

Dzongkhag Administration Lhuenste



Terms of Reference for Monitoring Committee(s)

Dzongkhag Administration Lhuentse

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Drafting committee:

1. Sangay Dendup, Dzongkhag Electoral Officer
2. Ngajay, Dzongkhag Environment Officer
3. Phuntsho Wangdi, DT Secretary

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Legality and Background of the Monitoring Committee

(a) In accordance with Article 8(Fundamental Duties), section 10 of the Constitution of Kingdom of Bhutan stated as “Every person shall have the duty to act in aid of the law.”

(b) In accordance with chapter 6(Roles and Responsibilities of Members) of the Local Government Act 2009, section 89 stated as “Member of Local Government shall actively participate in the tendering, implementation and monitoring development activities in their respective constituencies.”

(c) In Accordance to Chapter 14 (Monitoring and Coordination) of the Local Government Act, 2009 section 202 stated as “All activities undertaken by different sectors of the government within the jurisdiction of a Local Government, unless otherwise specified shall be routed through and coordinated by Local Government offices. The concerned sectors shall provide technical and financial support for implementation of the activities and carry out regular monitoring and evaluation of the activities in accordance with the prescribed monitoring and evaluation system of the government.”

(d) Financial Management Manual, 2001 section 2.2.2 d and h stated as “Monitoring accounting of their transactions” and “Monitoring overall budget performance for the Government” respectively. Further 2.2.10 b stated as “Rendering assistance, guidance to the constituent units of the Departments in matters of financial practices and monitoring their finance and accounting performances.”

(e) Procurement Rules and Regulations 2019 , 6.4.3 b and c stated as “Monitoring periodically progress in implementation of the contract, including determination of volume of works accomplished according to work plan, milestone agreement and inspection and testing of quality aspects “and “Management of variation orders, contract suspension and termination, price revisions, contract remedies such as imposition of liquidated damages, delayed payments and disputes or claims settlement procedures.”

2. Objectives of Monitoring Committee

To achieve Dzongkhag Vision and Mission as stated “A vibrant Dzongkhag that is culturally strong, socially cohesive, economically sound and environmentally healthy with governance ethics” and “To create an enabling environment for holistic development by ensuring prompt and better services to be self-reliant Dzongkhag” by maneuvering following actions:

- (a) To reduce unnecessary extra work, address delay in progress/ progress and to inculcate judicious use of resources;
- (b) To achieve desirable output on time;
- (c) To provide short term gain and long term impact.

3. Scope of Monitoring Committee

- (a) To break the silos by mechanism of 3 Cs & 3 Ds among stakeholders and act as channel to fill the gaps through following actions:

- (i) 3 C: Consultation, Collaboration, Cooperation;
 - (ii) 3 D: Comprehensive Dishonest, Disappearance, Destructive Rider (from employee);
 - (iii) 3 D: Drive, Deliver, Direct (from Agency).
- (b) The development activities for the purpose of monitoring and reporting of the implementation status and issues will include the construction or non-construction activity(ies) regardless of funding source; activity(ies) implemented by Gewogs under Annual Block Grant;
- (c) The monitoring and reporting shall be focused on the activity(ies) of the following nature:
- (i) Has implementation issues;
 - (ii) Likely to have issues;
 - (iii) Dzongkhag Tender Committee finds necessary or any complain receive for particular activity(ties);
 - (iv) Thematic project(s) requiring constant monitoring and reporting
 - (v) The reports may, where necessary, include Gender, Environment, Climate Change, Disaster and Poverty (GECDP) concern;.
 - (vi) The monitoring reports may include status on delivery of results against the annual and Five Year Plan targets of the sectors and the Gewog;
 - (vii) The Monitoring Team, for the purpose of reporting, may include constructive view and technical advice(s) of the appropriate stakeholder(s).

4. Methodology of Monitoring Committee

(a) The methodology of the monitoring procedures will be carried to create social harmony in the system in line with the Dzongkhag missions to judicious use of resources.

(b) Monitoring will take place during the key phase of implementation process;

(c) Information of the specific data of particular activity will be implemented throughout project;

(d) The lens of multi-spectrum will be applied during the monitoring process;

(e) To uphold integrity, no member of the Monitoring committee shall ask for or accept favor of any kind from the firms/employees involved in delivery of goods or services;

(f) Members of the Monitoring committee should declare conflict of interest;

(g) Members of the Monitoring Committee has to work under the control and guidance of the head of agency;

(h) Proper formalities has to complete before executing the task and must submit constructive/valuable report upon completion of task;

- (i) Member secretary has to prepare working schedule and accordingly inform to the stakeholders in advance;
- (j) The Dzongkhag Monitoring committee is the apex monitoring committee in the Dzongkhag. Other Monitoring Committees will function hierarchical order based on ground reality;
- (k) Monitoring will take place periodically or within a certain interval;
- (l) Planning Officer of the Dzongkhag will serves as the member secretary of the Monitoring Committee and will work under the direction and guidance of the Dzongdag;
- (m) Gewog Administrative Officer of the respective gewog will serves as the member secretary of the Monitoring Committee at the Gewog level and will work under the guidance and direction of the Gup;
- (n) End users/beneficiaries/responsible citizens have the right to express his/her views on using inferior materials at the construction sites. To avoid unnecessary problem, they may join either Chiwog/ Gewog level monitoring team;
- (o) All imported/manufactured material must be approved by the Technical Monitoring Committee prior to installations. The Technical Monitoring Committee must submit samples of all the imported/manufactured materials that are to be used for construction for approval along with the manufacturer's data and test certificates;

- (p) The Technical Monitoring Committee must list down the anticipated activities of the construction which will need verification testing, sampling and analysis which will provide long term impact;
- (q) The Technical Monitoring Committee shall provide a notification to project engineers/contractors regarding testing of work, examination, and inspection and measuring of the activities;
- (r) The Technical monitoring Committee shall assign task to concerned site engineer for verify and rate analysis and concerned site engineer shall carry out the 'test check' which shall be 'approved' by the Head of the agency;
- (s) Any lapses due to non-compliance by the Monitoring Committee during performing of their duty shall liable for administrative actions;
- (t) The Monitoring Committee shall incorporate with any change made by the government or respective parent agency during monitoring;
- (u) Tender Committee shall serve as Monitoring Committee.

5. Tiers of the monitoring Committee

5.1 Dzongkhag Monitoring Committee

- (a) Dzongdag/Dzongrab

- (b) Planning Officer (Member Secretary)
- (c) District Engineer
- (d) Procurement Officer(if applicable)
- (5) Concern Sector Head

5.2 Gewog Monitoring Committee

- (a) Gup
- (b) Mangmi
- (c) Administrative Officer (Member Secretary)
- (d) Tshogpa
- (e) Concern Official

5.3 Chiwog Monitoring Committee

- (a) Tshogpa
- (b) Concerned Official(Member Secretary)
- (c) Local elites

5.4 Technical Monitoring Committee

- (a) District Engineer
- (b) Civil Engineers
- (c) Electrical Engineer (if applicable)
- (d) Architect (if applicable)
- (e) Sanitary Engineer (if applicable)
- (f) Material Engineer (if applicable)
- (g) Environmental Engineer (If applicable)

5.5 Thromde Monitoring Committee

1. Thromde Ngotshab
2. Planning Officer
3. Municipal In-charge(Member Secretary)
4. Local Elites

6. Roles and Responsibilities of Monitoring Committee

(a) The Monitoring Committee shall involve concerned stakeholder(s) for site visits, review and reporting as and when required;

(b) Conduct three Cs desk reviews and analysis for the progress, results and issues associated to implementation of development projects and activities including Annual Performance Agreement (APA) based on time, cost and quality:

(c) Perform site visits for physical verification and data gathering on the implementation status of development projects and activities, and Annual Performance Agreement;

(d) Conduct interviews and discussions with the stakeholders and beneficiaries on progress and implementation issues of the development activities;

(e) Submit timely reports on findings and share recommendations to the Dzongkhag Tender Committee (DTC) with a copy to concerned sector, concerned Gewog Administration and other relevant stakeholders;

(f) Follow up on resolutions and instructions passed by Dzongkhag Tender Committee pertaining to the progress and implementation issues of development activities;

(g) The Monitoring Committee should verify and strictly adhere to the Occupational Health and Safety implementations at the site;

(h) Receive, verify and report on public grievances (verbal/written) on issues related to the implementation to the planned activities. In the case of written grievances it should be addressed to the head of agency;

(i) Compile, manage monitoring reports, and make presentation to stakeholders during sectors/ regionals coordination meeting if deem necessary, and to keep record;

7 Provision of Administrative Support for Monitoring Committee

(a) A pool vehicle and other logistical support shall be provided, where necessary and applicable, to assist site visits;

(b) A reasonable proportion of travel budget earmarked or facilitate work charge to enable continuity of the routine site visits throughout the financial year;

(c) Stakeholders shall be cooperated to provide factual data and other necessary information whenever necessary.

8. Limitations of Monitoring Committee

(a) The Monitoring Committee has no legitimate to express the views by replacing the role and responsibilities of the agency;

(b) Projects or activities with any of the following conditions are beyond the scope of the Monitoring Committee:

- (i) Not within the direct implementation responsibility of the Dzongkhag,
- (ii) Associated undergoing legal proceedings;
- (iii) Is associated to corruption case under the Anti-Corruption Commission Act;
- (iv) Has unresolved audit observation;
- (v) Has conflict with any law of the Land.

9 Authority of Interpretation and Amendment

In case of difference in the meaning, the Dzongkhag Administration is the final authority for the interpretation; and has the power to amend by way of addition, variation or repeal any of the above provisions.

(.....)

Chairperson of Tender Committee/Head of the Agency

11. MONITORING REPORT FORM

A) PROJECT DETAILS

- 1) Project Name :
- 2) Project Location :
- 3) Contractor Name :
- 4) Contractor Contract No :
- 5) Contract Amount :
- 6) Start Date :
- 7) End Date :

B) MONITORING DATE

C) MEMBERS PRESENT

D) WORK SCOPE

E) LIST OF HUMAN RESOURCES

F) LIST OF MACHINERIES & EQUIPMENT

G) OBSERVATIONS & RECOMMENDATIONS

H) PICTORIAL EVIDENCES

Report prepared by:

(.....)

Member Secretary for Monitoring

Endorsed by:

(.....)

Chairperson

