

Operational Instruction Ref. OI.IPS.2019.05**Construction Supervision****1. Authority**

- 1.1. This Operational Instruction (OI) is promulgated by the Director of Implementation Practices and Standards under OD.EO.2017.02: Management of UNOPS Partners and Resulting Agreements, on the basis of a delegation of authority from the Executive Director.

2. Purpose

- 2.1. The purpose of this OI is to provide mandatory instructions regarding construction supervision required to deliver a construction related engagement. Whilst carrying out construction related activities for or on behalf of UNOPS, personnel shall refer to the relevant standards, guidance and associated publications available from IPMG associated with this OI.

3. Effective Date

- 3.1. This OI shall become effective **immediately**.

4. Consequential Changes

- 4.1 This OI shall abolish and supersede OI.IPMG.2018.06 - Construction Supervision. The purpose of this revision is to reflect the changes related to the UNOPS corporate structure from 14 August 2019 and to correct terminology in accordance with OI.IPMG.2019.01 on Project Management.

[signature redacted]

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1. Introduction

- 1.1. Construction supervision refers to all activities and services relating to the supervision of construction, reconstruction, demolition, repair or renovation of infrastructure works.
- 1.2. Appropriate construction supervision is essential for both permanent and temporary infrastructure works activities on site that may affect health and safety, quality or the environment.
- 1.3. This OI provides mandatory instructions for the supervision of all of UNOPS construction activities.
- 1.4. These mandatory instructions reflect the minimum standard to be followed when carrying out construction supervision activities on behalf of or for UNOPS, unless agreed otherwise in writing by the Project Board, together with the Integrated Practice Advice and Support (IPAS) and the Head of Standards, IPMG and formally documented within the Implementation Plan (Baseline).
- 1.5. In carrying out construction supervision activities for or on behalf of UNOPS, personnel shall also refer to the applicable support and guidance material issued by IPMG.

2. Construction Modalities

- 2.1. When carrying out construction activities, UNOPS typically does this within the Implementation stage (i.e. during physical construction) of the Project Lifespan (see OI.IPMG.2019.01 on Project Management and the Project Management Manual (the PMM)) as follows:
 - i. *Direct Implementation*: where UNOPS takes control of every aspect of the works without the use of a UNOPS FIDIC based Works Contract. In this case, the role of UNOPS is of direct control, assurance and general oversight of the works implementation.
 - ii. *UNOPS as Employer and Employer's Representative*: where UNOPS enters into a Works Contract with a contractor to deliver the works. In this case, the role of UNOPS is that of general oversight and assurance rather than direct control of the works implementation by the contractor.
 - iii. *UNOPS as Employer only*: where UNOPS enters into a Works Contract with a Contractor to implement the work, and also enters into a Consultant Contract with a third party to act as Employer's Representative and supervise the implementation of the works. In this case, the role of UNOPS is limited to that of general oversight. The assurance of the works implementation sits with the Employer's Representative while the control of the works implementation is with the Contractor.

In all of the above cases, the Implementation Plan (Baseline) shall include appropriate management mechanisms that clearly define the control, assurance and general oversight activities.

3. Construction Supervision Principles

Clear Definition of Roles, Responsibilities and Liabilities

- 3.1. The Project Manager shall be responsible to ensure that effective construction supervision is in place at all times during the implementation of the works and that the above roles, responsibilities and associated liabilities are clearly defined in the applicable agreements and in the Implementation Plan (Baseline).

Risk Based Approach

- 3.2. Construction supervision activities shall be delivered through a principled approach that supports the effective delivery of infrastructure works, and the reduction in risk associated with the implementation of infrastructure. UNOPS personnel carrying out construction supervision activities for or on behalf of UNOPS shall refer to OI.IPMG.2019.01 on Project Management, the PMM and related guidance materials as well as the HSSE management framework.

Construction Supervision in Accordance with Agreements and Delegation of Authority Framework

- 3.3. Construction supervision shall be done in accordance with applicable agreements, in particular the Works Contract between the Employer and the Contractor, and the contract between the Employer and the Employer's Representative.
- 3.4. The authority of the Employer and the Employer's Representative shall be compliant with the relevant UNOPS Delegation of Authority framework.
- 3.5. The specific duties and authority attributable to each party under the above agreements shall be reflected in the Implementation Plan (Baseline).

Resources

- 3.6. Appropriate resources shall be allocated to meet the technical and logistical supervision needs of the project. The level of required resources shall be determined with regard to the nature and the complexity of the works and reflected in the Engagement Agreement. The Employer's Representative (or the UNOPS personnel responsible for supervising the works implementation in case of Direct Implementation) shall have the appropriate logistical support to discharge their duties.

- 3.7. Should remote monitoring procedures be proposed for the project, these shall be defined within the Implementation Plan (Baseline) and shall recognize risk, constraints and mitigation measures required to ensure the appropriate standards of work are achieved.

Communication and Reporting Requirements

- 3.8. Management mechanisms developed within the Implementation Plan (Baseline) shall identify appropriate lines of communication. The Employer's Representative (or the UNOPS personnel responsible for supervising the works implementation in case of Direct Implementation) shall be provided with effective communication equipment and have the ability to report to the Employer (or the Engagement Authority in the case of Direct Implementation) as required.
- 3.9. Reporting requirements shall be defined and executed in line with the Implementation Plan (Baseline) in accordance with the reporting requirements set out in UNOPS applicable policies, the applicable agreements and the needs of the project.
- 3.10. Where incidents relating to Health, Safety, Social and Environmental (HSSE) matters occur, these shall be reported in line with EOI.CSG.2017.02 on Reporting and Management of Health & Safety and Social & Environmental Incidents.

Site Related Monitoring and Evaluation

- 3.11. The Employer's Representative (or the UNOPS personnel responsible to supervise the works implementation in the case of Direct Implementation) shall monitor and assess the implementation of the works and, in the case of non-conformity, take appropriate remedial actions in accordance with applicable UNOPS policies and agreements, as well as the Implementation Plan (Baseline) and any associated sub-plans, including the health, safety, social and environmental management plan.

Records

- 3.12. The Employer's Representative (or the UNOPS personnel responsible to supervise the works implementation in the case of Direct Implementation) shall ensure that an accurate daily record is kept for all works and activities carried out on site.
- 3.13. Details shall include (but not be limited to): mechanized equipment and labour levels, deliveries of materials and plant, weather conditions, working hours, trade related activities, quality management activities, photographs, health safety and environmental activities, along with details of any non-conforming issues arising.
- 3.14. Contemporary records shall also be made, including records of any specific discussions, instructions, phone calls or written communication to or from key stakeholders.

3.15. All records shall be stored in the project files.

Feedback and Improvement/Lessons Learned

3.16. The Employer's Representative (or the UNOPS personnel responsible to supervise the works implementation in the case of Direct Implementation) shall report to the Employer (or the Engagement Authority in the case of Direct Implementation), at intervals prescribed within the applicable agreements and the Implementation Plan (Baseline), examples of best practice or activities that could contribute to the adjustment and strengthening of project control.

4. Disputes

4.1. In the event where a consensus is not able to be agreed by the Project Board, IPAS, and the Head of Standards, IPMG on the minimum standards to be followed, the issue shall be escalated to the respective Country/Multi Country Director, the Regional Director, and the Director of Implementation Practices and Standards (IPS) for resolution.

4.2. In the event of further disagreement, such disagreement shall be escalated to the Executive Office for decision.

5. Authoritative Interpretation

5.1. Authoritative interpretation of this OI may be made by the Director of IPS, or other personnel as authorized by the Director of IPS, in order to provide clarification on the applicability or interpretation of the requirements stated herein.