



**TERMS OF REFERENCE
FOR
TECHNICAL ASSISTANCE –CROSS CUTTING SUPPORT
(ENVIRONMENTAL AND SOCIAL)
(INDIVIDUAL CONSULTANT)**

1. BACKGROUND AND INTRODUCTION

- 1.1 The Ministry of Works and Transport is calling to engage a qualified and suitably experienced Environmental, Social and Cross Cutting Issues Technical Assistance Consultant (ESTA) for the Transport Infrastructure Improvement Project II (TIIP II) Upgrading of the Railway Line between Kranzberg and Otjiwarongo.
- 1.2 In preparation for the project, the Ministry has prepared safeguard documentation on the project including an Environmental and Social Impact Assessment Study and Environmental and Social Management Plan (ESMP), as well as a Resettlement Action Plan (RAP) as well as some of the required subsidiary plans.
- 1.3 To strengthen the capacity of the project implementing unit (PIU) and effectively manage the project, an environmental and Social safeguard consultant with relevant qualifications and experience in ESMP and RAP implementation and monitoring in large infrastructure projects are proposed to be part of the PIU through the technical assistance component of the project.
- 1.4 The specific project scope for TIIP Phase II is to upgrade Section 1: Kranzberg to Otjiwarongo

2. PROJECT DESCRIPTION

- 2.1 The Government of the Republic of Namibia (GRN) with the financial support of the African Development Bank is carrying out the Transport Infrastructure Improvement Project (TIIP). The project commenced in 2017, with the railway upgrade intervention covering the railway line between Walvis Bay and Kranzberg (210km), The Government now plans to upgrade a further about 500 km of railway line from Kranzberg to Tsumeb and Otavi to Grootfontein, through TIIP Phase II.

- 2.2 The general project scope is divided into in three sections viz; (i) Section 1 – Kranzberg to Otjiwarongo (~ 224 km), (ii) Section 2 – Otjiwarongo to Tsumeb (~ 196 km) and Section 3 – Otavi – Grootfontein (~98 km). The railway line in Namibia on the Trans-Zambezi Corridor (Walvis Bay – Ndola – Lubumbashi Corridor) presently terminates at Grootfontein.
- 2.3 The TIIP Phase II is one of priority interventions in the short- term forming part of the upgrade of the Walvis Bay – Tsumeb (612 km) Railway line. The Walvis Bay – Kranzberg section (210 km) forms the spine of the railway network in Namibia with the link to the port of Walvis Bay for both the north-south (both Trans-Cunene and Trans-Zambezi corridors) and the east-west line (Trans-Kalahari corridor) has been upgraded.
- 2.4 The overall objective is to upgrade the railway line to comply with the SADC standard to 18.5 ton/axle.
- 2.5 To ensure effective and efficient implementation of the Project activities, the following key stakeholder plays a crucial role by providing the overall policy and strategic direction in the implementation of the AfDB funded Projects, that is, the Executing Agency (Ministry of Works and Transport), Ministry of Finance and Public Enterprises, National Planning Commission.
- 2.6 At Sectoral Level, the Department of Transport under MWT is responsible for providing overall sectoral guidance.
- 2.7 At Project level, the Project Implementing Unit (PIU) is in charge of the day-to-day Project implementation through the Directorate of Railway Infrastructure Management.

3. OBJECTIVE OF THE SERVICES

- 3.1 The overall objective is to provide the Ministry of Works and Transport with support and guidance on ESMP and RAP implementation of the Project, in accordance with national legislation and the African Development Bank Group’s Integrated Safeguards System (ISS,2023) and applicable E&S Operational Safeguards, among others.
- 3.2 The specific objectives of the assignment are to:
 - a) Ensure that implementation of the project ESMP, RAP and its activities are in compliance with national legislation and AfDB’s ISS during the implementation of TIIP II Project.
 - b) Monitor and report on ESMP and RAP implementation of TIIP II Project; and
 - c) Provide training and build the environmental and social management capacity of the project implementation team to ensure long-term sustainability of the project outcomes.

4. SCOPE OF SERVICES

- 4.1 The consultant will be tasked with the responsibility for supporting the implementation of the project’s ESMP & ARAP; reviewing construction Environmental and Social Management

plan (C-ESMP) and Sub management plans prepared by the Contractors, undertaking internal E&S compliance audits to ensure full compliance of the project with the national and Bank`s requirements.

- 4.2 In particular, the consultants will provide for continuous improvement and compliance to national legislation and requirements and AfDB`s ISS and applicable OSs while driving progress and innovation: Specific interventions include:
- I. Review relevant national policies, laws, strategies and the Bank`s policies and Integrated Safeguards System (ISS) and ensure that the implementation of the project and its components are in compliance with the country`s applicable laws, policies and strategies, and the AfDB`s ISS.
 - II. Provide technical direction for environmental and social safeguards management in project activities.
 - III. Follow up and ensure that necessary environmental and social requirements are obtained from the Ministry of Environment, Forestry and Tourism (MEFT) as required for each component.
 - IV. Ensure and check that all the required E&S; occupational health and safety and other required national permits/licenses/certificates are obtained by the project/contractors from the relevant national institutions before commencement of any construction work
 - V. Policy and Regulation guidance: The technical assistant will provide the project with expertise on understanding and implementation of environmental and social regulations and policies which will be particularly beneficial in managing such a complex project.
 - VI. Quality Assurance Standards: the technical assistant will help the Ministry and its ecosystem around the project to adhere to environmental and social at international and national levels.
 - VII. Provide an overall Environmental and Social Management oversight during the implementation of the ESMP and ARAP and advise the project team in addressing environmental and social issues.
 - VIII. Innovation: the technical assistance will support innovation by providing technical advice, facilitating access to advanced technologies and methodologies to manage environmental and social risk on the project.
 - IX. Liaison with Contractors /Supervision Engineer Environmental, Social, Health and Safety (ESHS) officers in all matters related ESHS and other cross cutting issues.
 - X. Liaise with MEFT to find out which activities may not be undertaken without an Environmental Clearance Certificate.
 - XI. Supervise the management of consultants hired to undertake environmental and social assessments, where applicable, and provide coordination support with the Implementing Agencies (IAs).
 - XII. Review instruments and reports prepared by consultants to ensure their adequacy, comprehensiveness, and adherence to national and Bank requirements.

- XIII. Ensure compliance with the Environmental and Social Management Plans (ESMPs) during construction period and maintain close coordination with the relevant sectors.
- XIV. Undertake on-site visits of projects to identify and assess potential environmental and social risks and impacts to inform tools to be developed and implementation of mitigation measures.
- XV. Review and monitor the sensitisation initiatives relating to GBV, SEAH, HIVAIDS and wellness and report to the Project Coordinator.
- XVI. Support the establishment and functionality of project Grievance Redress Mechanisms (GRM) including establishment of community and workers grievance redress committee across all levels of the project and ensure proper tracking and resolution of grievances.
- XVII. Develop and maintain a centralized Grievance log/ Database for all project related grievances to ensure easy follow-up and monitoring
- XVIII. Ensure the effectiveness of the stakeholder and community engagement plan by creating safe spaces for participation of diverse workers, community members, contractors, sub-contractors and other stakeholders.
- XIX. Support problem solving by offering advice and practical solutions to specific technical challenges faced on projects including management of complaints, managing conflicts and any other safeguard issue that may arise on the project.
- XX. Support technology transfer in particular in relation to managing huge amounts of environmental and social data on the project along different contracts and subcontracts and between different stakeholders in the industry to support a comprehensive monitoring, evaluation and reporting system to support planning and decision making at Ministry level.
- XXI. Undertake project support including providing guidance on managing and executing contracts ensuring that they meet environmental and social standards and are completed on time and within budget.
- XXII. Undertake skills development including training and education to staff at the Ministry and the whole project ecosystem to improve safeguards compliance and management on the project.
- XXIII. Undertake capacity Building in the Ministry and project ecosystem to increase staffs' ability to implement and manage environmental and social considerations on contracts and sub-contracts (a total of 9 contracts are expected for the whole project), this includes administrative processes, technology, and strategic planning.
- XXIV. Support to MWT to enhance its capacity for monitoring environmental and social issues during and beyond project implementation.
- XXV. Review Consultant (Project Engineers) and Contractor(s) Monthly E & S Reports and provide comments as required.
- XXVI. Monthly monitoring of ESMP targets, Health and Safety aspects and incidents as reported by Consultants and Contractor's and discussing improvements or non-compliances and the closing out of incidents

- XXVII. Ensure that the contractors and sub-contractors have appropriate management process and procedures in place for management of ESHS aspects of the project
- XXVIII. Ensure that E&S clauses and requirements in contractor's and sub-contractors contract are incorporated adequately
- XXIX. Participate in AfDB's periodic implementation support missions, meetings and prepare necessary reports
- XXX. Report ESHS accidents/incidents following the Bank's incident/accident root-cause-analysis report format (including corrective actions) and monitor implementation of corrective action plans
- XXXI. Follow up, facilitate and oversee the conduction of an Independent Annual Environmental and Social performance Audit and submission of the Audit report to the Bank.
- XXXII. Provide professional input to TORs developed by the project team to ensure environmental and social safeguards and other cross cutting issues are incorporated and mainstreamed
- XXXIII. Ensure that E&S and ARAP implementation reports are prepared and submitted in a timely manner based on the required and agreed format and reviewed, as appropriate
- XXXIV. Perform any other related E&S tasks as may be assigned by the Project Coordinator

5. REPORTING, COMMUNICATION AND TIME SCHEDULES

- 5.1 The E&S Consultant shall report directly to the Project Coordinator and will prepare monthly, Quarterly, and Annual procurement reports (or for any period as necessary) as inputs into the Project Reports, and in addition, prepare other procurement reports, as and when needed.
- 5.2 Emphasis will be placed on highly effective, regular, and detailed communication with the PIU relevant component managers at MWT, Walvis Bay Corridor Group, TransNamib Holdings Limited.
- 5.3 S/he is expected to report and analyze all problems experienced and lessons learned with procurement, more specifically on the Project, so that remedial and capacity-building actions can be promptly taken; and
- 5.4 S/he shall make inputs into reports prepared by the counterpart staff as needed.

6. DELIVERABLES

- 6.1 The Consultants will be expected to provide the following deliverables, among others:

	DELIVERABLES	DESCRIPTION
1	Inception Report (4 weeks after commencement)	Outlining the understanding of the assignment and work plan
2	Monthly Borrowers Project E&S (including ARAP) Implementation Report –(Every month)	In accordance with the ESMP, RAP/ARAP, the AfDB Safeguard Policies, National Legislation, using the appropriate Bank’s reporting template and format
3	Quarterly Borrowers Project E&S &RAP Implementation Report (Every quarter)	In accordance with the ESMP, RAP/ARAP, the AfDB Safeguard Policies, National Legislation, using the appropriate Bank’s reporting template and format
4.	Quarterly Report on Skills Development and Mentoring	E&S and other related skills development and mentoring within the PIU, Implementing agencies and project engineer
5.	Completion Report	In accordance with the ESMP, RAP/ARAP, the AfDB Safeguard Policies, National Legislation, using the appropriate Bank’s reporting template and format (with lessons learned and recommendations)

7. QUALIFICATIONS, EXPERIENCE AND COMPETENCIES

7.1 For an individual to be eligible for the service should meet following requirements:

- a) At Least a university degree BSC in Environmental Sciences/ Environmental Management// Environmental Engineering and Sociology or related fields. A master’s degree will be an added advantage.
- b) A minimum of 10 years’ experience in the field of environmental and social management at national level or international organization, and 5 years’ experience in construction projects.
- c) Have through working knowledge of national environmental and social legislations and standards,
- d) Experience in management of environment, social, health and safety aspects road and railway infrastructure development projects of similar scale funded by AfDB or other multi development banks.
- e) Familiar with African Development Bank Group’s Integrated Safeguards System or Environmental and social standards; Environmental and Social framework and ESHS guidelines of other Multilateral Development Banks
- f) Experience in construction supervision of management of environment, social, health and safety aspects of road and railway infrastructure development projects.
- g) Good command of English language in presentation, interpersonal and communication skills.
- h) Demonstrated computer skills, knowledge of Microsoft Office Suite especially, Word, Excel and PowerPoint.

8. FACILITIES AND SERVICES TO BE PROVIDED BY THE CLIENT

8.1 The Environmental and Social Safeguards Consultant will be provided with:

- a) Internet access
- b) Project Vehicle - the vehicle shall be used exclusively for project site visit. The running costs and servicing of the vehicle will be on the account of the Ministry.
- c) Any other disbursement not covered under Annex III Financial Proposal, must be notified to the Project Coordinator for agreement.

9. DURATION AND LOCATION FOR THE ASSIGNMENT

9.1 The duration for the assignment is 36 months, with the possibility of renewal for another 12 months. Renewal of the contracts shall be subject to satisfactory performance of the Consultants and availability of funds. The position will be based in Windhoek. The Consultant should be prepared to travel outside the duty station and to project areas when required.

9.2 The Consultants shall be under the immediate supervision of and will report to the Project Coordinator at the Ministry of Works and Transport. S/he shall work closely with the Project Coordinator, engineers and engineering consultants and contractors and its sub-contractors

10. PAYMENT

10.1 The Consultant shall be provided with remuneration and benefits as per the contract signed with the Ministry. The contract will mention a lump sum amount of remuneration per month as may be agreed between the parties.

10.2 The Consultant shall be entitled to three (3) working days of leave per month which includes 1 day as sick leave and 2 days as home leave, except the public holidays. Such leave must be taken upon a prior approval of the Executing Agency. However, such leave must be taken before the end of the mission and cannot, under any circumstances, be converted into compensation.

10.3 The Consultant shall be responsible for all taxes and duties including income tax applicable as per the Government of Namibia rules and regulations.

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10.5 The Consultant shall be reimbursed at the actual cost of reimbursable that are agreed to and approved by the Ministry.

11. LANGUAGE OF THE ASSIGNMENT

11.1 The language of the assignment shall be English Language.