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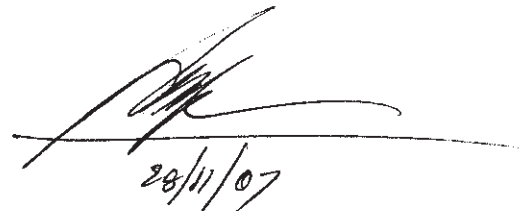
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**SWISS AGENCY FOR DEVELOPMENT AND COOPERATION (SDC)****REVIEW OF DOCUMENTS SUBMITTED ON THE POST- TSUNAMI  
REHABILITATION / RECONSTRUCTIONS PROJECT IN MATARA**

1. I am a practitioner in law and enjoy the status of Legal Advisor for the Swiss Agency for Development and Cooperation.
2. In respect of SDC, my advice was asked on the selection of some of the Contractors and on drafting of Contracts to fine- tune ICTAD<sup>1</sup> formats used by small and medium sized Contractors to document their bids as well as the final Agreements .
3. On November 19<sup>th</sup> 2007, I was asked to review documents submitted by SDC Colombo and prepare a short report, which should outline the main conclusions one can draw from these documents. They include a report on factual findings, an audit report, an independent evaluation as well as letters with ministries and audit firms and an internal SDC report on a school reconstruction program in Matara district.
4. In making any objective assessment of the subject matter of this correspondence, it is necessary to give sufficient weightage to the exceptional crisis that arose in when the December 2004 Tsunami (the first of its kind in the recorded history of this country) devastated most of the South and East coast areas. An enormous strain was put on available Human and Material resources in its aftermath. Projects were undertaken to bring those areas back to normal, but the competing needs of various State and Private sector organizations ( NGOs) to restore the physical buildings, facilities and infrastructure could be barely met. It is against this backdrop that the schools reconstruction project has to be evaluated.
5. The primary question is how the Client (beneficiary) has evaluated the works carried out. It is very clear from their letter dated 1<sup>st</sup> Oct 2007 that the Ministry of Education has expressed itself entirely satisfied with the high standards achieved in the construction of the buildings. The standards are those set by the Ministry's

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<sup>1</sup> ICTAD is the Institute for Construction Training and Development, which has framed the Sri Lankan standards for contracts in the construction business



28/11/07

technical Department and are of general applicability throughout the country as standards for School buildings.

6. Secondly, an independent review was done in October / November 2007 by the reputed Firm of Architects and Engineers SURATH WICKRAMASINGHE ASSOCIATES (SWA). Their review was comprehensive and detailed. The written text was supported by visuals in the form of photographs taken by them at each site. Their main **conclusions** are summarized by me :-
  - (a) **Contract Administration and management:** SDC has adhered to the stipulations of Contract documents which conform to ICTAD formats.
  - (b) **Award of Contracts:** The selected Contractors have the capability to perform the Contracts awarded.
  - (c) **Monitoring of Progress:** The methodology adopted by SDC has shown positive results and the status of completion is on track (i.e within scheduled percentage of completion and time frame)
  - (d) **Participation of Stakeholders:** this is remarked on very favorably and the follow-up is said to be effective
7. Referring to the “**Quality of work**”, SWA state that the structures were found to be sound and the finishes were in line with the qualitative and other benchmarks recognized in Sri Lanka for works of this nature. I might explain that it is not customary for Consultants to go out of their way to make extravagant remarks (one way or the other) in such Reports. They will do so if they come across some adverse features that would impact on the execution of the project as breaches of fundamental obligations of either Party to the Contract. However, a technical report of the Ministry of Education mentions that the quality of work is generally of high standard
8. Value of work done at Sites: SWA considered that, on a random sample, there were no significant variations from the corresponding quantities shown in the B.O.Q., thus confirming that the progress as reported by SDC reflects the reality on the ground.



29/11/07

Site	Work done:	Completed:	Under construction	disbursed	
				In '000 LKR	In '000 SFr
<i>Thallala I &amp; II</i>	99,9 & 5,6	6 buildings	7 buildings	<b>43'396</b>	<b>494</b>
<i>Shariputra</i>	100 %	2 buildings		<b>21'908</b>	<b>252</b>
<i>Sumangala I &amp; II</i>	100 & 42.9%	11 buildings	7 buildings	<b>51'630</b>	<b>572</b>
<i>Sangananda</i>	50,1 %	2 buildings	4 buildings	<b>32'310</b>	<b>355</b>
<b>4 schools</b>		<b>21 buildings</b>	<b>18 buildings</b>	<b>149'244</b>	<b>1'673</b>

9. On the Financial side, there are also two detailed reports from reputable Companies with internationally known Principals. Both reports contain no negative remarks of any significance and are to the effect that the accounting procedures are acceptable. They have been confined to the affairs of the Field office Matara and the projects implemented by that office. The audit reports do not include the SDC Colombo Office as the Audit firm could not make staff available on an immediate notice.

10. In conclusion, I might say that given the constraints under which they operated, the SDC personnel based in Sri Lanka have been successful in conducting their tasks with great acceptance to their Client. As stated earlier the task was undertaken at a time when everyone in the building trade was being pressurized to accept more work and had to gear up in a great hurry. Materials were in short supply – both as to quantity and as to quality; Costs of materials and labour were sky rocketing; Skilled labour and local Managers were scarce. Clients were applying pressure to get the jobs finished. In this situation it is commendable that the programme initiated by SDC could have gone through efficiently without sacrificing quality standards in structures or finishes or deviating from recognized accounting procedures.



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