

GMS REHABILITATION OF THE RAILWAY IN CAMBODIA PROJECT
TERMS OF REFERENCE FOR THE PROJECT IMPLEMENTATION ADVISOR TO THE
RAILWAY DEPARTMENT IN THE MINISTRY OF PUBLIC WORKS IN CAMBODIA

I. Introduction

1. The Government of Cambodia, with the assistance of the Asian Development Bank (ADB) and the Government of Australia, represented by the Australian Agency for International Development (AusAID), is rehabilitating the country's railway network, as part of a program to restore the railway to an effective component of the country's transport network. The program also involves transferring the operation and maintenance of the railway to a private operator, Toll Royal Railway (TRR) under a 30 year concession. The Government agency responsible for the country's road and railway networks is the Ministry of Public Works and Transport (MPWT). The MPWT agency responsible for the railway rehabilitation works is the Railway Department (RD).

2. The project involves rehabilitating or reconstructing the railway and reestablishing the railway connection with Thailand. A private firm was to operate the rehabilitated railway under a 30-year concession. The main project outputs are: (i) rehabilitation and partial upgrading of the Southern and Northern lines, enabling safe operations at an average mainline speed of at least 50 km/hr; (ii) reconstruction of the destroyed railway link to Thailand; this includes a 48 km section between Sisophon and the Thai Border; (iii) rehabilitation and extension of the rail links to Sihanoukville port and Phnom Penh port (about 15 km); (iv) construction of freight facilities in Samrong; (v) land acquisition, resettlement, and mitigation of the negative impact of restructuring on railway employees; and (vi) institutional strengthening of the new railway department.

II. Implementation Status

3. **Rehabilitation and Partial Upgrading of the Southern line.** The Southern Line from Phnom Penh to Sihanoukville is substantially completed. The section between Phnom Penh and Touk Meas was re-opened in October 2010, and the section between Touk Meas and Sihanoukville in December 2012. While the Southern Line is operational, the railway operator has refused to formally take-over the section, citing insufficient technical performance, leading the government to request the contractor to rectify defects.

4. **Rehabilitation of the Northern line and Reconstruction of the Missing Link.** Works on the Northern Line have been delayed and only part of the section is completed. Works commenced only in 2010 although the contract was signed in January 2008, because of priority given by the Government and the Concessionaire to first complete the Southern Line to quickly start operations. At the railway operator's request, the contractor prioritized the reconstruction of 42 km of the Missing Link (excluding the actual border crossing), and the rehabilitation of a 23 km bifurcation to Bat Deong. The Contractor stopped the work in June 2012 after sending a notice of termination to the Employer. Negotiations to resume the works failed, and MPWT has instructed the supervision consultants to take the necessary actions to close the contract and protect the interests of the Employer in accordance with the terms and conditions of the Contract.

5. **Construction of Freight Facilities.** Construction of the new freight and maintenance facility at Samrong had been postponed due to legal issues on land ownership. As a short-term

alternative to the intermodal terminal planned for Samrong, the Concessionaire has constructed a hard stand facility at the CWT Dry Port in Phnom Penh, which is now being used for loading and unloading of train cargo.

6. There are some works under the Southern Line to be completed as summarized below. The Loan closing date has been extended until 31 December 2014 to complete the priority works (called Plan B) within the available costs. The status of Plan B is summarized below:

Description of Contract Package under Plan B	Status
Construction of Spur Line to CWT Dry port (PK 14);	Canarail working to scope out the alignment and BOQ
Construction of bridge at PK 23	The design and procurement still to be undertaken
Strengthening of track on four steel bridges;	The design and procurement still to be undertaken
Construction of new rail links to the container port in Sihanoukville;	The rail track alignment is almost finalized in consultation with Sihanoukville Port Authority. This work will be undertaken through a variation order to the Contractor performing the Sihanoukville Container terminal.
Undertaking safety measures and level crossings	Australian Aid hired NOVARE, a consultancy firm who have to provide the designs to MPWT.
Procurement support and construction supervision on some of Plan B scope	Variation Order has been issued to Canarail to support the Government in scoping the above activities and assist in procurement.

7. Further MPWT plans to issue variation to Nippon Koei's Contract to assist in S-line and N-Line contractual issues

III. Implementation arrangements and schedule

8. ADB will hire an individual international consultant for **about 6 person-months, on an intermittent basis,** to: (i) work in Phnom Penh with the MPWT to coordinate all activities under the Plan B, (ii) coordinate activities with the exiting supervision consultants (both Canarail and Nippon Koei); (iii) assist in procurement and implementation of the Plan B, to help in dealing with matters related to Southern Line works and remedy of defects, and (iv) to close the Northern Line Contract.

9. The consultant will have to work closely with the MPWT, Ministry of Economy and Finance, Canarail, Nippon Koei and Novare (providing inputs for safety measures). The consultant may also need to liaise with the Australian Aid. The consultant will maintain close liaison with the ADB's office (Cambodia resident Mission) in Phnom Penh, and with the ADB staff in Manila.

IV. Scope of Work

10. Specifically, the consultant will undertake:

- a) Coordinate with the MPWT and MEF, and other stakeholders to find out status of implementation of Plan B;

- b) Assist MPWT in coordinating with the various stakeholders to develop the designs of the various components of the Plan B, and input to the preparation of the procurement documents,
- c) Review the Plan B components and provide feedback to ensure that it meets the objectives of the Cambodia Railways, and complies with the ADB's safeguards policy;
- d) Assist in the preparation of the bidding documents and in evaluation of the bids and preparing the bid evaluation report for ADB's concurrence;
- e) Guide and assist the MPWT in implementation of the Plan B components by providing advises and actions to be taken by MPWT in handling the consultants (Canarail, Nippon Koei and Novare);
- f) Assist MPWT to ensure that the specifications are met during implementation of Plan B components;
- g) Assist MPWT in dealing with Supervision consultant so that the remedial works of Southern line are completed and the line is handed over to the Concessionaire;
- h) Assist MPWT in dealing with the Supervision consultant so that the Northern Line is closed in accordance with the signed contract agreement, in particular the FIDIC conditions.
- i) Assist MPWT in overall coordination of all the above activities. In doing so, coordination with MEF, and other stakeholders will be required.

D. The Outputs of these tasks will be:

- i. The Project to be completed based on the modified scope;
- ii. Close assistance and coordination provided to MPWT in implementing this Project;
- iii. Prepare a summary of status report every two weeks for MPWT/MEF and ADB, on issues that need to be handled by the Government in ensuring that Plan B is completed, Southern line is handed over to the Concessionaire and Northern Line gets closed;
- iv. At the end of assignment, prepare lessons learnt to improve future project designs and implementation of such project.

E. Timing

11. The consultant will mobilize by March 2014, and is expected to complete this task by end 2014.