



TERMS OF REFERENCE

FOR THE SELECTION OF AN ENGINEERING CONSULTANT FOR
THE SINT MAARTEN MEDICAL CENTER PROJECT



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1 Introduction and background of the Project

In order to strengthen the healthcare sector on the Island of St. Maarten a Tripartite has been established consisting of (i) the Ministry of Public Health, Social Development and labor ('VSA'), (ii) Social and healthcare Insurer SZV ('SZV') and (iii) the St. Maarten Medical Center ('SMMC'). The Tripartite is focusing on achieving affordable and sustainable quality healthcare based on the concept of 'care close to home'.

One of the conclusions of the Tripartite is that the existing hospital on St. Maarten is not up to par for the new development plans and the decision has been taken to build a new National General Hospital (the Project or the New Hospital). It has also been decided that SZV will become the owner of the New Hospital which will be leased out to SMMC based on a long term lease agreement. SZV will be the principal for the engineering consultant.

SZV is a quasi- autonomous, independent non-governmental administrative body (in Dutch: een Zelfstandig Bestuursorgaan) tasked with the execution of social and health insurance laws on St. Maarten. SZV is the largest client of the SMMC.

In order to determine what kind of hospital is needed an in-depth business plan has been drafted which provides full detail regarding (i) the required capacity in terms of number of beds, (ii) the number of FTE and (iii) the medical services that SMMC will provide when the New Hospital is ready. The New Hospital will be built on the same location as the old hospital.

SZV has the intent to develop the New Hospital based on a (fixed lump-sum, date certain) turn-key concept whereby a contractor/developer (or a consortium) will be selected for (i) the Design and Build of the New Hospital, (ii) the demolition of the existing hospital, (iii) the delivery and installing of all the required medical equipment, furniture and IT equipment and network (iv) the maintenance of the New Hospital and (medical) equipment and (v) the financing of the New Hospital. SZV has the intent to use the FIDIC Yellow Book as the basis for the contract with the contractor/developer.

The New Hospital will be the only hospital on the Dutch side of St. Maarten and will service the population (approximately 60.000 persons) of (Dutch) St. Maarten and the surrounding islands.

SZV is inviting engineering consultants to submit their proposal based on this Term of Reference (TOR). In this TOR, the requested services of the engineering consultant is described in general terms and it is expected of the tender participants to expand on these services as they see fit and showing the added value to the Project.

2 Scope of the Project

2.1 Scope

The intention is to design and construct a New Hospital on the same location including sufficient parking space and the demolition of the existing building. Furthermore the contractor has to deliver and install all medical equipment, furniture and all the related IT equipment/network (both medical and administrative). The contractor will also be requested to arrange the financing of the New Hospital. Next to that, the contractor will be invited to maintain the New Hospital for a period of 10 years. In other words, it is expected that the contractor will deliver a complete operational hospital based on the functional requirements to be determined by the Tripartite supported by the engineering consultant.

The main key indicators for the design of the New Hospital, as derived from the (draft) business plan, are described below.

Number of beds (based on 2 beds per room)

• IC	6 beds
• Clinic general + pediatrics	86 beds
• Day Care	18 beds
Total	110 beds

Basic specialties to be provided by the New Hospital

- Emergency care
- Obstetrics & Gynecology
- General surgery
- Internal medicine (nephrology, oncology, infectious diseases)
- Gastroenterology
- Pediatrics
- Cardiology (non-intervention)
- Dermatology
- Anesthesiology & pain clinic
- Ear-Nose-Throat
- Radiology

- Psychiatry
- Urology
- Neurology
- Orthopedics
- Ophthalmology
- Pulmonology
- Hematology

Number of FTE

Direct Staff	254 FTE
Medical specialists	36 FTE
Other Staff	83 FTE

Number of parking spaces 300

Other

- Full laboratory
- Pharmacy
- Retail concessions
- SZV is considering an additional wing (shell and core only which might become a center for medical tourism or an expansion of beds and facilities based upon population growth and/or servicing clients from the region).

2.2 Project organization

SZV will be the principal for the engineering consultant and the contractor/developer. The Project will be management based on a Building team concept. The Building team will consist, amongst others, of various representatives of the Tripartite (SZV, SMMC, VSA), a financial advisor, a legal advisor and the, to be selected, engineering consultant. The project manager of the Building Team is KPMG Corporate Finance, St. Maarten.

The Building team reports on a periodic basis to a Steering Group consisting of the Minister of Public Health, Social Development and Labor (chairman) Mr. E. Lee, the (interim) Director of the SZV, Mr. G.A. Carty and the Director of the SMMC, Mr. K. Klarenbeek.

2.3 Project time schedule

For this Project, time is of the essence as the current hospital has several deficiencies, including quality issues. Furthermore, the available space is too limited to offer all the services that are required on an island. As result hereof, there is currently a high number of medical referral abroad (for instance Colombia, Curacao, Netherlands etc) which is very costly. SZV is therefore very motivated to start the Project on short notice.

The Project time schedule is as follows:

Item	Description step	Start	Duration in days	End
1	Tender engineering consultant	20/01/2016	23	12/02/2016
2	Preparing long list- short list for potential international developers	20/01/2016	60	20/03/2016
3	Evaluating and awarding tender consultant	12/02/2016	7	19/02/2016
4	Preparing documents for tender contractor/developer	22/02/2016	67	29/04/2016
5	Review of Tender Docs and preselected Bidders	02/05/2016	4	06/05/2016
6	Release Tender Docs to selected bidders	09/05/2016	60	08/07/2016
7	Evaluation of Tenders	11/07/2016	18	29/07/2016
8	Presentation and approval of winning tender by Council of Ministers	01/08/2016	1	02/08/2016
9	Final negotiations /Official Signing / Commencement	03/08/2016	16	19/08/2016
10	Start construction New Hospital	01/09/2016	1032	30/06/2019

3 Scope of the Consulting services

The objective of the consulting services is to achieve efficient and proper services regarding the preparation the Project, the supervisions, cost & quality services and ancillary administrative services during the construction of the Project.

The consulting services comprise of the following phases:

- (i) Preparing and advising on the functional requirements for the Project and other relevant documentation to prepare the bidding for the turn key Project;
- (ii) Guidance, monitoring of the bidding process for the contractor/developer including advice on the winning tender;
- (iii) Support in the contract negotiations with the winning contractor;
- (iv) Acting as the client's representative, including supervising and cost and quality control during the construction and delivery of the New Hospital. Amongst others this means that the engineering consultant, will review on behalf of SZV, if the Project (the design, the construction, the delivery of equipment, furniture and IT) meet the contractually agreed quality standards and or other indicators (time, quantities etc.).

4 Requirements and qualification

4.1 Rules and Regulations

The following rules and regulations will apply for this TOR:

- SZV is the principal for the engineering consultant;
- Submitters are required to issue their bids in English via email in PDF format no later than:
February 12, 2016 at noon, St. Maarten time via email to Mr. H. de Zeeuw at:
dezeeuw.henk@kpmg.com with a copy to the interim director of the SZV, Mr. G.A. Carty at: gcarty@szv.sx
- It is important that the engineering consultant is 100% independent of the selected contractor/developer. The engineering consultant has to include and confirm in its proposal that the engineering consultant will be 100% independent of the selected bidder. Non-compliance to this independent clause will lead to termination of the contract with the engineering consultant.
- Reviewing of the bids will be done under the responsibility of the Tripartite based on the criteria as described in section 4.2
- The proposal must remain valid for at least 60 days after the date of submission of your proposal;
- Integrity is of great important for SZV. Therefore the engineering consultant has to include and confirm the following anti-bribery paragraph in its proposal:
“[Company name] hereby undertakes that, at the date of issuing this proposal, itself, its directors, officers or employees have not offered, promised, given, authorized, solicited or accepted any undue pecuniary or other advantage of any kind (or implied that they will or might do any such thing at any time in the future) in any way connected with the proposed engineering consultant services for SZV and that it has taken reasonable measures to prevent subcontractors, agents or any other third parties, subject to its control or determining influence, from doing so.”
- Although it's SZV intent to enter into a long term contract with the engineering consultant, SZV must have the right to terminate the contract after each phase. Furthermore, it is important that SZV and the engineering consultant have the flexibility to adjust the contract, if so required, based on changed circumstances.
- SZV reserves the right to make adjustments in this tender which will be communicated to all tender participants.
- St. Maarten law shall be applicable for this tender process and the contract with the engineering consultant.

- All documentation received from the engineering consultant will become the property of SZV.
- For further information and or questions regarding this tender, please contact only:
H.de Zeeuw at KPMG
Tel: +599-9-7325100 or +599-9-5131046
dezeeuw.henk@kpmg.com

4.2 Criteria for the selection of the proposals and granting the project

Rather than automatically accepting the lowest price, the tender evaluation process applies weighting for skills, quality, experience and previous performance in a manner to ensure value for money.

To review the proposals, a system of criteria will be used based on the following selection criteria which are intended to assess the competence of the engineering consultant to achieve the required Project outcome:

➤ Relevant experience

The company should have a reputable reputation and has to demonstrate its experience as engineering consultant in comparable turn key projects for hospitals. Information required should include a list of relevant hospital projects, preferably in the Caribbean region, undertaken/or in process in the last 3 years:

- Description of the project
- Role of the tenderer in the project
- Project cost
- Duration of the project
- Contact person. SZV has the right to verify the relevant experience with the contact person.

Also the tenderer's past performance in completing projects regarding quality, time performance, claim history and product value will be assessed as part of the selection process.

➤ Technical skills

The competence of key management, professional and technical personnel as proposed in the tender will be assessed. The information required includes the following details of the proposed project team:

- Names
- Function
- Technical expertise
- CV's to be provided

➤ Local presence

From a practical point of view and as well to stimulate economic development, it is preferred to have a local (project) representative, dully registered in SXM, available for the Project. A description of the project organization, including the tasks of the local project office and the support from the head office, should be included in the proposal.

➤ Price

The price must include all costs and must be broken down per each of the 4 phases s as described in section 3. The tenderer should substantiate the price in activities, billing rate (per hour or % etc.), out of pocket expenses. Also indicate the local fee component.

Billing will be in USD. Payment will be made 30 days after receipt of approved invoices.

The following weights are applied to the selection criteria:

- Relevant experience 30%
- Technical skills 20%
- Percentage of Local presence 15%
- Price 35%