



PORTO DE LUANDA E.P.

TERMS OF REFERENCE

**HIRING OF CONSULTANCY SERVICES FOR THE ELABORATION OF STUDIES AND
CONCEPTION OF THE GENERAL MASTER PLAN OF THE PORT OF LUANDA – PDGPL (2020-
2044)**

Competition limited by prior qualification No. 01/68.00/2019

Port Company of Luanda, E.P.

Luanda, August 28th, 2019

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ABBREVIATIONS AND ACRONYMS

CLPQ	Competition limited by previous qualification
TDR	Terms of reference
PC	Procedure Program
CA	Evaluation Committee
PDGPL	General Master Plan of the Port of Luanda
EPL	Port Company of Luanda, E.P.
EPC	Contracting Public Entity
EF	Supplier Company
MINTRANS	Ministry of Transport
PCA	Chairman of the Board of Directors
CCA	Coordinator of the Evaluation Committee
LCP	Public Procurement Law



1. BASIC INFORMATION

1.1. General identification of the tender procedure limited by prior qualification (CLPQ)

1.1.1. The purpose of this procedure is to set the terms and conditions for the hiring of consultancy services for the elaboration of studies and conception of the General Master plan of the port of Luanda (PDGPL).

1.2. General context

1.2.1. The Ministry of Transport (Mintrans), as the supervisory body of the Port Companies of Angola, recognizes the importance and impact that port activity plays in the development of the transport sector and hence in the local and national economy, at a juncture in which the Angolan executive has as its main objective the diversification of the economy.

1.2.2. The Port of Luanda is characterized as the main port of Angola, as it moves about 80% of the cargo in Angola. With 74 years of existence, it now intends to correspond to the greatest challenges of today's work, which consists fundamentally of responding to the demand generated by the last generation ships.

1.2.3. The development of port systems and infrastructures in the maritime and terrestrial aspects, the implementation of modern equipment for the handling of cargo in the port and its connection with the various modes of transport, they promote a more efficient and competitive service offering, essential for the disposal of products, supply of raw materials and consumer goods, having a decisive role in the competitiveness and internationalization of Angolan companies.

1.2.4. Based on the aforementioned, and under the guidance of the Ministry of Transport with a view to extending the strategic vision of the ports of Angola, the administration of the EPL, deliberated the hiring of services of Consultancy for preparation of previous studies and conception of a General Master Plan for the Port of Luanda (PDGPL), which will constitute a platform of Direct and indirect players of the port in Future investment decisions, establishing, for this purpose, evaluation parameters based on their consistency.

1.2.5. During the execution of the studies and conception of the PDGPL the team of consultantes should cooperate and establish contacts with the Port Company of Luanda, E.P. (EPL), which is the Public Contracting Company EPC. EPC will supervise and monitor the work of the team, while the Supplier Company (EF) will be responsible for the accuracy of the results and Study products, including conclusions and recommendations. The EF will provide the human resources duly

Specialized and qualified to complete the study within the defined time frame, with care and due diligence.

- 1.2.6. The EF should work strictly and broadly with the main actors in the sector, including public and private institutions, academic and research institutions, civil society organisations, among others considered relevant. The points of view, preferences and limitations of these groups will be taken into account in the various recommendations of the study.

2. Objective

- 2.1. The elaboration of studies and conception of PDGPL, is intended to create strategies and guidelines with the aim of developing the physical spaces, as well as activities related to EPL, within a predefined period, contemplated by proposals Transparent measures aimed at analysing future investment policies and decisions;
- 2.2. Its formulation represents a strategy of Mintrans, in order to ensure an integral and sustained development of the ports of Angola, to cope with the new dynamics and demands of the international market, making them more competitive;
- 2.3. Thus, the elaboration of studies and conception of the PDGPL, has as main purpose, the exhaustive and multifaceted evaluation of the current situation, that is, the strengths and weaknesses, opportunities and threats, including other elements, as such:
- A. Guide the development of the port, including its hinterland in a perspective of linking with the other network of national, regional and logistic platforms;
 - B. Promote cooperation and economic and multimodal development between the various sectors and regions of the country;
 - C. Contribute to the development of logistical platforms, as well as in the promotion of direct and indirect jobs within and outside the port systems and subsystems;
 - D. To reinforce the technical, operational and logistical capacity of the EPL, as well as its most direct partners in pursuing the main objectives that guide its activity.

3. DEFINITION AND DESCRIPTION OF THE WORKS

- 3.1. For the elaboration of studies and conception of PDGPL, the works must be performed in two phases.

3.1.1. Phase I – Elaboration of previous studies

3.1.1.1. The consultants should carry out the following:

- A) Review of the current status and conditions of the Port Maritime Branch in Angola;
- B) Review of previous and current studies, plans and projects, such as feasibility studies, master plans, strategic plans, planning plans, environmental management plans, among others;
- C) Consultation and observance of all existing legislation, inherent in the transport Sector;
- D) Preparation of an inventory on the existing network and national transport systems, in terms of physical infrastructure, distribution centers, including current conditions, operationality and maintenance, as well as information on traffic demand Current (goods and freight) and applicable legislation;
- E) Analysis and forecasting of freight of goods, i.e. from origin to destination, and formulation of a database with cost indicators of maritime transport (long distance and cabotage), transit time, operation and permanence in Port, as well as environmental impact;
- F) Identification of the main points influencing the development of the port chain in terms of quality, adequacy, efficiency, safety, prevention, environment, accessibilities, social aspects as well as other emerging challenges Resulting from rapid technological, urban development and population growth;
- G) Evaluation of possible critical aspects to the implementation of projects, taking into account legal and institutional constraints regarding technical, environmental, fiscal and socio-economic issues;
- H) Identify the risks and mitigation measures regarding the development of the port of Luanda;
- I) Carry out a thorough study on the transport of cabotage in Angola;
- J) Exhaustive consultation to all the stakeholders in the sector during the study period;
- K) Data collection of port traffic in Angola;
- L) Economic and financial analysis;
- M) Detailed study on the main ports of the region;

3.1.2. Phase II – Conception of the general master plan of the port of Luanda (PDGPL)

3.1.2.1. During this period the EF should provide the following activities and works previously outlined:

- A) Formulation of a list of priority projects and their deadlines, as well as the necessary resources (investment costs and operational/preventive maintenance) for short, medium and long term implementation.
- B) Prepare the terms of reference for feasibility studies and detailed engineering projects for selected priority projects;
- C) Identification and analysis of environmental and social impacts;
- D) Submission of Preliminary, progress and final reports (within the prescribed deadlines);
- E) Forecast of traffic in each of the EPL terminals, namely:
 - General cargo Terminal;
 - Polyvalent Terminal;
 - Container Terminal;
 - Fishing Terminal;
 - Oil business support Terminal;
 - Multipurpose Terminal;
 - Cement Terminal;
 - Liquid Bulk Terminal,
 - Cruise Terminal
 - Others to suggest.
- F) Making visits to exchange experience in international ports, with the aim of obtaining other experiences on the elaboration and conduction of plans;
- G) Recommendations on the activities necessary for the implementation of the Masterplan;
- H) Propose improvements of the statistical system (data collection and processing) appropriate to the implementation of performance indicators with training for technicians to indicate by the EPL;
- I) Evaluation and possible solutions for improving the maritime and terrestrial accessibilities of the EPL;
- J) Evaluation and identification of key gaps in the Port Infrastructure

to respond to the demand for maritime Transport in the country and at regional level. This should include, but is not limited to, the following:

- Port facilities showing length and depth of the beds, categories of ships (size, tonnage and transported goods), historical trends in passenger and freight traffic, navigation aid, interconnection with the different modes of transport (Rodo and rail), maintenance (requirements, capacities and financial constraints) and entities relevant to the safety, operation and maintenance of the Infrastructures and services affections to the Maritime Transport;
 - Framing of the port of Luanda in the national, regional and international context;
 - Recommendations on the application of fees and tariffs to be practiced by the port, taking into account the competition factor with the ports of the region;
 - Development of targets and strategies for the Maritime-Port branch up to 2044 in terms of infrastructure development, operations and service delivery;
 - Analysis and recommendations for the concession agreements entered into and future concessions of each of the above-referenced terminals, including future terminals such as cabotage, cruises and vehicles;
- K) Prospects for port enlargement and alternative solutions;
- L) Presentation of possible scenarios, respective advantages and disadvantages, comprising solution proposals.
- 3.1.3. During the implementation phases of EF work, the following activities should also be carried out:

- A) Organize three (3) working sessions to discuss with relevant stakeholders the preliminary report, the interim progress report and the draft Final report of the studies and the conception of PDGPL;
- B) Completion of one (1) Seminar with a view to collecting relevant contributions to the development of the work, with the participation of other entities (public and private) actors in port activity;
- C) Conducting three (3) workshops, with the aim of empowering the

staff of the Member States, including their partners (with a maximum of 40 people to be indicated by the EPL), using planning tools, techniques and Skills employed in conducting the studies, including the management of the database;

D) Performa conference for the presentation in the PDGPL.

3.2. Contract start date and lead time

3.2.1. The total period of execution for the two phases shall be 6 consecutive months of calendar, from the date of signature of the contract, broken down as follows:

- (1) Phase I – 4 months;
- (2) Phase II – 2 months.

3.2.2. The work will be carried out according to the following indicative timetable:

Main activities		M1	M2	M3	M4	M5	M6
P H A S E I	Proposal for plan and methodology of work elaborated and delivered for approval (5 copies on paper and one in electronic file)	•					
	Proposal for the financial implementation plan	•					
	Initiation of documentary review papers and presentation of the start report, including preliminary results	•	•				
	Working Session 1		•				
	Delivery of interim reports of progress of work: existing achievements and constraints			•	•	•	
	Realization of Workshop I			•			
	Presentation and delivery of Final report				•		
	Beginning of the work relating to the design of the PDGPL					•	
	Presentation of the Start report						•
	Working Session II						•
P H A S E II	Delivery of interim reports of progress of work: existing achievements and constraints					•	•
	Realization of Workshop II						•
	Conducting the seminar with other entities (public and private)					•	•

5. DECISION TO HIRE

5.1. The decision to contract was deliberate in the board of directors, by its constituent members, according to deliberation No. 013/68.01/2019, of 02 may 2019 and was subject to an authorization of the Ministry of Transport in accordance with order, proffered on August 9th, 2019, transcribed through the office with reference NO. 3727/00,11/2019 of August 12th, 2019.

6. QUALIFICATION REQUIREMENTS AND SELECTION CRITERIA

6.1. The Supplier Company (EF) invited to submit their proposals must meet the following requirements:

- I. Minimum 5 years' experience in the maritime/port area, with emphasis on:
 - a) Evaluation of technical, economic and financial feasibility of projects related to the Port branch;
 - b) Elaboration of market studies related to the national and Regional Port branch;
 - c) Deep knowledge of the port system of Angola and Africa;
- II. Work experience in Africa minimum 2 (two) years in similar projects;
- III. Proposed methodology, work plan and deadlines;
- IV. The work team should include elements with written and spoken domain in the Portuguese language or translators;
- V. The work team must integrate at least the following specialists:

N^o	Knowledge area	Function	Amount	Minimum required experience (years)
1	Engineer/Specialist in Port infrastructure development and transport	Team Leader	1	15
2	Specialist in integrated development of port infrastructures and multimodal platforms	Team Leader Assistant	1	10
3	Specialist in port statistics and transport	Member	2	10
4	Transportation Engineer/Specialist	Member	2	10

5	Transport economist	Member	2	10
6	Transport Financial Analyst	Member	2	10
7	Environmental Engineer	Member	2	10
8	Institutional and regulatory Specialist (jurist)	Member	2	10
9	Planning and land use specialist	Member	1	10
10	Transport policy Specialist	Member	1	10

7. BODY RESPONSIBLE FOR CONDUCTING THE PROCEDURE AND THE EVALUATION OF TENDERS

7.1. The body responsible for conducting this procedure and evaluating the proposals is the Commission of the validity, created by release No. 013/68.01/2019, of may 02, by the Council of the Ministry of the EPL.

8. APPLICABLE LEGAL REGIME

8.1. This procedure shall be governed by the provisions of the Procedure Program (PC), it's annexes and this reference terns (TDR), as well as any documents on clarifications and corrections that may be provided and made, which make or may be part of the aforementioned parts of the procedure.

8.2. To all that is not specifically provided for in of the Procedure Program (PC), it's annexes and this reference terns (TDR), the scheme provided for in the LCP and other subsidiary regimes shall apply.

9. CONSULTATION AND OBTAINING COPY OF THE PROCEDURE PARTS

9.1. Pursuant to article 71 of the Public Procurement Act, the parts of the procedure are available at the address set out in point 4.1 of this TDR;

10. APPLICATION PHASE

10.1. Candidates

All legal and natural persons who fulfil the requirements of this TDR and who are not in any of the impediments referred to in articles 55 and 56 of the LCP may apply for this procedure.

10.2. Admission of foreign candidates

Foreign legal or natural persons, who are not in any of the situations referred to in point 10.1 may apply to this procedure, of these terms of reference and if the contract does not exceed the limit of the value set out in annex V to the LCP, concerning the provision of services, or even when the constraints provided for in paragraphs 2 and 3 of article 53 of the LCP are met.

11. FINANCIAL Execution

11.1. The EF will be paid in local currency, Euros or North American dollars, taking into account the value set in the contract. This value shall be settled according to the financial execution schedule to be submitted by the EF and duly approved by the EPC.

12. FORM and MODE OF SUBMISSION OF TENDERS

12.1. Applications must be submitted in paper support at the address set out in point 4.1, by signing a protocol or by registered letter with acknowledgement of receipt;

12.2. They may also be sent by e-mail with acknowledgement of receipt and reading or on the electronic platform at the address set out in point 4.1.

12.3. Applications must be delivered within the terms and deadlines set out in the Announcement and the Procedure Program.

12.4. Applications that arrive after the end of the deadline are not considered, and the candidates are responsible for all delays that perhaps occur.

13. OBLIGATIONS OF THE SUPPLIER COMPANY (EF)

13.1. The EF will be the only Person responsible for conducting the study and shall take all necessary measures to ensure its good execution. EF shall exercise all its competence in a reasonable manner, with due care and diligence in the performance of the services under the contract, and shall fulfil all its responsibilities in accordance with the recognised professional standards. In the course of the study, EF must cooperate and collaborate fully with EPC. EF shall take into account the relevant observations of the EPC, of other relevant government organizations, being responsible for the accuracy of the work, conclusions and recommendations.

13.2. The EF should provide sufficient and adequately trained human resources to complete the study within the defined timeframe. The team of consultants must,

while remaining in Angola and/or in any other jurisdiction, in the search for services under the contract, respect the laws and customs of the country.

13.3. The remuneration of the EF charged to EPC on the basis of its financial tender and any associated refunds shall constitute the sole remuneration in relation to the contract, and neither EF nor their staff may accept any commercial commission, discount, subsidy or indirect remuneration or other consideration in connection with or in relation to the contract or for the reduction of their respective obligations. In this context, the EF shall not have the benefit, in any way directly or indirectly, of any gratification or commission regarding any patented or protected article or process used or for the effects of the contract, unless mutually agreed in writing between EPC and EF.

13.4. EF will provide technical expertise, advice and competencies, which are usually necessary for the class of services for which it is committed. The EPL will pay for all these services under the award contract. However, EF must maintain full and indissociable responsibility for all services rendered within the scope of the study.

14. EPL RESPONSIBILITIES

14.1. The EPL abstains from any responsibility related to the lodging and feeding of the entire team of consultants contracted by EF (national and foreign);

14.2. The EPL predisposes to provide a place within the port of Luanda, with proper working conditions and furniture, for accommodation of the team of consultants, excluding all informatic equipment such as computers, printers, expendable materials and softwares, which should be at the expense of EF;

14.3. The EPL undertakes to collaborate in the issuance of visas, and/or in the instruction of the preparation processes for this purpose, in the case of hiring foreign personnel by the EF.

15. EVALUATION CRITERIA

15.1. Expedition and presentation of the proposal

If the applicant to submit a proposal does not comply fully with the requirements contained in this TDR and its PC, it shall be immediately excluded by Immediately prevented from passing the next stage of the contest.

15.2. Evaluation criteria for selected proposals

The proposals that passed the previous criterion, i.e., which were not excluded for non-compliance with the requirements for submission of the required proposal for the TDR and PC, will be evaluated for tender. The maximum score assigned for evaluation during the contest will be **[100] points**, on the basis of the following components:

Technical proposal	Financial proposal
[60] Points	[40] Points

The scoreboard will select the highest quality proposal and offer the best combination resulting from the evaluation of the technical component and the financial component. At this stage, the scoreboard will apply the following evaluation criteria:

15.2.1. Technical Component Evaluation

After evaluating the technical proposals received, only those who have a minimum score of 40 points, will undergo to the next stage of financial assessment, being only at this point the price of the tenders considered.

Technical proposals that only achieve 39 points or less, will be disqualified and will not be considered for further analysis.

The following table includes the different categories that will be evaluated as well as the scores that can be delivered to each of them:

Category	Points
Warranty	2
Minimum 5 years experience in the maritime/port area	15
Experience and knowledge of the transport Sector of Angola, minimum 5 (five) years	10
Work experience in Africa minimum 2 (two) years in similar projects	8
Minimum level of experience required by the team of consultants of ten years	10
Proposed methodology, work plan and deadlines	5
Domain written and spoken in Portuguese and English language	10
Total (Technical proposal)	60
Minimum score for technical compliance	40

15.2.2. Financial component valuation

The maximum total number of points assigned to the financial component (price) is [40] points.

After opening the financial proposals, the maximum number of points is attributed to the lowest price proposal.

16. ANALYSIS AND EVALUATION OF THE PORPOSED

- 16.1.** On the business day immediately following the expiry of the deadline for submitting applications, the CA meets in a session reserved for the opening of applications.
- 16.2.** In the reserved session referred to in the preceding paragraph, the CA proceeds to the analysis and evaluation of applications in order to verify that they suffer from any cause of exclusion.
- 16.3.** Applications for which there are no causes of exclusion are assessed with a view to verifying compliance with technical and financial capacity requirements.
- 16.4.** All candidates who fulfil the minimum technical and financial capacity requirements, as defined in the Procedure Program and these terms of reference.

17. VARIANT PROPOSAL

- 17.1** In this Procedure no variant proposals are allowed.

18. THE PROPOSAL SIGNATURE

- 18.1.** The proposal must be signed by the competitor or his representative. Where it is signed by the representative, a document shall be added to the latter to confer powers to that effect.

19. DEADLINE FOR SUBMISSION OF THE PROPOSAL

- 19.1.** The deadline for submission of tenders will be defined in the terms of the invitation letter