



## TERMS OF REFERENCE

### ENVIRONMENTAL AND SOCIAL SAFEGUARDS EXPERT (ESSE)

#### 1. Introduction

The Otjiwarongo Municipality wish to explore the feasibility of implementing this project as a Public Private Partnership (PPP) in accordance with Public Private Partnership (PPP) Guidance Manual, 2013; Public Private Partnership Act, 2017 (Act No.4 of 2017) (PPP Act); and Public Private Partnership Regulations, 2017. The Municipality of Otjiwarongo requires the Consultancy Services of a Transaction Advisor to assist, advise and facilitate on behalf of the Public Entity with the procurement, management, and implementation of this Project, in the most economically beneficial approach. The purpose of these Terms of Reference is to invite capable consultants who shall form part of the Project Implementation Team providing support to the Municipality and MOF PPP Unit with expert advice and opinion and support to review the outputs of the Transactional Advisor as well as those of the Environmental and Social Impact Assessment Consultant from Inception until signing of the Concession Agreement.

#### 2. Scope of Work

The Municipality of Otjiwarongo requires the Consultancy Services of consultants/experts to form part of the Project Implementation Team in order to assist the Implementing Agency to review outputs of the Transactional Advisor as well as those of the Environmental and Social Impact Assessment Consultant. The Project Implementation Team shall also play a supervisory role throughout the Project Implementation process.

Preparatory work conducted to date by the municipality will be availed to the members of the Project Implementation Team to assist them on being on par with the level at which the project is currently on. The preparatory work to be provided is as follows:

- Otjiwarongo Sewer Master Plan, 2016.

- PPP Concept Note for development of Wastewater Treatment Works, 2019.
- The Otjiwarongo Structure Plan, 2015 (Volume 1).
- Environmental Management Plan for existing Otjiwarongo Dump Site, 2019; and
- Namibia BioMass Industrial Park Concept Note, 2019.
- 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.
- Transaction Advisory Services for the Development of a Wastewater Treatment Plant & Waste to Energy Plant through a Public Private Partnership (PPP) for Otjiwarongo municipality.

The Project Implementation Team is to be embedded with the Municipality team and MOF PPP Unit. Outputs stipulated in the consultant's respective Terms of Reference (ToR) are those that are to be reviewed alongside the rest of the Project Implementation Team.

### **3. Job Purpose**

The overall purpose of the Environmental and Social Safeguards Expert herein referred to as ESSE is to identify and conduct a general evaluation of the risks the project may pose to human's livelihoods and the environment in Otjiwarongo. ESSE will ensure that a cross-cutting approach is developed towards bridging the gap between human actions and development activities related to the proposed project. The ESSE will support in the development of requisite environmental reports which will be used in the planning, developing and implementation the project aimed at minimizing the adverse impacts to the environment while improving water and sanitation access for the Municipality of Otjiwarongo. ESSE will ensure that the PPP agreement with its inherent proposed is in conformity with Namibia's water, environmental laws and relevant policies and strategies.

### **Key responsibilities**

- Review relevant national policies, laws, strategies, and reports; policies and standards of AfDB; and international best practices to ensure that all requirements are clearly delineated and included in the E&S studies and instruments.
- Based on available data, and possibly through on-site assessments; ensure that all potential impacts with emphasis on those that pose risks to the environment, human's health and livelihoods are covered in the environmental and social safeguards instruments to be prepared by the consultants.
- Provide overall policy and technical direction for safeguards management under the Project and assist the Project Manager to

manage the Consultancy services for environmental and social assessments.

- Prepare terms of references to undertake Environmental and Social Assessments following the African Development Bank and Namibia's national regulatory framework and ensure that necessary environmental requirements are obtained from the Ministry of Environment and Tourism (MET).
- Assist with the review and endorsement of E&S safeguards instruments and documents prepared, and ensure the content is in accordance to AfDB and national environmental and safeguards policies, standards and regulations.
- Closely coordinate with consultants and other stakeholders for timely preparation of required E&S instruments (e.g. ESIA, ESMP, RAP, Livelihood Restoration Plan, Stakeholder Engagement Plan, GRM, and subsidiary management plans, as necessary).
- Ensure alignment between E&S instruments and technical designs of the project by making sure that applicable E&S measures and requirements in the ESMP and subsidiary management plans are included in the project designs, bidding documents, PPP Agreement and framework of monitoring compliance by liaising closely with the Procurement Specialist and the PPP Expert of the PIT.
- Supervise the management of consultants hired to undertake environmental and social assessments, where applicable, and provide coordination support with the Municipality of Otjiwarongo.
- Participate in preliminary and on-going stakeholder consultations essential for informing preparation of E&S instruments, and the subsequent validation, disclosure and related processes.
- Visit the Project sites as and when necessary to undertake field inspections and/or critical evaluation of actions needed to confirm proposed project field activities.
- Support to Environmental section of the Municipality to enhance its capacity for monitoring environmental and social issues during and beyond project implementation. Support to develop, organize and conduct environmental related training and capacity building programmes for the Municipality
- Identify the improving opportunities to empower both men and women to access and participate in management of water and sanitation facilities/resources.
- Identify capacity needs and facilitate skills training for the empowerment of women and the youth during execution of the downstream project

- Develop guidelines for community participation (especially women, youth and vulnerable groups) and selection of beneficiaries for livelihood programmes which should be included in the project.
- Mainstream relevant and cross-cutting environmental and social issues into project operations, particularly issues related to natural resource management and climate change.

#### **4. Qualifications**

- Candidate should have a minimum of a B.Sc. or MSc Degree in relevant technical fields such as Environmental Science/ Management, Natural Resources Management, Social Sciences or an equivalent environment-related discipline.
- At least 10 years' post-graduation experience and Five (5) years' specific experience in environment and natural resources management, environmental policy/ economics, environmental engineering, development sector or any related fields.
- Professional work experience related to E&S safeguards or similar role in at least one multi-lateral funded projects in the last 5 years.
- At least 5 years of experience in environmental and social assessments and preparation of E&S instruments such as Environmental and Social Impact Assessments (ESIAs), Environmental and Social Management Plans (ESMPs), Resettlement Action Plans (RAPs), cultural heritage plans and Stakeholder Engagement Plan (SEP), and implementation of mitigation measures and plans outlined therein.
- Knowledge and experience in managing health and safety (occupational and community), labour management, resettlement and compensations, gender, SEAH and related social aspects central to managing safeguards in projects of this nature.
- Knowledge and experience with safeguards policies and standards of multilateral financial institutions such as the AfDB and World Bank.
- Conversant with national legal and policy framework related to environmental and social safeguards, and requirements of governmental entities that issue permits and licences.
- Understanding of critical issues in sustainable development, international environment and development policy, emerging climate change, green growth and sustainability concerns, also social development, and results-based management agendas.
- Knowledge of the operational policies, procedures, and practices of major bilateral and multilateral partner development agencies in the SADC, particularly with respect to water and sanitation infrastructure projects,
- Prior experience with water and sanitation sector will be added advantage.
- Certified EHS Expert

- Excellent computer skills for Microsoft Office tools (Word, Excel, project, and PowerPoint) and Internet use.
- Excellent writing, presentation, and interpersonal skills.
- Excellent analytical skills and ability to effectively communicate with key stakeholders.
- Strong communication skills and good interpersonal relations.
- Effectiveness in analysing and resolving project implementation issues.
- Familiar with the relevant Government procedures and regulations.

## **5. Implementation Arrangements**

Otjiwarongo Municipality is the Executing Agency of the AWF and MICTAF grants and will be responsible for the Financial Management (FM) functions of the project. The project will be managed within the existing structures of the Municipality. The Project Manager will report to the Strategic Executive in charge of Engineering through the Project Coordinator.

The ESSE will be part of a Project Implementation Team in charge of overall coordination will be based in OM and cover overall project activities. The PIT will comprise a Project Manager, Procurement Specialist, Project Accountant, Environmental and Social Expert and Independent Reviewer/PPP Expert as per AWF and MICTAF grant agreements.

The core functions of the PIT will be coordination and facilitation, fiduciary (procurement and financial management), environmental and social development including land acquisition related activities' supervision, monitoring and evaluation (M&E) and impact evaluation (IE), annual work programming and budgeting, and reporting. The PIT will provide technical support to the MOFSE and OM and will assist developing the required capacities for procurement, financial management, monitoring and evaluation, environmental and social safeguards implementation, and investment and activity implementation.

Technical Assistance to the program will be provided by (two experienced firms for Transaction Advisory Services and preparation of the environmental Social Impact Assessment, Resettlement Action Plan and Environmental Social Management Plans.

## **6. Reporting**

The ESSE will be a full-time member of the Project Implementation Team (PIT) and will report to the Project Manager in the Municipality of Otjiwarongo as the general supervisor.

## **7. Duration**

This is a position requiring 6 months input spread over for a 30-month duration, subject to satisfactory performance and budget availability.

### 8. Duty Station

The position will be based in OM and will require frequent travel. The employee is expected to display a high degree of robustness and adaptability to their surroundings.

### 9. Deliverables

The ESSE is expected to achieve the following key deliverables at the minimal (list not exhaustive):

| <b>Duration(days)/ month</b>                          | <b>Key Deliverable</b>   |
|---|--|
| End of 30 working days after commencement of contract | Input into Approved annual work-plan, Procurement plan, Disbursement Projection and Budgets.   |
| Monthly, quarterly                                    | Supervise, monitor the planning and implementation of all the Environmental and social related activities under the project and report accordingly to the PM             |
| September 2023  | Assist supervise Transaction advisory services and ESAI/ESMP/RAP consultants   |
| End of project  | Lead the preparation of the Completion Report at the end of activities for submission to the Government for clearance and onward submission to African Development Bank. |
| Monthly, quarterly                                    | Engage with Project Coordinator – OM / on the running of the project.  |
| Quarterly   | Training plans implemented for building capacity of the Municipality in Environmental and social related activities  |
| As per work program                                   | Approved ESAI/ESMP/RAP   |
| As per work program                                   | Environmental Clearance Certificate  |
| As per work program                                   | Transaction Approval: Request for Qualification  |
| As per work program                                   | Notice of Prequalification approved by MOF PPPU  |
| As per work program                                   | Transaction Approval: Request for Proposal (RFP)   |

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|---------------------|---|
| As per work program | Approved draft PPP Agreement                        |
| As per work program | Transaction Approval: Selection of Preferred Bidder |
| As per work program | Transaction Approval: Concluding the PPP Agreement  |
| As per work program | Financial Close                                     |