

CAREC Corridor 1 and 3 Connector Road Project, Phase 2 - Additional Financing Term of Reference for International Road Engineer

Assignment/Objectives:

The main objective of the consulting services is to assist and advise the Ministry of Transport and Communications of the Kyrgyz Republic (MOTC KR) with implementing the Asian Development Bank (ADB) financed and co-financed investment project on matters related to:

1. Administering civil works and consulting service contracts;
2. Technical assistance in monitoring Contractors' and Consultants' performance in order to determine the efficient use of available resources;
3. Assistance in developing Employer/Client's requirements to be recommended for inclusion in the Bidding Documents for civil works and consulting services;
4. Activities aimed at preventing disputes and disagreements with Contractors and Consultants, providing the greatest possible protection of MOTC KR interests, where this occurs;
5. Review and analyze addenda, amendments to the contracts, and preparation of activities strategy for various contracts;
6. Clarifying disputable issues related to FIDIC contracts and specifications.

Scope of Works for the International Road Engineer:

1. Review of Civil Works Contracts for the following projects:
 1. CAREC Corridors 1 and 3 Connector Road Project;
 2. CAREC Corridors 1 and 3 Connector Road Project, Phase II, Additional Financing;
 3. Issyk-Kul Ring Road Improvement Project (Barskoon–Karakol Section);
 4. Reconstruction of the Bishkek-Osh (Jalal-Adad City -Uzgen Bypass- Osh City section);
 5. Issyk-Kul Ring Road Improvement Project (financed EBRD).

to determine risks, if any, and suggest provisions to prevent possible negative consequences for the Employer (MOTC KR);
2. Assist the Employer in determining the need and justify amendments and addenda, if any, to contract agreements already signed with Contractors and Consultants to ensure efficient and proper protection of the Employer's interests.
3. Assistance at all bidding document preparation stages, contract agreements with Contractors and Consultants to ensure an appropriate level of protection of the Employer's interests.
4. Development of effective protection mechanisms against unfair actions of Contractors and Consultants, consideration of the possibility to help MOTC implement effective levers and mechanisms for effective contract management.
5. Review and participation in contract agreements preparation, participation in contract negotiations. Assistance in preparing strategies and approaches to conduct contract negotiations/ finalization meeting with Contractors and Consultants. Analysis of reasons and implications of protracted contract negotiations.
6. Analysis of the monitoring of the proper execution of clauses of the contract agreement by Contractors and Consultants. Assistance to the PIU staff in monitoring of the Engineer's and the Contractor's activities in terms of compliance with contractual obligations with respect to the Employer.
7. Provision of clarifications of various FIDIC contract clauses for MOTC, PIU staff, and others.
8. Assistance to PIU staff in the issues related to the project's preparation and administration, the provision of informative and consultative support, if needed;
9. Preparation of strategic analytical materials and other latest updates on the progress of the administered investment projects for the MOTC and the PIU management.
10. Assistance to the PIU and Employer's staff in checking the interim and final payment certificates, reviewing and agreeing Variation Orders, Engineer's and Contractor's requests for time extension,

reviewing and agreeing on design changes, preparing recommendations and opinions on the above documents;

11. Consulting assistance to the Tender Committee upon the Employer's request and as needed.
12. Recommendations and proposals on reforming and restructuring the PIU to ensure the most efficient functioning aimed at efficient and timely implementation of projects;
13. Assistance in developing and preparing various regulatory documents governing the PIU's functioning.
14. Conducting training sessions aimed at PIU staff and MOTC staff capacity building in administering international financing institutes' investment projects, contract management, and etc.
15. Preparation and keeping materials to ensure an appropriate level of document submission in case there are disputes and disagreements between the Contractor and the Employer. Preparation of recommendations to ensure the maximum protection of the Employer's interests.
16. Development of recommendations on appointing and performance of the Dispute Board (DB) with respect to the protection of the Employer's interests and support at DB proceedings stages under the ongoing projects.
17. Assessment and preparation of recommendations on the Engineer's technical solutions.
18. Development of PIU Project Operation Manual (POM), including procedures for PIU staff performance evaluation, upon agreement with MOTC KR.
19. Ensuring terms of reference of design and supervision consultants to reflect the growing needs, such as climate resilient design and construction of roads by specifying the selection criteria (qualifications, experience, team compositions), report formats, and output evaluation criteria
20. Updating bidding documents for civil works by modifying the evaluation criteria, the Employer's requirements, and the specifications;
21. Review the quality of feasibility studies and design work of planned road projects throughout the Kyrgyz Republic and ensure that they comply with the national and donor policies and standards;
22. Upgrading knowledge of PIU staff on advanced materials, equipment, and construction methods by mentoring and guiding them to the sources of new information;
23. Support process of reviewing the Engineer's determinations on variations- value engineering, alternative designs, time extensions, price adjustments, etc.;
24. Support the inspection process by preparing checklists to be used by staff;
25. Support the output of the partnership with Kyrgyz Technical University to be established under IRRP by specifying evaluation criteria;
26. Support communication (i.e., PIU's notices and responses to ADB, contractors, and consultants);
27. Upgrade technical specifications by drafting the terms of reference for producing a standard specification for roads and bridges in the Kyrgyz Republic;
28. Participating in MOTC/PIU visits to construction sites to inspect the quality of the works;
29. Preparing mission briefs and participating in ADB missions when instructed by the PIU;
30. reporting by guiding PIU staff on preparing progress reports for MOTC management and ADB;
31. Ensuring the quality of the draft road-subsector climate strategy and action plan by assisting the PIU in engaging consultants and reviewing their outputs;
32. Ensure quality of the draft road asset management policy and action plan by assisting the PIU in engaging consultants and reviewing their outputs;
33. Support PIU's overall performance by undertaking other duties as directed by the Head of the PIU

Reporting requirements:

1. Report on the review of Civil Works contracts' contents indicated in item 1 of the Scope of Works, including expected problems and possible solutions;

2. Development of instructions and an evaluation methodology for assessing the adequacy of Contractors' technical proposals during the procurement stage, including review of construction methodology, sequencing, resources, quality assurance, health and safety, and environmental measures;
3. Development of instructions and methodology for evaluating the impact of Addendums and Contract Amendments on contract scope, cost, time, risks, and the Employer's contractual obligations;
4. Development of draft amendments to the Special Conditions of Contracts to ensure maximum protection of the MOTC KR interests in Civil Works and Consulting Contracts;
5. Development of a strategy to administer the Civil Works Contracts, preparation of necessary materials to ensure proper monitoring of contracts, and identification of existing and potential problems in the early stages;
6. As needed, update the PIU Administrative Manual, including procedures for evaluation of the PIU staff performance;
7. Preparation of analytical materials for ongoing projects;
8. Other deliverables upon the management request.

Qualification and Experience:

- Bachelor's degree from an accredited university specializing in transport infrastructure planning, design, and construction, Master's or higher degree related to project management, and training in FIDIC contract administration shall be an advantage.
- Engineering Certification from a recognized international institute or government organization;
- General work experience (not less than 15 years) in the successful implementation and administration of large donor-funded road infrastructure projects
- Strong knowledge of ADB policies, guidelines, and project administration instructions with at least 10 years of work experience in the successful preparation and completion of ADB-financed projects;
- Certificates confirming FIDIC knowledge;
- Thorough knowledge of FIDIC MDB and other forms in the FIDIC rainbow suite, especially related to contract variations, time extensions, claims, and dispute resolution;
- The Consultant will have prepared and/or managed five road rehabilitation or new construction projects in Central Asia, let out under FIDIC 2017 contracts and financed by a multilateral development bank, and have experience working with construction specifications and design standards commonly used in Central Asia.

Assignment duration:

The work includes the Kyrgyz Republic, with the main place of work being Bishkek for a period of approximately 90 working days (split between home and site work), with intermittent visits to construction sites over a period of 12 months. It is currently planned that there will be around four visits to the Kyrgyz Republic, each lasting approximately 10 days.

Expected commencement date is March 2026.