



# **MINISTRY OF ENVIRONMENT AND ENERGY**

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**Male' Republic of Maldives**

**ADVERTISEMENT NUMBER: (IUL)438-CCS/438/2018/22**

## **TERMS OF REFERENCE**

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### **Translation of Construction Act (4/2017)**

[15<sup>th</sup> January 2018]

Prepared by:

**Project Management Unit**  
**Strengthening Low Carbon Energy**  
**Island Strategies (LCEI) Project**



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## 1. Introduction & Background

The Government of Republic of Maldives represented by the Ministry of Environment and Energy (MEE) has allocated funds under the project Strengthening Low Carbon Energy Island Strategies (LCEI) and intends to procure services for “**Translation of Construction Act (4/2017)**” to be used for formulation of monitoring and assessment systems and phased implementation plan for strengthening the legal framework on building energy efficiency in the Maldives.

LCEI Project is implemented by Ministry of Environment and Energy (MEE) with support from UNEP and funded by the Global Environmental Facility (GEF). The project aims to reduce greenhouse gas (GHG) emissions through energy efficiency in the building sector. The project will focus on increasing energy efficiency in the building sector by developing appropriate policies, guidelines and standards and through public education and advocacy.

## 2. Scope of Works

The scope of this service is to translate the Construction Act (4/2017) to English language. The proponent is expected to provide a draft translation for comments of the client, chapter by chapter. The schedule of deliverables shall be agreed between the client and the service provider at inception.

- All deliverables should be provided in Microsoft Word Format
- Translation must be accurate and literal English translation of the Act

## 3. Deliverables

| Deliverable                                                                                                            | Delivery Date* |
|------------------------------------------------------------------------------------------------------------------------|----------------|
| 1. Submission of first draft for chapter 1-4 of Construction Act (4/2017)                                              | 1 weeks        |
| 2. Submission of first draft for chapter 5-8 of Construction Act (4/2017)                                              | 2 weeks        |
| 3. Submission of first draft for chapter 9-11 of Construction Act (4/2017)                                             | 3 weeks        |
| 4. Submission of second draft for chapter 1-4 of Construction Act (4/2017) after addressing comments from MEE and MHI  | 4 weeks        |
| 5. Submission of second draft for chapter 5-8 of Construction Act (4/2017) after addressing comments from MEE and MHI  | 5 weeks        |
| 6. Submission of second draft for chapter 9-11 of Construction Act (4/2017) after addressing comments from MEE and MHI | 6 weeks        |
| 7. Submit compiled translation of Construction Act (4/2017)                                                            | 7 weeks        |

|                                                                                                      |            |
|------------------------------------------------------------------------------------------------------|------------|
| 8. Submission final translation Construction Act (4/2017) after addressing comments from MEE and MHI | Final week |
|------------------------------------------------------------------------------------------------------|------------|

*\* Delivery Date is from the date of contract signing*

#### **4. Duration**

Duration of the assignment is 60 calendar days upon signing the contract.

#### **5. Experience and qualification**

Education:

- University Degree in Law, a postgraduate degree would be an advantage

Experience:

- Professional work experience in practicing law or another relevant field
- Sound experience in translating legislative Acts and regulations.
- Experience in Construction sector will be an advantage.
- Knowledge of National Legislative System
- English and Dhivehi proficiency

#### **6. Payment**

Payments will be made in accordance with the schedule specified below:

| REQUIREMENT                                                                                                         | ALLOCATION |
|---------------------------------------------------------------------------------------------------------------------|------------|
| Submission and acceptance of first draft translations for chapters 1-11.                                            | 20%        |
| Submission and acceptance of second draft translations for chapters 1-11.                                           | 20%        |
| Submission and acceptance of final translation Construction Act (4/2017) after addressing comments from MEE and MHI | 60%        |
| Total                                                                                                               | 100%       |

## 7. Documents to be submitted with the proposal

Proponent shall submit the following documents required to demonstrate their capacity and experience to carry out the services stated in the TOR.

- Completed proposal submission form (**Form-1**)
- Financial Proposal / Quotation, quoting GST (if applicable), rate per page of existing Act in Dhivehi language and total price for the work. (**Form-2**)
- Details of the proponent
  - Consultants' CV
    - Summary on similar works (experiences) performed in the past
    - Provide links or copies of the samples of relevant works
    - Reference letters of works carried out
    - Attested copy of Accredited Academic certificates
  - For companies/partnerships/institutions
    - Copy of registration, copy of GST registration, contacts details (name, designation & contact number) of a liaising official
    - Completed **Form-3** : Team composition and task assignment
    - Completed **Form-4** : Letter of Commitment
  - For individual applicants:
    - Copy of national identity card and contacts details.
    - Copy of GST registration if applicable
- Work schedule – completed **Form-5**

## 8. Evaluation Criteria

### 8.1 Preliminary Examination

The Client will examine the proposals to determine whether they are complete, whether the documents have been properly signed and whether the proposals are generally in order and all the documents stated in Section 7 (Documents to be submitted with the proposal) has been included in the proposal.

Prior to the detailed evaluation, the Client will determine the substantial responsiveness of each proposal to the Terms of Reference (TOR). For purpose this primary examination, a substantially responsive proposal is one which conforms to all the terms and conditions of the TOR without any deviation.

If a proposal is determined as incomplete or as not substantially responsive Client has authority to reject the proposal. Criteria for determining completeness and substantial responsiveness is given in Annex 2.

### 8.2 Evaluation of Proposals

The Evaluation will be completed as per the criteria given in Annex 2.

The Financial Proposal will be evaluated by applying the following formula.

$S_f = 40 \times F_q / F$ , in which  $S_f$  is the financial score,  $F_q$  is the Lowest Financial Quote received and  $F$  is the price of the proposal under consideration.

MEE reserves the right to undertake a post-qualification exercise aimed at determining, to its satisfaction the validity of the information provided by the consultant. Such post-qualification shall be fully documented and, among those that may be listed in the Annex 2, may include, but need not be limited to, all or any combination of the following:

- a) Verification of accuracy, correctness and authenticity of information provided by the service provider on the legal, technical and financial documents submitted;
- b) Validation of extent of compliance to the TOR requirements and evaluation criteria based on what has so far been found by the evaluation team;
- c) Inquiry and reference checking with other previous clients on the quality of performance on ongoing or previous contracts completed;

## **9. Submission**

Proposals must be delivered in sealed envelopes titled ***“Do not Open Before 16<sup>h</sup> January 2018 at 1100hrs - Translation of Construction Act (4/2017)”*** and the submitting party’s **name and address** to the address below on or before **16<sup>th</sup> January 2018 at 1100 hours local time**. Electronic bidding will not be permitted. Late bids will be rejected. Bids will be opened in the presence of the bidders’ representatives at the address below on **16<sup>th</sup> January 2018 at 1100**.

Procurement Section

Ministry of Environment and Energy

[procurement@environment.gov.mv](mailto:procurement@environment.gov.mv)

Green Building, Handhuvaree Hingun, Maafannu

Male’, 20392, Republic of Maldives

## ANNEX 1: STANDARD FORMS

## 1. STANDARD FORMS

### FORM -1: PROPOSAL SUBMISSION FORM

[Location, Date]

To: [Name and address of Client]

Dear Sirs:

[I/We], the undersigned, offer to provide the “**Translation of Construction Act (4/2017)**” in accordance with your Terms of Reference dated [Insert Date] and our Proposal. [I am/We are] hereby submitting [my/our] Proposal; [my/our] financial offer is for the sum of **[Insert amount(s) in words and figures (Should quote the amount in Maldivian Rufiyaa)]** which is inclusive of the all applicable taxes.

[I/We] hereby declare that all the information and statements made in this Proposal are true and accept that any misinterpretation contained in it may lead to [my/our] disqualification.

Proposal validity is for a period of [Insert number of days, 45 days minimum] days. If negotiations are held during the period of validity of the Proposal, we undertake to negotiate on the basis of the price and work plan. [My/Our] Proposal is binding upon [me/us] and subject to the modifications resulting from Contract negotiations.

[I/We] undertake, if our Proposal is accepted, to initiate the services and fulfil the requirements of the terms of reference.

[I/We] understand you are not bound to accept any Proposal you receive.

[I/We] remain,

Yours sincerely,

Authorized Signature [In full and initials]: \_\_\_\_\_

Name and Title of Signatory: \_\_\_\_\_

Name of Company/Partnership/Institution/Individual: \_\_\_\_\_

Address: \_\_\_\_\_



### FORM-2: FINANCIAL BREAKDOWN

|  | Description            | MVR |
|--|------------------------|-----|
|  |                        |     |
|  |                        |     |
|  |                        |     |
|  |                        |     |
|  | <b>Total :</b>         |     |
|  | <b>GST :</b>           |     |
|  | <b>Total with GST:</b> |     |

Indicate the total cost with detail cost to be paid in Maldivian Rufiyaa.

Note: The total contract price should be quoted inclusive of Goods and Services Tax (GST) as per the GST Legislation and Circulars where applicable.

**FORM-3: TEAM COMPOSITION AND TASK ASSIGNMENT**

| Name of Staff | Position Assigned | Task Assigned |
|---------------|-------------------|---------------|
|               |                   |               |
|               |                   |               |
|               |                   |               |
|               |                   |               |

## FORM-4: Letter of Commitment

[ Date]

[Company/Partnership/Institute Name]

[Road Name]

Male'

Maldives

Re: **Translation of Construction Act (4/2017)** Ref no: (IUL)438-CCS/438/2018/22

Dear Sir/Madam,

I am writing to confirm my availability to provide services for the **Translation of Construction Act (4/2017)** for the Ministry of Environment and Energy between February 2018 and April 2018.

I undertake, if this proposal is accepted, to complete and deliver the whole of the services assigned to me in the scope of services.

I undertake, if this proposal is accepted upon receipt of the Ministry of Environment and Energy's notice, to commence performance of the services with due expedition and without delay.

Yours sincerely,

Name: \_\_\_\_\_

Passport /ID card No: \_\_\_\_\_

Date: \_\_\_\_\_

Signatory: \_\_\_\_\_

## FORM-5: WORK SCHEDULE

[illegible]

## ANNEX 2: EVALUATION OF PROPOSALS

|                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Criteria for Preliminary Examination of Proposals</b>                                                                                                                                                                                                                                                                                                           | <b><u>Document pre check</u></b> <ol style="list-style-type: none"> <li>1. Proposal is received on or before the date and time specified</li> <li>2. Proposal is properly sealed / un-tampered</li> <li>3. Proposal bears the (i) name of the submitting entity and (ii) title of the Contract outside the envelope</li> <li>4. Completed Form-1: Proposal Submission is included in the proposal</li> <li>5. Completed Form-2: Financial Breakdown is included in the proposal</li> <li>6. Completed Form-3: Team Composition And Task Assignment is included in the proposal (For companies/partnerships/Institutions)</li> <li>7. Completed Form-4: Work Schedule is included in the proposal (For companies/partnerships/Institutions)</li> <li>8. Completed Form-5: Letter of commitment for proposed expert (For companies/partnerships/Institutions)</li> <li>9. Signed CVs of the key staff is included in the proposal</li> <li>10. Minimum 45 days proposal validity provided</li> <li>11. All the standard forms are included (i.e. no standard contents deleted, no reservations added)</li> <li>12. Proponent's Profile (not more than 15 pages)</li> <li>13. Latest Certificate of Registration of institution/company <i>or</i> Copy of National Identity Card</li> <li>14. Proposal is strictly for the full scope of requirements (i.e. partial offer is not allowed)</li> <li>15. There are no exceptional conditions stated that are unacceptable to MEE</li> </ol> |
| <b>Criteria for Essential Eligibility/Qualification of key personnel</b>                                                                                                                                                                                                                                                                                           | <b>Refer to Section 5 (Experience and Qualification) of this TOR</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b><u>Note:</u></b> <ol style="list-style-type: none"> <li>1. If proponents do not meet any of the above listed criteria, their proposal may not be considered for further evaluation.</li> <li>2. Proponents meeting above listed criteria are required to submit evidences (details / documents) in support – otherwise proposal may be disqualified.</li> </ol> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

| Technical Evaluation Criteria              | Maximum Marks     |
|--------------------------------------------|-------------------|
| 1. Financial Proposal                      | 40 points         |
| 2. Qualification and general experience    | 30 points         |
| 3. Experience from similar works conducted | 30 points         |
| <b>TOTAL</b>                               | <b>100 points</b> |