

## OUTLINE TERMS OF REFERENCE FOR CONSULTANTS

1. All consultants will be recruited in accordance with the Asian Development Bank (ADB) Procurement Policy (2017, as amended from time to time) and its associated project administration instructions and/or staff instructions.

2. The transactional technical assistance (TRTA) facility will provide about 50 person-months of international consulting services and 100 person-months of national consulting services. The terms of reference and inputs will be further developed once the participating executing agencies and implementing agencies have been selected.

3. **Environment Safeguards Specialist** (international, intermittent, 20 person-months). To ensure compliance with ADB Safeguard Policy Statement, 2009 (SPS), monitor environment compliance/performance of ongoing loans; establish good documentation on environment safeguards, disclose environment safeguard documents by following ADB's information disclosure policy, and conduct training for executing agencies and implementing agencies (EAs/IAs) to understand environment safeguards in designing, implementing and monitoring. The specific tasks include:

- (i) conduct capacity building training workshops on environment safeguard requirements for EAs/IAs, supervision consultants, contractors and other stakeholders;
- (ii) conduct environment assessments including field surveys and stakeholder consultations;
- (iii) participate in project preparatory missions and meet with national government agencies and consultants to follow up on progress of environment safeguard requirements;
- (iv) prepare/review/comment/revise environment safeguard documents required for project processing such as: environment categorization forms, initial environment examination (IEE), environment impact assessment (EIA), environment assessment and review framework (EARF), due diligence reports for associated facilities (if any) and for multi-tranche financing facilities (MFF) or additional financing projects;
- (v) collaborate with EAs/IAs and/or the design consultants to ensure recommendations of the climate risk assessment are included in the technical design;
- (vi) where necessary, provide additional technical analysis for the IEE/EIA in areas such as project impacts and mitigation measures for air pollution, water pollution, noise and vibration;
- (vii) assist in preparing presentation materials for category "A" projects in the environment thematic group peer review meetings;
- (viii) monitor implementation of the environment management plan (EMP) and environment monitoring plan (EMOP) and provide guidance as necessary to EAs/IAs;
- (ix) participate in missions to review implementation of environment loan conditions/covenant of the ongoing category "A" and "B" projects;
- (x) where necessary conduct independent external monitoring mission particularly for environment category "A" projects;

- (xi) advise EAs/IAs on the preparation of monitoring reports in accordance with ADB SPS and review and comment on them;
- (xii) review the monitoring reports submitted by EAs/IAs and make necessary revisions;
- (xiii) assist in drafting corrective action plans, as needed; and
- (xiv) carry out any other tasks necessary to ensure compliance to environment safeguard requirements during project preparation/implementation.

4. The Environment Safeguards Specialist's qualifications include a master's degree in environment science, environment engineering, environment management, or relevant discipline. At least 10 years of experience in conducting environment impact assessment and environment safeguards implementation, preferably within the South Asia region. Preference will be for the candidate with experience of working on projects financed by international development agencies. Having a good grasp of ADB safeguard policy and procedures is preferred.

5. **Social Safeguards Specialist** (international, intermittent, 20 person months). To ensure compliance with the ADB SPS, monitor social safeguards compliance/performance of ongoing loans, establish good documentation on social safeguards, disclose social safeguard documents by following ADB's information disclosure policy, and conduct training to the executing agencies to understand social safeguards in designing, implementing and monitoring. The specific tasks include:

- (i) conduct capacity building training workshops on social safeguard requirements for EAs/IAs, supervision consultants, contractors and other stakeholders;
- (ii) participate in project preparatory missions and meet with national government agencies and consultants to follow up on progress of social safeguard requirements and prepare the social safeguards section of the aide memoire;
- (iii) prepare/review/comment/revise social safeguard documents required for project processing such as resettlement framework/ plan, Indigenous Peoples framework/ Peoples plan, due diligence reports and the like;
- (iv) based on social safeguard issues identified in the social safeguard documents, prepare the social safeguards section for the project document (RRP, project/facility administration manual, and covenants for particular projects to comply with SPS);
- (v) monitor implementation of the resettlement plan and/or Indigenous Peoples plan and provide guidance as necessary to EAs/IAs;
- (vi) participate in missions to review implementation of social safeguards loan conditions/covenant of the ongoing category "A" and "B" projects and prepare social safeguards section of the mission aide memoire;
- (vii) advise EAs/IAs on the preparation of monitoring reports in accordance with ADB SPS and review and comment on them; and
- (viii) review the monitoring reports submitted by EAs/IAs and make necessary revisions.

6. The Social Safeguards Specialist must have a master's degree in anthropology, social science or related fields. Minimum of 10 years experience in preparing social safeguard documents conducting social impact assessments and/or monitoring social safeguard issues in infrastructure projects including those supported by multilateral development institutions. Experience in South Asian countries is preferred. Having a good grasp of ADB safeguard policy and procedures is preferred.

7. **Social Safeguards Specialist (External Monitor)** (international, intermittent, 10 person months). To conduct independent external monitoring missions particularly for involuntary resettlement and Indigenous Peoples category “A” projects, assess the resettlement process and timing, adequacy of institutional arrangements for resettlement planning and implementation, affected persons’ status before and after displacement, and verify compliance with social safeguards related loan covenants. The tasks include:

- (i) review and verify the progress in resettlement plan implementation and compliance with loan covenants;
- (ii) confirm and verify the semiannual social monitoring reports prepared;
- (iii) assess the effectiveness and efficiency of EAs/IAs institutional setup for resettlement plan implementation, including process of consultation, information disclosure and grievance redress;
- (iv) assess whether resettlement objectives, including restoration or enhancement of livelihoods and living standards are met and the compensation and measures proposed for people facing economic impacts are adequate for livelihood restoration;
- (v) assess resettlement efficiency, effectiveness, impact, and sustainability;
- (vi) document the process and outcome of negotiated purchase processes;
- (vii) suggest any corrective actions, as required; and
- (viii) review the project impacts on vulnerable groups and assess the effectiveness of the mitigative actions taken for such groups.

8. The External Monitor must have an advanced degree in anthropology, social science, or related fields. Minimum of 10 years experience working on social safeguards, implementing resettlement plan, monitoring, and consultation in infrastructure projects including those supported by multilateral development institutions. Experience in South Asian countries is preferred. Having a good grasp of national and local laws/regulations and ADB safeguard policy and procedures is preferred.

9. **Environment Safeguards Specialist** (national, intermittent, 40 person months). To complete/assist in completing IEEs/EIAs depending on project categorization in full compliance with local and international standards, policies, and guidelines, including ADB guidelines and methodologies by undertaking review of project design, site assessment, and review of available information on specific project site/s and similar projects. Specifically, the consultant will perform, but not limited, to the following:

- (i) review the project design and all other pertinent project documents to assess environment impacts of the project based on, but not limited to, the rapid environment assessment checklist of ADB, available information on the site, literature reviews, and impact assessments conducted on similar projects;
- (ii) gather baseline information or fill information gaps as necessary on the environment conditions of the project site including collection of physical (air, noise and vibration, surface and ground water, soil), ecological (flora, fauna, protected areas) and socio-economic (physical cultural resources, heritage sites, etc.) environment components;
- (iii) determine project classification in accordance with the environment impact assessment requirements under national and state guidelines and policies, and

- ADB screening checklist for environment categorization according to the SPS or its subsequent updates;
- (iv) coordinate and discuss the findings, assessments, and proposed mitigation measures with EAs/IAs and obtain their concurrence before finalizing the IEE/EIA, environment management plans, environment monitoring plans, and other related or attached documents;
  - (v) collaborate with EAs/IAs and/or the design consultants to ensure recommendations of the climate risk assessment are included in the technical design;
  - (vi) as necessary, recommend improvements to the project/facility administration manual, prepare environment assessment and review framework, as the case may be, with particular attention to the institutional arrangements and, reporting and monitoring requirements;
  - (vii) draft the terms of reference of the consultant who will need to support the institutional capacity development in terms of environment safeguards implementation, with estimation of required inputs and cost for the assignment;
  - (viii) assist EAs/IAs in setting up the grievance redress mechanism;
  - (ix) assist EAs/IAs on the preparation of monitoring reports in accordance with ADB SPS and review and comment on them;
  - (x) review the monitoring reports submitted by EAs/IAs and make necessary revisions;
  - (xi) advise on specific issues which shall be agreed between EAs/IAs and ADB for the efficient and effective project implementation; and
  - (xii) provide any support requested by the project processing/implementing teams in processing of the proposed projects and implementation of ongoing projects.

10. The Environment Safeguards Specialist should have a bachelor's degree in environment science, environment engineering, environment management, or relevant discipline. The consultant should have at least 5 years of experience in conducting environment impact assessment and environment safeguards implementation, preferably within the South Asia region. Preference will be for the candidate with experience of working on projects financed by international development agencies. Having a good grasp of national and local laws/regulations and ADB safeguard policy and procedures is preferred.

11. **Social Safeguards Specialist** (national, intermittent, 40 person months). To conduct the assessment of social development dimensions of the project, including involuntary resettlement, Indigenous Peoples, gender, socio-economic surveys, poverty and participation. To support preparation of the required social safeguard documents such as resettlement framework/plan, Indigenous Peoples framework/plan, poverty and social assessment, gender action plan, social engagement plan, and project reports relevant to the processing and implementation of the project. The consultant will assist the EAs/IAs in the following tasks required for project processing, monitoring social safeguards compliance, and performance of on-going projects:

- (i) take part in project preparatory missions and meet with national government agencies and consultants to follow-up on the progress of social safeguard requirements and prepare the social safeguard section of the aide memoire;
- (ii) support the preparation of involuntary resettlement and Indigenous People safeguard documents required for project processing such as involuntary

- resettlement and Indigenous Peoples impact categorization forms, resettlement framework/plan, Indigenous People framework/plan;
- (iii) provide additional technical analysis for the resettlement plans in specific areas, such as affected sensitive assets, vulnerable affected persons and stakeholders' engagement;
  - (iv) review/comment and support the preparation of the poverty, social and gender analysis;
  - (v) identify social mitigation and enhancement measures required in the project and provide cost-estimates in consultation with other project team members or counterpart in government EAs/IAs to quantify their costs;
  - (vi) prepare the involuntary resettlement, Indigenous Peoples, poverty, social and gender analysis, as well as other social impacts sections of the project preparation documentation (report and recommendations to the President, and project/facility administration manual) to comply with the ADB SPS;
  - (vii) review/comment and support the preparation of the social due diligence/compliance reports before their disclosure on ADB website;
  - (viii) participate in missions to review the implementation of loan conditions/covenant related to social safeguards of the ongoing category "A" and "B" projects and prepare social safeguards section of the mission aide memoire;
  - (ix) provide and recommend resettlement implementation and monitoring tools to the government executing agencies;
  - (x) where necessary conduct independent external monitoring missions particularly for category "A" projects; conduct of due diligence activities as required under the project;
  - (xi) advise EAs/IAs on the preparation of social monitoring reports in accordance with ADB SPS and review and comment on them before their disclosure on ADB website; and
  - (xii) provide training to the consultants and staff of EAs/IAs, and other stakeholders involved in project implementation on conducting inventory of losses surveys, public consultations and information dissemination.

12. The Social Safeguards Expert must have a bachelor's degree in anthropology, social science or related fields. Minimum of 5 years experience in preparing social safeguard documents conducting social impact assessments and/or monitoring social safeguard issues in infrastructure projects including those supported by multilateral development institutions. Experience in South Asian countries is preferred. Having a good grasp of national and local laws/regulations and ADB safeguard policy and procedures is preferred.

13. **Information Technology Expert** (national, intermittent, 20 person months). To enhance safeguards tracking system in compliance with project performance rating (PPR). Tasks include:

- (i) improving web-based safeguards performance tracking system;
- (ii) coordinating and consulting with ADB Office of Information Services and Technology to ensure compatibility with safeguards tracking system;
- (iii) preparing technical procedures necessary for system design;
- (iv) training staff through face-to-face and video link interaction; and
- (v) debug system when required.

14. The Information Technology Expert will have a bachelor's degree in computer science or equivalent field, extensive experience in the preparation and programming of databases and in web-based querying. Experience working in multilateral development institutions is preferred.

15. **Other Specialist(s)** (international/national, intermittent, as needed). The consultant will cover aspects of safeguards compliance such as problem solving and grievance redress, corrective action plan, and external monitoring, as well as develop training materials and provide logistical support for training programs. They would be recruited on a need-basis and detailed at a later point of time as per requirements of the assignment.

16. **Resource persons** (international, intermittent, as needed). Resource persons (environment specialists, social development specialists, and/or staff of government EAs/IAs), will be engaged to review documents and be speakers, facilitators, or discussants in related workshops, seminars, or conferences.