers will be registered as per the requirements of the labour logbook (Form 6).

Labour Management Procedures

The contractor should manage labourers based on the requirements of Simplified Labour Management Procedures attached as Annex 5 of the RFQ.