THE REPUBLIC OF UGANDA

MINISTRY OF WATER AND ENVIRONMENT

IRRIGATION FOR CLIMATE RESILIENCE PROJECT (ICRP)

TERMS OF REFERENCE FOR

INDEPENDENT SUPERVISION OF ENVIRONMENTAL AND SOCIAL SAFEGUARDS IN CONSTRUCTION OF KABUYANDA IRRIGATION SCHEME IN ISINGIRO DISTRICT

October 2020

1.0 Introduction

The Government of Uganda (GoU) has received financing from the International Development Association (IDA) for the implementataion of the Irrigation for Climate Resilient Project (P163836) (ICRP). The project will provide farmers in the project areas with access to irrigation and other agricultural services, and establish management arrangements for irrigation service delivery.

The project has three components: Component 1. Irrigation Services; Component 2. Support services for agricultural production and value-chain development; and Component 3. Institutional Strengthening and Implementation Support.

1. Component 1. Irrigation Services

Access to irrigation is critical to allowing farmers cope with climate variability, to increase yield and intensification, and diversify towards higher value crops. Component 1 aims at providing farmers with irrigation water across various irrigation models, classified around the size of irrigation development as per the National Irrigation Policy, spanning across the country. Component 1 comprises three sub-components.

i. **Sub-component 1.1 on Large and Medium-scale Irrigation.** Large (>1,000 ha) and Medium (100 to 1,000 ha) scale irrigation schemes are established when an important water source is available in conjunction with a sizable irrigable area, offering the chance of developing economies of scale for marketing and value addition. As water might not be directly accessible across the whole irrigable area, and/or as the water source might be at a certain distance from the irrigable area and/or variable over the year, off-farm infrastructures (i.e. dams, diversions weirs, transmission pipes or canals, distribution networks) are required. The project will construct new irrigation schemes; support the development and strengthening of management model of irrigation schemes; and develop studies for future irrigation schemes.
    a. **Kabuyanda irrigation scheme -** One of the irrigation schemes to be constructed under component 1 is the Kabuyanda Irrigation scheme located in Isingiro District in south-western Uganda. It consists of a 33m high zoned earth-fill dam, located on River Mishumba, with reservoir storage capacity of approximately 8.8Mm^3, draining an area of about 90 km^2. The project is envisaged to develop 3,300 hectares of irrigated agriculture extending southwards from the dam along the river banks.

ii. **Sub-component 1.2 on Small and Micro-scale Irrigation.** Small (5 to 100 ha) and Micro (<5 ha) scale irrigation schemes are smaller in size, relying on a nearby water source mobilized with simple and relatively low-cost infrastructure, making it possible for farmers to take charge of irrigation development and management. The project will pilot public support for the construction of farmer-led small and micro scale irrigation schemes around the two new irrigation schemes and in areas close to Kampala characterized by high marketing potential, adopting a value chain approach.

iii. **Sub-component 1.3 on Integrated Catchment management.** It will develop and implement integrated catchment management interventions for the two new irrigation schemes, to improve the sustainability of the schemes, including the restoration/reforestation activity in Rwoho CFR.

2. Component 2. Support services for agricultural production and value-chain development

Component 2 aims to support farmers carrying out on-farm irrigation, accessing production and value addition knowledge and skills, and developing sustainable market access. Component 2 will comprise of two sub-components.

i. **Sub-component 2.1 on On-farm Production and Productivity.** It will provide support to farmers and farmers' groups for production and productivity improvement at the farm level in the new irrigation schemes, in existing irrigation schemes, in small and micro irrigation schemes as well as in the area of the proposed future irrigation scheme.

ii. **Sub-component 2.2 on Value Addition and Market Linkages.** It will provide support to farmers' groups for value-chain development and strengthening and establishment of market linkages. *Component 3. Institutional Strengthening and Implementation Support*

3. **Component 3 will support institutional strengthening.** Activities will include: (i) short-term studies on management models in irrigation, tariff structures, and prerequisites for financial sustainability; and (ii) capacity building, training and study tours.

The Ministry of Water and Environment therefore seeks the services of a firm to supervise and monitor implementation of Environment and Social Safeguards for Kabuyanda irrigation Scheme Infrastructure (dam, pipeline, and irrigation network).

2. 0 OBJECTIVES OF THE CONSULTANCY

The objective of this assignment is to support the MWE inhouse team to supervise monitor implementation of Environmental and Social Safeguard requirements of Government of Uganda and the World Bank during the construction of Kabuyanda Irrigation Scheme dam and infrastructure.

3.0 SCOPE OF WORK

General Environmental & Social Safeguards supervision

The Environmental and Social Safeguards Consultant will work closely with the Resident Engineer to supervise and monitor environmental and social safeguards implementation, ensuring full compliance to national and World Bank requirements. The consultant will be guiding implementation of the requirements following award of the works contract, right from mobilisation, execution of civil works and completion of the civil works, through the Project Coordinator/s at MWE and MAAIF.

Safeguards supervision

Following award of the contract, the safeguards supervising consultant will work closely with the Engineering supervising consultant (Resident Engineer) to ensure that E&S requirements are systematically implemented in construction activities. The primary safeguards supervision, enforcement and directing shall be the responsibility of the Engineering Supervising Consultant (Resident Engineer),the safeguards consultant shall undertake secondary supervision that will include assessing and ensuring integration of E&S requirements in project activities, assessing effectiveness of mitigation measures in the ESIA and ESIP, reviewing reports submitted by the Engineering Supervising Consultant and notify the project coordinator/ contract manager for any perceived E&S deficiencies and if needed will advise the project coordinator/ contract manager on the actions to be taken by the supervising consultant to bring the contractor to compliance with requirements.

The safeguards consultant shall report to the project coordinator and the contract manager, the project co commencement meeting with the safeguards consultant at the beginning of this assignment, the meeting will include an extended briefing on supervision of E&S Requirements between the two parties and clarification on their responsibilities. Issuing of instructions to the contractor shall be the sole responsibility of the Engineering supervising consultant.

3.1 Task 1 Approval of Contractor's Plans at pre- construction appraisal phase

Reviewing and providing guidance on the general form and content of environmental aspects of method statements at pre- works meeting. The construction contracts will require the Contractor to seek prior approval of the Engineering Supervising Consultant in relation to a number of aspects which have environmental and social implications. The approval for proposals and plans regarding the siting, nature, designs and scope of base-camp facilities are done at this stage and should be guided by environment and social safeguards procedures, some aspects of temporary works approval may also have environmental implications, for example temporary diversion of watercourses, de-watering arrangements and silt control during drainage works construction. The Contractor should be given guidance concerning the general form and content of environmental aspects of method statements by the Safeguards Consultant jointly with the Engineering Supervising Consultant at pre-works meeting on site. The Engineering Supervision Consultant shall undertake Primary/ initial review whereas the Safeguards Consultant shall undertake secondary/ quality enhancement review of the said documents. Safeguards Consultant shall provide his comments through the Project Coordinator at MWE/MAAIF.

3.2 Task 2: Approval of Constructor's Environmental and Social Implementation Plan (ESIP)

i. The contractor will be required to prepare an Environmental and Social Implementation Plan based on the (ESIA) (ESMP) and any other environmental and social aspects of design conditions of the contract and on emerging conditions on site.

ii. The ESIP will be prepared under the direct supervision and guidance of the Resident Engineer, after which it will be submitted to the safeguards consultant for further review. The Safeguards consultant shall review provide comments to the ESIP through the Resident Engineer and ensure that the ESIP is comprehensive and fit for purpose. The consultant shall then forward the ESIP to MWE for final review and clearance. The Contractors' ESIP will be a primary mechanism for the Contractor's Safeguards team to monitor environmental aspects of project works. The Safeguards Consultant should therefore ensure that this key document links environmental and social mitigation measures/ activities to construction works. The Consultant will ensure regular review and updating of this Plan.

iii. The ESIP shall include; Labour force Management, HIV and STI's Management Plans, Child Protection Plans, Solid Waste Management Plans, Health and Safety and Environment Management Plans (HSE), Gender Based Violence Management Plans, Traffic Management Plans, Burrow and Clay sites Management Plans, Stone Quarry Management Plans (Stone aggregates acquisition plan), Erosion Management Plans, Contractors Camp Management Plan, Grievance Management Plans, PCR, restoration plans among others as enlisted in the ESIA and may be required by the client;

3.3 Task 3: Compliance Assessment/ Monitoring

i. The safeguards Consultant shall carry out regular compliance assessment with MWE Safeguards team to determine whether on going works comply with Uganda's environmental and social laws and regulations as well as conforming to relevant international standards and best practices, especially the World Bank Environmental and Social Safeguards Policies, and Environmental Health and Safety Guidelines.

ii. The Consultant shall also provide compliance assistance to contractors, sub-contractors, supervising engineers, MWE, staff on site etc). Compliance assistance and assessments aim at supporting, monitoring, evaluating and reporting on works adherence to the relevant national and international environmental and social safeguards requirements.

iii. Compliance inspections/assessments shall be carried out frequently (at least once every week for the first six months, then twice every month for six months, and afterwards once every month) to ensure that teams on site are given the necessary compliance assistance to implement mitigation measures and to ensure recommended improvements are implemented in a timely manner. The frequency of monitoring will be determined by the registered compliance levels and risks encountered during implementation. Compliance assessments and inspections shall also cover wider environmental matters not directly concerned with actual construction such as Contractors' base-camps, off-site temporary storage and temporary work areas and any other axillary structures, including materials sites (stone aggregates, clay extraction, gravel sites, etc). This monitoring will also include cross cutting issues such as HIV/AIDS awareness and mitigation, gender mainstreaming and occupational health and safety and any other environment and Social Safeguard issues. Procedural guidelines for conducting compliance assessments shall be agreed upon with MWE safeguards team**.**

iv. The Consultant will undertake performance review as a means of reinforcing the Supervision Engineer Consultant's and contractor's commitment to environmental and social management, as well as a means of drawing their attention to safeguards, and assisting in the resolution of, outstanding environmental and social related issues during construction. The Safeguards Consultant shall regularly undertake these reviews to ensure that environmental and social aspects are fully addressed.

v. The Consultants shall plan and facilitate ESHS periodic trainings for the Engineering Supervising Consultants Team, Contractors Team, and Government Counterparts (Safeguards staff from MWE, MAAIF, Isingiro District LG), including participating in onsite Tool-Box Meetings at different work fronts.

3.4 Task 4: Routine Supervision Monitoring and Reporting

i. The Safeguards Consultant shall undertake routine monitoring in order to assess efficiency in implementation of mitigation actions, the consultant will continue monitoring indicators in the ESIP to determine whether the mitigation measures are effective or to determine what further mitigation measures may be required. The Consultant will adopt the safeguards monitoring format in the ESIA report for thematic areas and any other specific format as will be agreed upon with the client.

ii. The Consultants' monitoring shall begin right away and continue throughout the construction phase. One important aspect of this monitoring shall be to assess the effectiveness of the mitigation measures suggested, where they are found lacking, appropriate new actions to mitigate any adverse effects shall be undertaken. The findings of this monitoring will be discussed in the monthly site meetings and included in the monthly and quarterly reports submitted to the Client.

iii. The Safeguards Consultant jointly with the Engineering Supervising Consultant shall ensure that continued non-compliance by the contractor is subjected to punitive measures as may be defined in the Construction Contract; this may include a daily fine or retention of monies through the Interim Payment Certificate (IPC). The Safeguards Consultant shall closely work with the Engineering Supervising Consultant in developing and maintaining a Safeguards Compliance Tracker which will be used to assess the Contractor's response to and implementation of corrective instructions issued by the Resident Engineer.

3.5 Task 5: Project Completion reports

i. Following completion of project works, the consultant shall ensure that the final Environmental and Social Completion reports are prepared with input from the Contractor and assistance from the Resident Engineer/ Engineering Supervising Consultant. The report shall detail how the environmental issues have been addressed during the course of the project and how the ESIP and decommissioning plans have been implemented and complied with, including rehabilitation of Burrow pits and all ancillary facilities.

ii. The report should demonstrate that the project has taken all practicable measures to ensure that the provisions made in the project ESIA reports are complied with and that borrow pits, quarries, stockpile areas, camps and other work areas (as appropriate) have been rehabilitated in accordance with the National Laws and World Bank Safeguard policy requirements. The report shall be submitted to the Client for review and clearance.

3.6 on a routine basis, the consultant will do the following

1) provide overall Environmental and Social Safeguards Management oversight and ensure that Environment and Social Safeguards are systematically implemented in construction activities;
2) review relevant parts to ESIA, NEMA approval conditions to become familiar with the Project and the baseline E&S conditions prevailing before works commence;
3) ensuring and guiding preparation of the Contractor's Environment & Social Implementation Plan (ESIP) relevant to the C-ESMP and monitoring its implementation;
4) prior to the Engineering Supervising Consultant's authorization for the Contractor to commence works, the safeguards consultant shall verify that the Contractor has done the following;
    i) Established an environmental and social management system for the project in accordance with the works contract;

ii) Mobilized the necessary E&S team (according to the qualifications specified in the contract) and sufficient facilities, tools, and equipment to comply with the E&S Requirements of the Contract;
iii) The necessary environmental and social consents and permits are in place, and that the Contractor has complied with the conditions therein;

5) the consultant shall establish a monitoring regime for environmental parameters e.g. water quality, air quality, noise and vibrations, fish biodiversity;
6) ensure that the Contractor undertakes environmental assessments for all construction works support infrastructure;
7) map out sensitive Environmental and social receptors like wetlands, forests, PCR, trading centres, schools and hospitals;
8) the Consultant shall ensure that all provisions in the contractors (ESIP & OSH) and all statutory requirements including all conditions of approval in the NEMA certificate are implemented.
9) ensure that all activities by the Contractor and the Resident Engineer are designed to include avoidance of potential social and environmental risks, as recommended in the ESIA for the project;
10) ensure oversight and management of grievances from both the affected communities and workers through (ii) monitoring of progress on land acquisition where applicable i.e. ensuring that contractors do not initiate works until the process has been completed, and (iii) monitoring/verification of measures put in place to prevent and address issues related to GBV and Violence against Children, and other issues Project;
11) undertake day to day supervision, monitoring and on ground review, check and document compliance with site- specific mitigation measures as presented in the ESIP;
12) provide guidance to the contactor, Resident Engineer and other stakeholders on matters of implementation and documentation of compliance related to environmental mitigation measures, as presented in the ESIP;
13) ensuring that each activities related to the project including subprojects is subjected to the Environmental and Social Safeguards management procedures;
14) ensure that safeguards reports are prepared and timely submitted to the client as per formats and content agreed and provide comments as appropriate; ensure reporting of serious and severe incidents by the Resident Engineer and Contractors to MWE is undertaken within 24 hours of their occurrence, in accordance with the World Bank's Environmental and Social Incidents Reporting Toolkit (ESIRT)/ guidance note;
15) prepare and submit monthly and quarterly Compliance Assessment reports and any other report as may be requested by the Client;
16) participate in Monthly site meetings technical visits and any other missions and work closely with all stakeholders in ensuring the Project's compliance with relevant environmental and social policies of Uganda and the World Bank;
17) undertake other actions related to environmental and social aspects of the Project, as may be instructed by the client/ contract manager from time to time, in order to ensure full compliance of the Project with national and international environmental and social standards;

18) management and Enforcement of safeguard requirements in establishment, operations and decommissioning of all ancillary structures related to the project;
19) working with the Resident Engineer, certifying the contractors 'compliance to safeguards by stating what was done, confirming the costs, penalties and fines that should be deducted from the contractors' invoice before payment;
20) support the process of execution of Environmental and Social Audits under the project both annual and closure audits.
21) ensure that the contractor prepares Closure and rehabilitation plans for all work sites, workers' camp, borrow pits and other ancillary facilities, prior to the end of the construction phase. The Consultant shall be paid their last instalment after the Client has issued a certificate of Compliance to Environment and Social requirements.

3.7 Fish Monitoring

The ESIA notes that dam construction, river diversion and interception will have potential impacts on river flow regime, water quality, riverine and riparian ecosystem, resulting in negative impacts on fish and its habitats. Due to these potential threats, and since river systems are physically and ecologically dynamic, and susceptible to other environmental variations there is need for proper monitoring of dam construction to safeguard the river ecosystem integrity, fisheries biodiversity and the dependent ecosystem services.

The consultant will do the following;

1) Review designs for temporary and permanent hydraulic structures (river diversions) and ensure provisions for fish friendly movements and migration, where feasible, the hydraulic characteristics of river diversion channels be designed to be as fish friendly as possible;
2) review the ESIA, fisheries biodiversity and monitoring plan, analyse the different bio-physical - chemical water quality and environmental conditions of the affected river sections upstream and downstream propose the most appropriate practical interventions to be implemented by the contractor;
3) monitor soil erosion and silt runoff into the river, ensure that the contractor applies proper construction practices and pays diligent attention to erosion control near the river banks to minimize problems of turbidity in the river and threats to fish. The consultant shall carefully monitor the wash load upstream and downstream of the dam construction site(s) and give guidance on preventive steps to be taken to avoid mortality or undue stress among downstream fish stocks;
4) identification of the changes in the general water quality and fisheries biodiversity, identification of the most affected species, habitat losses and based on these, identify the possible intervention and recommend remedial actions.

3.8 Water quality monitoring.

The consultant will undertake independent water quality random-sample monitoring along sections of River Mishumba affected by construction works to document and verify baseline water quality conditions as required in the project ESIA approval conditions, monitor, document changes and make recommendations through MWE to the Engineering Supervising Consultants and contractor to ensure that water quality remains within acceptable standards where possible; review of the ESIA and other project related documents to internalize the requirements and the scope of the Water quality monitoring;

1) identify and map out works related sources and nature of potential contaminants of River Mishumba water within the sections affected by construction activities, recommend feasible mitigation actions to the Engineering Supervising Consultant;
2) determine and document the physical-chemical and biological parameters of the water quality within the river sections affected by construction works;
3) establish a water quality monitoring program and document the following parameters on a monthly basis with regard to the standards below and any other parameters as may be required in the ESIA approval conditions;

Parameters	**Limits**
PH	6.0-8.0
Temperature	20-35 ^{O}C
BOD	30mg/l
EC	1500 Us
COD	100
Phosphorous	5.0 mg/l
Nitrogen as Nitrate total	10 mg/l
Nitrate	20mg/l
Nitrite	2.0 mg/l
Ammonia Nitrogen	10mg/l

4) employ standard water quality assessment methods to generate reliable and dependable conclusions and recommendations to guide construction activities;
5) record observations of significant importance both in the field and laboratory to support the credibility of the monitoring and assessments. Sample Laboratory Analysis shall be done in recognized reputable laboratory, preferably Ministry of Water and Environment laboratories of Entebbe or Fort Portal with supporting certificates of analysis;

6) water quality Sampling methodology; the consultant shall use conventional standard sampling procedures for purposes of maintaining high integrity of samples to yield reliable results. The sampling therefore shall fulfil the following criteria;
    i. The data obtained must be reproducible by others following the same sampling and analytical protocols;
    ii. Documentation must be available to validate the sampling procedures. The data must have a known degree of accuracy and precision;
7) document and compile Water Quality Assessment reports, make recommendations and guide the Resident Engineer on all water quality related issues during construction;

4.0 QUALIFICATION OF THE FIRM

1) Experience of the consultancy firm in at least two (2) similar assignments in nature and scope (ESIA and RAP studies for World Bank Funded Projects. Supervision of Environment and Social Safeguards in large infrastructure (dams, irrigation schemes, Water Supply systems and transport projects within the last 5 years).

2) Experience of the consultancy and familiarity with World Bank's Environmental and Social Safeguards Policies is a necessity as will be evidenced from similar assignments (at least 2) carried out and Financed by the World Bank within the last 5 years.

5.0 REQUIRED COMPETENCE OF THE CONSULTANT

The Consultant is expected to set up a supervision team, of permanent staff, with expertise in major areas including a Team Leader responsible for managing the assignment and coordinating the contributions of all others. In addition, the Consultant team will include multidisciplinary experts with expertise in the following disciplines, summarized below.

1) Environmental Safeguards Expert (Team Leader)
2) Occupational Health and Safety Expert (1)
3) Biologist/Ecologist(1)
4) Sociologist (1)

Key Personnel	Specific Qualifications	Minimum Experience
1. Environment Specialist/Team Leader	Master's degree in an Environment related discipline; Environmental Science, Environmental Engineering or Natural Resource Management, Possession of an Environment Practitioner's certificate from NEMA as Team Leader, is a requirement. Be able to prepare and present information clearly and concisely (both oral & written) and have superior report writing skills	At least 10 years of progressively senior experience in Managing ESIA studies, supervising Safeguards in large and complex infrastructure development projects, familiarity with World Bank environmental and social safeguards policies and Environmental and Social Framework is a necessity as will be evidenced from similar works carried out and Financed by the World Bank (at least 05 years assignments) in working with

		Environment and Social Safeguards Supervision
2. Occupational Health and Safety Expert	Must be a holder of at-least a Bachelor's Degree in Environment, Engineering or related discisplines and a minimum of a Occupational Health and Safety Certificate from a recognized Institution such as NEBOSH/OSHA, etc.	Must have at-least five (5) years' related experience working in health and safety in infrastructure projects, experience with the World Bank Environment and Social Policies is a requirement.
3. Biologist/ Ecologist	A minimum of a Bachelor's degree (BSc) in Biology or related field, advanced degree in Aquatic Ecology or Fresh water biology/Ecology, Limnology, Fisheries, related field will be an added advantage.	At least ten (8) years' experience in the Fisheries related studies; experience in Ichthyology and aquatic entomology/freshwater biology of tropical Africa, preferably including river systems in Uganda and at least 5 years' experience working on fisheries projects in Uganda. Be able to prepare and present information clearly and concisely (both oral & written) and have superior report writing skills
4. Social Expert	Must hold a bachelor's degree in Sociology, Social Sciences or related field. A master's Degree in related disciplines would be an added advantage with experience in community engagement and resettlement	A minimum of 7 years of professional experience and at least 5 years of Experience working with World Bank Projects and familiarity with World Bank Environmental Social Policies. Working with infrastructure projects in a Ugandan rural setting is a requirement.

Key personnel	**Man months**

1) Environmental Safeguards Expert (Team Leader)	30
2) Occupational Health and Safety Expert (1)	26
3) Biologist/ Ecologist(1)	26
4) Sociologist(1)	26
TOTAL	108

6.0 EXPECTED DELIVERABLES

ITEM	REPORT/DOCUMENT TITLE	timeline for submission AFTER COMMENCEMENT	CONTENT	NO. OF COPIES
1)	Pre appraisal report/ supervision and monitoring program	Two(2) from the date of commencement	i. Monitoring program for general safeguards supervision including water quality, air quality, noise, vibrations, fisheries and biodiversity. Safeguards reporting formats and siting safeguard aspects in the design of contractor's camps, scheme infrastructure and approvals. Any other project specific issues or unique mitigation requirements that are either not adequately covered or completely omitted from the	3 copies to MWE

ITEM	REPORT/DOCUMENT TITLE	timeline for submission AFTER COMMENCEMENT	CONTENT	NO. OF COPIES
			Safeguards documents and the Works Contract.	
2)	Review and approval of the Contractors ESIP and other safeguards planning/ management documents.	3 months after commencement of the assignment	Contractors environment and Social safeguards Policy, Contractors environmental and social management system for the project established in accordance with the works contract Mobilized the necessary E&S team (according to the qualifications specified in the contract) and sufficient facilities, tools, and equipment to comply with the E&S Requirements of the Contract; Acquired environmental and social consents and permits; Waste Management plans (the waste management hierarchy, hazardous waste handling) Plans for management of fragile Ecosystems e.g. protected areas, wetlands, riverbanks, lakeshores, hilly and mountainous areas Biodiversity management plans, Erosion and Sediment Control Management plans, Grievance Management system, HIV & AIDS prevention Plan,	3 copies to MWE

ITEM	REPORT/DOCUMENT TITLE	timeline for submission AFTER COMMENCEMENT	CONTENT	NO. OF COPIES
			Contractors Camp Management Plan, Contractors safeguards implementation structure	
3)	Safeguards Supervision and Monitoring reports	Every month (30th of every month and 28th for February)	Progress of contractors implementation of safeguards activities linked to construction works, water quality, noise, air quality, summary, health and safety, social (HIV& AIDS) any other social and environmental issues of concern. Compliance assessment findings, compliance status and corrective actions to be taken, responsible parties and time frame for corrective action.	3 copies to MWE
4)	Environment and Social Safeguards Performance reports	Quarterly report (on the 30th of every third month)	Environmental, Health and Safety Monitoring Report, Social Safeguards Monitoring report, Fisheries and Water Quality Monitoring report	3 copies to MWE
5)	Works completion and site restoration	3 months prior to site decommissioning	Site restoration and final mitigation plan	

7.0 REPORTING AND SUPERVISION ARRANGEMENTS

The Consultant will be directly supervised by the Water for Production Department on behalf of the Client reporting to:
The Project Coordinator – Irrigation for Climate Resilience Project
Attn: Eng. Henry Kizito
Ministry of Water and Environment
Plot 3-7, Kabalega Crescent, Luzira, Kampala, Uganda
E-mail: henry.kizito@mwe.go.ug, kizitohl@yahoo.co.uk,

A copy of each report shall be submitted directly to the World Bank Task Team Leader, ICRP, Rwenzori House Floor 4 Lumumba Avenue

All deliverables including work files, document files, databases, spreadsheets, drawings, and GIS data related shall be provided to the client in electronic format (on CD) upon completion of the consultancy, in addition to 5 copies of the hardcopy reports. The electronic data formats shall be compatible with the latest versions of:

(i) The Microsoft Office Suite;
(ii) Auto CAD;
(iii) Arcview GIS;
(iv) Network analysis software (PSS© Sincal or compatible software).

Any other data formats shall be subject to prior approval by the client.
The Water for Production Department will ensure close coordination and participation of other Government Agencies and the World Bank to ensure information exchange.

8.0 FACILITIES TO BE PROVIDED BY THE CLIENT

The MWE through the Project Coordinator will provide the following relevant documentation and information to the consultant required to carry out the assignment and also assist the firm to access institutions and stakeholders to carry out the assignment and access information: ESIA &RAP documents, and the works contract most notably special and technical specifications, the contractors tender proposals relevant to management of E&S provisions and NEMA approval conditions of the ESIA.

9.0 DURATION OF THE ASSIGNMENT

The duration of the consultancy services is expected to last 48 calendar months covering dam, pipe network conveyance construction and design of on farm distribution network.

The above stated durations are to be understood as guidance and it is the responsibility of the consultant to establish a detailed work program within the above time estimates. The estimated staff time inputs should be provided in accordance with the consultant's professional judgment and knowledge of the local conditions and needs.

10.0 MWE's ENVIRONMENTAL AND SOCIAL POLICY AND CODE OF CONDUCT

1. ENVIRONMENTAL AND SOCIAL POLICY

The client has an Environmental and Social Policy that will be adhered to during the implementation of the project. The policy is provided in Annex 1.

2. CODE OF CONDUCT

The code of conduct in Annex 2 has been set out to take into account considerations of Environment, Social and Health issues, Occupational Health and Safety of experts, client's and contractor's personnel and the community.

The Code of Conduct should be signed by each Expert to indicate that they have:

i. received a copy of the code;

ii. had the code explained to them;

iii. acknowledged that adherence to this Code of Conduct is a condition of employment; and

Understood that violations of the Code can result in serious consequences, up to and including dismissal, or referral to legal authorities.

The consultant is required at develop a code of conduct for their staff to adhere to. The code of conduct should be acceptable to the client.

ANNEX 1: ENVIRONMENTAL AND SOCIAL POLICY

The Works' policy goal is to integrate environmental protection, occupational and community health and safety, gender, equality, child protection, vulnerable people (including those with disabilities), gender-based violence (GBV), HIV/AIDS awareness and prevention, wide stakeholder engagement, land acquisition and compensation of project affected persons in the planning processes, programs, and activities of the parties involved in the execution of the Works.

The Environment and Social Management Plan for the Project and the Contractor's Site-Specific Environment and Social Implementation Plan will be used for monitoring, continuously improving processes and activities and for reporting on the compliance with the policy.

The policy is derived from different international and/or national policies within legal frameworks some of which are highlighted below. It is expected that during the supervision of the works, the consultant will commit to;

1. apply good international industry practice to protect and conserve the natural environment and to minimize unavoidable impacts (National Environment Act 1995);
2. provide and maintain a healthy and safe work environment and safe systems of work as stipulated in the draft National Occupational Safety and Health Policy in the framework of the Occupational Safety and Health Act 2006;
3. protect the health and safety of local communities and users, with particular concern for those who are disabled, elderly, or otherwise vulnerable;
4. ensure that terms of employment and working conditions of all workers engaged in the Works meet the requirements of the ILO labour conventions to which the host count(Employment Act 2006 and Occupational Safety and Health Act 2006);
5. be intolerant of and enforce disciplinary measures for illegal activities. To be intolerant of, and enforce disciplinary measures for GBV, child sacrifice, child defilement, and sexual harassment (Employment Act 2006) ;
6. incorporate a gender perspective and provide an enabling environment where women and men have equal opportunity to participate in, and benefit from, planning and development of the Works (The Uganda National Employment Policy 2011, The National Equal Opportunities Policy 2006, Uganda Gender Policy);
7. work co-operatively, including with end users of the Works, relevant authorities, contractors and local communities;
8. engage with and listen to affected persons and organizations and be responsive to their concerns, with special regard for vulnerable, disabled, and elderly people;
9. provide an environment that fosters the exchange of information, views, and ideas that is free of any fear of retaliation;
10. minimize the risk of HIV transmission and to mitigate the effects of HIV/AIDS associated with the execution of the Works (The National HIV/AIDS and The World of Work Policy 2007);
11. Acquisition or restriction of land to mitigate unavoidable adverse social and economic impacts through incorporate compensation of project affected persons and community engagement throughout the works implementation.

ANNEX 2: CODE OF CONDUCT

This code of conduct is to be followed by all Consultant's Experts. It should be read together with the Environment and Social Policy, the World Bank Group Environment Health and Safety Guidelines. The experts are expected should;

1. Be Compliant with applicable laws, rules, and regulations of the Republic of Uganda.
2. Be Compliant with applicable health and safety requirements to protect the local community (including vulnerable and disadvantaged groups), the Consultant's Experts, the Client's personnel, and the Contractor's personnel, including sub-contractors and day workers (including wearing prescribed personal protective equipment, preventing avoidable accidents and a duty to report conditions or practices that pose a safety hazard or threaten the environment).
3. Not use of illegal substances
4. Be non-discriminatory in dealing with the local community (including vulnerable and disadvantaged groups), the Consultant's Experts, the Client's personnel, and the Contractor's personnel, including sub-contractors and day workers (for example, on the basis of family status, ethnicity, race, gender, religion, language, marital status, age, disability (physical and mental), sexual orientation, gender identity, political conviction or social, civic, or health status)
5. Have acceptable and appropriate interactions with the local community (ie), members of the local community (ies), and any affected person(s) (for example to convey an attitude of respect, including to their culture and traditions).
6. Avoid unethical and unbecoming behavior such as use of rude, abusive and obscene language, indecent dressing, hard supervision and sexual suggestive gestures which constitute sexual harassment (for example to prohibit use of language or behavior, in particular towards women and/or children, that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate). A child / children means any person(s) under the age of 18 years.
7. Avoid violence, including sexual and/or gender-based violence (for example acts that inflict physical, mental or sexual harm or suffering, threats of such acts, coercion, and deprivation of liberty.
8. Avoid exploitation including sexual exploitation and abuse (for example the prohibition of the exchange of money, employment, goods, or services for sex, including sexual favors or other forms of humiliating, degrading behavior, exploitative behavior or abuse of power).
9. Promote protection of children (including prohibitions against sexual activity or abuse, or otherwise unacceptable behavior towards children, limiting interactions with children, and ensuring their safety in project areas).
10. Ensure sanitation requirements are provided like toilets are acceptable and approved and are gender sensitive (for example, to ensure workers use specified sanitary facilities provided by their employer and not open areas).
11. Avoid conflicts of interest (such that benefits, contracts, or employment, or any sort of preferential treatment or favors, are not provided to any person with whom there is a financial, family, or personal connection).
12. Respect reasonable work instructions (including regarding environmental and social norms)
13. Protect and use any project property properly (for example, to prohibit theft, carelessness or waste).

14. Report any violations of this Code.

15. Ensure that there is non-retaliation against personnel who report violations of the Code, if that report is made in good faith.