

NATIONAL BOARD OF REVENUE (NBR)**CUSTOMS MODERNIZATION AND INFRASTRUCTURE DEVELOPMENT PROJECT (CMID)
UNDER ACCELERATING TRANSPORT AND TRADE CONNECTIVITY IN EASTERN SOUTH ASIA
(ACCESS) – BANGLADESH PHASE 1 PROJECT****Terms of Reference for Consulting Services****PROJECT MANAGEMENT AND QUALITY ASSURANCE SERVICES (SD-03)****1. Background****1.1. Context**

The deepening relationship among the countries of eastern South Asia (Bangladesh, Bhutan, India, and Nepal) on regional trade and transport is reflected by the increasing number of regional and bilateral connectivity agreements. However, although trade between them increased from US\$3 billion in 2005 to over US\$18 billion in 2019, growth potential remains largely unrealized. In South Asia, regional trade is around 5 percent of total trade, which compares poorly with East Asia and Sub-Saharan Africa, where regional trade accounts for 50 percent and 22 percent of total trade, respectively. The unexploited potential for regional trade is estimated at 93 percent for Bangladesh, 9 percent for Bhutan, 50 percent for India, and 76 percent for Nepal.

Bangladesh has made rapid social and economic progress in recent decades and reached lower middle-income status in 2015. Annual GDP growth averaged close to six percent since 2000. Strong labor market gains contributed to a sharp decline in poverty, with the national poverty rate falling from 48.9 to 24.5 percent between 2000 and 2016, while extreme poverty declined from 34.3 to 13.0 percent.

Bangladesh has taken important measures to advance trade facilitation. This includes the ratification of the World Trade Organization (WTO) Trade Facilitation Agreement (TFA) in 2016, which aims to expedite the movement, release, and clearance of goods. The National Board of Revenue (NBR) is implementing the Customs Modernization Strategic Action Plan 2019-2022 to simplify and modernize customs operations.

While Bangladesh has made significant progress in adopting trade facilitation measures, more remains to be done to enhance trade efficiency. Soft barriers include reliance on paper, less efficient customs procedures, and a lack of harmonization of transportation and transit protocols.

Bangladesh's trade infrastructure, such as ports and custom houses, is inadequate to accommodate the World Bank financed ACCESS – Bangladesh Phase 1 projected trade volumes. The inadequate infrastructure at ports, coupled with less efficient, manual, and paper-based processes - contributes to delays at border points for traded goods. In Chattogram port, it is taking a duration of eleven days on an average to clear a consignment. Further, rapidly growing trade volumes have overburdened the Custom House, Chattogram, which was initially constructed in 1920. The customs house is of vital importance to Bangladesh's trade, processing 90 percent of the country's import and export declarations (13,000 per day) and servicing more than 45,700 unique traders per year.

1.2. Project specifics

About Accelerating Transport and Trade Connectivity in Eastern South Asia (ACCESS) Program

As per the request from the Government of the People's Republic of Bangladesh, the World Bank has approved Accelerating Transport and Trade Connectivity in Eastern South Asia (ACCESS) Bangladesh Phase 1 in June 2022. The project was signed on May 01, 2023, and became effective from May 03, 2023.

The ACCESS Program encompasses two phases with an estimated total program cost of US\$1,450.95 million and spanning over three countries (Bangladesh, Nepal and Bhutan) with three projects. The IDA Multi-phased Programmatic Approach financing envelope is US\$1,128.45 million, including US\$753.45 million for Bangladesh and US\$275 million for Nepal in Phase 1, and US\$150 million for Bhutan in Phase 2. Estimated counterpart financing amounts to US\$322.5 million in phase 1.

The program has the following activities in Bangladesh under its three components:

1.2.1 Component 1: Digital Systems for Trade

Supporting the development and improvement of IT-enabled services for trade, to reduce touch points and human interaction, enhance transparency, reduce congestion, and truck idling, resulting in faster border clearance time and greater cargo throughput, as follows:

- a) Designing, supplying, developing, installing, configuring, and testing of an electronic automated border management system for Benapole, Bhomra, and Burimari land ports.
- b) Designing, supplying, developing, installing, configuring, and testing of a centralized management information system that provides real-time information and monitoring of land port performance.
- c) Providing an e-learning portal for risk management and supporting software for risk profiling to enhance risk management practices.
- d) Developing of an e-learning platform for the Customs, Excise and VAT Training Academy, Chattogram (CEVTA); and
- e) Designing and delivering of training modules for component 3 of the Project.

1.2.2 Component 2: Green and Resilient Regional Transport and Trade Infrastructure

Supporting green, resilient, and inclusive trade and transport infrastructure development along key regional corridors, as follows:

- a) Developing efficient and resilient land ports at: (i) Benapole; (ii) Bhomra; and (iii) Burimari to meet increasing trade and traffic demand.
- b) Constructing a state of the art green-building certified, resilient Custom House Chattogram (CCH) with enhanced capacity to process rapidly growing trade volumes with required infrastructure, collaborative laboratory and other facilities including facilities for women (including, among others, service desk, day-care center, separate WASH facilities).



- c) Developing a state of the art green-building certified and resilient Customs, Excise and VAT Training Academy, Chattogram (CEVTA) to institutionalize the NBR's capacity building programs and enable continuous human resource development.
- d) Carrying out a feasibility, detailed design, supervision and interior design consultancy for the CCH and CEVTA.
- e) Upgrading the Sylhet-Charkhai-Sheola Section (43 kilometers) from a two-lane single carriageway to a climate-resilient four-lane dual carriageway, connecting Sheola Land Port with the Sylhet-Dhaka Highway; and
- f) Installing of climate-resilient optical fiber cable ducts and an intelligent transport system for the road section, designed to improve availability and reliability of broadband connectivity.

1.2.3 Component 3: Institutional and Policy Strengthening for Transport and Trade

Supporting the Recipient's implementation of the WTO Trade Facilitation Agreement, Customs Modernization Strategic Action Plan, and preparedness for BBIN MVA implementation, as follows:

- a) Supporting the implementation of the NBR's priorities for customs modernization through the provision of technical assistance for: (i) tariff modernization, in particular, tariff policy analysis, formulation and phased implementation of tariff policy; (ii) bond modernization, in particular, formulation of a Bond Manual rationalizing and consolidating the policy regulations for bonded warehouses and introducing policy regime for common bonded warehouse and scoping for duty drawback and exemption office automation; (iii) introducing green channel clearance through risk management, authorized economic operator and trusted trader programs; (iv) formation and operationalization of a national single window commissionerate; (v) effective application of pre-arrival processing; and (vi) implementation of post-clearance audit; (vii) developing training modules for CEVTA, business plans and customs, human resources, development strategies for improved services to all stakeholders, including women traders and (viii) preparation of the Customs Modernization Strategic Action Plan 2023-2026;
- b) Organizing training programs for women traders on rules and regulations related to trade, and IT-enabled trade related services;
- c) Providing of technical assistance to the NBR for project management and quality assurance, conducting feasibility and detail design studies for custom houses, associated environment and social standards studies, and other assessments, surveys, and data collection and capacity building programs;
- d) Providing technical assistance to the BLPA for conducting feasibility and detail design studies for land ports, associated environment and social standards studies and awareness programs, studies, and capacity building in relations to land port modernization; and
- e) Providing technical assistance to the RHD to advance the Recipient's preparedness and subsequent implementation of the MVA, preparatory studies for next-generation regional roads projects, environmental and social standards studies, other assessments, studies and surveys and capacity building activities.

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About Customs Modernization and Infrastructure Development (CMID) Project

CMID is one of the projects under ACCESS. It is implemented by the National Board of Revenue (NBR), under the Ministry of Finance (MoF) of the Government of Bangladesh (GoB). The project development objective (PDO) is fully aligned with the results chain of the ACCESS Program. The PDO is to increase the efficiency and resilience of trade and transport along selected corridors in Bangladesh to be measured through defined outcome-level indicators, including:

- i. Develop green-building certified, resilient and gender inclusive Custom House Chattogram (CCH) and Customs, Excise and VAT Training Academy (CEVTA), Chattogram based on needs assessment to offer expected service to traders with required infrastructure, collaborative laboratory and other facilities.
- ii. Reduce import and export clearance time at Custom House, Chattogram by 25%.
- iii. Increase % of assessed import declaration on the first day at Custom House Chattogram to 80%.
- iv. Increase % of assessed export declaration on the first day at Custom House Chattogram to 50%.
- v. Reduce average physical inspection at key border ports of Bangladesh to less than 5%.
- vi. Reduce Nominal Protection Rate (NPR) by 20% at the end of 8th FYP.
- vii. Strengthen capacity of at least 60% of serving customs officials (of which 15% is female officers) on modern customs practices through both face-to-face and e-learning facilities and contribute to sustainability of the reform initiatives.
- viii.
- ix. 80% of users satisfied with the infrastructure facilities.
- x. Reduce physical presence of the stakeholders at Customs ports by at least 60% by introducing e-customs facilities.

The NBR intends to apply a portion of the mentioned credit to obtain Project Management and Quality Assurance (PMQA) services from a competent, qualified, and experienced consultancy firm for support on the following:

- Project management,
 - Procurement and contract management,
 - IT and automation
 - Quantity control
 - Quantity Measurement
 - Cost Management
 - Time Management
 - Quality Management
 - Design Phase management
 - Human Resource Management
 - Customs and border management,
 - Trade facilitation,
 - Monitoring and evaluation of Tender Documents – Specifications
 - Environment and Occupational Health and Safety (OHS),
 - Social development and stakeholder engagement.
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- Approval Authority Coordination
- All consultant Coordination from Design to Construction Phase

1.3. Synopsis of infrastructure development

Under the project, Chattogram Custom House (CCH) and the Customs Excise and VAT Training Academy (CEVTA) shall be developed:

Custom House, Chattogram (CCH)

The available land is 2.74 Hectare, and the approximate development budget is 83 million USD. This needs to accommodate multi-storied (17-story) buildings with basements for parking (or other arrangement to park vehicles) and about 103,700 square meters of built-up space to accommodate offices for customs function, laboratories, data center, store rooms, meeting rooms, medical room, women common room, child-care center, library, utility centers, and up to 19% of the built-up space for living quarters as required in a security sensitive stand-alone facility. A solar power backup for essential services is also to be included in the development.

The Customs Excise and VAT Training Academy (CEVTA)

The available land area is 15.65 Hectare, and the approximate development budget is 47 million USD. This needs to accommodate up to 6-story buildings with basement for parking (or other arrangement to park vehicles) and about 58,200 square meters of built-up space for administrative, training and up to 15% of the built-up space for living quarters. A rain water harvesting system and solar power backup for essential services is also to be included in the development. The campus shall have all the basic amenities required in an officer's training academy.

Other specifics of the above facilities are:

- a. The design and construction will adhere to all the relevant standards approved by the Government of Bangladesh, and will give due consideration to the following aspects:
 - Economy in construction and maintenance without compromising on required functionality;
 - Decent and comfortable working spaces for all users;
 - Using Sustainable concepts in the Master Plan and detailed design of the facilities.
 - Aesthetic and fitting into the landscape;
 - Needs assessment and layout design for essential furniture and equipment;
 - Accessible to users with disabilities.
 - Special requirements of the female staff and visitors considered.
- b. Follow applicable requirements, norms and standard code of practices on structure of the buildings, electromechanical installations, lighting, sanitation, communication, firefighting, etc. as required in Bangladesh with regards to use, flooding, fire hazard, high winds and earthquakes.
- c. The buildings will have reputed international green building certifications (e.g. BREEAM, LEED, EDGE, CASBEE etc.).

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2. Assignment Objectives

A PMQA firm (the Firm) will be engaged to assist the NBR with implementation of the project Construction (In 3 phases – Project Planning & Initiation Phase, Design Phase, Construction Phase) to ensure adequate experience of large-scale Highrise Building construction, engineering capacity, Procurement – Contract Management, technical skills in Construction Management, Use of Project Management software & Forms to manage construction process, Manpower engagement accordingly to support NBR and compliance with the procurement policies and regulations of the GoB and the World Bank. The objective of this consulting service is to assist the NBR with all aspects of the execution and implementation of the ACCESS Project component – Customs Modernization and Infrastructure Development.

The main objective of these consulting services (the Services) is to get project implementation support and quality assurance for activities under NBR. In particular the support is envisaged on bid document preparation, bid solicitation, bid evaluation, contract award, contract management for all kinds of procurement especially construction work, guiding and monitoring the supervision consultants including building design and supervision services, quality assurance of construction Work, Quantity Measurement, Cost & Time management using Software, contract management, policy development, Risk Assessment, preparation of site specific Environmental and Social Impact Assessment (ESIA) along with Environmental and Social management plan (ESMP) and other due diligence to meet World Bank's ESF (Environmental and Social Framework) requirements, and as well as E&S related input to bid document, E&S monitoring, stakeholder coordination and capacity building of NBR staff.

Assistance is to include, but not be limited to managerial and technical assistance and guidance through the various project phases to ensure procurements are in line with procurement standards and accepted processes of the World Bank, The Firm will ensure that projects are structured, managed, and executed following international standards of management, supervision, and quality assurance, according to the concept of sustainable Construction Method. In addition, assistance will include support for the organizational development aspects of the project and to strengthen the NBR's capacity to manage its enhanced capabilities in a sustainable manner.

3. Scope of Services

The Government of Bangladesh is looking for a Consulting Firm, to provide innovative approaches as well as to provide a team of Consultants to assist in the full project life-cycle such that issues are addressed in a timely manner, high quality construction is ensured , risks are overcome effectively, cost will be controlled in practical way and Construction related uncertainties are reduced as much as possible resulting in successful and timely completion of all projects. In the interest of building and enhancing local capacity through knowledge transfer and retention.

The consultancy firm will develop and demonstrate an ambitious partnership-based approach to the achievement of project deliverables under NBR. This includes working effectively across institutional boundaries while remaining accountable. The consultancy firm will identify wherever and whenever the NBR needs support and help to provide assistance in time, and in compliance with standard industrial practice.

The Firm will be responsible for building, and managing, the knowledge base of all outputs and objects of the project which include but are not limited to:

- Project plans, milestones and progress against project baselines, ✓

- Preparing PID (Project Initiation Document)
- Strategy of Project Completion
- Preparing WBS (Work Breakdown Structure) & OBS (Organizational breakdown structure) of the Project, Using Primavera / Microsoft Project/ similar software.
- Communication Management plan within different Team
- Support Preparing Detail Functional requirements of the buildings
- Risk Management Plan & Maintaining the Risk log up to Construction Ends
- Project Planning (Using S.M.A.R.T goals)
- Monitoring Activities Overlap / lag.
- Cost Management
- Time Management
- On site Quantity checking during construction
- CO (Change Order) Document Management
- State of readiness for various milestones as necessary,
- Project Documentation throughout the construction Phase (Pre construction, Procurement, Construction, Commissioning, Occupancy & Project Close out)
- Contract management (Contract Administration)
- Preparing Guideline for Contractor Selection
- Support Design Approval Process from Authority
- Periodic progress reports,
- Coordination with NBR, Design Team & Contractor
- Specific reports on environment and social aspects (ESIA, ESMF, RAP) as well as policy documents on customs and border management,
- Minutes of meetings,
- Preparing Project Budget Worksheet & Cost estimate review.
- Recording of specific decisions of Working / Steering or Working Groups,
- Issue logs & open items and
- Risk logs and mitigation strategies / actions (Risk register, reporting , abatement strategies & tracking , reduce/ retain/ remove risks)
- Human Resource management policy preparation during construction
- Construction Storage Record Keeping
- Value Engineering
- Solution of TCTP (Time cost Tradeoff Problem) through strategies
- Preparing & monitoring Master schedule, Design Schedule, Construction schedule, Occupancy Plan, Commissioning Plan.
- Monitoring Contractor's quality through TQM (Total Quality Management)
- Training to Contractor's Team & Monitoring Toolbox Meeting.

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
- Monitoring Workers following safety dress code & other measures according to Guideline.
- Conflict mitigation within Contractors.
- Coordinating commissioning, testing & any inspection during construction.
- Preparing & distributing RFI (Request For Information) Form , to clarify any plan, drawing, specifications & agreement between Design team & Contractor.
- Any relevant tasks related to successful project operation and completion as required by the Head of PIU.

The consulting firm will provide support in the preparation and technical guidance necessary for bid documents. This will include the development of the Terms of Reference and all associated bid documentation.

3.1. Procurement support

- i. Prepare Terms of Reference, specification,
- ii. Prepare draft and final bid/proposal documents using the World Bank's and GoB's applicable templates.
- iii. Prepare notices soliciting bids and bid amendments.
- iv. Assist in soliciting of bids, proposals and expressions of interest: including use of an electronic bidding portal.
- v. Assist in organizing pre-bid or pre-proposal meetings, compile the requests for clarification and help to draft the response, amend the documents if necessary, amendment of procurement documents according to the pre-bid or pre-proposal meeting
- vi. Supporting on evaluating bids and proposals, ensuring use of standard format for evaluation reports.
- vii. Assist to draft Contract Documents and other documents, in the manner as required in the Project Financing Agreement and the World Bank's procurement framework.
- viii. Act on all variation proposal,

3.2. Contract administration support

- i. Communicating with both the employer & the contractor, on contractual issues.
 - ii. Maintaining contract records or logs to turn over to the procurement office at the completion of the contract.
 - iii. Contract administration requires the following steps to be performed:
 - Contract request
 - Authoring
 - Negotiation
 - Approval
 - Execution
 - Obligation management
 - Contract Amendment
 - Audit & reporting
 - Renewal (if needed)
 - iv. Notifying the contractor to begin work, after approval of the Employer.
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- v. Monitoring contract activities for compliance with:
 - Work progress to ensure services are performed according to the quality, quantity, objectives, timeframes and manner specified within the contract.
 - Following the construction guidelines for the contractors and/or subcontractors to ensure attainment of approved contract participation goals.
 - Review progress reports, status reports, and timesheets as required.
 - Approving the final product/services by submitting a written document accepting the deliverables on behalf of the employer.
- vi. Monitoring expenditures, ensuring funding availability when contract extends over multiple years.
- vi. Verifying accuracy of invoices and approving invoices for payment.
- vii. Requesting amendments and/or contract renewals in a timely fashion as determined by departmental policies and complexity of the request (often three – six months in advance).
- viii. Verifying all work is completed and accepted by the department prior to the contract expiration date.
- ix. Performing contract close out activities:
 - Completing Contractor Evaluation Report for consulting services or in accordance with department policies and procedures.
 - Notifying responsible parties when funds can be disencumbered.
- x. Reporting any contract disputes immediately to the department procurement office.
- xi. Keeping an accurate auditable paper trail of contract administration.

3.3. Construction Management

- i. Monitoring of the Works Packages remotely (through WBS, OBS, progress reports, and app-based tools, etc.) and at site (through scheduled/ impromptu field visits, participation in Monthly Progress Review meetings, etc.) as well as assist the Employer in arranging Management Meetings and take corrective measures as per the corresponding contracts, to ensure timeliness, quality, and completeness.
- ii. Monitoring the deliverables from the consulting and non-consulting service packages for timeliness, quality, and completeness.
- iii. Monitor the Goods supply packages to ensure timeliness, quality, and completeness.
- iv. Arrange for and witness acceptance tests for Works and Goods supply packages.
- v. Check if the communication from the Employer to the vendors are adequate, in time and with reference to relevant contract clauses.
- vi. Help the Employer in checking the IPC (Interim Payment Certificates) and Final Payment Certificates received from the Goods suppliers, and the Supervision Consultants (for the Works packages and for the Supervision Consultant itself) within 1 week of receiving them.
- vii. Advise the Employer on the actions to be taken in case of failed, delayed or poor deliveries by the vendors.
- viii. Help the Employer to organize monthly Progress Review meetings at Project Implementation Unit (PIU) with all staff and Consultants invited, minute the meeting proceedings and make follow up for missed deliverables.

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- ix. Prepare monthly progress report to be shared with the World Bank by consolidating reports from Consulting Firms and Individual Consultants.
- x. Advise the Employer to issue change orders in the form of Variation Order or Time Extension when required.
- xi. Help the Employer by checking the As-Built Drawings on completion of construction packages.
- xii. Advise the Employer to impose Liquidated Damages when applicable to defaulting vendors.
- xiii. Advise the Employer in case of disputes and arbitration with the right documents and in line with the provisions in the corresponding contracts.
- xiv. Ensure timely disbursement of compensation by the insurance companies to the affected parties in case of accidents.
- xv. Facilitate to prepare closure reports to Contracts and Implementation Completion and Results (ICR) Report on project closure.
- xvi. Receive all the as built Drawings & Maintenance Guideline from the Design Consultant & handover these to the maintenance division of the Employer for further maintenance of the Buildings, according to the guideline.

3.4. E&S, OHS, GRM, and Stakeholder Engagement support

- i. Prepare site specific ESIA/ESMP studies as follows (detailed scope in **Annex 1**) along with a RAP (if justified) according to the World Bank's Environmental and Social Framework (ESF) as per guidelines laid down in the following the E&S instruments for Phase 1 of the ACCESS Program covering both the CCH and CEVTA facilities:
 - Environmental and Social Management Framework (ESMF) that will guide preparation and E&S risks assessment of activities for the proposed the ESIA/ESMP.
 - Stakeholder Engagement Plan (SEP),
 - Labor Management Procedures (LMP),
 - Resettlement Policy Framework (RPF).

Sexual Exploitation & Abuse and Sexual Harassment (SEA/SH) and Gender Action Plan (GAP).

- ii. The ES team of this consultancy service will work closely and parallel with the design team to ensure incorporation of different environmental aspects into the design to protect the surrounding natural environment from any related risk and impacts.
- iii. Review the design, design standards, layout of proposed buildings and its influence area to adopt environmentally sustainable considerations in design and planning of proposed infrastructure. These might be considered as rooftop solar power supply, rainwater harvesting system for rooftop and yard catchment, fire prevention & safety measures, proper ventilation, using day light, proper pollution control measures etc.
- iv. Ensure that the recommendations made in the ESIA (Environmental and Social Impact Assessment), ESMP (Environmental and Social management Plan), RAP (Resettlement Action Plan) and OHS (Occupational Health and Safety) requirements for the NBR facilities at Chattogram are appropriately reflected in the BOQ (Bill of

- Quantities), Specifications, Drawings and Conditions of Contract for the works packages as well as ensure their compliance during the works execution.
- v. Develop GRM (Grievance Redressal Mechanism) framework encompassing the site-level, project-level and program-level mechanism including ability to receive labor and Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH) related complaints and subsequent SEA/SH service provider mapping.
 - vi. Ensure that the GRM mechanism at different levels are known and accessible to the relevant stakeholders.
 - vii. Ensure that the appropriate steps are taken at construction sites to ensure health and safety of the workers and adjacent communities.
 - viii. Ensure Contractor and Labor Code of Conduct is in place to ensure avoidance of risks such as forced and child labor, SEA/SH, and community cohesion.
 - ix. Ensure gender considerations are taken into account when executing recommendations made in the ESIA, SEP, RAP, ESMP etc.; arrange gender sensitization and SEA/SH training for workers.
 - x. Carry out periodic consultations with the stakeholders and incorporate the feedbacks all through the project cycle: from design to implementation and project operation stage.

3.5. Customs and Border Management

- i. Prepare a review report of the existing acts, rules and regulations on customs and border management in Bangladesh. Include the laws under promulgation.
- ii. Identify the data relevant to customs and border management generated by customs agencies in BBIN countries, shipping agencies, local transporters and port management authority in Bangladesh as well as propose mechanism for data sharing.
- iii. See if the present automated system at customs offices needs upgrading or if modules are to be added to make the system compatible with international best practice. Also identify the resources including: computer hardware, connectivity, human resource, training opportunity, annual maintenance budget, and so on for the upgrading.
- iv. Prepare a review report on existing business processes at Chittagong, Benapole and Dhaka Customs. Identify anomalies and capacity gaps with respect to the WCO Revised Kyoto Convention (RKC), SAFE Framework of Standard, The Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific (CPTA), and similar instruments and propose departmental directives, and if necessary, amendment of Customs Rules and Act.
- v. Advise on implementing a trade-enhancing tariff system and developing capacity for tariff policy implementation supporting the Vision 2041 of Bangladesh.
- vi. Provide expert support in developing cost-efficient, inclusive, sustainable and resilient trade infrastructure at selected Customs ports.
- vii. Prepare a report on training needs assessment to enhance Customs administration's capacity at all levels of Customs officials.
- viii. Help introduce e-learning platforms for Customs officials and stakeholders.
- ix. Provide expert advice in improving effectiveness and increasing transparency of Customs services by introducing appropriate information and communications technology.

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- x. Review policy documents and deliverables prepared by consultancy firms working on following modernization initiatives as part of CMID:
- Tariff Modernization: Consultancy Services for Tariff policy analysis and formulation of an implementation plan and Scoping assessment for ASYCUDA/ National Single Window (NSW) /Automated Risk Management System (ARMS) backed software development.
 - Rolling out Risk Management, Authorized Economic Operator (AEO) & Trusted Trader Program: Consultancy Services for:
 - development of e-learning platform, SOP, ToT and OTJ, scoping assessment and way forward for NRTC,
 - legal review legislation and regulations to ensure current support for a full scope of AEO program activities, OTJ support and assistance in selecting AEO candidates and conducting accreditation, review legal provisions for AEO MRAs and scope potential regional partners and Training.
 - Post Clearance Audit (PCA) Implementation: Consultancy Services for preparation of PCA guidelines and Standard Operating Procedures (SOP) and provide initial and Training of Trainers (ToT) capacity building for to support NBR Customs to undertake PCA activities. Provide on-the Job (OTJ) support and guidance to PCA audit teams.
 - Implementing Pre-arrival Processing (PAP): Consultancy Services for draft PAP processes, ensuring that they are mapped out in detail and establish an effective outreach program, including engagement with Trade Associations, Partner agencies and other entities impacted by the implementation.
 - Modernizing Bonded Warehouse (BWH): Consultancy Services for legal review and streamlining of policies and guidelines for BWH, formulation of policy and guidelines for CBC, formulation of policy and guidelines for CBC and DEDO Automation scoping and Requirement Analysis.
 - Sustainability of NSW: Consultancy Services to support NBR in setting up the NSW Commissionerate/ Directorate.
 - Customs HR Development through CEVTA: Consultancy Services to formulate strategic business plan of CEVTA, conduct Training Needs Assessment and formulate HR Development Strategy for Customs, develop curriculum, conduct ToT and propose the design architecture for e-learning and face-to-face training delivery, develop e-learning platform and organize and facilitate visioning workshop.
 - Time Release Study at key Custom Houses and LC Stations (Baseline, Midline and End-line Survey).

3.6. Institutional Support

- i. Facilitate capacity building of the Employer's staff through short orientation and submit a Training Report, regarding Sustainable Construction management planning for different stage of the Project.
- ii. Identify appropriate training vendors, managing travels and accommodation for the Employer's staff to participate training elsewhere than at the PIU office, for better

understanding of the project execution within time & budget. The training will be conducted during the handover / commissioning period, regarding the maintenance of the Buildings by the Employer.

- iii. Identify research needs and provide recommendations towards strengthening and progressing such activities.
- iv. Coordinate for conducting workshops and identify suitable opportunities for inter-agency coordination and recommendations for twinning with other PIU under the Project.

4. Duration

The duration of the consulting services will be 36 months. However, the contract may be extended based on the availability of the financing and project need following the PPR and WB guidelines.

5. Reporting Obligations

In addition to the deliverables stated in the Scope of Services above, the Consultant shall submit the following:

- i. Inception Report with slide presentation within 15 days of contract agreement.
- ii. Monthly Progress Report (and slide deck) covering works, services and goods procurement initiatives of CMID within 1st week of every consecutive calendar month.
- iii. Training Reports within 1 week of completion of each training event.
- iv. ESIA/ESMP including mandatory formal public consultations and approval as well as other E&S reports within 6 months of contract agreement.
- v. RAP implementation (as required)
- vi. Periodic report for NBR and World Bank on E&S risk management including stakeholder engagement, occupational health & safety, grievance management and E&S related staff training.
- vii. Report on Customs and Border Management within 24 months of contract agreement with approximately a report delivered each alternate month.

6. Team Composition

6.1. Staff Inputs

395 person-months of key-professional input is estimated to be required as follows. The support staff need to be provided for the entire duration.

S. No	Particulars	Unit	Quantity
1	Key Professionals		
1.1	Team Leader/ Project Management Specialist	month	36
1.2	Deputy Team Leader	month	36
1.3	IT and Modernization Specialist	month	12
1.4	Quality and Quantity Control Specialist	month	12

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1.5	Senior Customs and Border Management Specialist	month	30
1.6	Customs and Border Management Specialist	month	30
1.7	Monitoring and Evaluation Specialist	month	36
1.8	Senior Environment and Social Specialist	month	12
1.9	Procurement and Contract Management Specialist	month	36
1.10	Architect	month	15
1.11	Civil Engineer	month	30
2	Non Key Professionals		
2.1	Social Development Expert	month	12
2.2	Stakeholder Engagement and Communication Expert	month	2
2.3	Labor and Occupational Health and Safety Expert	month	2
2.4	Gender and SEA/SH Expert	month	2
2.5	Office Manager	month	36
2.6	IT and Modernization Assistant	month	12
2.7	Env/Socio surveyors and pollution testers	month	8
2.8	Office Assistant	month	36

Notes:

- a. The key experts as mentioned in the above table will be evaluated individually during the evaluation of technical proposal. The non-key staff will not be evaluated individually; however, they will be evaluated collectively in the organization and staffing criterion during the technical evaluation. The non-key staff in the above table- is an indicative list of skills required *The Consultant is responsible to review the required services and may propose additional professionals as non-key experts (e.g.: backstopping by Biologists, Ecologists, Zoologist, Fisheries Experts, etc.) and support staff (e.g.: Survey Helpers, Enumerators, Laboratory Technicians, etc.).* To meet the scope of the ToR, the consultant may engage additional resources, adjust appropriate skills among key staff if required and the financial proposal will be submitted accordingly. No additional claim will be entertained during negotiations or during carrying out the services to meet the objective and scopes.
- b. *The qualifications of both the key-professionals and non-key experts need to satisfy that listed under Section 6.2 below and is subjected to verification by the Employer at any time during the contract period.*
- c. *In case of two experts for a position are required in the above table, the first expert will be expected to be available immediately. During project execution, if the project duration is not likely to be extended, then the Employer may ask also the second expert to join. However, if the project is not likely to be extended, then the second expert will not be required. The duration of deployment of experts and support staff shall thus be discussed with the employer on a monthly basis.*
- d. *The Financial proposal should include all logistics, investigations, rentals, and other direct costs necessary to execute the services. The financial Proposal will not include the VAT and AIT, which will be calculated and added during the negotiation with the 1st ranked consultant.*
- e. *The number of experts proposed for different positions in Technical and Financial proposals should match. The Financial proposal should include all the direct and indirect costs necessary to execute the services as elaborated in these TOR.*

6.2. Qualifications

1. Key Professionals

1.1 Team Leader

Education: Bachelor's degree in Civil Engineering is mandatory. Master's Degree in Construction management will be an additional advantage. Good presentation, interpersonal and writing skills including command in English and local languages. Good command in basic IT applications.

Experience: 20-years of general experience in construction of multi-story commercial buildings. Experience of Minimum 2 nos of Multi story Building construction as Project Director / Team Leader of Construction Management team is required.

1.2 Deputy Team Leader

Education: Bachelor's degree in Civil / Electrical / Mechanical Engineering is mandatory. Master's Degree in Business Administration or Construction management will be an additional advantage. Good presentation, interpersonal and writing skills including command in English and local languages. Good command in basic IT applications.

Experience: 15-years of general experience in construction of multi-story commercial buildings. Experience of Minimum 2 nos of Multi story Building construction as Head of Construction Management team is required.

1.3 IT and Modernization Specialist

Education: Bachelor degree in Computer Science/Computer Engineering/Electrical Engineering, or similar IT related engineering degree.

Experience: 10-years of relevant experience in Customs modernization and IT. Extensive experience in computer networking, system integration, data center establishment will be added advantage.

1.4 Quality and Quantity Control Specialist

Education: Civil Engineering Graduate with specialization in Quality Control, Material Engineering, or similar discipline. Or Post-graduate in Civil Engineering. Extended training in AutoCAD designing suites and Excel spreadsheets will be an advantage. Good presentation, interpersonal and writing skills including command in English and local languages. Good command in basic IT applications.

Experience: 10-years as Quality Control Engineer, Material Engineer or Site Engineer in building construction projects. 5-years of specific experience after the Master's degree as Resident Engineer or Team Leader in building construction project of comparable size will be an advantage.

1.5 Senior Customs & Border Specialist

Education: Master's Degree in Business Administration, Economics or Commerce, or relevant Master's. Extensive awareness of and experience using ASYCUDA and Customs Automated Risk Management Systems

(ARMS) would be an advantage. Good presentation, interpersonal and communication skills including command in English and local languages. Good command in basic IT applications.

Experience: 20 years' experience as Manager within a Customs Administration with extensive awareness of and experience using customs automation and risk management software packages. Experience in Customs Modernization, trade facilitation or similar type of project will be an added advantage. Specific experience of preparing position papers for bilateral or multilateral exchange mechanism for customs related data or participation in drafting the Customs Act or relevant policies would be an advantage.

1.6 Customs & Border Specialist

Education: Master's Degree in Business Administration, Economics or Commerce, or relevant Master's. Extensive awareness of and experience using ASYCUDA and Customs Automated Risk Management Systems (ARMS) would be an advantage. Good presentation, interpersonal and communication skills including command in English and local languages. Good command in basic IT applications.

Experience: 10 years' experience as Manager within a Customs Administration with extensive awareness of and experience using customs automation and risk management software packages. Experience in Customs Modernization or similar type of project will be an added advantage. Specific experience of preparing position papers for bilateral or multilateral exchange mechanism for customs related data or participation in drafting the Customs Act or relevant policies would be an advantage.


1.7 Monitoring & Evaluation Specialist

Education: Master's degree in social science preferably in development planning, economics, commerce or management. Bachelor's Degree in Civil Engineering will be an added advantage. Sound knowledge in development planning process and development plans in Bangladesh. Excellent writing and analytical skill in drafting concept notes and reports. Good presentation, interpersonal and communication skills including command in English and local languages. Good command in basic IT applications.

Experience: At least 8-year experience in monitoring and evaluation, results-based management. Experience working within development agencies preferably in government system.

1.8 Senior Environment & Social Specialist

Education: Master's Degree in Ecology, Forestry, Environmental Science, Social Science or Engineering; relevant training and membership in an appropriate professional organization will be an advantage.



Experience: Minimum 10 years of experience in leading EIA or ESIA study team, with at least 5 years of specific experience monitoring environmental/social impacts or environmental compliances in infrastructure projects of comparable size. Familiarity and prior experience with ADB or World Bank E&S Policies and ESF Documents will be added advantage.

1.9 Procurement and Contract Management Specialist

Education: Master's degree in Business Administration, Construction Management, or in a relevant discipline. Certified trainings in Contract Management, or FIDIC method of procurement preferred. Good presentation, interpersonal and writing skills including command in English language are preferred.

Experience: 10-years of general experience in procurement and contract management of infrastructure development projects funded by multi-lateral development partners.

1.10 Architect

Education: Bachelor's Degree in Architecture with a relevant Master's Degree preferred. Good presentation, interpersonal and writing skills including command in English. Extensive trainings on CAD suites.

Experience: 8-years of general experience in design of multi-story commercial, office and residential buildings is required. Specific experience of completing architectural detailing during design and shop drawings during construction of high-rise buildings will be preferred.

1.11 Civil Engineer

Education: Bachelor's degree in Civil Engineering.. Skills with AutoCAD and Engineering design software, i.e. ETABS, STAAD.pro, is required. Value engineering, budgeting, good presentation, interpersonal and writing skills, including command in English language is preferred.

Experience: Minimum 8-years of general experience in design, construction and supervision of at least 1 multi-storied commercial and at least 1 multi-storied residential building, preparing cost estimates, measurements during construction, quality control tests, and preparation of IPC for high-rise building projects are required.

2. Non-key Professionals

2.1 Social Development/ Resettlement Expert

Education: Master's Degree in Social Science, Sociology or equivalent preferred; relevant training and membership in an appropriate professional organization will be advantageous.

Experience: Minimum 10 years of experience as Social and Resettlement Specialist in comparable projects, preferably those supported by the World Bank, ADB, or other multi/bi-lateral donors. Previous experience in the

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review/preparation and implementation of WB ESF documents, including RAPs and SEPs, is necessary. Familiarity and prior experience with ADB or World Bank E&S Policies and ESF Documents will be a plus.

2.2 Stakeholder Engagement/ Communication Expert

Education: Master's degree in Communication, International Relations, Public Administration, Sociology, or equivalent preferred; relevant training and membership in an appropriate professional organization will be advantageous.

Experience: Minimum 7 years of experience in stakeholder mapping, stakeholder engagement, and grievance redress mechanisms. S/he should be familiar with the local conditions and culture in the project area, possess the necessary communication skills to connect with all stakeholders effectively, and have prior experience doing so in previous projects of similar size and structure. Familiarity and prior experience with ADB or World Bank E&S Policies and ESF Documents will be a plus.

2.3 Labor/ Occupational Health and Safety Expert

Education: Master's Degree in Law, Labor Relations, Environment, Social Science, Sociology or equivalent preferred; relevant training will be an advantage.

Experience: Minimum 7 years of experience as Labor and/or OHS Specialist in comparable projects, preferably those supported by the World Bank, ADB, or other multi/bi-lateral donors. Experience in assessing labor issues and relations, occupational health and safety, developing the Labor Management Procedures (LMPs) is required. The Expert should have excellent knowledge of the labor laws of Bangladesh and international labor laws and standards such as ILO's.

2.4 Gender and SEA/SH Expert

Education: Master's Degree in Women/ Gender Studies, Social Science, Sociology or equivalent preferred; relevant training will be an advantage.

Experience: Minimum 7 years of experience as a Gender/SEA/SH specialist in comparable projects, preferably those supported by the World Bank, ADB, or other multi/bi-lateral donors. Experience in analyzing and integrating gender and SEA/SH-related issues in ESIA's and preparing Gender Action Plans for projects. Thorough knowledge of gender issues associated with large infrastructure projects. Experience in mobilizing the community, particularly women's participation in development programs, a sound understanding of gender and social inclusion /participation issues in the overall context of large-scale development projects, demonstrated experience of conducting gender and vulnerability assessments as part of the social assessment for projects, ensuring incorporation of voices of women and marginalized in such assessments, understanding of World Bank's ESF and Social Policies.

2.5 Office Manager

Education: Bachelor's degree in Business administration required. Good presentation, interpersonal and writing skills including command in English and local dialect. Conversant with spreadsheets and Microsoft Word is also required.

Experience: 5-years working experience, as office Manager is required. Working experience in a construction Project will be preferred.

2.6 IT and Modernization Assistant

Education: Bachelor degree in Computer Science/Computer Engineering/Electrical Engineering , or similar IT related engineering degree.

Experience: 5-years of relevant experience in Customs modernization and IT. Extensive experience in programming including developing Android applications and JAVA, computer networking, system integration, data center establishment will be added advantage.

2.7 Environment / Socio Surveyors & Pollution Testers

Education: Bachelor's Degree in Ecology, Forestry, Environmental Science, Social Science or Engineering; relevant training required.

Experience: Minimum 5 years of experience in working in EIA or ESIA study team, with at least 2 years of specific experience monitoring environmental/social impacts or environmental compliances in infrastructure projects of comparable size.

7. General Obligations

7.1. The Consultant's Obligations

The Firm shall:

- i. The Firm should avail all non-key technical, administrative and support staff as well as all logistical support to complete the assignment.
- ii. All inputs are to be costed and included in the Technical and Financial Proposals.
- iii. Firm is responsible to visit construction sites, project office, and other relevant places as per requirement of the project.
- iv. Firm shall cover the costs of training sessions including the rental of computers and license fee of software not available with the Employer.
- v. Firm is responsible to provide living spaces, transportation, and insurance obligations for their staff as per legal requirements in Bangladesh.
- vi. Firm shall arrange the necessary air transportation, land transportation including necessary vehicles for their own purpose to deliver the services effectively.
- vii. Firm shall cover the costs of training sessions developed and delivered by them in Bangladesh, as per prior agreement of the Employer.
- viii. Modification of inputs of the experts could be done only in consultation with the Employer.
- ix. Firm will coordinate and work closely with PIU.

7.2. Employer's Obligations

The Employer shall:

- i. Provide a counterpart to facilitate the Consultant's activities, communication with the Employer, other government agencies and the World Bank.
- ii. Arrange to get the relevant experts trained on STEP system of the World Bank and the online Client Connection if required.
- iii. Provide the Consultant access to relevant document, equipment and software at PIU.
- iv. Allow the Consultant use of available training space/facilities for training and meeting purposes.
- v. Plan and authorize the inputs from the Consultant's experts.

Selection Method:

A Consultant will be selected following the Quality and Cost Based Selection (QCBS) as set forth in the World Bank Procurement Regulations for IPF Borrowers, November 2020.



Annex 1: Detailed scope of E&S studies

1. Preparation of an Environmental and Social Impact Assessment (ESIA) and Environmental and Social Management Plan (ESMP)

The ESMF will provide the overall approach and methodology to follow by the project management/client on E&S risk management under the Bank's ESF, including for the ESIA along with ESMP, specific to the project's requirements. Detailed site investigations will be carried out at the selected locations to ascertain the precise nature of the environmental and social impacts. Therefore, the ESMF will provide the necessary background for environmental and social considerations, impact mitigation measures, and screening criteria /checklists of potential issues of the project activities to be considered and built into the design and interventions of the project so that environmentally as well as socially sustainable design and implementation can take place.

The ESIA will also include a detailed assessment of institutional capacity of the NBR on E&S risk management and based on that will prepare a corresponding Institutional Capacity Building Plan.

The specific scope of the ESIA/ESMP are:

- Screening procedure of all projects, components, and activities to be implemented based on feasibility study initial reports to make a preliminary assessment of the potential E&S issues;
- To identify project's area of influence, as well as relevant baseline data on the environmental and social aspects of this area;
- to highlight key measures along with environmental sustainability considerations (solar, natural lighting, controlling room temperature, ventilation, rainwater harvesting, material sourcing so on and so forth).
- To integrate the environmental and social concerns into the identification, design and implementation of all project interventions to ensure that those are environmentally sustainable and socially feasible;
- To ensure all relevant environmental and social issues are mainstreamed into the design and implementation of the project and also in the subsequent progress of the project activities;
- To consider in an integrated manner the potential environmental and social risks, benefits and impacts of the Program and identify measures to avoid, minimize and manage those risks and impacts while enhancing benefits;
- Carryout alternate analysis to identify the proper location and orientation of proposed buildings considering sunlight, internal ventilation, parking area, drainage area, access, wind direction etc.
- To ensure compliance with national and World Bank requirements. The ESIA will present potential impacts of the project, mitigation, enhancement, contingency and compensation measures, environmental and social management and monitoring plan, and institutional framework, including inter-agency cooperation for implementing ESMPs. The ESIA/ESMP will facilitate compliance with the GoB's policies, acts and rules as well as with the World Bank's ESF;



- Consideration of all applicable ESSs including guidelines and standards prescribed in the Bank's Environmental, Health and Safety Guidelines (EHSg) and existing GoB's environmental standards
- Recommendations on institutional implementation and monitoring arrangement including project-specific GRMs that also meet the requirements on labor and SEA/SH of the World Bank;
- Conduct of stakeholder mapping and subsequent consultations to cover groups/communities/ stakeholders to elicit their views and suggestions on actions and measures for inclusion in the SEP to ensure inclusion of the potential project affected persons, vulnerable and marginalized groups and ethnic communities including women in the project preparation process;
- Considering the construction complexity of proposed high rise building (basement, foundation, formwork etc.) as well as relocation of existing chemical lab during construction and resifting to new building (after construction), the ESMP should comprises the following specific management plans:
 - Waste Management Plan;
 - Hazardous Materials Management Plan;
 - Health and Safety Management Plan;
 - Emergency Prevention and Response Management;
 - Occupancy and Safety Building Plan
- As there are existing infrastructures nearby the construction site, there will have impacts (e.g., dusts, noise) on those during construction or operational period. Adequate mitigation measures need to be suggested. For instance, as mitigation measures: proper fencing for safety, establishment buffer zone through tree plantation, acoustic barrier as applicable for noise pollution.
- Development of E&S Capacity Building Plan that will include a broader E&S capacity assessment of NBR;
- A cost table and budget to be adopted in the project budgetary provision to ensure implementation of the ESMF and develop E&S management capacity of the partners.
- To obtain the clearance from DoE as per ECR-2023

Conducting a proper environmental and social assessment and preparing both environmental and social management plans is essential to address the potentially negative impacts of the project. The firm will prepare the ESIA/ESMP following extensive stakeholder engagement and outline the Grievance Redressal Mechanism (GRM) for the planned CCH and CEVTA facilities under ACCESS. The levels and nature of the GRM and the timing within which the GRM needs to be in place shall be outlined. An outline of the ESIA is included in **Annex 2**.

A cumulative impact assessment of the development activities at CCH and CEVTA facilities may also need to be included under the ESIAs by having in the evaluation the potential cumulative impacts of other past, current, and future activities and development in the project area of influence and following the IFC Good Practice Handbook on Cumulative Impact Assessment. The induced and indirect impacts of the improvements over the medium to long term will also need to be made. Based on the expected cumulative impacts a separate Cumulative Impact Assessment report may be required.



2. Preparation of the Resettlement Action Plan (RAP)

The consultants will prepare site-specific RAPs, if found justified, for both the CCH and CEVTA facilities with identified footprint areas with an in-depth census survey of the project affected persons (PAPs). The preparation of the RAPs will involve close and meaningful consultations with the PAPs and as well as with other relevant stakeholders, in particular, with the potential vulnerable PAPs, to incorporate their comments and feedback, and appropriate compensation measures with the objectives of improving their livelihoods in line with the ESS5. The project Resettlement Policy Framework (RPF) will guide the preparation of the site-specific RAP;

The Consultant shall ensure the following minimum elements are addressed in the Resettlement Action Plan (RAP) for each of the planned facilities:

- General description of the Project and identification of the project area, including cut-off date
- Identification of potential impacts considering: (a) the project components or activities that give rise to displacement, explaining why the selected land must be acquired for use within the timeframe of the Project; (b) the zone of impact of such components or activities; (c) the scope and scale of land acquisition and impacts on structures and other fixed assets; (d) any project-imposed restrictions on the use of, or access to, land or natural resources, (e) alternatives considered to avoid or minimize displacement and why those were rejected; and (f) the mechanisms established to minimize displacement, to the extent possible, during project implementation.
- The findings of a household-level census identifying and enumerating affected persons – including especial mechanisms to involve women and vulnerable people- and, with the involvement of affected persons, surveying land, structures, and other fixed assets to be affected by the Project.
- Entitlement Matrix with the different compensation packages available for loss of assets and livelihoods, including help with moving and transaction cost as well as re-establishment of livelihoods as applicable.
- Legal and institutional framework relevant to resettlement.
- Method to ensure the involvement of displaced persons and redressing of grievances.
- Budget for land acquisition and related monitoring framework together with implementation arrangement of the RAPs.

An outline of the RAP is included in **Annex 2**.

3. Environmental and Social Standards (ESS) to be followed

The following Environmental and Social Standards has to be taken into consideration/complied with in preparation of the ESIA:

3.1. ESS1: Assessment and Management of Environmental and Social Risks and Impacts

The ESIA will be conducted to assess all risks and impacts related to all relevant ESF E&S standards (ESS2, ESS3, ESS4, ESS5, ESS6, ESS7, ESS8, ESS10) to the Project, including stakeholder engagement, social inclusion (including disability and Sexual orientation and gender identity) with identification of the vulnerable groups; assessing risks of sexual exploitation and abuse and sexual harassment (SEA/SH) following the World Bank's Good Practice Note (GPN); and assessment and management of environmental and social risks and

impacts of contractors. The assessment will focus on the physical components of infrastructure development, including ancillary facilities. The ESIA will also investigate whether the connecting roads and other adjacent infrastructure are being concurrently developed. If they do, the ESF will apply to these associated facilities.

In assessing E&S risks and impacts and management measures, reference should be made to the World Bank's General Environmental Health and Safety Guidelines and relevant Industry Sector Guidelines such as for Construction Materials Extraction.

3.2. ESS2: Labor and Working Conditions

The ESIA will assess labor risks and working conditions including occupational health and safety (OHS). The assessment will include risk from project activities and critical labor risks such as hazardous work, child labor and forced labor, migrant or seasonal workers, discrimination against vulnerable and marginalized workers, risks of SEA/SH from labor influx, occupational health and safety, potential accidents and emergencies, among others.

The ESIA will identify project workers (direct workers¹, contracted workers², primary supply workers³, and community workers⁴) and make reference to the existing Labor Management Procedures of the Program that will set out how the project workers will be managed, according to the requirements of national law and ESS 2. These procedures will also refer to the project SEA/SH Management Plan to minimize/mitigate the risks of SEA/SH from labor influx during the implementation of the Project's works (See also ESS4) and will details as well an OHS Management Plan.

In assessing risks and impacts and management measures related to ESS2, reference should be made to the World Bank's General Environmental Health and Safety Guidelines and Industry Sector Guidelines for Construction Material Extraction. Other Bank guidance notes can be referred to, including the Good Practice Note on Labor Influx Management, Environment and Social Incident Response Toolkit (formerly SIRT) and integrating ESHS into the procurement process as per the Bank's Procurement Framework.

3.3. ESS3: Resource Efficiency and Pollution Prevention and Management

The risks and impacts related to ESS3, including greenhouse gas emissions, need to be calculated for both the planned CCH and CEVTA facilities. The impact analysis and measures will need to ensure that key risks and impacts are addressed and managed and specific to the ports that the Project will support.

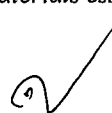
However, the first task for the Consultant would be to measure the present level of airborne (including noise), water, soil and other forms of pollution to establish a baseline. Multiple teams for baseline data collection will be required for the different sites. This should also be reflected in the ESMF and the ESIA.

¹ People employed or engaged directly by the Borrower to work specifically in relation to the project.

² People employed or engaged through third parties to perform work related to core functions of the project.

³ People employed or engaged by the Borrower's primary suppliers. Primary suppliers are those suppliers who, on an ongoing basis, provide directly to the project goods or materials essential for the core functions of the project.

⁴ People employed or engaged in providing community labor.



Subsequently, the Consultant shall find the amount and nature of hazardous wastes produced during the construction and operation of each of the planned facilities. The measures to safely handle and dispose of or recycle the wastes need to be comprehensively assessed.

The Consultant shall also estimate the resource requirements for the construction and operation phases of the facilities, e.g., sand filling, water resources, fuel, electricity, etc. Efficiency measures for each resource need to be provided in detail within the ESIAs and incorporated into the project design in collaboration with the design firm.

3.4. ESS4: Community Health and Safety

The ESIA needs to cover the Project's impact assessment, including ancillary facilities, on community health and safety and as well as potential requirements of security forces during preparation, implementation and operational phase of the planned CCH and CEVTA facilities. The ESIA will deepen the impact analysis on the health and safety of the communities exposed to the project activities both at the facilities and in ancillary facilities such as borrow pits, quarry sites, spoils disposal areas, and workers' camps, hauling routes, etc. The Consultant will also analyze the impacts of labor influx on the communities' health and safety and traffic safety to communities and commuters during construction. A project-specific SEA/SH Management Plan has been prepared based on this in-depth analysis and project-specific SEA/SH risk rating. The consultant will refer to it for analyses of the NBR site-specific measures – both preventive and curative – that the project management will undertake in managing the risks of the SEA/SH that may occur during the Project's implementation. Based on the assessment, the consultant will include the relevant mitigation measures in the ESMF/ESMP.

In assessing risks and impacts and management measures related to ESS4, reference should be made to the World Bank's General Environmental Health and Safety Guidelines and Industry Sector Guidelines for Construction Material Extraction. Other Bank guidance notes can be referred to, including the Good Practice Note on Labor Influx Management, Environment and Social Incident Response Toolkit (formerly SIRT) and integrating ESHS into the procurement process as per the Bank's Procurement Framework.

The consultant will also perform a Security Risks Assessment (SRA) at the sites, and develop a commensurate Security Management Plan (SMP)

The Consultants will also ensure that both the facilities – but especially those involving passengers and the general public- assess fire risks and are built in compliance with the relevant Life and Fire Safety international standards. For operation, the ESMPs will include regular fire /evacuation drills involving local fire departments / civil defense / relevant authorities.

3.5. ESS5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement

The ESIA will need to determine the numbers of PAPs, typologies of PAPs, entitlements, etc. The objective is to avoid involuntary resettlement or, when unavoidable, minimize involuntary resettlement by exploring project design alternatives. There shall be no forced eviction. Whatever unavoidable adverse social and economic impacts from the land acquisition or restrictions on land use needs to be offset by providing timely compensation for loss of assets at replacement and assisting displaced persons in their efforts to improve, or at least restore, their livelihoods and living standards.

In case of any involuntary resettlement, NBR will prepare a Resettlement Policy Framework (RPF) that will lay down the necessary principles and procedures for this purpose and subsequently prepare site-specific Resettlement Action Plan (RAP) based on census survey.

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The preparation of the RAP will be done in close and meaningful consultations with the PAPs and as well as with other relevant stakeholders, in particular, with the vulnerable PAPs, to incorporate their comments and feedback and appropriate compensation measures with the objectives of improving their livelihoods in line with the ESS5.

3.6. ESS6: Biodiversity Conservation and Sustainable Management of Living Natural Resources

The ESIA will collect relevant baseline biodiversity information for both terrestrial and aquatic, screen for potential impacts on biodiversity values and ecosystem services and, depending on the screening results, may include a detailed assessment on biodiversity impacts of the three sub-Projects. Multiple teams for baseline data collection will be required. The ESIA should include Critical Habitat Assessment, and separate BAPs/BMPs may be needed. The ESS6 assessments should involve no-net loss (NNL) or net gain (NG) measures, as applicable if impacts on Natural or Critical Habitats are identified. Potential risks on poaching and illegal wildlife trade should also be addressed.

3.7. ESS7: Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities

This standard is not relevant to NBR activities.

3.8. ESS8: Cultural Heritage

There are no known cultural heritage sites in the premises of both NBR sites. The ESMPs and the ESIA will include a "Chance Find Procedures" in case such cultural heritage sites are discovered during construction phase, including the possibility of developing standalone Cultural Heritage Management Plan.

3.9. ESS9: Financial Intermediaries

This standard is not relevant to the project.

3.10. ESS10: Stakeholder Engagement and Information Disclosure

A Stakeholder Engagement Plan (SEP) has been developed to guide the consultation processes and stakeholder engagement throughout the Project's and sub-projects life cycles, starting from preparation down to implementation. The consultant will refer to this SEP and focus on the NBR site-specific requirements including for the Grievance Redress Mechanisms (GRMs) of the sub-Projects.

Annex 2: Indicative outline of the ESIA

(Separate volumes of ESIA and RAP needs to be prepared for CCH and CEVTA)

Executive Summary

This should be standalone and concisely provides a good summary of the Project, the policy, and regulatory frameworks, summary of consultations with critical stakeholders, a summary of key baseline information relevant to the analysis of key impacts, a summary of key and site-specific impacts, a summary of key measures to address site-specific impacts, implementation arrangements for the ESMP with an estimated budget. The ES should be accompanied by a good and readable map showing the location, connecting transport corridors, and locations of ancillary facilities.

Chapter 1: Project Description

Describes the physical components of the facilities planned to be developed in detail, including location, size, design elements, components, ancillary facilities such as borrow pits, quarry sites, workers camps, disposal areas, hauling and transport routes, etc. Maps, photos, and design details should be included. Estimates of resources required during construction and operation phases should be provided, with supporting calculations in annexes.

Chapter 2: Legal and Institutional Framework

These needs include an evaluation of the local laws and regulations (including relevant laws, regulations, and institutions on labor, working conditions, health and safety) vis a vis, the new ESF and 10 ES Standards, GBV Good Practice Note, World Bank EHS Guidelines and Industry Sector Guidelines for Construction Material Extraction and relevant international treaties and protocols.

Chapter 3: Description of Environment (Baseline Data)

A specific description of the environment (Physical, Biological, and Socio-Economic) for each of the facilities and the surrounding area, their component activities, and ancillary facilities are required to ensure that key baseline information is up-to-date. In addition, baseline data for ESS2 and ESS4 will need to be collected.

Chapter 4: Stakeholder Engagement and Public Consultations

It should summarize the consultation processes, dates of consultations, who were consulted, issues raised, and how the Project will address topics for the development of the CCH and CEVTA facilities. Information on the consultation process, dates of consultations, the person/institutions consulted, issues raised, and how the project address issues and should.

Chapter 5: Environmental and Social Risks and Impacts

It is suggested to separate risk and impact assessment from mitigation. Thus, this chapter should focus on assessing the risks and impacts of the Project related to all other relevant standards (ESS2, ESS3, ESS4, ESS5, ESS6, ESS7, ESS8), including stakeholder engagement, vulnerable

groups, and assessment and management of environmental and social risks and impacts of contractors.

In addition, this chapter also needs to include cumulative impact assessment following IFC Good Practice Handbook on Cumulative Impact Assessment. This also needs to have indirect and induced impacts of the CCH and CEVTA facilities planned to be developed on valued ecosystem components.

It is suggested that a summary table be provided showing the locations, sensitive receptors, distance of the receptors from the Project, and how the Project will impact sensitive receptors.

Chapter 6: Mitigation Measures

This will be the ESMP, which should demonstrate the application of mitigation hierarchy (i.e., avoidance, minimization, mitigation, offset/ compensation) and should cover both generic mitigation measures for noise, dust, pollution, health, safety, etc. and site-specific measures for sensitive receptors, monitoring and audit, including grievance redress. Where possible, technical specifications should be provided for generic and site-specific measures readily adopted in the bidding documents.

This chapter should accompany a table summarizing the project phase, activities, risks and impacts, management measures that apply the mitigation hierarchy, responsible party, and indicative budget.

It should specify specific plans that will be prepared and implemented by the Contractor before site mobilization, including but not limited to the Construction-ESMP, Traffic Management Plan, Health and Safety Plan, Labor Influx Management Plan, Workers' Camp Management Plan, Spoils Disposal Management Plan, Site Rehabilitation and Restoration Plan, Waste Management Plan, Material Extraction Plan, etc.


The detailed specifications for the bidding documents' environmental, social, health, and safety (ESHS) requirements will be consistent with standard requirements in the Bank's 2017 SBD documents for ICB.

The following needs to be clearly outlined:

- Unit cost and quantity of the mitigation measures
- Minimum specification of the measures
- Timing to implement the mitigation activities
- Provisions to be made in the contract (as a part of Special Condition of Contract) for Supervision Consultant and the Contractor

Chapter 7: Analysis of Alternatives

This chapter should assess and present different alternatives, including phased development, degree of mechanization during construction, the pace of construction, construction techniques, without the project scenario, etc. The pros and cons should be presented and rationale for their selection over other options.



Chapter 8: Key measures and actions for the Environmental and Social Commitment Plan (ESCP)

This summarizes key measures and actions and the timeframe required for the Project to meet the requirements of the ESSs. This will build on the ESMP proposed under Chapter 6.

Chapter 9: Institutional Arrangements

This will be the Implementation Arrangements for the ESMP, including safeguard capacity assessment and staffing among the Employer, Construction Supervision Consultant (CSC), and Contractors.

In addition, this chapter should make clear the minimum EHS staffing at NBR, Contractor, and the CSC.

The chapter should also outline the institutional arrangements during the operation phase, especially regarding environmental and social issues management.

Annex 2: Outline of Resettlement Action Plan (RAP)

The Resettlement Action Plan (RAP) outlines the procedures that the Project implementing agency will follow and the actions that it will take to mitigate adverse effects, compensate losses, and provide development benefits to persons and communities affected by an investment project.

In accordance with ESS 5, the RAP follows these principles:

1. involuntary resettlement should be avoided
2. where involuntary resettlement is unavoidable, affected people should be compensated fully and fairly for lost assets
3. involuntary resettlement should be conceived as an opportunity to improve the livelihoods of the affected people, and, undertaken accordingly; and,
4. people affected by involuntary resettlement should be consulted, and involved in resettlement planning, to ensure that mitigation and benefits are appropriate and sustainable.

Given that involuntary resettlement entails both the physical displacement of peoples, and the disruption of their livelihoods, a RAP details the outline of the rights, roles, and responsibilities of all parties involved in involuntary resettlement. The RAP must identify the full range of people affected by the Project and justify their displacement after considering alternatives that would minimize or avoid displacement. The RAP outlines eligibility criteria for affected parties, establish compensation rates for lost assets and describes levels of assistance for relocation and reconstruction of affected households.

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