

TERMS OF REFERENCE FOR  
CONSULTANCY SERVICES FOR  
ENVIRONMENTAL AND SOCIAL  
IMPACT ASSESSMENT AND THEIR  
ASSOCIATED PLANS FOR THE  
DEVELOPMENT OF A WASTEWATER  
TREATMENT PLANT & WASTE TO  
ENERGY PLANT THROUGH A PUBLIC  
PRIVATE PARTNERSHIP FOR THE  
MUNICIPALITY OF OTJIWARONGO



**MUNICIPALITY  
OF  
OTJIWARONGO**

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## EXECUTIVE SUMMARY

In 2008, the Namibian Department of Water Affairs issued updated Codes of Practice containing guidelines for the use of wastewater treatment systems. In these codes, it stated that communities numbering more than 100 persons, an advanced sewage treatment system must be provided under the new guidelines to produce effluent that complies with the General Effluent Standards. Advanced treatment systems typically consist of oxidation pond systems, biological filters or activated sludge plants. Dependent on the Feasibility Study, the most appropriate technology can be selected for consideration for plant upgrading. A major factor in the selection of the technology is dependent on what the desired outcome is, which is a supplementary water supply to the town. A Concept Note was developed as a Public Private Partnership (PPP) through the Public Private Partnership Act No.4 of 2017 of the Republic of Namibia.

In addition to this, as part of meeting the compliance requirements from the Ministry of Environment, Forestry and Tourism an Environmental Management Plan (EMP) was needed to operate a Waste Disposal Site. This resulted in an Environmental Clearance Certificate (ECC) to be issued to the Otjiwarongo Municipality that had a validity period of 5 Years from the date of issue. As part of the conditions of the renewal of this ECC were that deliverables from the EMP are implemented throughout this period of time that would represent the development or upgrading of facilities working with ministerial clearance. Therefore, the need to do a Feasibility Study on the current facility is a step in the right direction for the long-term development of it to a facility that could lead to producing BioGas.

Each of these project components have been identified as complimentary inputs to a much larger Circular Economy which shall involve the envisaged Biomass Industrial Park set to be established in Otjiwarongo. The African

Development Bank (AfDB) are fund this project and the standard to which documentation and results are presented are to be in accordance with that of the Bank and the Implementing Agency (Otjiwarongo Municipality) and by extension the Government of Namibia. It is therefore of great importance that the proponent has expertise in each of these aspects of energy and sanitation with the intention of making them work together as part of the Circular Economy.

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## **1. INTRODUCTION**

With an ever-growing population, the demand for basic services increases exponentially. One of the basic services that are the responsibility of the Municipality is to provide proper sanitation and sewerage systems. Our mandate is aligned with not only to the Local Authorities Act of 23 of 1992, but, it is supplemented by our National Development Plan No.5 (NDP 5) as well as the Harambee Prosperity Plan (HPP) falling under Water as well as Sanitation. These plans all for part of priority strategic areas for AWF with respect to the attainment of the Sustainable Development Goals of 2030. Thus, through the assistance of the AWF, the Otjiwarongo Municipality intends to develop two key projects that address the improvement of water infrastructure for the sustainable resource utilisation.

In addition to this, the sustainable production of energy to compliment industry growth in town is a priority area that the municipality intends to pursue. A recent industrial development in town that is in its planning stage has accelerated the investigation into the production of green energy. The municipality identified its existing disposal site as a possible area whereby the development of a Waste to Energy plant can be done. This directly impacts the effects of climate change and environmental and social integration in town development. This application shall be one with these two components being addressed under each heading.

### **1.1 Waste Water Treatment Plant**

The growing population is increasing the demand for potable water to be distributed to the residents through the supply from Namibian Water Corporation (NamWater). Currently the Otjiwarongo Municipality procures water directly from NamWater and does not have an alternative supply. This poses a great risk to the residents as a problem experienced on the supply end would result in the entire town being affected. Therefore, the upgrading of our

current system of using Oxidation ponds is required to serve our population of +45 000 residents. Therefore, the need for the development of a Waste Water Treatment Plant (WWTP) is warranted to address the growth in a sustainable manner. The Otjiwarongo Municipality does not have enough technical or financial capacity to construct or manage a sophisticated Treatment Facility, therefore, the possible execution through a PPP would be solution.

## **1.2 Waste to Energy Plant**

In addition to the WWTP the Otjiwarongo Municipality intends to upgrade its existing Waste Disposal Site to a Solid Waste Recovery Centre (Landfill) that would have the capability of producing BioGas amongst other outputs. According to the Environmental Management Plan (EMP) conducted in 2019, the need for the upgrade to Landfill status is warranted. Complimentary to this development is the demand for sustainable energy from a nearby BioMass Development. The BioMass Development is named the BioMass Industrial Park (BIP) that the Otjiwarongo Municipality is supporting through availing land just North of the current Waste Disposal Site. It is the intention that a Circular Economy created with the being the main link between the WWTP and Landfill as it would be using the products and/or by-products of each development and in turn be contributing to the sustaining of each development. Therefore, the need to conduct feasibility studies of Disposal Site coupled to the WWTP are necessary to determine the business case.

## **2. PROJECT DESCRIPTION**

### **2.1 Waste Water Treatment Plant**

The Project technical description is as follows:

- Tertiary treatment plant with a capacity of 10,000m<sup>3</sup>/day (To be finalized in Feasibility Study)

- Lifetime: 30 - 40 years
- Utilisation of renewable energy as far as possible
- Upgrading of existing sewer reticulation and extension of network as dictated by Feasibility Study
- Integration of facility to Waste to Energy Plant as well as BIP
- Technology: Thermal hydrolysis exelys to maximize production of Biogas for Waste to Energy Plant (To be evaluated during Feasibility Study)
- Plant Locality to be on existing 25Ha portion of land

## **2.2 Waste to Energy Plant**

The Project technical description is as follows:

- Generation Capacity: At least 5MW (to be investigated in Feasibility Study)
- Lifetime: 30 - 40 years
- Utilisation of renewable energy as far as possible
- Integration of facility to WWTP as well as BIP
- Technology: Combined Heat and Power plant
- Plant Locality to be on existing 25Ha portion of land

## **3. PROJECT OBJECTIVES**

The primary objectives of the Project are the following:

- Improved security of water provision by having a lower reliance on NamWater as a primary source
- Improvement of water, sewer and waste disposal infrastructure in town
- Provision for expansion of water-borne sewer system in town which shall improve living standards of residents and thus, improve general living standards
- General economic improvement as access to services is made possible
- Encouragement of recycling in and around Otjiwarongo
- Resident education on their role in keeping the environment clean



- Sustainable development of projects by the creation of a Circular Economy and;
- Additional revenue streams for council to be realised through both initiatives

#### **4. SCOPE OF SERVICES**

In accordance with national regulations on environmental and social management and the environmental and Integrated Safeguard Systems (ISS) of the African Development Bank. As such, the Consultant must produce the following documentation:

1. Environmental and Social Impact Assessment (ESIA) with an exhaustive Environmental and Social Management Plan (ESMP);
2. Resettlement Action Plan (RAP) for the chosen variant inclusive of the following
  - a. Compensation Schedule as per AfDB requirements
3. Stakeholder Engagement Plan (SEP);
4. Gender and Social Inclusion in Assessment
5. Climate Change Action Plan (CCAP);
6. Grievance Redress Mechanism; and
7. Livelihoods Restoration Plan (LRP).

Documents must be submitted separately to the Municipality for approval. It must define all the positive and negative impacts of this project at the level of the selected site and will then propose, in detail, the measures to be taken to reduce or even eliminate the negative impacts. These measures could concern:

- The risk of contamination of surface water following the runoff of leachate
- The risk of groundwater pollution after leachate infiltration;
- Contamination of rainwater in contact with the waste;

- The risk of bad smells; and
- All other possible implications.

The detailed directives are recorded in a specific document.

#### **4.1 Environmental and Social Impact Assessment**

For the drafting of the Environmental and Social Impact Assessment (ESIA) of each site and for each planned infrastructure, the consultant will perform the following non-limiting tasks:

- Detailed description of the infrastructure (location, planned development, organization of works, access roads, etc.);
- Analysis of the initial state of the site

The analysis of the initial state is an essential and determining phase of the quality and usefulness of the impact study.

The consultant will analyse the relevant legislation, regulations and standards relating to the waste management, environment, local communities, public hygiene and health sectors, including the requirements of international conventions ratified Namibia. In addition, the Consultant is to consider how the engagement between the private and public sectors impact the compliance of the project with regards to compliance with environmental and social aspects. The matter as well as the standards and regulations applicable to waste: (environmental codes, water code, hygiene code, forest code, general code of local authorities, labour code, standards for waste water discharges, safety standards, etc.)

- The consultant will analyse the relevant laws, regulations and standards relating to the waste management, environment, local communities, public hygiene and health sectors, including the requirements of international conventions ratified by the country in question. the matter as well as the standards and regulations applicable to waste: (environmental codes, water code, hygiene code, forest code, general code of local authorities, labour code, standards for waste water discharges, safety standards, etc.)

- The ESIA Consultant is expected to work closely with the with the Consultant developing the Feasibility study with regards to the resources requires and the implementation of these for the success of the project.
- Delimitations of the perimeter of study;
- Presentation of the time horizons of the study;
- Identification and evaluation of the direct or indirect effects/impacts of the project on the environment both during the construction phase and during the commissioning phase;
- Justification of the reasons why, from an environmental point of view, among the solutions considered, the project represented was selected;
- Analysis of measures (avoidance, mitigation, maximization, improvement) and estimation of their costs to be presented in relation to the various project developmental phases.
- Public Consultation Process: The participation of the populations and the main institutions concerned by the program constitutes a key element of the study. It is a means of ensuring that the project integrates the concerns of the public. The consultant will have to announce the project (by poster or through the press) and hold at least two information and discussion meetings for each site with the main local actors concerned.

It will be proceeded to:

- delineate and justify the study area (restricted study area and extended study area) identify and delimit sensitive sites or sites of particular ecological or economic interest in the study area with precise information on their status,
- the proximity of dwellings or local activities;
- analyse the initial state of the environment on the natural, socio-economic and human levels;

- analyse current and planned socio-economic activities in the project implementation area and its related infrastructure with an analysis of iterations with the project;
- characterize the surrounding environment, in particular the hydrology and hydrogeology;
- analyse the environmental and social sensitivity of the project and its related components with regard to the sensitivity of its host environment, highlighting the environmental and social issues associated with the project;
- analyse the economic and social effects linked to the sites where the infrastructures are located,
- analyse the direct and indirect impacts of the project on the environment, in particular on natural environments;
- Relevant information on changes likely to occur before the start of work;
- Relevant information on the evolution of the environment in the absence of the considered sub-project;
- The living conditions and aspirations of indigenous people;
- analyse the direct and indirect impacts of waste transport and transfer activities between and towards the planned infrastructures on the environment, in particular on natural environments;
- In the description of the sites, the consultant must emphasize the topography of each project site with the direction of surface flows (natural drainage), the geology and the piezometric level of the water table and the availability of cover materials.

## **4.2 Environmental and Social Management Plan**

For the development of the Environmental and Social Management Plan (ESMP) (measures retained, schedule, budget, responsibilities, monitoring indicator, etc.) for each site for the development of the resettlement plan (if

necessary), the consultant should ensure in their documentation that the following is included :

- Define the footprints of the works,
- Identify with the actors concerned the people affected in the defined rights-of-way
- Develop the final file of rights holders as well as their due and ensure its validation by all the actors concerned
- Define the compensation schedule in collaboration with the sponsor
- Propose the bodies responsible for ensuring the smooth running of compensation (payment, monitoring, dispute arbitration, etc.)

The objective of the ESMP is to define, for each impact identified, the mitigation, improvement, monitoring and consultation measures, the corresponding cost, the responsible entity, the institutional strengthening measures to be put in place during and after the execution of the project.

This plan should provide for each physical or social component, all the mitigation measures to eliminate the negative impacts or reduce them to an acceptable level. Besides, the Study will describe the measures envisaged to optimize the positive impacts. For residual impacts, it will present the compensation measures. Moreover, the costs associated with each mitigation measure as well as the responsibilities for implementation must be specified.

In the study, the ESMP will specify the actions and works, corrective measures and additions planned for the various phases of work execution, infrastructure operation and waste transport and transfer activities, to avoid, minimise, restore or compensate for the negative impacts of the project in the short term, long term, direct or indirect, reversible or irreversible. If applicable, the study describe the measures envisaged to promote or optimize the positive impacts. It will also present an assessment of the effectiveness of cost-effective measures to mitigate or reduce the negative impacts. It will estimate the costs as well as the methods of implementing these measures.

The study relating to these measures will focus on:

- Measures to mitigate negative impacts;
- Measures to improve positive impacts;
- Implementation strategies;

It will cover at least the following aspects:

- Protection and control of surface water: infrastructure collection and drainage networks, water control during wintering, etc ;
- Protection and control of groundwater quality;
- Limitation of noise and odours;
- The dissemination of waste by the wind, in particular plastics, which currently constitute a very worrying source of pollution in urban centres;
- Reduction of impacts on traffic and safety;
- The reduction of impacts on the landscape, fauna and flora. It will indicate the measures to be taken for the closure and rehabilitation of the landscape after the end of operation of each site;
- The size and nature of the buffer zone around each site;
- Monitoring indicators
- The cost of implementation involving the following:
  - o Cost implementation matrix should separately considering costs for mitigation and responsibilities over costs for monitoring and responsibility and sources of financing

The consultant should make recommendations for:

- Environmental protection measures during the execution of the construction site, the operation of the infrastructures and during the transport and transfer of waste,
- The provisional timetable for carrying out the measures of the participants in the study. The different phases of the study will take place according to a provisional schedule that the consultant will be responsible for detailing and updating according to the proposed methodology.

- Each phase will be sanctioned by the submission of a progress report to the unit for approval and definition, if necessary, of new orientations.
- The evaluation of the costs for each measure;
- A timetable for monitoring and controlling the work;

Ultimately, the ESMP will be presented in the form of a summary matrix table with the main results and recommendations of the ESMP, the impacts and mitigation measures, the costs relating to each mitigation measure as well as the responsibilities of the actors involved in the implementation according to the different phases of the project.

### **4.3 Resettlement Action Plan**

For each project site that will require the displacement of populations and the loss of economic assets, the consultant must develop an Action Plan for the resettlement of displaced populations which describes the measures to be taken in order to compensate for the economic and social impacts that may result from involuntary displacement, loss of property or access to property, or loss of income or means of life.

This action and resettlement plan should be a separate document from the ESIA.

The action and resettlement plans should mainly include:

- A brief description of works for which land acquisition and resettlement mechanisms are required;
- The principles and objectives that govern the preparation and implementation of the resettlement plan;
- A description of the process for preparing and approving the resettlement plan in accordance with AfDB project Category 1 standards;
- An estimate of the number and categories of displaced households, as well as the census of people and property affected;
- Eligibility criteria to define the different categories of households to be moved to include the following:
  - Livelihoods of affected people

- Livelihoods of displaced people
- Analysis , evaluation and propose refund mechanisms/prices to be included in the RAP Compensation Schedule of this plan.
- The legal framework by reviewing its consistency with the World Bank guidelines;
- The methods for valuing the affected assets;
- Organizational procedures for granting including in the case of agencies, intermediaries, private, government and potential agencies;
- A description of the implementation process with the different stages linking the physical execution of assembly points and transfer station and the resettlement process;
- A description of complaints and grievance mechanisms;
- A description of the mechanisms for funding resettlement, including cost estimates, financial flows and contingency arrangements;
- A description of the mechanisms for consultation and participation of displaced persons, for the planning, implementation, monitoring and evaluation of the construction of assembly points, transfer station as well as access roads;
- Identification and assessment of the assets and sources of income affected
- Monitoring mechanisms.

Please note that these points are mainly what is desired and the consultant may expand on areas that they believe are of interest to the project.

#### **4.4 Gender and Social Inclusion in assessment**

The study should consider gender assessment in both the RAP and the ESIA. Gender assessment should clearly indicate possible gender risks associated with the following:

- (i) Inadequate water supply and sanitation services and how such apply to the social cultural roles of men and women in the project area



communities in consideration of the patriarchal and matriarchal societies in Namibia

- (ii) Health issues associated with limited water supply and sanitation services and related gender risks especially when it comes to caring for the sick and performing reproductive roles.
- (iii) Implementation of the Resettlement Action Plan, so as to guide appropriate mitigation measures on the side of the Project Affected People and project area communities especially to women who tend to get vulnerable with displacement given their roles of providing for their household's subsistence, having less decision-making power on a number of issues including compensation funds for affected assets and where their concerns are rarely attended to.
- (iv) Limited equal participation especially on the side of women and the youth during RAP and ESMP implementation such as non-participation in stakeholder's meetings, hindrances to taking up job opportunities during project's implementation, not taking part in GRM etc.

The socio-economic assessment should provide statistics on Women Headed Households and other vulnerable groups in relation to water and sanitation services access, provide relevant information in relation to WHH and other vulnerable community members so as to guide possible social inclusion measures and guard against exacerbation of vulnerability during project implementation processes. The study should elaborate on the economic activities for women, the youth and other vulnerable community members indicating possible hindrances to development.

Finally, in relation to found gender risks and socio-economic assessment of the project area, provide possible recommendations to avert gender inequality, support equal participation and benefit of men and women from the project's implementation process. Provide guidance for possible lucrative livelihood

restoration activities for men and women, youth and other vulnerable members within the project area community.

#### **4.5 Climate Change Action Plan assessment**

The intervention has been identified as climate risk category 1 according to the AfDB's Climate Change action plan (CCap) screening based on the nature and scope of the investments planned. Therefore the feasibility studies should include an assessment of climate change related risks (including consideration of: the limitations in the availability and quality of the water resources arising from climate change - increased variability of precipitation, increased incidence of severe floods and/or drought etc. potential vulnerabilities of water supply and sanitation infrastructure to extreme events and other effects of climate change – storms, heavy rainfall effects, flood, high temperatures etc.). The design criteria developed should integrate the consideration of resilience/adaptation measures.

In addition, the studies should include an analysis of potential Green House Gas (GHG) footprint of the investments planned (e.g. significance of GHG emissions linked to the surface water treatment plant). The intervention should also identify/document opportunities to enhance the protection/sustainability of the resource (including wastewater recycling and reuse from the wastewater treatment process, energy efficiency measures, green technologies including renewable energy power generation in its operations.).

#### **4.6 Stakeholder Engagement Plan**

The overall aim of this SEP is to ensure that a consistent, comprehensive and coordinated approach is taken to stakeholder engagement and Project disclosure throughout the project. It is further intended to demonstrate the commitment of The Otjiwarongo Municipality as the implementing agency and the main implementing party to an 'international best practice' approach

to engagement. The Otjiwarongo Municipality is committed to full compliance with all Government of Namibia EIA Regulations, as well as aligning to the international standards namely the AfDB Principles. In line with current international best practice, this SEP aims to ensure that stakeholder engagement is conducted on the basis of timely, relevant, and accessible information. In this way, the SEP seeks to ensure that stakeholders are given sufficient opportunity to voice their opinions and concerns, and that these concerns influence project decisions.

The SEP:

- Provides the approach to stakeholder engagement, showing how this will be integrated into the rest of the ESIA process and also throughout the project;
- Identifies the main categories of stakeholders and how they will be included in the ESIA process; and
- Identifies the ways to document engagement undertaken throughout the project
- Should Ensure that all relevant stakeholders are informed and involved.

#### **4.7 Grievance Redress Mechanism**

The Grievance Redress Mechanism (GRM) provides a platform for Aggrieved Parties (Aps) to submit complaints/grievances pertaining to perceived adverse impacts from the development of the WWTP and Waste to Energy Plants. The objective of the GRM is to ensure transparent, fair, equitable and prompt resolution of complaints/grievances from APs to increase impact, sustainability and efficiency of AfDB funded infrastructure projects.

The Otjiwarongo Municipality (by extension the Project Team) will only address complaints that meet the eligibility criteria below (subject to change upon consultation):

- The grievance must detail the perceived harm, risk of injustice which the AP wishes the Project Team to review which may inter alia include health and safety risks, physical, economic, situational (e.g., employment), and/or social losses and adverse environmental impacts in relation to AfDB funded projects and programmes;
- The grievance must pertain to an active AfDB Financed Project;
- The complaint is submitted by individuals and/or communities, or their representative, who believe that they are or may be affected by an active AfDB financed project; and
- Grievances must be genuine/legitimate and be raised without malice and in good faith.

#### **4.8 Expected output documentation**

Based on the foregoing as well as national and the bank's requirements, the following are the expected studies and instruments to be prepared:

- Environmental and Social Impact Assessment (ESIA);
- Contractors Environmental and Social Management Plan (CESMP) – for Construction and Operation.
- Resettlement Action Plan (RAP);
- Livelihoods Restoration Plan (LRP), as applicable;
- Stakeholders Engagement Plan (SEP); and
- Grievance Redress Mechanism (GRM).

It must be noted that the studies and preparation of the documents will have to be done as per the AfDB and developers/financiers' requirements as well as Namibian laws and ESIA processes, following which they will have to be cleared by Ministry of Tourism and Environment. Therefore, all these have to be considered at the outset to make sure that the coverage and design of the studies and deliverables match with these requirements.



## **4.9 Other Services**

### **4.9.1 On-the-job Training**

The Consultant shall ensure that there is an effective transfer of knowledge and skills to the Public Entity and its stakeholders. Such transfer may include the secondment of representatives of the Public Entity (or Namibian Consultant or other party affiliated to the Otjiwarongo Municipality) to the consultant during the period of the assignment, to obtain on-the-job training.

The intention of the on-the-job training is for the trainee(s) to shadow a member of the consultant's team, such that the consultant can coach and mentor the trainee(s) and assign suitable tasks to the trainee(s) corresponding with their qualification, experience and skills. The aim is to provide the trainee(s) with as much experience as the workload and specific situation allows.

The on-the-job training will be for three (3) Otjiwarongo Municipality employees for all transaction stages, which training will include but not limited to techniques, skills, processes, communication, lessons learnt etc. As part of the Services the Consultant must provide a training plan.

### **4.9.2 Formal Transfer of Knowledge and Skills**

During the execution of the Scope of Services, the consultant will allow for formal training to transfer knowledge associated with the compilation of all plans inclusive of this assignment. components of the Feasibility Assessment, PPP procurement and PPP Agreement.

## **5. COMMUNICATION MANAGEMENT**

This section forms the basis of the communication strategy during the execution of the Services. The consultant will communicate to the Otjiwarongo Municipality through a one-to-one communication channel. If the Consultant requires otherwise, then this will be subject to approval by the Otjiwarongo Municipality.

The communication method or technology used to carry out the Services shall be through electronic mail (email), face to face meetings, letters, phone conversations and teleconferencing. Alternative methods must be approved by the Public Entity before submission of deliverables and engagement by the consultant. They will be required to provide a communication strategy for approval by the Otjiwarongo Municipality.

## **5.1 Reporting**

The consultant shall provide a suitable, internet-based, Documentation Management System (DMS), as well as the required personnel, to ensure expedient and efficient management and archiving of the project documentation. The consultant will ensure that a complete and up-to-date record of correspondence relating to the Scope of Services is managed at all times. The proposed DMS will be subject to the approval of the Otjiwarongo Municipality. The performance measurement of the Services will be documented against a performance measurement baseline using an earned value management system which will be subject to the Public Entity's approval.

All documentation will be written in English in a concise and clear manner. All documentation will be formatted as A4, while spreadsheets and schedules will be formatted to a maximum of A3 size. File names and page numbers will be clearly identifiable in a header or footer. A list of essential contact persons is to be included in each document. The documentation will have a title page, which should include the Project name, Project code or reference, report title, date issued, period covered, revision number and the name and address of the consultant.

## 5.2 Submission, Review and Approval of Documentation

All documents will be submitted electronically and in their native format via the Document Management System. Notification of new documents should be issued to the intended recipients.

All reports will be submitted in MS Word format (2010 or more recent), all drawings will be submitted in ".dwg" (2016 or more recent) and ".pdf" format, all models will be submitted in MS Excel format (2010 or more recent) and all project schedules shall be submitted in MS Project ".mpp".

On receipt of the respective document from the consultant, the Otjiwarongo Municipality will review and provide comments within fourteen (14) calendar days. Other statutory bodies with their timelines are to be considered in the approval process. It should be noted that prior to the submission to these bodies that the documentation is to be reviewed by municipality representatives. The consultant will update the document and submit the amended document **within five (5) calendar days** for final approval. Should a report be rejected, the consultant will be required to **re-submit the report within five (5) calendar days**.

## 5.3 Meeting

The consultant will be required to attend and participate in regular meetings with the municipality, the bidders, private partner, and members of government, consultants, and other members/stakeholders of the PPP. The Consultant will be responsible to assist in meeting the needs, expectations and addressing issues as may be required to ensure active stakeholder's involvement. Additional meetings may be held if called by either party to discuss any particular matter, which requires a special meeting.

The consultant will be responsible to compile and submit all minutes of meetings to the Otjiwarongo Municipality for review and signature. All minutes of meetings should be distributed within forty-eight (48) hours and finalised within seven (7) to



ten (10) days from the initial meeting (depending on the meeting format) to be ratified prior to, or at the next meeting. The consultant will be responsible to keep records on the DMS of all meetings, including but not limited to, agenda, minutes of meetings, signed and agreed minutes of meetings, attendance registers and relevant supporting information.

The Public Entity may consider that some of these meetings are convened as conference call meetings; however, all critical meetings including deliverable review meetings will be held in person, at a suitable venue agreed between the parties.

#### **5.4 Deliverables**

The Consultant will provide its deliverables and reports in accordance with this Terms of Reference and in line with the Scope of Services described for each Stage. Special attention must be given to allocating sufficient time, budget and resources to meet the requirements and deliverables in a timeously and professional manner.

### **6. TEAM COMPOSITION, QUALIFICATIONS & REQUIREMENTS FOR THE KEY EXPERTS**

The consultant will propose a core team of key experts, who possess the requisite qualifications and professional experience for the assignment, and who will be responsible for the delivery of the Services. The exact structure and composition of the Consultant's team must be in line and optimised for the proposed methodology and must be submitted by the consultant with its proposal. The core team will be supported with a home office team of experts.

The skills, qualifications and professional experience of these experts will be evaluated as part of the bidding process for this assignment and their CVs and

Statements of Exclusivity and Availability must, therefore, be included in the Proposal.

The consultant will be comprised of a team managed by a single Lead Advisor/Team Leader. The team will have the skills and experience required to undertake the scope of the Services as outlined in the Scope of Services. The Lead Advisor will be responsible for the Consultancy contract; coordinating and managing the Consultancy team to deliver the Service requirements. The Contract will be time based, cost reimbursable Contract.

### **6.1 General Requirements for Team Members**

The following general requirements are applicable to all the team members of the Consultant:

- a) All team members must be fluent in English (Spoken, Written, and Read) and must be fully computer literate in terms of the Microsoft Office Suite. If in doubt, the Otjiwarongo Municipality reserves the right to instruct any team member(s) to pass an International English Language Test and may reject a specific team member is found not to be proficient in English language (IELTS band 7.5) for this assignment;
- b) Evidence of having carried out similar assignments with the African Development Bank or any International Donor will be an added advantage;
- c) Experience in undertaking environmental and social assessment in compliance with African Development Bank's Integrated Safeguards System;
- d) In-depth understanding of, and experience with, the existing regulatory regime and personnel associated with review and approval of environmental projects in Namibia;
- e) Extensive experience in supporting and undertaking the production of reports and related documents that are comprehensive, understandable and address the needs of the regulatory and review processes;

- f) In-depth understanding of key issues that are of importance to all stakeholders, including resettlement and livelihood restoration issues in the Namibian context, and regulators and a proven track record in effectively engaging these groups in the project processes through consultation;
- g) A proven record and experience of several successfully completed environmental and social projects in Namibia;
- h) In-depth understanding of, and experience with, the existing regulatory regime and personnel associated with surveying projects and practices in Namibia;
- i) A proven record and experience of several successfully completed surveying projects in Namibia;
- j) The nationality of all team members is unrestricted. However, the consultant is encouraged to make use of qualified Namibian professionals. The Consultant will with the assistance of the Public Entity where applicable be responsible for arranging Namibian work permits (if required) for all non-Namibians working on the Scope of Services;
- k) The consultant will submit the CVs including the proof of qualifications and previous experience of all team members;
- l) The Otjiwarongo Municipality reserves the right to reject any proposed team member who is deemed not to have sufficient qualifications and/or experience as detailed in this Terms of Reference;
- m) In the event that the consultant wishes to replace an approved team member, the Consultant will obtain the Public Entity's consent to the replacement and provide a reasonable explanation for such replacement. The Consultant will not charge the municipality any remuneration or disbursements for time spent by the new personnel in familiarising them with the assignment and bring themselves up to the same level of understanding in terms of the project as the individual that was replaced. The Consultant is responsible to ensure continuity in the execution of this assignment.

## 6.2 Key Personnel

	<b>Personnel Title</b>	<b>Qualifications</b>	<b>Experience Requirements</b>
1	Team leader	MSc in Natural Sciences or Engineering	<ul style="list-style-type: none"> <li>– At least 15 years' post-graduation experience,</li> <li>– 10 years specific experience in the in preparation of environmental and social impact assessment report.</li> <li>– Participation in similar role in at least two multi-lateral funded projects in the last 5 years.</li> <li>– Must have specific experience in the Preparation of reports specifically on the impact of Climate Change and Gender on project development and implementation.</li> </ul>
2	Social Expert	Advance degree in environmental sciences or a similar discipline	<ul style="list-style-type: none"> <li>– At least 10 years' post-qualification experience.</li> <li>– Seven (7) years' Specific experience in the Preparation of EIA report preparation.</li> <li>– Participation in similar role in at least two multi-lateral funded projects in the last 7 years.</li> <li>– Must have specific experience in the Preparation of RAP reports.</li> <li>– Must have specific experience in the Preparation of reports specifically on the impact of gender on project development and implementation.</li> </ul>

3	Air quality and Noise/Project Manager	MSC in environmental Sciences or similar discipline.	<ul style="list-style-type: none"> <li>- At least 10 years' post-graduation experience.</li> <li>- Six (6) years' Specific experience in air quality measurement.</li> <li>- Participation in similar role in at least two multi-lateral funded projects in the last 6 years including World bank ESIA preparation.</li> <li>- Must have specific experience in the Preparation of reports specifically on the impact of Climate Change on project development and implementation.</li> </ul>
4	Terrestrial Ecology Specialist	BSc in Botany or other related courses	<ul style="list-style-type: none"> <li>- At least 7 years' post-graduation experience.</li> <li>- Five (5) years' Specific experience in similar assignment.</li> <li>- Participation in similar role in at least two multi-lateral funded projects in the last 6 years including AfDB. experience.</li> <li>- Five (5) years' Specific experience in similar assignment.</li> <li>- Participation in similar role in at least two multi-lateral funded projects in the last 6 years including AfDB.</li> </ul>

5	Mapping/GIS/Traffic specialist	BSc. GIS/Remote Sensing or other related courses	<ul style="list-style-type: none"> <li>– At least 8 years' post-graduation experience.</li> <li>– Six (6) years' Specific experience in similar assignment.</li> <li>– Participation in similar role in at least two multi-lateral funded projects in the last 6 years including AfDB.</li> <li>– Evidence of familiarity with GIS, Arc Info, AutoCAD and other Geo Spatial Design Software</li> </ul>
6	Social Survey/Public Consultation officer	BSc in social works or Sociology or another related courses	<ul style="list-style-type: none"> <li>– At least 6 years' post-graduation experience.</li> <li>– Four (4) years' Specific experience in similar assignment.</li> <li>– Participation in similar role in at least one multi-lateral funded projects in the last 6 years including the AfDB.</li> <li>– Must have specific experience in the Preparation of reports specifically on the impact of gender on project development and implementation.</li> </ul>

7	Soil Studies specialist	BSc in environmental chemistry, soil science or other related courses	<ul style="list-style-type: none"> <li>- At least 5 years' post-graduation experience.</li> <li>- Three (3) years' Specific experience in similar assignment.</li> <li>- Participation in similar role in at least one multi-lateral funded projects in the last 5 years including the AfDB World bank.</li> <li>- Must have specific experience in the Preparation of reports specifically on the impact of Climate Change on project development and implementation.</li> </ul>
8	Communications	BSc/HND in Political Science/Mass Communication	<ul style="list-style-type: none"> <li>- At least 8 years' post-graduation experience.</li> <li>- Six (6) years' Specific experience in similar assignment.</li> <li>- Participation in similar role in at least two multi-lateral funded projects in the last 6 years including AfDB.</li> </ul>
9	Electrical Engineer	MSc in Electrical Engineering or other related courses.	<ul style="list-style-type: none"> <li>- At least 6 years' post-graduation experience.</li> <li>- four (4) years' Specific experience in similar assignment.</li> <li>- Participation in similar role in at least one multi-lateral funded projects in the last 6 years including AfDB.</li> </ul>

10	Senior Land Surveyor	At the minimum, a Masters of Science Degree in Land Survey.	<ul style="list-style-type: none"> <li>– At least 8 years' post-graduation experience.</li> <li>– Five (5) years cognate experience in land surveying and Mapping in Namibia.</li> <li>– Must be a qualified (fully registered) Land Surveyor. Should also have a professional certification.</li> </ul>
11	Three supporting surveyors	At the minimum, a BSc Degree.	<ul style="list-style-type: none"> <li>– At least 3 years' post-graduation experience.</li> <li>– Two (2) years' Specific experience in land Survey.</li> </ul>

### 6.3 Support and Home Office Personnel

The Consultant will be responsible for providing all non-key support staff that may be required to execute the Scope of Services.

## 7. ESTIMATED DURATION AND OVERALL PROJECT SCHEDULE

### 7.1 Contract Duration and Reports Timetable

The estimated duration for this mission covers a total period of (6) six months. It will take effect from the date of notification of the service order prescribing the start of the study. The time taken to review draft reports by the technical coordination committee will not be counted in the execution time. The assignment is expected to commence from the first quarter of 2023. The anticipated duration and timing of the Consultancy Services are as follows (please note that these timelines are only estimated and are subject to change and are independent of approval durations from statutory bodies such as the Ministry of Environment, Forestry and Tourism):



<b>Reports</b>	<b>Time limit</b>
Service order for the consultant	M.0
Diagnosis and collection of data (a provisional report) (1.5 months)	M0+1.5
Validation of the 1st report after approval by the MO (Final report) (0.25 months)	M0+1.75
Study of the extension of the old site or identification of a new site for the valorisation and treatment plant (a provisional report) (1 month)	M0+2.75
Validation of the 3rd report after approval by the MO (Final report) (0.25 months)	M0+3
Development of an operational plan for the management and recovery of waste with Identification of treatment technology (a provisional report) (0.5 months)	M0+3.5
Validation of the 2nd report after approval by the MO (Final report) (0.5 months)	MO+4
Preliminary Project Study, and Pre-qualification document (a provisional report) (0.5 months)	M0+4.5
Validation of the 4th report (Final report) (0.25 months)	MO+4.75
Environmental and Social Impact Assessment ESIA and Resettlement Action Plan if necessary (a provisional report) (1 month)	M0+5.75
Validation of the 5th report (Final report) (0.25 months)	M0+6

On the sole discretion of the municipality and with no further liability to the municipality the Scope of Services may be terminated at the end of any of the

aforementioned Stages or at any point within these Stages, in line with the provisions of the Standard Form of Contract (Clause 2.9.1).

Furthermore, the unused hours, funds or flights allocated for a specific Stage, may at the sole discretion of the Public Entity be carried over to the following Stage of the project. Similarly, the unused hours allocated for a specific team member may be reassigned if required.

Each report will be provided in preliminary form in ten (10) copies, in paper format and followed by a restitution meeting. These documents will be submitted at least seven (7) days before the restitution meeting.

The final reports, after integration of the observations from the technical committee will be provided in five (05) hard copies and one (01) electronic PDF version on a USB.

## **8. CRITERIA AND EVALUATION SYSTEM**

The evaluation of the consultant will be the Quality and Cost Based Selection Method (QCBS).

## **9. REMUNERATION AND PAYMENT**

### **9.1 Facilities Provided by the Public Entity**

#### **9.1.1 Head Office Space**

Adequate board room facilities including internet access will be provided by the Otjiwarongo Municipality for all meetings to be conducted at the facilities owned by the municipality, or otherwise as arranged, elsewhere in Otjiwarongo. For all other office space requirements, the Lead Consultancy Firm should be accommodated at the Namibian Consultancy Entity(s) as far as possible.

## **9.2 Accommodation and Travel**

### 9.2.1 Flights

All flights, international, regional or local will be authorised, arranged and paid by the Otjiwarongo Municipality. All flights will be limited to economy class, which travel shall be upon prior approval by the Public Entity. It is the responsibility of the Consultant to notify the Otjiwarongo Municipality as soon as reasonably possible to commence with all travel arrangements in a timeous manner.

The time allowed for compensation for a one direction trip shall be as follows:

- (i) For regional or local flights, where the flying times are shorter than 8 hours, the time allowance will be the duration of that flight.
- (ii) For international or long-haul flights, where the cumulative flying time is longer than or equal to 8 hours, the time allowance will be capped at 8 hours per trip; and
- (iii) For road or train travel, the travel time will be considered the duration of the journey. The municipality and the Consultant will agree on the baseline travel times for the time taken for local travel prior to any travelling taking place.
- (iv) For the avoidance of doubt, a one direction trip shall be defined as starting from the place of first departure (example the Consultant's home office) up to arrival at the final destination (where the Services will be performed).

### 9.2.2 Other international travel

All other miscellaneous international travel costs (car hire, taxis, petrol etc.) will be authorised and reimbursed at cost or provided by the municipality. Any and all car rentals will be restricted to group B (Economy hatchback) vehicles.

### 9.2.3 Transport in Namibia

Local travel arrangements will be authorised, arranged and paid for by the municipality. Upon arrival in the Field, a rental vehicle will be provided to the Consultant. The rental will be a Toyota Corolla 1.6 with air conditioning, radio /CD player or a group C (Economy sedan) equivalent vehicle, dependent on availability. Provision will be made for one (1) vehicle for every three (3) individuals.

### 9.2.4 On-site accommodation

All field accommodation arrangements will be authorised, arranged and paid for by the, on a per person basis or otherwise agreed with the Consultant.

## **9.3 Invoicing and payments**

### 9.3.1 Time-based Fee Home Office Rate

The Consultant shall be remunerated on a time fee basis, for the number of

hours actually worked and shall include, without limitation, all costs for labour, equipment and tools required for the execution of the Services from the Consultant's home office. The billable hourly rate for the number of hours actually worked shall take all expenses into consideration not limited to the following:

- Fringe benefits and inflation;
- Taxes, insurances and social benefits;
- Costs related to the procurement of computers, cell phones and related equipment and software to deliver the services;
- All safety equipment, tools, and safety clothing needed by the Consultant to deliver the services;
- Costs for administrative support, including any secretariat services for preparing reports, costs for copying documents and communication costs;
- Documents are expected to be submitted in electronic format and extensive printing is not expected. Costs for ad hoc printing expenses and

communication expenses will not form part of reimbursable expenses and will be included in the billable hourly rate;

- Costs for visa fees and insurances; and
- Expenses for home office administration at the home office.

The billable hourly rate for the number of hours actually worked are valid and set for the entire term of the Contract. For the avoidance of doubt, the billable hourly rate shall remain fixed for the duration of the Contract (i.e. it will not be adjusted for inflation).

If in the execution of the Services, directly related research/survey are required, these activities shall be included in the estimated hours and within the overall Contract price. Any additional special services to be executed must be agreed and approved by the municipality in advance. The respective Home rate applicable to each individual as part of this assignment shall be included as part of the bidding documents.

### 9.3.2 Time-based Fee Field Rate

The Consultant shall be remunerated on a time fee basis, for the number of hours actually worked and shall include, without limitation, all costs for labour, incidental expenses, per diem allowances, equipment and tools required for the execution of the Services in the Field (i.e. away from the consultant's home office).

The Field rate is in effect the Home Office rate with the additional costs associated with executing these services away from the home office. It is the responsibility of the Consultant to ensure that their Field rate includes any and all allowances for meals or other incidental expenses as part of its proposal, with reference to its applicable regulations.

The Field rate shall exclude accommodation, flight ticketing, costs and transport. Any additional services to be executed in the Field must be agreed and approved

by the Otjiwarongo Municipality in advance. This may include but is not limited to personnel required to attend any meeting by the municipality away from their home office. The respective Field rate applicable to each individual as part of this assignment shall be included as part of the bidding documents.

### 9.3.3 Tax and Social Insurance

The Consultant will be responsible for making appropriate deductions for all VAT, withholding tax and all other taxes and social insurance contributions for the company and for remunerations paid to its personnel for this assignment. The billable hourly rate that the Consultant(s) provide shall include all applicable taxes (excluding VAT) in Namibia or any other jurisdiction.

It is the responsibility of the Consultant to acquaint itself with the applicable policies, regulation and laws of Namibia.

### 9.3.4 Provision of Insurance

The Consultant will be responsible to take out and maintain for the duration of the services for all parties in the Consortium (including sub-consultants), at own cost, for the following:

- (i) Professional indemnity (liability) insurance;
- (ii) Employer's liability and workers' compensation insurance in respect of the Personnel of the Consultant and of any Sub-Consultants, as well as, with respect to such Personnel, any such life, health, accident, travel or other insurance as may be appropriate;
- (iii) Any other insurance against loss or damage to the Consultant's property used in the performance of the Services

The billable hourly rate included within the financial proposal by the Consultant shall include all applicable premiums in Namibia or any other jurisdictions. It is the

responsibility of the Consultant to acquaint itself with. the applicable policies, regulation and laws of Namibia.

#### 9.3.5 Invoicing

Both the Lead Consultant and the Namibian Consultancy Entity(s) shall be expected to submit separate monthly claims for executing the Scope of Services. The Consultant will submit the monthly pro forma invoices (together with timesheets and all relevant backup documentation) as well as quarterly Cost Reports for the approval of NamPower.

The monthly Pro Forma invoices will be based on time actually spent and relevant reimbursable expenses incurred. All back-up documentation including signed time sheets and all travel expense receipts etc. shall be included with the respective invoice. Travel expenses (taxi fare or train faire, travel logs etc.) shall be collectively submitted for each and every trip. The combined back-up documentation will be accompanied with the subsequent invoice. Unless otherwise agreed by the municipality, the timesheet and allocation of hours will be based on the agreed Price Schedule.

Upon prior arrangement and agreement with the municipality and when applicable; all reimbursable expenses shall be invoiced on actual and reasonable costs incurred as linked to the activities actually incurring such reimbursable expenses.

Once the pro forma invoices are certified by a duly authorized Otjiwarongo Municipality representative via a signed payment certificate, the Consultant will then submit the corresponding monthly invoice, which will subsequently be processed for payment.

### 9.3.6 Cost Reports

On submission of each quarterly invoice, the Consultant will provide a Cost Report detailing the timesheet for the respective month and individual claimed, reflecting the different personnel providing the services together with respective days and hours worked and the respective daily hourly rates applicable.

As standard, the Cost Report will provide the up-to-date reconciliation of the Consultant's hours/costs for the previous reporting period versus the budgeted hours/costs. The Cost Report will provide Contract performance information in terms of earned value, planned value, actual cost, cost variance, etc.

### 9.3.7 Payments

All fees and reimbursable expenses shall be claimed and are payable in Namibia Dollars. For specific reimbursable for travel arrangements (accommodation, car hire, taxis, petrol etc.), any international currency costs shall be converted by the relevant exchange rate at the date that the cost is incurred. The Consultant's fees shall be processed for payment and paid within thirty (30) days after submission of the agreed monthly invoice(s), based on the signed payment certificate.

Both the Lead Consultant and the Namibian Consultancy Entity(s), if required, shall register as vendors with the Otjiwarongo Municipality and it is the responsibility of the Consultant to acquaint itself with the municipality's vendor registration requirements and payment terms.

### 9.3.8 Payment Schedule

The following shall be the proposed breakdown of how payments are to be disbursed based on deliverables:

- 30% after the contract is signed and the work plan approved.
- 25 % after the delivery and approval of the first draft of report(s) and plans.



- 25 % after the delivery and approval of the second draft report(s) and plans.
- 20 % after the delivery and approval of the final report(s) and plans.